

MORE CITY BANK TANGLES

The Assets Likely to Be Further Reduced.

Depositors Preparing to Remove Receiver Brodbeck.

An Arizona Irrigation Scheme Which Figures in the Case.

A Claim That the Receiver Was Not Properly Appointed—A Big Claim Against the Available Assets.

From Thursday's DAILY HERALD. The authority of Receiver Brodbeck of the City bank will be called in question probably on Saturday or early next week by the attorney for the depositors.

It appears that there is hardly any room for doubt that Mr. Brodbeck was not properly appointed. He, it is claimed, was appointed under one complaint and is acting under another, on which no summons has ever been issued. This matter will be fully inquired into in the proceedings which will soon be commenced.

ANOTHER TANGLE. The hopes of the depositors in the late City bank for recovering any considerable portion of their deposits are far from being sanguine, nor as the time passes do their chances appear to be brightened to any great extent. In fact, every week seems to reveal some part of the assets as void, and various means upon which the depositors relied to help secure the reimbursement fund are found to be faulty, and the situation appears worse now than several weeks ago.

A petition, which was originally filed in the present amount of assets in the receiver's hands, was filed in department five of the superior court last Monday, and awaits only the return of Judge Shaw from his vacation before being formally argued and presented by counsel.

It is a complaint in intervention by James B. Rice, and was incorporated to the complaint in the original case of Margaret E. Miller vs. the City bank by an order issued by Judge Smith. The complaint in intervention asks that the court order the receiver to pay at once to the complainant the sum of \$1230 intact, already held by the City bank as trustee, together with certain notes and papers to the value of \$90,000, and to serve such notes as may be due the bank for its services as trustee.

The reason alleged by the complainant why that sum should be had now and not be classed among the ordinary commercial deposits received in the course of business is that the same were deposited by the bank, and trust accounts are never held in the general banking fund and are entitled to the preference over ordinary accounts.

If the order is granted by the court, it will take exactly \$1230 out of the fund that the depositors thought was intact and would be used in liquidating their claims. That this new move will not meet with universal pleasure goes without comment.

The complaint is the outcome of an Arizona irrigation deal started eight years ago. In that enterprise, Louis Wolfley, a San Francisco man, saw at Gila Bend, an irrigation system over the surrounding country. He engaged several parties in the project, and sold several hundred thousands of dollars worth of water right to the settlers along the line. Finally he could not go ahead with the work, and a party of which Peoria, Ill., people stepped in and offered to finish the system. He agreed to give them sufficient notes collected from the settlers to reimburse them for the work, and to meet all actual expenditures, with a corresponding value in the notes. He made a mortgage, in the form of a trust deed, for the dam site, which he gave to the City bank to hold as trustee. In order to further secure the Peoria people he gave notes to the value of between \$90,000 and \$100,000.

In its office as trustee the bank was to collect from the settlers the interest and to be held in trust. It was further provided that if Wolfley failed in his contract with the Peoria people, and the property is to be sold August 26th, with the result that they will buy it all in and in time develop a fortune.

The present action was brought by Mr. James M. Rice of the Peoria company, which is known as the Arizona Construction company, to compel the payment of the \$1230 interest to his company. The item in the receiver's report appears simply as "City bank trustee, \$1230."

Mr. A. D. Childress has made affidavit, which is attached to the complaint, that both the \$1230 interest and the package of papers were held by the bank as trustee. The \$1230 is so secured by the bank's books, and the attorney of the Arizona Construction company, who yesterday by a HERALD reporter, stated the reasons for drawing the complaint in intervention as above. He said that the matter of the payment of the \$1230 would probably not be decided by Judge Shaw, but he had carefully considered the matter. As to the papers, he thought that there would be no contest made over them.

CALIFORNIA HORSES.

The Capture of the Good Races in the East Yesterday.

The California horses at the east have done more than ordinarily well during the present week up to date. On Monday, at Saratoga, the 4-year-old Sykeson (brother to Sir John) won at seven furlongs from a very hot field. On Tuesday, another son of Sir Modred, the big and beautiful Comanche, carrying 122 pounds, won the Newark stakes at Long Branch in the fast time of 1:39 1/2, the fastest time ever made by a 3-year-old with that weight. After that came a race of a mile, won by Mary Stone in 1:42. Yesterday the Californians won three races, two at Long Branch and one at Chicago. At Long Branch both winners were by Darabin owned by J. B. Haggin. One of these was Julien, owned by Pierre Lottard, who romped home in 1:40 1/2, and the other was Lucky Dog, owned by J. G. Reed of Pasadena, in this county, but bred by J. Haggin. The third was Dolly McCone, a 4-year-old mare bred at Sacramento by Theodore Winters, she is by Joe Hooker out of Lou Spencer by Norfolk.

THEY GOT THEIR DINNER

BUT JERRY FIRST TOOK THEM FOR JURORS.

The Delinquent of Southern California Figures in a Recent Interesting Event in Which a Chicago Walnut Boyer Appears.

RIVERSIDE, Aug. 7.—We all remember the little furry some time ago occasioned by the well-known restaurateur, Jerry Illich, presenting a bill to the county dads for meals supplied certain jurors, and we also remember how the juror Jerry declared that in future, if the county would only allow him two bits a meal for jurors, that he would have to serve them "two bit" dinners.

An amusing contemp occurred recently in this connection that is too good to keep from being told. It was that the juror Jerry, by appointment three jolly young men, the representatives of well-known commission houses, with the object of securing the handling of the Los Nietos and Rancho Walnut association's crop this year, which will probably amount to 70 carloads or more.

One of the gentlemen is a member of a big Chicago firm, and if we are justified in associating a jolly and good-natured disposition with adipose tissue, this gentleman should be the prince of good fellows, for he weighs 275 pounds and his generosity is further proven by the fact that he invited the entire Walnut association, over a hundred members, to visit the world's fair with their wives and children, at his expense!

As they entered the door "Chicago," Jerry Illich, headed by Row Good, Everybody knows Good. If they don't, they ought to soon as possible.

"By ganny boys," said Good, as he counted notes, "there's just 12 of us, Old Jerry 'll think it's another jury!"

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EVA BREAKS THE ELDER'S WILL.

A Pasadena Methodist and His Big Fortune.

He Adopted a Waif Who Now Seeks to Have Her Rights.

A Law suit in Milwaukee Which is of Interest in Southern California—The Story of the Suit.

From Wednesday's DAILY HERALD. As will be remembered by many, a the time of the death of Elder Jason G. Miller of Pasadena, back in 1888, a story of a disinherited daughter and heir and of a contest of the will received some circulation here. The story went that in the spring of 1870 Elder Miller, who was at that time preaching the good old Methodist doctrine at Plattsburgh, Neb., took from the home of the friendless Chicago, a little girl six months of age by the name of Elizabeth Jane Cavenher. Having no children of his own, he changed her name to Eva Miller. For the next 12 years she lived with the elder and his wife as a child, being reared in the strict Methodist way. The aged elder was of the very straight-laced type, as kindhearted as a woman when everything went as he thought they should, but as stubborn as a mule when anything opposed him.

As the young girl grew to womanhood she began to develop a will of her own, and at the same time a decided liking for a young man named Lewis, all of which was not to the liking of the old lady, who put her foot down in a very decided manner against the love making of the young couple. The girl, however, proved obstinate, and secret meetings followed, of which the elder soon learned and in a fit of rage drove her from the house. Soon after she married Mr. Lewis, who was a graduate of the State University at Lincoln, Neb., and, as it turned out later, a very deserving young man. About this time Elder Miller removed to California and settled in Pasadena, bringing along with him a goodly portion of his large fortune, which was soon invested in California securities, and the boom coming they largely increased. Nothing was heard of the adopted daughter in the east until after the elder's death in 1888. When his will was first put on file it was found that the estate, which was valued at \$271,000, was given entirely to his wife, Eva getting nothing. Learning of the death and the disposition made of the property, Eva as Mrs. Lewis at once instituted suit in the county court at Lincoln, Neb., to have the will set aside.

Mr. G. O. Gibbs of Pasadena, who has charge of the entire estate, employed competent eastern attorneys to look after the case, and when it came up the suit was decided in favor of the widow. It was proved that the girl had never been regularly adopted, but had merely lived with the family. Nothing daunted, however, by this failure, the contestant instituted a new suit, this time asking for \$125,000 damages for not being adopted, and for the suit that was decided by Judge Lansing of the county court at Lincoln, Neb., a few days ago, in favor of the plaintiff, the judge finding that she is entitled to one-half of the estate, valued at \$76,162.25, after deducting \$10,000 for funeral expenses.

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TO THE WORLD'S FAIR.

Progress of the Proposed Chamber of Commerce Convention.

From Thursday's DAILY HERALD. The committee of the chamber of commerce excursion met at Mr. McGarvin's office yesterday. Mr. Bath presented sample of a badge to be worn by each member of the party. He also reported that he had interviewed the different railroads and they would decorate the cars of the special train.

Mr. McGarvin was appointed a committee to arrange with the California world's fair committee as to a special programme on Admission day, one feature of which shall be a river of ice cold lemons flowing through the California building made of California lemons and sugar.

Communications were received from Salt Lake, St. Louis and other points inviting the excursion to stop en route. It is now necessary that the committee should know approximately how many arrangements to complete necessary arrangements. Therefore those who have decided to join are requested to leave their names at once with C. E. Day, 121 South Broadway, and attend the meeting at the chamber on Friday evening.

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FLASHES FROM FOREIGN LANDS.

Tory Members of Parliament Greatly Excited.

The Home Rule Bill Pushed Along Too Fast for Them.

Anarchists Not Allowed to Sit in International Social Congress at Zurich—Chambers Abating in Italy.

By the Associated Press. LONDON, Aug. 7.—There was considerable excitement among the Conservative members at the opening of today's session of the house of commons. The report stage of the home rule bill was reached at an earlier hour than it was expected, and Balfour, who had an important amendment to submit to the bill, was not present to submit the amendment. The Conservatives were exceedingly desirous of having the amendment submitted. George Balfour, Conservative, requested to be permitted to act as his substitute in offering the amendment.

Speaker Peel ruled that, at this stage, substitutes could not be allowed. A number of other members were then proposed by other members of the opposition, but the speaker ruled them out on the ground that due notice had not been given of their submission. The Unionists stood aghast as they saw the report sweeping through with lightning speed. Their fight was allayed, however, when James Park Smith, Liberal Unionist, after having eight new clauses proposed by him ruled out, moved that the boundary commission under the bill be instructed to inquire as to a better division of the Irish electoral districts. The debate on this motion was taken up, and this gave the opposition time to breathe.

The Conservative and Liberal Unionist whips were once dispatched in search of absentees to summon them to immediate attendance at the house. Balfour and other members of the opposition appeared in the house in time to take part in the debate on Smith's motion. Eventually the motion was defeated by a vote of 195 to 152. Smith moved two further clauses dealing with elections in Ireland. After debate each clause was rejected.

THE HALL MARKING LAW. A Motion in the Lords Looking to Its Repeal. LONDON, Aug. 7.—In the house of lords today, the earl of Northbrook, some time ago governor-general of India, called attention to the existing obstacles to the importation of manufactured silver from India, arising from the compulsory Hall marking law in England. He said that the silver in the hands of the people of India was estimated to amount in value to £130,000,000, or £150,000,000. Owing to the stoppage of free coinage of silver by the Indian government, the people were unable to find a market for their metal and were sustaining enormous losses. The abolition of the Hall marking law in England today, with free trade in articles manufactured from silver, would, he declared, mitigate the evils brought by