

An Open Letter to John A. McCall President New York Life Insurance Company

Every man who is now denying himself luxuries, comforts and even necessities, in order that, after his death, his family may enjoy comfort and safety—every such man should read Mr. Lawson's burning words in his open letters to John A. McCall, President of the New York Life Insurance Company, and to the public. Every woman who is depending on insurance for her support. Every one closely or remotely connected with life insurance should get the November number of Everybody's, read the full text of Mr. Lawson's letters (of which parts are quoted below) and send Mr. Lawson their proxies or add their names to the hundred thousand who have already written him.

To John A. McCall, President New York Life Insurance Co.

Mr. It is time your attention was called to the moral sense of the American people. It is time you were shown yourself as you are today seen by the millions of your countrymen, who, a month ago, believed you to be a great and honorable man. In spite of the terrible exposures of the past few weeks, it is time you were shown the juggling, grafting and corruption of your administration of the most sacred trust that can be confided to man, you remain unconvinced of your fall and unpenetrated by your shame. Forgetting that the enemy against whom your maneuvers were directed was the American people, and that your character and reputation were as absolutely before the bar as though you had been indicted for embezzlement of the funds of some dead friend's wife. You have made yourself the custodian of these funds under sacred pledge of square dealing and honest administration. You have made yourself the national accuser of the widow and the orphan. Hundreds of millions of dollars have been confided to you annually—scores of millions of the nation have been turned into your

coffers. With this money you have been rigging syndicates, debauching legislatures, manipulating stock markets, and doing other things which will be proven later. Instead of employing the vast power and the immense wealth entrusted to you to conserve the interests of your policy-holders, you have made yourself a part of the cruel robbing machine which the "System" has created to deprive the American people of their savings. Yet today you describe the investigation being conducted into your operations as an impertinence. You are unrepentant, unashamed and defiant.

One year ago, in Everybody's Magazine, I said: "The officers, trustees and officials of the Big Three life insurance companies have been and are now squandering their policy-holders' money. They are grafters—mean, contemptible, grafters." I gave specific instances of their thievery. You replied, not by halting me to court, but by circulating throughout the world documents by the millions, disparaging my reputation by advertisements and "news" and "editorial" statements from your subsidized insurance press, denying my charges, attacking my character,

all at the expense of your policy-holders and without their approval. You employed James M. Beck, ex-assistant attorney-general of the United States, then and now chief attorney for Henry H. Rogers, the Standard Oil company, the "System" and the Mutual Life Insurance company, to ridicule my utterances and aspersions by honor in addresses in the cities of Philadelphia and Boston. You employed James H. Nichols, ex-controller of the currency of the United States, now president of the Commercial bank and representative of the "System" in the west, to attack my arguments and distort my motives in Chicago.

I had intended to await the finish of the New York investigation before proceeding, but as I have had placed in my hands during the past few days evidence of the determination of yourself and your accomplices and fellow-conspirators to face it out regardless of consequences, and as I believe men capable of committing the acts that have been proved during the past few days fully capable of taking the transportation part of the billion and a quarter funds to foreign countries and using them to keep themselves from their justly deserved punishments, I have decided to act now.

Notwithstanding the turpitude already exposed to the people, you still insist you can so conduct yourself as to prevent the investigators from fastening on you and your associates the more desperate crimes that have been committed in the past—the 150 to 200 millions stolen and diverted or used in corruption. But you have mistaken the temper of your countrymen. I have been authorized in writing by over 10,000 policy holders, carrying over fifty-four million of insurance, to act for them.

I had intended to await the finish of the New York investigation before proceeding, but as I have had placed in my hands during the past few days evidence of the determination of yourself and your accomplices and fellow-conspirators to face it out regardless of consequences, and as I believe men capable of committing the acts that have been proved during the past few days fully capable of taking the transportation part of the billion and a quarter funds to foreign countries and using them to keep themselves from their justly deserved punishments, I have decided to act now.

Thomas W. Lawson

To Life Insurance Policy Holders:

At the beginning of my story, nearly a year and a half ago, I made certain accusations against the management of the three big life insurance companies. I knew when I began my story that the big life insurance companies were in the hands of grafters and thieves, just as are the great banks, trust companies, railroad companies, and big corporations and trusts. This I know and, in plain language, said it. Today the press of the world is devoting its space, news and editorial, to a recital of the contemptible and heinous crimes of the New York Life and the Mutual Life Insurance companies—as I relate them, but as their own officers and trustees publicly confess them. In the July installment of my story I called upon policy-holders to sign a coupon blank inserted in Everybody's Magazine, and send same to me that I might speak for them in a plan to further their interests. In response to my call I have received up to today, October 4, 14,997 answers, representing \$55,165,916. As soon as I received a number of sig-

natures sufficiently large to warrant it, I quietly began operations. The first direct result is the investigation now being held. This investigation has proceeded far enough to put before the public absolute proof of all the crimes I have charged, and twice to thirty times as many more. It is now evident to all that: 1st. The policy-holders in the great companies have nearly paid into their company scores of millions more than necessary. 2d. The policy-holders have been robbed of hundreds of millions. 3d. The vast funds on hand have been habitually used by the grafters now in control of them in the roughest kind of stock gambling. 4th. These funds have been habitually used to corrupt the ballot-box and the lawmakers of the country. I repeat, absolute proof of all this has been made public. It should now be evident to all that: 1st. The funds now on hand are in actual jeopardy, because they are in the absolute control of unprincipled scoundrels. 2d. Unless something is done . . . at once by the policy-holders . . . every one of the largest companies may become insolvent; that is, they may not be able to meet the engagements of their policies, because of waste of funds, tre-

mendous falling off of new business, tremendous cost of the new business, and the nature of the new business—so-called "graveyard business," for I am credibly informed that they are now seeking to insure those who formerly have been refused insurance because of physical infirmities. It should be plainly evident that if the policy-holders move, and move quickly, they can be absolutely assured that: 1st. The funds as they are today will remain intact. 2d. They will be added to by the resumption of from \$75,000,000 to \$150,000,000. 3d. A score of the thieves who have plundered policy-holders in the past will be sent to prison. 4th. The future payments of policy-holders will be largely cut down. 5th. The present swollen surpluses will be returned in large part to policy-holders. 6th. In the future policy-holders will actually run the company. 7th. All policy-holders can be assured that in the future they will receive the actual worth of their policy as sur-renderer. All this being so, it is most eminently desirable for policy-holders to act, and at once.

Thomas W. Lawson

Beginning over a year ago, Everybody's Magazine has steadily attacked the legalized robbers of the business community, until the whole country has become keenly alive to the evil powers which we are struggling to destroy, and which have been in the way of President Roosevelt's "Square Deal for Every Man."

This destructive process must go on until the money of widows and orphans shall be safe; until beef trusts shall no longer control the food supplies; until the concentrated rottenness of many years shall be shaken out of the great businesses of our country; and until municipal, state and federal governments shall everywhere be clean and honest.

A great magazine—Everybody's for November—for everybody. For everybody; that means you.

Everybody's Magazine 15 cents—\$1.50 a year. Just out. At Newsdealers or send \$1.50 for one year's subscription to The Ridgway-Thayer Company, New York.

Charles Edward Russell, in his Foreword to his eloquent and constructive series on Man's Struggle for Equality, says: "In some way the Americans will find a cure for the evils that now beset and hamper them, as in old days they found a cure for monarchical despotism, and again for African slavery."

Lawson is helping. Russell is helping. Everybody's Magazine is helping. Let every man who has pity for the under-dog read what Mr. Russell has to say in his series beginning in Everybody's Magazine for November that he may learn, and think, and, when the time comes, act.

COUNCIL EXCEEDED ITS AUTHORITY

So-Called Perpetual Franchises Shown by Best Authorities to Be Revocable at Will.

DISCOVERY MAY SAVE CITY MANY MILLIONS

Jurists Hold That Perpetual or Exclusive Rights May Be Granted Only When Legislature Expressly Delegates Power So to Do.

Intense interest was aroused by the publication yesterday in The Journal of the discovery that the ordinances enacted by former city councils granting certain perpetual franchises were voidable, and

that the so-called perpetual franchises were, in reality, subject to revocation at the will of the council at any time. It is said to be a universally accepted proposition in law that perpetual or exclusive franchises can be granted by city councils only when the charters of the municipalities contain express delegated power from the legislatures of their states; that enactments by councils of franchises purporting to be perpetual or exclusive are in excess of power in the absence of such express delegation of power. The accepted authorities, such as Dillon and Elliott, as well as appeal courts in states wherein the issue has been raised, unite in supporting the doctrine herein set forth. Many Franchises Revoked. Franchises have been granted by Portland councils in past years, pretending to be perpetual, to the several railroad companies, the terminal company owning and operating the union station and yards, the telephone, gas, electric light and telegraph companies. These franchises, were they to be established as perpetual, would be immensely valuable, worth probably millions of dollars. Never before has the question been raised as to their validity, and it is certain that there will be widespread discussion before the issue is settled. Lawyer Explains Situation. In a cursory manner, a well-known lawyer illustrated the view of the courts, reading from Elliott on roads

and streets, an authority accepted by every jurist in the United States. Elliott says that it cannot be assumed that any municipality has the right to grant perpetual or exclusive franchises. Such a right accrues from definite and express authority delegated by the sovereign power of the state as represented by the legislature. The doctrine has never been combated successfully in any court of the land. Decisions are cited by Elliott from the supreme courts of New York, New Jersey, Minnesota, Indiana, Massachusetts, Maryland, Alabama, Tennessee, Texas and Louisiana, and the federal supreme court, and he also cites the decision of the Oregon supreme court in the case of Parkhurst against the Capital City Railway company. Oregon Court Cited. This case is in "23d Oregon reports," and raised the question of the power of Salem's city council to grant an exclusive franchise. The law regards exclusive and perpetual franchises in precisely the same light. The principle underlying the holding on this subject is that no city council can legally yield to a corporation or person the permanent control of a street that has been dedicated forever to public use. To grant a perpetual franchise would be absolutely to yield such control in the manner indicated, which is a violation of the rights of the people of the commonwealth who alone, through their legislature, may grant franchises of this character or delegate the power to do so. No Assumption Adequate. Furthermore, that this power must be delegated in express terms is held by all the authorities. In relation to this matter, hold the courts, there is really no assumption of power affecting the permanent rights of the people. Such powers must be delegated beyond all question, and the conclusion drawn from the whole matter at issue is that the city council of Portland had no power to grant perpetual franchises in the absence of provision in the charter for such grants.

BALDWIN, BEACHEY AND AIRSHIP GO SOUTH

City of Portland Made Twenty-Three Successful Flights, Establishing New Record

Captain T. S. Baldwin, owner and inventor of the airship City of Portland, with Lincoln Beachey, the boy aeronaut, and the airship, will leave this evening for Los Angeles. The City of Portland made more successful flights, under varying weather conditions, than any other airship, establishing new records in aeronautics that probably will not be bettered for years to come. In all, the airship made 23 ascents, of which 22 were successful, in that the ship was guided at will and returned safely to the place from which it started. Prior to the flights of the City of Portland, the Angelus went up four times, but did not succeed in getting back to the aeronautic course. "I am well satisfied with the summer's work," said Captain Baldwin this morning. "I think that some progress has been made, and I am going to keep right on trying." Baldwin will operate all winter, probably in one of the Los Angeles parks. There is a movement on foot, backed by the chamber of commerce of Los Angeles, to build in that city an aerodrome for the use of any airship man who may care to utilize it in making experiments. If this plan goes through, Captain Baldwin will be the first to take advantage of it. Captain Baldwin said this morning that he had two new motors ordered, one a two-cylinder motor and the other of the four cylinder style, which he expected to try out in connection with the experiments in Los Angeles.

GOVERNMENT PURCHASES FILIPINO CHURCH LANDS

(Journal Special Service.) Washington, D. C., Oct. 20.—The transfer to the government of the Dominican friar lands in the Philippines, which have been under dispute for over two years, was completed today, the government paying the final installment of \$5,521,857 through the International Banking Corporation in New York to the Philippine Sugar Estates Development company and receiving clear titles to the remaining lands. This price is \$150,000 less than was asked before. Secretary Taft made his recent visit to the Philippines. This payment concludes the friar lands purchase, which involved a total of 410,000 acres and an outlay of \$7,429,000. Over the Dominican friar land, which included about 150,000 acres, a dispute arose as to the title to a part of the tract, and the government served notice on the development company, which claimed ownership, that no money could be paid until an absolutely clear title was furnished. The money was raised by the sale of the Philippine bonds and had been on deposit with the International Banking Corporation and the Guarantee Trust company of New York City for about two years, drawing interest.

The Coal to Buy AND How to Burn It

is the all absorbing economic question of the house owner. A trial of any of the following brands will solve it speedily and to your satisfaction.

NEWCASTLE NUT, NEWCASTLE LUMP AUSTRALIAN, ROSLYN, PEACOCK ROCK SPRINGS, FRANKLIN

LOW PRICES ON OTHER COALS

First Prize Gold Medal awarded by Lewis & Clark Centennial Exposition

THE PACIFIC COAST CO.

CHAS. H. GLEIM, Agent

249 Washington St. Telephones 229 and 237

TOWLE'S LOG CABIN PRODUCTS

received highest award gold medal over all competitors on decision of superior jury



LEWIS AND CLARK EXPOSITION

SPANISH PRINCESS TO WED BAVARIAN PRINCE

(Journal Special Service.) Madrid, Oct. 20.—The period of mourning for the princesses of the Asturias, who died a year ago, being ended, the betrothal of the Infanta Maria Teresa to Prince Ferdinand of Bavaria was today formally announced. The marriage will take place at Madrid next January. The Infanta Maria Teresa is the only surviving sister of King Alfonso. She was born on November 12, 1882. Prince Ferdinand, who was born on May 10, 1884, is the elder son of Prince Louis Ferdinand of Bavaria. The infanta and the young prince are cousins. The prince is to become a Spaniard and receive appropriate Spanish rank.

Colombian Italians in South

(Journal Special Service.) New York, Oct. 20.—Supported by ample capital and many of the foremost philanthropists of the country, among them President Roosevelt, the Italian American Agricultural association has been incorporated for the purpose of colonizing Italian immigrants in the south.

SANTA FE PLANNING DIRECT LINE TO GULF

(Journal Special Service.) San Francisco, Cal., Oct. 20.—If the plans of President E. P. Ripley are carried out, the Atchison, Topeka & Santa Fe railway will soon have a second and much shorter overland line to California, forming a direct connection between the city and Galveston, Texas, one of the most important ports in the south. The Gulf, Santa Fe & North-

are safe; you needn't get cheated in them. Schilling's Best are not only pure and true, but generous.

ANAESTHETIC SHELL PROVES INEFFECTIVE

(Journal Special Service.) New York, Oct. 20.—The army ordnance experts have just concluded a series of experiments with a new shell filled with an anaesthetic, which the inventor believed, was destined to rob war of a great deal of its terrors. According to his plan the enemy was to be bombarded with such shells which, upon exploding, would release a powerful anaesthetic in the form of gas. He was confident that the anaesthetic would be powerful enough to put a whole regiment to sleep and make it impossible to capture the soldiers without killing or wounding them. The experiments, however, did not bear out the correctness of the inventor's theory. The tests were made on the Sandy Hook proving grounds. The test resulted in a flat failure. The gas did not even put a single rabbit to sleep. Dyspepsia—bane of human existence. Burdock Blood Bitter cures it, promptly, permanently. Regulates and tones the stomach.

Preferred Stock Owned South. Allen & Lewis' Best Brand.

PAINTS

The Best Makes

Fried mixes paints—best and longest lasting—made only—always on hand. Best paint that ever dried a brush, with a guarantee with every can, small or large, tell a strong story and a true one of our paints ready to be applied. Save work and worry.

Fisher, Thorsen & Co.

CONTRACTORS' SUPPLIES AND BUILDERS' HARDWARE

Of the best manufacture, and made from the best materials, are to be found in our superior stock of hardware in any quantity desired ready to meet the demand of consumers at all times. We have made our prices as low as possible for the building season, and you will find that they cannot be competed with for quality.

Avery & Co.

45 N. 3rd St., NEW YORK AND SAN FRANCISCO