

# MAY GAIN FORTUNE BY PROVING HERSELF ILLEGITIMATE CHILD

## CAREAGA ESTATE IS BASIS OF SUIT

### Family Skeleton Will Be Exposed

### Daughter Seeks to Prove Her Parentage

### She Says Jesus Figueroa Was Not Her Father

### Long Search for Important Witness Results in Discovery That He Lived on Same Block With Those Who Sought Him

In one of the most remarkable cases ever brought into the courts of California, Mrs. Eloisa de Sammann of Los Angeles will next month seek to prove herself born out of wedlock, the price in case she is successful to be a quarter interest in the large estate of Juan B. Careaga, consisting of 10,000 acres of oil lands in the northern part of Santa Barbara county and variously estimated at from \$3,000,000 to \$4,000,000.

The family skeleton of the Careagas is to be dragged from its closet. The life of Rosa Castro Careaga, daughter of old General Castro, one of the most prominent Spaniards of the olden, golden, dreamy days of California, is to be held up before the public. Incidents, even spicy half a century ago, when law acted as no barrier to love, will be recounted by those who will give their testimony.

The life history of Careaga, who died intestate two years ago, will be gone over, year by year.

Over 100 witnesses, some of them from as far south as Mexico, will assemble in Santa Barbara September 19, at the opening of the trial. There will be depositions from as many others. The four claimants to the estate have determined to fight the case to the bitter end.

**Suit Means Fortune**

Should Mrs. de Sammann win her suit, the little plainly furnished home on a quiet street in Los Angeles will give place to one more in accord with such wealth, while the dream of an education for Eloisa, the daughter, will become a reality.

Following is the story related by attorneys and the plaintiff in the strange case:

"In the late '50s Rose Castro, daughter of General Castro, who was a brother of Governor Castro, the last of the Mexican governors of Northern California, was married to Jesus Figueroa. As a result of the marriage was born Antonio, now living in Santa Barbara county, and Josepha, wife of Captain L. Harris, who has a large estate in the oil belt of Northern Santa Barbara county, but resides in Berkeley.

"The marriage proved an unhappy one. Figueroa deserted his wife in 1863, going to the Nueva Idria mines in San Benito county, where he died a few months ago. Late in 1864 Mrs. Figueroa and Juan B. Careaga began living together as man and wife, and in July of the succeeding year Eloisa was born.

"The later progeny declare this, the first born after the illegal union, to have been the daughter of Figueroa. This Figueroa before his death disclaimed. Juan looked upon Eloisa as his own child and throughout his long lifetime esteemed her as his favorite daughter. The society of that early period accepted her as such.

**Other Children Born**

"Four other children, Joseph, Manuel, John and James, were born before Mrs. Careaga obtained a divorce from her husband in 1878, when, as soon as the decree was granted, she became the legal wife of the man with whom she had lived for fourteen years. After the birth of Laura in 1884 she became an invalid, her constant attendant until her death in 1894 being Eloisa.

"Those now claimants to the Careaga estate are Eloisa, the widow of Joseph, Manuel and Laura.

"By a vagary of fate destined to rattle the bones of the family skeleton, when the mother-in-law of Mrs. Figueroa believed she had effectually buried them, Mrs. Castro on the birth of Eloisa, it is claimed by the plaintiff, stole the child from its mother and taking it to an old mission church, had the padre baptize the child as Eloisa Figueroa. The record still stands and is an important fact for the defense.

"Careaga was one of the few Spaniards in California who did not throw away his birthright, given by the fact of being one of the first of the European settlers. With Daniel Harris in 1875 he purchased 19,000 acres of the Los Alamos grant. Three years later he moved his family there and began farming. Later he dissolved partnership with Harris, taking the south 10,000 acres, lying near the town of Los Alamos.

**Made Rich by Oil**

"The two Figueroa children were known as such, the remainder, including Eloisa, being known as Careaga.

The first discovery of oil in Santa Barbara county was made on the Careaga estate in 1881 by the Western Union Oil company, which sought to purchase the entire 10,000 acres. This the owner refused to countenance, but



MRS. ELOISA DE SAMMAN

a contract extending over twenty years was made by which the Western Union Oil company agreed to pay Careaga or his heirs one-tenth of the sum realized by them on the product of the land. The company now has thirty wells in operation, extending over an area of only 640 acres, while the remainder of the property is said to contain vast petroleum resources. The company now delivers 80,000 barrels of oil a month and is under contract, supposedly with the Standard, to furnish that company 2,000,000 barrels within the next two years. The legal game is well worth the candle.

"Careaga died at Santa Barbara in April, 1903, his demise taking place so suddenly that his last wish to make a will was not granted him. Immediately the heirs became at outs as to the disposition of the property. They refused to recognize Eloisa as their full sister, although the father had never shown any other disposition than to place them on an equality with her.

**Carried to Courts**

"There was no disposition on the part of Mrs. de Sammann to bring the question into the courts, but this she did only when she saw no other alternative."

One of the unusual features of the case is that of the discovery of an important witness, whom the plaintiff has sought since the suit was entered, nearly two years ago. His residence was sought throughout the state, but the search met with failure. He was found a month ago, his residence for some time being within a block of the De Sammann home. By a mistake in the Los Angeles directory in the interchange of initials his identity was effectually hidden. De Sammann and the man who is to be of such importance to the plaintiff met frequently on the street car, where through conversation the identity of the long lost witness was made known.

### ATTORNEYS CARRY THEIR DIFFERENCES TO POLICE

#### Joseph Ford is Arrested on Charge of Disturbing Peace of Willis Mitchell

Attorney Joseph Ford was arraigned before Police Judge Rose yesterday afternoon on a charge of disturbing the peace in Attorney Willis Mitchell's office in the Rindge building and his trial was set for Monday.

Early in the afternoon Mr. Mitchell called at the police station and asked Detective Hawley to accompany him to his office, saying that Ford had attacked him and he feared for his life. When the detective and Mitchell returned they found Ford awaiting them. According to the detective, Ford began to abuse Mitchell and it was necessary to arrest him. Both men showed signs of the trouble when they appeared in the court room.

### INCORPORATIONS

Private Schools company—Directors: R. S. Knudson, V. E. Nielson, S. E. Thompson, Carrie M. Gray, Corrine M. Bailey and Anna M. Wood. Capital stock \$25,000, with \$10,100 subscribed.

Pacific Mutual Realty company—Directors: Grove Ketchum, A. A. Polhamus, H. F. Stewart, W. E. Hoffman, J. E. Campbell of Los Angeles. Capital stock \$100,000, with \$500 subscribed.

Maple Grove Creamery company—Directors: E. Burr, J. Burr, C. Burr, G. W. Schaubert and J. B. Threkeld of Los Angeles. Capital stock \$50,000, with \$21,300 subscribed.

## LOWER TAX RATE MAY BE LEVIED

### FINANCE COMMITTEE MAY SO RECOMMEND

### ARE TRIMMING ESTIMATES

Revenue insufficient for Requirements of Departments and Knotty Problem is Being Considered in Executive Sessions

Members of the finance committee of the council have begun work in earnest on the problem of making both ends meet in the revenue and expenses of the city government.

Several executive sessions of the committee were held yesterday in the council committee rooms and in City Auditor Schwabe's office, during which the heads of several of the departments were called in.

While the members of the committee decline to talk, their report will be ready for the council next Monday and will be made public at that time. It is expected this report will not only contain the allowances to each department, but also a recommendation regarding the tax rate for the coming year.

It is generally believed throughout the city hall that the rate will be reduced ten or fifteen cents this year, despite the fact that the city is in need of funds. The rate prescribed by the charter of one dollar on every \$100 of taxable property will bring in a revenue of about \$1,570,000, or \$270,000 more than last year.

### Trimming is Necessary

Aside from taxes the city has a revenue of \$1,200,000, derived from licenses, water and other sources. Of this \$900,000 comes from the water department and this year that department will have to use the entire sum to take care of bond payments and extensions in the system. This leaves but \$300,000 to add to the \$1,570,000, making a total estimated revenue of \$1,870,000, out of which the charter says the general running expenses of the city must be paid.

According to estimates of the heads of departments it should cost about \$3,500,000 to run the city during the coming year. They cannot be allowed this amount and how to cut the appropriations and make the total just half what the heads of these departments ask is the question that is worrying the council. The trimming must be done so as to do the least harm and, if possible, in such a way that the city's business will not suffer.

For the past two years money obtained from bond taxes has been used to defray the general expenses of the city, but this is contrary to the charter and the legislators say it must cease. So it is made certain that, regardless of the tax rate, the city must get along on \$1,870,000 for general expenses.

### RELIGIOUS LEADER IS CHARGED WITH BATTERY

Languishes in City Jail for Lack of Bond for Appearance at Trial

"Gen." Moore, leader of the Union Mission army, was arraigned before Police Judge Rose yesterday morning on a charge of battery preferred by "Capt." Wilhite, who alleges the "general" choked Mrs. Wilhite and threw him out of the rooms at 232½ East Fourth street. His trial was set for August 19.

While Judge Rose was reading the complaint to the "general" the latter continually interrupted until the patience of the court was exhausted.

"But, your honor, that was—" and here the judge stopped him for the twelfth time, saying: "Now, for the last

time, I will inform you that I will have you taken to the jail below unless you permit me to read this complaint without interruption."

"All right," was the "general's" answer and he kept still.

Trouble arose at the headquarters when the "general" returned from San Francisco. "Capt." Wilhite was ordered out of the place but, according to the "general," refused to go. The "captain" declares the "general" abused him, while the leader denies the charge. The "general" languishes in jail for the lack of \$50 bail.

### ALLEGES HER HUSBAND BELONGS TO ANOTHER

Woman Seeks Divorce Because George W. Peachy Has Wife From Whom He is Not Legally Separated

Mrs. Alice M. Peachy filed suit yesterday for the annulment of her marriage to George W. Peachy, alleging that her husband had never been divorced from a former wife.

While the charge is practically that of bigamy no criminal prosecution can be had, as the woman refuses to appear against her husband and asserts that an allotment of the marriage is all she desires.

The couple were married in San Diego February 14, 1902, and have two children, Alice and Juanita. Mrs. Peachy alleges that she recently learned that her husband had not been divorced from his first wife, Helen Peachy.

She asks the custody of the two children and an alimony allowance.



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**Inclusive Excursion to the Grand Canyon**  
In Arizona, Monday, August 21, 1905  
**\$60.00 Round Trip**

Including meals and berth on the California Limited in both directions, meals and lodging for six days at El Tovar, the new hotel just completed at the Grand Canyon, and under the Harvey management, and dinner at the Grand Canyon Hotel at Williams August 28.

Leave Los Angeles...6:15 p. m. ....Monday, August 21.  
Arrive Grand Canyon...4:30 p. m. ....Tuesday, August 22.  
Leave Grand Canyon...3:00 p. m. ....Monday, August 28.  
Arrive Los Angeles...2:15 p. m. ....Tuesday, August 29.

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