

THE CITY ATTORNEY'S REPORT.

The Condition of the Litigation of the City.

Several Important Cases Yet to Be Decided.

The Lawsuits That Have Been Disposed of and Those That are Yet on the Court Calendars.

The city attorney yesterday filed the following report with the city council: In compliance with the provisions of section 68 of the charter of the city of Los Angeles, I submit herewith my annual report for the year ending November 30, 1893, containing a brief statement in regard to each case disposed of during the year and the condition of those cases still pending in which the city is an interested party.

Francisca W. de Shepherd vs. City and Donegan—This suit was brought to enjoin the city from cutting down the First street hill, between Hill and Olive streets, to the grade of First street as now established. The case has been but recently tried and is now under submission in the superior court.

Mary A. Mooney vs. City of Los Angeles—This action was brought to quiet title to certain lots in the corner of Jefferson and Main streets, taken by the city for street purposes. The plaintiff has during the year dismissed the action and the city recovered its costs.

Mary A. Mooney vs. Morford et al.—This action was brought to recover damages against the city for the street widening and the mayor and council of 1889. The plaintiff has never shown any disposition to have the action tried and it is still pending.

Cemetery Association vs. City—An action in reorganization of the cemetery. Since my last report the judgment in favor of the city has been affirmed by supreme court.

W. E. De Groot vs. City—At the date of my last report this action was pending on appeal in the superior court. It has since been decided in favor of the city, and the costs, amounting to \$74.30 recovered and paid into the city treasury.

City vs. Adams and 159 others—An action in regard to the cutting down of the First street hill. This suit is awaiting the determination of the case of Shepherd vs. the City.

City vs. City Bank—An action brought to recover the interest on money deposited with the City Bank. Since my last report the supreme court has reversed the judgment rendered in favor of the city, holding that the city could not recover.

Security Savings Bank and Trust company, Main Street Savings Bank and Trust company, and Los Angeles Savings Bank vs. Hintikka—These three cases were all pending on appeal in the supreme court at the date of my last report, and have all been decided in favor of the city since that time. They were brought to recover certain money seized by the assessor for taxes.

City vs. Knappe Cohn and others—This action, brought to eject defendants from a strip of land about nine feet wide, covered by north end of Temple block, has been submitted in the supreme court.

Farmers and Merchants' Bank vs. City Council—Since my last report the judgment against the city has been reversed by the supreme court, and the city has recovered and collected the amount of taxes involved in said action, together with costs.

Another confidence game, by which an innocent Italian lost \$200, was brought to light yesterday. Last Sunday afternoon a man known as G. Ventura visited Tomasi Silvo and proposed a trip to Santa Monica. They had a short acquaintance and the trip was made. They took in the balmy air and sniffed the ocean breezes together.

Finally the pair of brothers of the same nativity sauntered out to a thriving part of the city by the sea and viewed the new buildings that were going up almost on every hand.

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Ventura had so cleverly gained the confidence of Silvo that he set about to gain his object. After the day's visit Ventura said he needed a little cash. He took out a \$800 check on the Farmers' and Merchants' bank and requested Silvo to lend him \$200 on it until yesterday morning. The money changed hands like a charm, and the check was returned to the bank yesterday.

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IRRIGATION COMMISSIONERS.

The First Meeting Held Last Night in This City. The first meeting of the California state irrigation commissioners was held at the Hollenbeck hotel yesterday afternoon and last evening.

The following were in attendance: Gen. Eli H. Murray and Frank S. Robbins of San Diego, Will S. Green of Colusa, L. M. Holt and John A. Pirtle of Los Angeles, and Mr. Fred L. Alles, secretary of the national irrigation committee.

The meeting was held in the apartments of Gen. Murray, and occupied from 2 o'clock in the afternoon until late in the evening.

It was decided to prepare a report for the next international irrigation congress. The subjects to be treated are the area of arid lands in California; the available sources of water supply with which to cultivate these lands. The report will suggest amendments to the state district irrigation laws, and will also give an outline for national legislation on irrigation.

The state has been districted among the various commissioners, who will investigate these matters to be given in the general report and at the next meeting of the commission, which will probably convene in Colusa in about five weeks, will present the reports for their respective districts.

At present practically nothing has been done, as far as known, in regard to the matters to be embraced in the report to the national committee, which will be made up from the reports from the various districts.

The state commission will shortly issue a card to the public requesting them to communicate with the district men in regard to the desired information and suggestions necessary to make up the report.

Torpid liver is cured by TUTT'S PILLS.

THE MIDWINTER FAIR SHOW.

A Prospect of a Tremendous Influx of Visitors.

The List of Attractions Continues to Daily Expand.

Railroad Rates Satisfactorily Adjusted. Dante's Inferno to Be Produced—The Various Features.

Special correspondence to the HERALD. SAN FRANCISCO, Dec. 10.

The best news of the week in connection with the coming exposition has been the extension of the time limit of excursion tickets from the east to 30 days. This means that those who come to California to see the midwinter exposition will have a month in which to visit other parts of the state besides those contiguous to San Francisco, and that the benefits to be derived by the entire Pacific coast will be correspondingly multiplied.

And just here ought to be a word said about the number of visitors that may reasonably be expected to come out of the frozen east to hibernate in the country.

Those who have already arrived at San Francisco as the advance guard of the grand army of midwinter continent-crossers, say that the influx of visitors will exceed the most sanguine expectations of the friends of the exposition. Eastern railway managers are constantly sending to the department of publicity and promotion for advertising matter in connection with the fair. Their patrons are hungry for information on the subject.

Some of the conceptions of the more than one of the great train lines have deemed it necessary to prepare vast quantities of matter, based on the material furnished by this department, with which to satisfy the popular demand. All this means that thousands of people in the east are going to take advantage of cheap rates, and the special attractions of the exposition as an excuse for making a long-promised trip to the "land of sunshine, fruit and flowers."

Meanwhile the list of attractions continues to grow, and there will be lively times during the next three weeks getting all the concessions in readiness for the opening day. There is one feature of the contemplated attractions, however, for which no elaborate building has to be erected, and one in which a very wide-spread interest centers, and that is the grand athletic tournament. This tournament is to cover the entire term of the exposition.

The contests will not be on each succeeding day's programme, but there will be several events each day, and Saturday will be largely devoted to this feature. There will be games of lacrosse between British Columbian and American teams; there will be polo matches between swell society riders; there will be football games between college and university teams; there will be races and all sorts of contests on the cinder path and last, though by no means least, a series of baseball games in which the entire Pacific coast is invited to take part.

With a view to facilitating arrangements for the last mentioned feature in this connection Col. T. P. Robinson, of San Francisco, has been selected to arrange the games on the diamond field, and in order to have the largest possible number of clubs participating, that gentleman desires the address of every unformed baseball club not only in the state of California, but in all of the states of the Pacific coast. These addresses should be sent to him at room 32, second floor, Mills building, San Francisco, and, based on the number of addresses of intending participants which may be received, there will be arranged such a baseball tournament as has never before been seen anywhere in the world.

In the long list of other attractions it is difficult to select one that is more of more special mention than the rest, but perhaps the latest added feature may be the most interesting. The very latest and the most startling of all the suggestions that have been forthcoming in the form of concessions to features of the fair is that which is to represent Dante's Inferno, and which has already begun to be spoken of about town as "Hell on earth."

This concession is to be located in a very prominent part of the exposition grounds, and the character of the entrance to the exhibit is one that will attract inevitable attention. A great dragon's head, 15 feet in height, with bat-like wings protruding from either side, stems to crouch against the ground and grin a welcome to the passing crowds. The bat-like wings, and entire front in fact, are gilded to look like burnished gold, and when the sun is reflected from it, it presents a brilliant exterior as one can easily imagine.

Out of the center of the lower part of this figure-head, so to speak, projects a long, red tongue of the dragon, and on to this, those who care to venture in must step and walk between the teeth of the dragon's lower jaw into the very body of the beast.

The interior arrangements of these "infernal regions" are made so remarkably effective by the highly colored stucco which hang from the walls and which seem to extend for miles, almost, away in the distance. This perspective is produced by means of mirrors. There are mirrors on every hand, and never before has there been a better utilization of the looking glass for illusionary purposes. Hidden lights are made use of to add to the effects of the scene and intricacies of passage are also brought into play.

In one large grotto a stage is created, and half a dozen skeletons dancing grotesquely in the foreground are so reflected by mirrors that their numbers seem to be legion. At another point, after traversing several tortuous avenues, the visitor comes upon a clever construction with mirrors above and

FIRST STREET WILL BE CUT.

A Most Important Decision Rendered Yesterday.

Mrs. Francisca W. de Shepherd Loses Her Suit.

Judge Van Dyke Thinks the Cut Will Not Injure Her Property and He Accordingly Modifies the Injunction.

In the case of Mrs. Francisca W. D. Shepherd vs. D. F. Donegan et al., Judge Van Dyke yesterday ordered a modification of the judgment, the following decision being rendered. The original proceedings on the part of the city in this case contemplated the grading of all First street between Hill street and Grand avenue and assessing the costs thereof upon the abutting property. The plaintiff, who owns the lot upon the north side between Hill and Olive streets, commenced this suit to restrain the city from carrying out the contemplated improvement upon the ground that the same would damage her property and that she had not been compensated therefor. Upon the showing then made on behalf of the plaintiff this court granted a temporary injunction.

The city, one of the defendants, by supplemental answer has abandoned its original purpose of grading the whole street, and sets forth its intention simply to grade the south half of the street, between Hill and Olive street, the street between Olive and Grand avenue having meantime been graded.

The temporary injunction was granted in favor of the plaintiff on the ground that the cutting down of First street the whole width, as first proposed, would cause damage to the plaintiff by the caving or breaking away of the substance of the soil of her premises. The grading of the south half, however, as now proposed, it is claimed would leave between the cut and the property of plaintiff a sufficient width to serve as a retaining wall to prevent any damage to plaintiff in the respect mentioned.

On the trial of the case an equal number of witnesses were produced on each side. The question at issue is therefore whether the grading as now proposed would cause damage to plaintiff's property, and that is the sole question to be considered. Instead of the preponderance in favor of the plaintiff on this issue, I am of opinion that the weight of evidence is against her, and that it will not cause any damage.

The street in its present condition cannot be used for any purpose, and the only damage that could be caused would be to remove the support necessary to retain the lot in its present condition, and as stated, a preponderance of the testimony is to the effect that one-half the street would be sufficient to prevent any caving of the premises belonging to the plaintiff. The proceeding now is to grade the south half of the street at the expense of the city, without an assessment; consequently the objection on the part of the plaintiff that the proceeding is void under the law as for an assessment cuts no figure.

From the testimony as an inspection of the premises it occurs to the court that it would be better to terrace the northern half instead of allowing it to remain the full height, and the city will be permitted to amend its answer and proceed in that way if it sees proper.

The injunction will be modified to permit the city at its own expense to grade the south half of First street, between Hill and Olive streets, to the official grade, by allowing the north half to remain, or terrace the same in such manner as not to cause any damage to the property of the plaintiff by withdrawing the natural support from the premises in question.

AGUILAR IS ARRAIGNED.

HIS EXAMINATION FOR MURDER SET FOR NEXT FRIDAY.

He Does Not Manifest Any Emotion Over His Unpleasant Condition. He Is Committed Without Bail. The most important case in the justice or police courts yesterday was the arraignment of Abram Aguilar on a charge of burning his young wife to death. He was arraigned in Justice Seaman's court.

A large crowd forced its way into the court room to see the man who has been made the object of so much notoriety. Aguilar was taken to the court by Deputy Sheriff Will Oline.

The accused man appeared not at all excited nor did he show the slightest signs of emotion. If appearances count for anything, he would be the last man of a hundred to be charged with murder.

Attorney Henry T. Gage, counsel for the defendant, stated that he was ready to proceed with the preliminary examination. Deputy District Attorney Davis, who is conducting the prosecution, informed the court that the people were not quite ready, and asked for a continuance.

The case was set for 9:30 o'clock next Friday morning, and he was committed without bail.

So far as the securing of additional evidence is concerned, there was nothing new developed yesterday. Aguilar's friends are as confident as ever that he is innocent of the charge, and some of them have made affidavits to the effect that they saw him at Anaheim on the day of the tragedy.

The case promises to be one of the most mysterious ever tried in the courts.

PREACHED TO THE COURT.

A Nomadic Minister of the Gospel in Court. George D. Mealey, whose ministerial appearance is only intensified by his flowing locks, occupied a seat in the dock of the police court yesterday. He was arrested last Saturday night by Officer Dagan for obstructing the streets.

Mealey was preaching to a great throng on Spring street, when he was requested to make less noise and avoid blocking the sidewalk. He paid not the slightest attention to the request and ran into the street, keeping up his unusually loud harangue. On the way to the station he kept up his preaching in unusually loud tones.

When his name was called in court before the court, he asked for a dismissal of the case.

The motion was consented to by the prosecuting attorney, who, while he said he had no objection of the prisoner's guilt, wished the incident to serve as a warning. It was his belief that the officer was perfectly justifiable in making the arrest.

The motion to discharge was granted by the court.

When Attorney Stephens said the defendant would still keep up his preaching and would do just as he had done before.

Mr. Nealey was granted permission to address the court, which he did by delivering a finished sermon. In relating the incident of his arrest he referred to the portion of the scriptures from which he took his text. "Would you like to have the text, judge?" he asked.

"No, I don't care for it," replied the court.

THE CONFIDENCE GAME.

HOW AN UNFORTUNATE ITALIAN WAS SADLY DUPED.

He Allowed a Fellow Countryman to Work Him to the Tune of \$200 Smooth Swindler.

Another confidence game, by which an innocent Italian lost \$200, was brought to light yesterday. Last Sunday afternoon a man known as G. Ventura visited Tomasi Silvo and proposed a trip to Santa Monica. They had a short acquaintance and the trip was made. They took in the balmy air and sniffed the ocean breezes together.

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A Natural Food.

Conditions of the system arise when ordinary foods cease to build flesh—there is urgent need of arresting waste—assistance must come quickly, from natural food source.

By a thorough knowledge of the natural laws which govern the operations of digestion and nutrition, and by a careful application of the pure properties of well-selected Cod-liver Oil, Mr. Epps has provided our breakfast tables with a delicately flavored beverage which may save us many heavy doctor's bills. It is by the judicious use of such articles of diet that a constitution may be gradually built up until sound enough to resist every tendency to disease. Hundreds of subtle poisons are floating around us ready to attack wherever there is a weak point. We may cure many a vital shaft by keeping ourselves well fortified with pure blood and a properly nourished frame.

Made simply with boiling water or milk. Sold only in half-pint tins, by grocers, labeled PURE.

JAMES EPPS & CO., Ltd., Homoeopathic Chemists, London, England. 11-28 in the way.

GRATEFUL-COMFORTING. EPPS'S COCOA BREAKFAST-SUPPER.

By a thorough knowledge of the natural laws which govern the operations of digestion and nutrition, and by a careful application of the pure properties of well-selected Cod-liver Oil, Mr. Epps has provided our breakfast tables with a delicately flavored beverage which may save us many heavy doctor's bills. It is by the judicious use of such articles of diet that a constitution may be gradually built up until sound enough to resist every tendency to disease. Hundreds of subtle poisons are floating around us ready to attack wherever there is a weak point. We may cure many a vital shaft by keeping ourselves well fortified with pure blood and a properly nourished frame.

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MIDWINTER FAIR Suits and Overcoats

To Order 25 Percent LESS Than Any Other Tailor. Perfect Fit or No Sale.

JOE POHEIM THE TAILOR.

149 S. SPRING STREET. LARGEST STOCK IN CITY. FIT GUARANTEED. H. M. SALE & SON DRUGGISTS, 220 S. SPRING ST. 11-151



KNOWLEDGE

Brings comfort and improvement and tends to personal enjoyment when rightly used. The many who live better than others and enjoy life more, with less expenditure, by more promptly adapting the world's best products to the needs of physical being, will attest the value to health of the pure liquid laxative principles embraced in the remedy, Syrup of Figs.

Its excellence is due to its presenting in the form most acceptable and pleasant to the taste, the refreshing and truly beneficial properties of a perfect laxative; effectually cleansing the system and dispelling colds, headaches and fevers and permanently curing constipation. It has given permanent satisfaction to millions and met with the approval of the medical profession because it acts on the Kidneys, Liver and Bowels without weakening them and it is perfectly free from every objectionable substance.

Syrup of Figs is for sale by all druggists in 50c and \$1 bottles, but it is manufactured by the California Fig Syrup Co. only, whose name is printed on every package, also the name, Syrup of Figs, and being well informed, you will not accept any substitute if offered.

AMUSEMENTS.

NEW LOS ANGELES THEATRE. (Under direction of Al Hayman.) H. C. WYATT, MANAGER. 2-NIGHTS ONLY-3. Monday, Tuesday, Wednesday. DECEMBER 11, 12 & 13.

MISS CLARA LIPMAN, LOUIS MANN. And Company in Mrs. D. F. Verdonal's Throat Comedy.

The Laughing Girl. Regular prices—\$1, 75c, 50c and 25c. Seats on sale Saturday, Dec. 9, at 9 a.m.

NEW LOS ANGELES THEATRE. (Under direction of Al Hayman.) H. C. WYATT, Manager. MONDAY, TUESDAY AND WEDNESDAY, DEC. 18th, 19th AND 20th.

THE POPULAR YANKEE COMEDIAN CHAS. L. DAVIS. With the Funniest of All Plays.

ALVIN JOSLIN. A Tornado of Infectious Laughter. THE FUNNIEST OLD MAN ON EARTH. Accompanied by A GREAT COMPANY OF REALITY EFFECTS.

A CARLOAD OF SPECIAL SCENERY. REGULAR PRICES—\$1, 75c, 50c and 25c. Box office open at 9 a.m. Wednesday, December 13. 12-13 144.

NEW LOS ANGELES THEATRE. (Under direction of Al Hayman.) H. C. WYATT, Manager. Two Nights and Matinee. THURSDAY, FRIDAY AND SATURDAY, DEC. 14, 15 and 16.

Grand spectacular and military entertainment. COLUMBIA. For the benefit of FRANK BARTLETT MONUMENT FUND.

Under the auspices of the Bartlett & Logan Club. Entire entertainment under the direction of Prof. Henry J. Kraemer. Usual prices—\$1, 75c, 50c, 25c. Children 5 to 12 years 50c and 25c. For Matinee only. Box office open at 9 a.m. Wednesday, December 13. 12-13 144.

BURBANK THEATRE. Main st., bet. Fifth and Sixth. Field Cope, Director. MONDAY EVENING, DEC. 12. Every Evening During the Week (except Sunday) and Saturday Matinee.

MR. DARRELL VINTON. In the Greatest of All Romantic Dramas. MONTECRISTO. Supported by the entire Cooper Company of Players. Wonderful scenic, mechanical and electrical effects.

Grand Matinee 8:30 day at 2 p.m. Post office prices—15c, 20c and 30c. Box seats 50c and 75c. Box office open at 9 a.m. Wednesday, December 13. Doors open 7:15. Curtain rises at 8 o'clock. Carriages can be ordered for 10:30. Reserved seats on sale at the box office one week in advance.

MUSIC HALL.

Custer's Last Rally. JOHN MULVANEY'S GRAND PAINTING of the massacre on the Little Big Horn will be exhibited in Los Angeles, commencing WEDNESDAY, DECEMBER 6.

ONLY CHANGE! ONLY CHANGE! To see this celebrated picture, which has created a sensation wherever exhibited. MUSIC HALL daily from 2 to 10 p.m. Admission 25c. 12-13 144.

NEW VIENNA OPERA. Court st., bet. Main and Spring sts. F. KRIVON, Proprietor and Mgr. Free Reduced Entertainment Every Evening from 7:30 until 12, and Saturday Matinee from 1 to 4 p.m. First appearance in Los Angeles of Europe's greatest soprano.

MISS LEONORA. First appearance in Los Angeles of the famous Russian. MISS TRIXEDA. One more week of her superb vocal performance. MISS ROSA CLEMENCE. The great vocal little beauty. MISS ANTONIE GREVE. First appearance in Los Angeles. Fine Commercial 42nd daily. Matinee carte at all hours. 3-14 144.

AMUSEMENTS. GRAND ARMY HALL. 612 South Spring Street. MUSICAL AND LITERARY ENTERTAINMENT. By First Spiritual Society of Los Angeles. Wednesday Evening, Dec. 13. PROGRAMME. Piano solo, Lucia Fantasy (Liszt)—Carlyle Peterson. Vocal, "Star of My Life"—Mrs. and Miss Todd. Song, with violin obligato—Miss B. Todd. Trio, "The Shepherd's Toll Me"—Mmes. Stanbury, Lind and Mr. Hammond. Pianoforte, Rhapsodie No. 2 (Liszt)—Carlyle Peterson. Spiritual Tests—By Dr. John M. Temple. Duet, "Don't Remember"—Mmes. Lunt and Stanbury. To conclude with full-form materializations on the platform by the celebrated materializing medium, Mrs. Elsie Reynolds. Doors open at 7:30. Admission 25 cents. 12-12 144.

MUSIC HALL. Spring st., bet. Second and Third sts. GRAND CONCERT AND BALL. To be Given by the La Fraternal Lodge No. 79, Knights of Pythias. Saturday Evening, Dec. 23. TICKETS FOR SALE BY MEMBERS. Gentlemen 50c. Ladies Free. 12-12 144.

MRS. F. E. PHILLIPS' Ladies Toilet Parlors. Mrs. Phillips has just returned from the East with a complete line of goods. Latest style of hair dressing. Complete line of Mme. Ruppert's Celebrated Cosmetics, Face Tonic, the finest in the world. Hair dressing, manicuring, face massage. OPEN EVENING. Rooms 31 and 32 Wilson Block. CORNER SPRING AND FIRST STS. Take elevator at the First-st. entrance. 9-26 Tues-thurs-sat.

The Only Genuine KEELEY CURE. IS LOCATED AT RIVERSIDE. CITY OFFICE, 65 New Wilson Block. Beware of dangerous imitations. 10-31 to 1st 3m.

THOS. B. CLARK, AUCTIONEER. DEALER IN NEW & SECOND-HAND SAFES, 232 W. FIRST ST. Auction Sale! Furniture, Carpets, &c.

From the American Live Stock and Land Company's ranch, San Jacinto, about 20 head draught horses and colts 2 to 4 years old, weighing from 1000 to 1500 pounds each, will be sold at C. B. Woodhead's ranch, half mile south of Santa Fe Springs, Wednesday, Dec. 13, at 10 A. M. Teams will meet the 8:15 Santa Fe train at Santa Fe Springs. Free lunch will be served.

MATLOCK & REED, AUCTIONEERS. Auction Sale! Furniture, Carpets, &c. We are instructed by Mr. W. F. Schlosser to dispose of by auction, at the auctioneers 418 South Spring street, on THURSDAY, December 12th, at 10 a.m., 15 assorted Chamber Suits, Mattresses, Bedsteads, Chairs, Tables, 2 Folding Beds, Brussels, Moquette and Ingrain Carpets, etc.

STEVENS & BROWN AUCTIONEERS. Jersey Institute. POSITIVE CURE FOR LIQUOR HABIT. No Hypodermic Injection Used. Two Weeks Required for a Cure. Those having failed of a cure at other institutes will be guaranteed a cure at