

STEELE DID NOT STEAL

POSSESSION IS NOT NECESSARILY PROOF OF OWNERSHIP

AN OPINION BY JUDGE SMITH

The Steeles Are Discharged and the Matter Will Be Settled by a Civil Suit

The Steele grand larceny case was brought to an abrupt end yesterday in Judge Smith's court by the discharge of the defendants on a writ of habeas corpus.

The case grew out of a trade made between N. J. Saunders and James Steele, a furniture dealer at 235 South Main street. Saunders traded Steele 28 acres of land near Vineland for the latter's furniture store.

In the habeas corpus proceedings yesterday counsel for the defense argued that their clients' position was made impregnable by the conditions of the contract itself, which stated that possession of the store was to be given on February 1, and that the deed to the land was to pass on that day.

The district attorney made claim that possession had been given on the afternoon of the 31st; that for this reason the contract had no bearing on that point, and that in removing the goods, the Steeles committed larceny by taking property which belonged to Saunders.

The court, after a brief deliberation, ruled that even if possession was given on the 31st, possession in this instance is not proof of ownership, and as ownership is the gist of larceny, it is impossible that the action of the defendants in the removal of the goods should constitute the crime of larceny.

A civil suit in which Saunders seeks to recover the value of the goods is already pending.

RESOLUTIONS OF RESPECT

The Attorneys Honor the Memory of John B. Cohrs

The bar of Los Angeles has passed the following resolutions as a testimonial of its respect for Attorney John B. Cohrs, whose funeral took place last Wednesday:

Resolved, That the Bar of Los Angeles has received with sorrow the intelligence of the death of our friend and associate, the honorable John B. Cohrs.

Resolved, That in his death the Bar has lost one of its ablest and wisest and most respected citizens, and his memory deserves to be cherished by the Bar as most honorable to the profession of which he was a distinguished member.

Resolved, That we sincerely condole with the members of the family of our deceased brother in the affliction which has befallen them, and commend them to Him who orders all things for the best.

Resolved, That this testimonial of our respect for the deceased and our sorrow for the living be spread upon the records of the court, and that a copy thereof be forwarded by the clerk to the family of our departed friend.

L. A. GROFF, Chairman. LYNN HELM, M. L. GRAFF, JAS. M'CLACHLAN, WILL D. GOULD, WM. ALEX. RYAN, S. V. LANDT.

Attorney Cohrs was a native of South Carolina, became a practitioner in Illinois, and had been a resident of California about six years.

FIVE DOLLARS MISSING

Did Edna Larkin Reward Herself for Finding a Purse?

A complaint was issued yesterday by the district attorney, charging Edna Larkin of South Pasadena with petit larceny.

The complainant is Miss Myrtle Sturtevant, a school teacher at Sierra Madre, who alleges that on getting off a car at Pasadena last Thursday she left her purse in the seat. She missed it after taking but a few steps, and on returning found that it had been picked up by Edna Larkin, who immediately demanded a reward.

Miss Sturtevant refused to give her a reward, and was in turn refused possession of her purse, which contained a \$5 gold piece, some silver coins and stamps.

Next day Miss Sturtevant stated the facts to the constable, and he visited the Larkin home in South Pasadena and formally demanded that the purse be returned. After considerable parleying over the right to a reward the young woman gave it over.

Awarded

Highest Honors—World's Fair, Gold Medal, Midwinter Fair.

DR. PRICE'S

CREAM BAKING POWDER

A Pure Grape Cream of Tartar Powder.

40 YEARS THE STANDARD.

HOAG IS TRUSTEE

What a Voter Must Do With a Spoiled Ballot

Judge Shaw yesterday handed down a decision in the Pasadena election contest in which T. S. Greene sought to prove that he had been rightfully elected to the trusteeship instead of T. C. Hoag, who was declared elected by one vote. The vote was given as 781 for Hoag and 780 for Greene.

The court found, however, that all had been properly rejected and that the defendant was regularly elected, but in rendering the decision Judge Shaw very carefully reviews the reasons for which the various rejected ballots were made illegal, and closes by saying:

"The effect of the Australian ballot law with respect to a spoiled ballot is that in preparing his ballot the voter makes any mark on it other than the proper cross stamped to the right of the name of the person for whom he intends to vote, he must avail himself of the privilege given by the law of returning the ballot thus spoiled, and obtaining another for his use in voting, or he will lose his vote."

AN EXCESSIVE CHARGE

Firebaugh Valued His Services for Mrs. Burbank Too Highly

In the case of H. C. Firebaugh against Blanche M. Burbank, a suit to collect \$8500 for services as executor of a will, the supreme court has given a decision ruling for the defendant.

Blanche M. Burbank was the widow of a well known resident of northern California. He left a large estate and the will was the cause of considerable litigation.

In this case H. C. Firebaugh claimed a large portion of the whole estate in payment for his services and the superior court after defendant had shown that he was already well paid ruled against him. The supreme court affirms that ruling.

Mrs. Burbank is the wife of W. F. Burbank, one of the former proprietors of the Los Angeles Record, and he was made a defendant in the suit.

FIFTEEN YEARS' LABOR

This Trio Will Each Work Five Years for Stealing Six Dollars

Dan McMahon, convicted of robbing J. M. Luge of \$6 and a pocket knife, after a hard but unsuccessful struggle to prove an alibi, was yesterday sentenced by Judge Smith to five years in the Folsom penitentiary.

Wm. McMahon and John Woods, who were implicated in the same crime, decided that it would be useless to fight for acquittal at their common law trial, and accordingly, pleaded guilty and received the same dose as a penalty.

Nonsuit Motion Granted

The contention between the Main Street and Agricultural Park railway and the Los Angeles Traction company over the Third street crossing, was ended yesterday by the non-suiting of the Main Street company's case in Judge Van Dyke's court.

In this case the Main Street company sought to have a permanent restraining order issued against the Traction company, requiring it to allow the two companies to attempt in passing the crossing when cars of both companies arrived at the crossing at the same time. It was shown, however, by the defense that the companies were joint tenants of the point under dispute, and the court decided that it would not be right to restrain one more than the other.

The "Hen Coop" Case Again

The attorneys for the defense are making a hard fight for a new trial in the case of Isaac Thomas and his wife against David Gates. This suit will be remembered as the "hen-coop" case, in which plaintiff was granted an judgment for \$4500 for injuries alleged to have been sustained from a blow which Gates struck Mrs. Thomas while trying to take a hen coop from the premises which the Thomases had leased from him. A new trial is asked for on the ground that the judgment was beyond all reason.

Their Sewers Will Cost Double

Fourteen suits have been commenced in the superior court to collect assessments made for the construction of a sewer in West End Terrace.

The defendants are John Burns, Eliza B. Withers, Isaac Mitchell, Sylvia Anne Platt, Mary A. Schoder, Ida M. Anderson, Mary J. Livingston, Gail B. Johnson, J. W. Phelps, Elizabeth Abascal, Elmer E. Nye, Jas. M. Waters, Wm. Ruddy.

He Stopped the Water

Andrew Glassell has been arrested on a complaint issued by the district attorney, charging him with malicious mischief. A. V. Handorf, the complainant, alleges that Glassell put a plug in an artesian well in the Boulevard tract of the San Rafael ranch, thereby causing the flow of water to stop and in other ways raising mischief with his premises.

Two Brothers Are Insolvent

J. A. H. Smith has filed an insolvency petition in the superior court, placing his liabilities at \$870, and assets at \$650. The assets consist chiefly of household furniture at 415 1/2 South Spring street. C. B. Smith also petitions to be declared an insolvent debtor, and states his liabilities to be \$1142, with \$1470 assets.

Court Notes

In the case of Dorothea Alanis Pool against Amada Concepcion Warno et al., Judge York refused to grant the reopening of the case for the introduction of new evidence.

Judge Van Dyke yesterday granted Martha E. Smith a divorce from Wm. C. Smith on the ground of negligence and intemperance. Plaintiff was also granted custody of their minor child.

The criminal business in Department one is now so well sifted down that a jury will not be needed until the last of the week. Judge Allen yesterday made an order in the divorce case of Camilla de Grazzia against Victor de Grazzia, allowing the plaintiff \$50 for witness and attorney fees.

Excursion Postponed

The excursion to Redondo for the benefit of the war fund has been postponed from Thursday, June 16, to June 23. Colonel Berry, in a letter to the war board, acknowledged the receipt of 1600 fannel abdominal bands made by the women's auxiliary. The commanding officer of the Seventh expresses his gratitude, and says it is worth all it costs to be a soldier, to be so kindly remembered by the people of Southern California.

Wall paper, late styles, low prices, at A. A. Eckstrom's, 324 South Spring street. Optical work; accurate fitting. J. W. Fuller, 215 North Main street.

PRACTICAL SYMPATHY

CITY COUNCIL SUBSTANTIALLY HELPS THE WAR BOARD

MAIN STREET PAVING AGAIN

A Request That the City Accept the Work—Hand Street Sweeping. Committee Reports

The city fathers were all on hand yesterday, except Mr. Mathus, who did not show up at all, at the usual hour for the weekly meeting. The council showed its appreciation of the value of the services heretofore rendered by the local "war board" in providing troops in transit with something to eat and to drink upon their arrival at Los Angeles, by subscribing at once and without a dissenting vote \$250 for the purpose of aiding the board in continuing its good work, at the request of J. S. Slauson and J. R. Newberry of the Merchants' and Manufacturers' association.

Two petitions from Main-street property owners asking the acceptance of the work of repaving and prohibiting any tearing up of the street for one year were referred to the board of public works. A committee was appointed to confer with the Merchants' and Manufacturers' association with reference to a project favored by the latter to have the street sweeping done by hand as soon as the present contract expires.

An ordinance was adopted which provides for the appointment of an inspector of steam boilers and elevators and a board of engineers who will issue licenses to operators.

The council adjourned early to meet again this morning, when it will meet the representatives of the Los Angeles Water company to discuss the water question, and its transfer to the city on an amicable basis.

UNDERGROUND WATER

Merrill's Petition to Raise a Subterranean River Flow

The petition of J. C. Merrill and a large number of ranchers residing below the city was referred to the committee on water supply. It relates that the water flowing under the surface in the river bed south from Alhambra street to the city limits south never comes to the surface, and finds its way underground to the ocean. By an intelligent effort, petitioners believe, this water could be turned into the Sixth street sewer where it crosses the river, below Alhambra street, and the main outlet seaward to the sea, whereby the latter would be protected from the deterioration consequent to the gases therein generated. The petitioners point out that they are the owners of an area of land beyond the south city boundary, immediately contiguous thereto, upon which the surplus water thus raised could be used and make the barren land productive.

J. C. Merrill offers, if permission is granted him, to raise this underground water to the surface by means of excavations and conduct it from the point selected into the Sixth street sewer for one hour in every twenty-four, on condition that the balance may be used by him on his own land and that of others lying below such sewer until such time as the city should desire to make a similar development. The privilege, if granted, says Merrill, will not be allowed to conflict with the rights of riparian owners or purchasers from the city, nor will it diminish the flow of water now being taken out of the river by them.

ENGINEER'S REPORT

Ordinances for Grading and Cement Curbs Adopted

The city engineer reported having made a survey to define the lines of Vernon avenue, and found it to have a width varying from 40 to 82 1/2 feet. His recommendation that proceedings be commenced to make it of a uniform width before improvements be commenced was adopted.

His assessment diagram for sewerage Central avenue between Eighth and Ninth streets was approved.

The estimated cost of piping sanita No. 5 on Main, from Thirty-seventh street to Slauson avenue, 967 linear feet of 22-inch cement pipe at \$3 cents, an aggregate of \$2886.56, was referred to the sanita committee.

An ordinance of intention to grade Colyton street from Fourth to Palmetto street, at a total cost of \$138 per front foot, was adopted.

Ordinances of intention to construct a cement curb and walk 1 1/2 feet wide on the east side of Olive street from Court street to First, to grade Olive street from First to within 267.80 feet of Second street, with cement walk six feet wide; and to establish grade of Kohler from Eighth to Ninth streets were adopted.

An ordinance granting permission to Twenty-ninth street property owners between Orchard and Vermont avenues to grade it with natural soil and another changing the name of a part of Mission road and Baucht street to Mission boulevard were also adopted.

MISCELLANY

Reports From and Instructions to City Officers on Matters of Interest

The city treasurer reported that the cash on hand on May 31 was \$211,404.56, and the city auditor that the treasurer's balance on June 11 was \$183,327.01.

City Electrician Francis reported having tested the output of the Los Angeles Electrical company on municipal circuits, and found it fully up to the prescribed standard.

The superintendent of streets was directed to repair wooden crosswalks across Griffin and Downey avenues, Downey avenue west of East Lake, and East Lake south of Downey.

The City Water company was requested to place a fire hydrant at the intersection of Soto and Folsom streets, and that those on Elmira and Main streets and on the corner of Main and Redondo streets be moved to another location, but near their present place.

The report of the board of public works, as published heretofore, was adopted.

MAIN STREET PAVING

Property Owners Want the Work Accepted by the Council

Lawyer Gottschalk, for Main-street property owners, urged upon the council that the work of repaving the street should now be accepted, in accordance with the provisions of the Roman act. He claimed that the street is now as it should be, and that in justice to the property owners of the street the council should pass the resolution to that effect, which he submitted. By doing this payment for any work undertaken for the establishment of wire con-

duits would not fall upon the owners. Referred to the board of public works.

Another petition was presented asking the council to pass an ordinance to prohibit for one year the tearing up of the newly surfaced portions of the street for any purpose whatever. This was also referred to the board of public works.

FINANCE COMMITTEE

No Funds Available to Meet the Opening of West Sixth Street

The report of the finance committee was adopted. It recommended the payment of rebates on account of erroneous assessment of real property, to Mrs. J. Hogaboom and W. H. Cook.

The report of the city attorney reciting the fact that an additional award of damages had been made by the courts in the condemnation proceedings affecting lot 14, block 106, Balleau terrace tract, pertaining to the opening of West Sixth street, and further showing that an additional amount of \$32.70 is necessary before the land can be obtained and full settlement of said opening be affected, the recommendation that, inasmuch as no funds are available to meet expenses of this nature, that the report be filed, was also adopted.

HAND STREET SWEEPING

President Appoints a Special Committee to Confer With the Merchants

The Merchants and Manufacturers' association addressed a communication to the council relating that the contract of the street sweeping is about to expire, and suggested that the next specifications be for street sweeping by hand, at least in the business portion of the city. Appended were copies of specifications as used in Oakland and San Francisco. The association asked that the council appoint a special committee of three to confer with a similar committee of petitioners to discuss the matter.

On motion of Mr. Nickell, President Silver appointed as a special committee Messrs. Nickell, Blanchard and Toll.

WAR APPROPRIATION

The Council Patriotically Subscribes to the Fund for the Boys

J. S. Slauson, on behalf of the "war board" appointed by the Merchants' and Manufacturers' association recently, asked for an appropriation of \$250 to be expended exclusively to feed soldiers passing through Los Angeles on their way to the front.

Mr. Slauson said that the board had thus far expended \$300 for this very laudable purpose. On motion of Mr. Nickell, seconded by Mr. Blanchard, the appropriation was granted without a dissenting vote.

TENTH STREET OPENING

Commissioners to Be Appointed—Sewering in Order on Broadway

The city clerk reported that it was in order for the council to appoint commissioners for the opening and extension of Tenth street from the west patent boundary to Western avenue. The city attorney was instructed to present an ordinance to that effect.

He also advised that it is in order to adopt the ordinance ordering the sewerage of Broadway from Seventh to Third streets, the protest against the same having been overruled. So ordered.

Sewer Work Ordered

On recommendation of the sewer committee, Milo M. Pottery's petition asking permission to connect buildings now in course of erection on the north 100 feet of the northwest corner of Ninth and Hill streets with the Hill-street sewer was granted, and the street superintendent instructed to issue the necessary permit.

He also advised that it is in order to adopt the ordinance ordering the sewerage of Broadway from Seventh to Third streets, the protest against the same having been overruled. So ordered.

Will Be Sewered

The protest of property owners on Twenty-eighth street between Maple avenue and San Pedro street against the sewerage of said street, because it is sparsely inhabited and its soil readily absorbs fecal matter, was taken up by the council yesterday afternoon. Protestants represented 1784 feet of frontage. Very little pro and con was elicited from the property owners, and the protest was denied.

Oil Pumping Cables

Oil Inspector Monius's report recommending that the Loma Oil Co. be permitted to erect two cables across College street between Pearl street and Ramona avenue, and across Ramona avenue between College and New Depot streets, as there is no pumping plant in the block in which the wells are located, was adopted. The city attorney will draw the necessary ordinance.

For Special Policemen

A communication from the board of police commissioners suggesting the appointment of ten special policemen to serve for ninety days, beginning July 5th, while regular members of the force are enjoying their vacation, was referred to the finance committee.

Casey and the Zanja

Zanzer Casey reported that zanja No. 7 is a better condition than it has been for years, but finds it a knotty problem, in view of the limited means at command, to remedy the nuisance complained of at the inlet of the conduit by stagnant water. Ordered filed.

Must Strengthen Its Levee

On motion of Mr. Nickell, the city clerk was directed to notify the Los Angeles Terminal Railroad Co., to put in new piles and to otherwise strengthen its levee at the east end of Main street bridge, to permit grading at Albion street.

Today's Session

The special business of the council today will be the examination of the map and list of the properties belonging to the Los Angeles City Water company, which it is proposed by the city to purchase, if an agreement can be arrived at. The schedule was submitted to City Attorney Dunbar who presented it at the council meeting, but on motion the whole matter went over until this morning. The schedule does not include the personal property owned by the company, which is being prepared by Engineer Mulholland with all dispatch.

Exposition Contributors

The list of contributors to the fund for the purpose of maintaining the Los Angeles county exhibit at the Transmississippi exposition is as follows: J. S. Slauson, J. R. Newberry, Z. D. Mathus, I. N. Van Nuys, John F. Francis,

The Royal is the highest grade baking powder known. Actual tests show it goes one-third further than any other brand.



Farmers and Merchants' bank, Los Angeles Lighting Co., A. Hamburger & Son, John D. Bicknell, H. E. Huntington (for Southern Pacific Co.), Kerckhoff-Cuzner Mill and Lumber Co., Nelson Story, Pasadena and Pacific Railway Co., Los Alamos Sugar Co., State Loan and Trust Co., N. B. Blackstone & Co., Graves, O'Melveny & Shankland, Southern California Savings bank, Broadway Department Store, Cass & Smurr Stove Co., Niles Pease Furniture Co., Southern California Wine Co., Newark & Edwards, Craig, Stuart & Co., E. P. Hoshyshell, Hawley, King & Co., Z. L. Parmelee & Co., Tufts-Lyon Arms Co., California Hardware Co., Crandall Ayles & Haskell, M. A. Newmark & Co., Los Angeles Furniture Co., L. W. Blinn Lumber Co., Simpson & Hack Fruit Co., Main Street Savings bank, Los Angeles Railway Co., Los Angeles County, Pasadena National bank, C. F. A. Last, Union Hardware and Metal Co., Simon Maier, Owl Drug Co., John D. Hooker, W. C. Patterson, Jotham Bixby, Kaspar Cohn, First National bank, G. J. Griffith, Boston Dry Goods Co., Los Angeles Dry Goods Co., Abbot Kinney, Stimson Mill Co., Fay Fruit Co., Banning Co., Ville de Paris, R. J. Waters, H. Jevne, William Ferguson, Citizens' Bank, Empire Steam Laundry, James W. Hellman, Milo M. Pottery, J. W. Frey, Leonide Ducommun, Montgomery Bros., C. B. Boothe, A. Levy & Co., Barker Bros., Fixen & Co., H. W. Chase, Anchor Laundry, H. F. Vollmer & Co., Mullen, Bluet & Co., Maier & Zobelein, F. O. Johnson, Adoff & Hauerwaas, J. S. Salkey, Bishop & Co., Dr. A. Fenyes, Andrew McNally, Fair Fruit Co., San Gabriel bank, Edison Electric Co., F. W. Braun, A. C. Billicke, Royal Bakery.

Latest styles wall paper at A. A. Eckstrom's, 324 South Spring street.

JOTTINGS

Our Home Brew

Maier & Zobelein's lager, fresh from their brewery, on draught in all the principal saloons, delivered promptly in bottles or kegs. Office and brewery, 440 Alamo street; telephone 51.

Hawley, King & Co., cor. Fifth and Broadway, agents genuine Columbus Bug company buggies and bicycle cycles.

Largest variety Concord business wagons and top delivery wagons. Hawley, King & Co.

Agents Victor, Keating, World, Stearns, and March bicycles. Hawley, King & Co. Everything on wheels. Hawley, King & Co., corner Fifth street and Broadway.

DEATHS

GREENFIELD—June 12th, at the residence of her son-in-law, William R. Burke, 417 West Twenty-third street, Mrs. Elizabeth L. Greenfield, a native of Montgomery county, Tenn., and for many years a resident of New Orleans, La.

Funeral from St. Vincent's church, Grand avenue and Washington street, today at 9:30 a. m. Interment private.

HAYES—June 12, 1898, John B. Hayes, aged 37 years and 3 months.

Funeral services from the family residence, 447 S. Broadway, at 2:30 o'clock Tuesday, June 14th. Interment Evergreen cemetery.

Trimmed Hats at Half

Every Trimmed Hat in the house is offered this week at half price. That means that you have the choice of the grandest collection in the city for considerably less than you could purchase the bare materials for, to say nothing of the wonder style thrown in. If you've don't miss this great chance. All week, all hats, half.

The Wonder Millinery

MEYER BROS. successors to Lud Zobel & Co. 219 SOUTH SPRING ST.

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17 1/2 Sacramento Street, Near Van Ness Ave. Home and Day School for Girls

From Primary through College level work. 50 percent advantages in Languages and Music. Individual attention. Small classes. Special reduced rates.

The New Crystal Palace

IS NOW OPEN... Meyberg Bros. 343-345 S. Spring St.

New York Specialists

We are pre-eminent in Diseases of Men Only. Cures Guaranteed. No Failures. 230 1/2 S. Main St., Los Angeles.

Men's \$4 Shoes \$2.55

Best quality you can find anywhere. Made by two of the best shoemakers in America. You'll see their names on the Shoes, but we're not allowed to publish them in connection with cut prices. Regular \$4.00, \$4.50 and a few \$5.00 grades. Made of best French calfskin and hand-sewed, lace or congress styles. They don't all have the latest toes, but they're desirable for all that. Today only at \$2.55.

Men's \$1.00 Suits Underwear at 50c

Men's Jersey Ribbed Balbriggan Underwear, unbleached grounds with fine blue hairline stripes; shirts with sateen front and jersey neck, drawers with sateen waistband and lock-stitch seams; regular \$1.00 Suits. Today only we offer a Suit, shirt and drawers, at exactly half price, 50c.

Watch for the Sale of "Every Day Work Apparel" for Men...

Two Hosiery Specials

Examples of what the Trade Sales buying and selling has for you. Don't let a day pass without visiting the store or reading every word of our store news.

Ladies' Fast Black and Tan Hosiery, with double spliced heels and toes and double soles; regular 12 1/2c 3 for 50c grade; today 4 pairs for 50c; single pair... Ladies' Fast Black Maco and Lisle Hosiery, very fine gauge, four-thread yarn, also fancy plaids and ribbs; regular 50 cent qualities, at 33 1/2c

10c Wash Fabrics 6 1/4c

The prettiest, the daintiest, the most charming color blendings and pattern schemes of any wash material that ever graced our counters. Just like foulard silk or French organdy or imported chaly in effect.

The cloth is about the thickness of the best percales, but has a suede finish, similar to chudda cloth, which gives it the soft color blendings so noticeable. A very desirable material for wrappers and waists, heavy enough to be durable, thin enough to be cool. It's a regular 10c fabric for 6 1/4c a yard.

A HAMBURGER & SONS THE GREATER PEOPLE'S STORE

Los Angeles

The Herald's Spelling School

Weekly Prizes for Detecting Misspelled Words...

A fascinating and instructive contest in which old and young alike may participate, and every Monday some one of the contestants will get for his fun a handsome prize.

Partly as a diversion, partly as a means of encouraging better spelling, but more than anything else to promote close and careful examination of all its advertising, The Herald will give prizes weekly for the detection of misspelled words in its advertising columns. The first contest will open with the issue of SUNDAY, JUNE 12, 1898, and close with the issue of Saturday, June 18. The prize for the first contest will be a watch. The person calling attention to the largest number of errors in the daily issue of the week specified will be given his choice of the two watches described below:

Lady's Gold-Filled Hunting Case Watch. Elgin movement, very elegant and a perfect time-keeper. From Lissner & Co.