

A PAYING JOB

A Road Superintendent Who Flies to Law

GETS KNOCKED OUT

In an Attempt to Oust a Justice

PRECOCIOUS LAD COMMITTED

THE "HOLINESS BAND" AND "CHURCH OF GOD" QUARREL

A Curious Point Raised in the Case of the Alamitos Boarding House Keeper—Mrs. Cashatt Refuses a Fortune

The suit of J. T. Haddox, road superintendent at El Monte, against M. F. Quinn, justice of El Monte, to oust him from office and obtain the infliction of a \$500 fine, came up before Judge Van Dyke yesterday.

This suit was in reality the aftermath of a suit tried in the justice's court at El Monte, wherein one E. W. Bowman sued Haddox, as road superintendent, for twenty-two and one-half days' work done on the roads during the months of March. Haddox, knowing that the advance agent of prosperity had not yet struck the El Monte region, wanted to pay Bowman at the rate of \$10 per month, while Bowman was greedy enough to demand the munificent sum which had originally been agreed upon—\$1 per day. Upon the case being tried Justice Quinn gave judgment for Bowman for the amount claimed, \$22.50, and Haddox gave notice of appeal. Inasmuch as the costs were not paid, Justice Quinn refused to file the papers necessary on appeal, and the documents were not transmitted to the superior court. Then Haddox got his writ to oust the justice from office for refusing to accept bonds and order a stay of execution before the costs in the case were paid. Six days later Haddox must have thought better of his previous determination, for he paid costs, the papers were upon transmitted and stay of execution was ordered.

In the attack upon Justice Quinn yesterday Haddox was knocked out in the first round. Attorney Will D. Gould, representing the defendant, put in a demurrer which raised the point that a private individual could not sue to oust a public officer from his position; that such proceeding could only be taken by the people on recall of a complainant. The point was well taken, and the suit fell to the ground.

But Haddox in instituting suit has attracted attention to himself, and it is boldly alleged that in his position as road superintendent he is playing a very pretty little game upon the people of the county, and the county treasury. In the case already referred to, for instance, of Bowman, who only claimed payment for twenty-two and one-half days' work, a reference to Haddox's demand upon the board of supervisors for labor employed during the month of March reveals the fact that Bowman is credited with 23 hours' work at hauling gravel at 37½ cents per hour. That is at the rate of \$3 per day of eight hours, and makes an aggregate amount of \$89.63 supposed to be due to Bowman. But Bowman repudiates it, and claims that when obliged to sue for his paltry pittance, that only \$27.50 was due him.

If report speaks true there are other rather startling discrepancies in that itemized demand for March put in by the road superintendent. In the case of Ray Thurman he worked with a team, which during portions of some days was used with a scraper. For eleven days he used the team, which is not his own, but is generally reported at El Monte as belonging to Haddox. W. Parker put in nine days with the team, and while Parker used the scraper Thurman helped him. On the demand Thurman is credited with eleven days on the scraper at 18 cents an hour, or \$17.82, and twenty-seven days for man and team, at 37½ cents per hour, or \$91.12. As a matter of fact, Haddox is reported to have paid Thurman for nineteen and one-half days' work at the rate of \$1 per day. Thus the county has been made to pay \$108.94 for work Haddox says Thurman performed. The difference between \$108.94 and \$109.94 has been, presumably, carried over to profit and loss—Haddox's profit and the county's loss.

Heading the monthly demand for March submitted to the board of supervisors is the itemized statement purporting to represent what work Haddox himself performed. The day among the workers in the road district is made up of nine hours, and Haddox appears as having worked twenty-two and one-half days, which, at the rate of \$2.50 per day, makes his claim \$55.25. It is stated by certain unregenerate people that Superintendent Haddox was not attending to his duties more than six days in all, and then only for so short a time that two days of nine hours each would amply cover the time. Inasmuch as the county cases show very marked discrepancies, there is no reason to suppose that Mr. Haddox has done himself any injustice, albeit there is room for explanation. His demand for March upon the county amounted to \$351.46, for himself, seven laborers and four teams. It would be interesting to see an amended statement, as drawn up by the laborers. Nevertheless, the claim was examined and allowed by Supervisor Davies, chairman of the finance committee, after being sworn to by Mr. Haddox, and was entered on the allowance roll on April 5th.

AN ENTANGLED BUSINESS

A Bill of Sale Cuts a Figure With a Riverside Jeweler

A supreme court decision was yesterday received in the case of Henry L. Rothschild, plaintiff and appellant, against F. W. Swope, defendant and respondent, carried up on appeal from the Riverside county wherein the order of the lower court was affirmed.

The action was one for conversion

brought by plaintiff against defendant for a certain stock of goods and merchandise which defendant had seized by writ of attachment as sheriff of Riverside county in the suit entitled J. A. Simms vs. E. M. Stanton. The defendant justified under his writ. Plaintiff claimed ownership of the goods at the time of their seizure. Upon being tried the court rendered judgment for defendant, upon which plaintiff moved for a new trial which was denied and the appeal was taken from the order denying the new trial.

It appeared that Stanton was engaged in business as a jeweler at Riverside, in 1893, and made a proposition to certain San Francisco creditors by letter dated December 10, 1893, as to his financial situation, the result of which was that these creditors assigned their claims to plaintiff and empowered him to purchase the stock held by Stanton and receipt the several claims so assigned—"the goods to be taken in full of the creditors' claims." On December 23, 1893, plaintiff went into possession of the property by virtue of a bill of sale given by Stanton and on the face of this bill of sale was shown Stanton's liabilities and assets: Liabilities, \$6342.09; assets, \$11,874.86. The sale was absolute on its face and was for the consideration of \$5532.77. Plaintiff took the assignment of two insurance policies covering the property, which were accepted by the companies; and plaintiff testified that by his own inventory, made at the time, the goods were reasonably worth \$7007.81, besides fixtures and tools, worth \$1200 more.

There was a forced sale of the goods and after \$1459.81 was received the sale closed. On January 19, 1894, defendant levied a writ of attachment upon the remaining goods at the suit of one Simms. The question arose whether the goods remaining were simply held in charge by Stanton. The creditors contended the goods were taken in payment of the debts; that the sale was an unconditional one and that plaintiff had no right to make it a conditional sale. Stanton testified that the bill of sale was given as a mere matter of security and plaintiff so recognized it.

A CURIOUS POINT

How a Corporation May Hold Employees in Check

Sometime ago petitions were filed with the board of supervisors asking that a certain boarding house and saloon keeper at Alamitos be deprived of his license. It was understood that the people at the sugar factory were mainly concerned in pressing the matter, but upon coming up for hearing no decisive action was taken.

The same point arose yesterday when the suit of J. T. Haddox vs. Dyer et al., came up for hearing in Judge Van Dyke's department. The action was brought to recover damages for the reason that defendants had obstructed their work people from patronizing his place at Alamitos, by threatening to discharge them in the event of their doing so.

A very curious point was raised on demurrer. The defendants demurred to the complaint on the ground that the complaint did not state facts sufficient to constitute a cause of action. It was contended that whether the defendants were restraining the people from going to plaintiff's premises had acted with malice or not cut little figure for they had committed no unlawful act. An employer could discharge an employee for any reason or no reason at all; and an employee had also the right to quit work without being required to give a reason for it. In sustaining this point a case was cited where, in Tennessee, a man kept a grocery store. The manager of the Chattanooga Railroad company forbade any employee trading with the groceryman under penalty of dismissal. The matter was carried into court and the railroad company was sustained.

The case was submitted and Judge Van Dyke's opinion in the case will be watched for with much interest.

TWO OF A KIND

The Right to Property That Inheres in a Name

The "Holiness Band" and the "Church of God" are at odds. It might be supposed that as far as name goes, at all events, the one was a mere synonym for the other but it appears there is a distinction.

The leaders of the Holiness Band are Messrs. Whistler, Morgan and others, and the organization is an incorporated affair and, in some sort, the name is a kind of trademark. Suit was brought against Spiers et al., to quiet title to some property on Fourth street, between Spring and Broadway, and the "Church of God" that rallies under the leadership of Messrs. Tongue, Hopp and others intervened. These latter maintain that they form the true Simon-pure Holiness band, and are consequently entitled to the property.

When first the suit was brought the opposition obtained an injunction to restrain the Holiness band from prosecuting it, but when the matter came up before Judge Allen he dissolved the injunction. Then another injunction was obtained by the "Church of God," but yesterday Will D. Gould Esq., showed good reason why the injunction should be dissolved and it was so ordered by Judge Van Dyke.

These preliminary matters being disposed of the Holiness band that is, and the "Church of God" that hopes to be the Holiness band in possession, will line up and fight the matter on its merits.

THE ELECTRIC FRANCHISE

Suit to Restrain the Council From Opening Bids

The old matter of the Garland electric franchise has again appeared in the courts by W. H. Allen filing suit against the city of Los Angeles and the city council. The bids for the franchise were: C. E. D. Camp, \$350; W. M. Garland, \$2157; W. R. Stanton, \$1107; F. A. Walton, \$1025. Garland, who was the holding official position, was disqualified, but claimed that he was simply acting as agent for the present plaintiff.

This suit has been brought to restrain the council from opening bids for this franchise, which they have threatened to do.

A PROMISING BOY

Only 10 Years Old and Precocious in Crime

Albert S. Kuhl is only a little fellow 10 years of age, but he has developed bad traits of character that resulted yesterday in Judge Voss ordering him committed to Whittier.

The boy has been, apparently, well nurtured, but cannot keep his hands from picking and stealing. There have been guests in his father's house recently, and the boy stole sums of money from them, ranging in one case as high as \$40.

To cap the climax, the youngster, while supposed to be seated comfortably at Sunday school on Sunday last, was in reality roaming about Redondo. He contrived to steal two pocketbooks, one containing about \$25, and a silver watch. Under these circumstances the boy, who has had a taste of the jail, being once in for ten days, had either to go to Whittier or a worse place.

COURT CALENDAR

To Be Called in the Several Departments Today

DEPARTMENT ONE—Judge Smith. (2317) Frank Clark, burglary; trial. (2312) Juan Silva, rape; to plead. (2326) Colonel T. Tupper, giving pistol to prisoner; to plead. (2307) Julia Knox, perjury; to plead. DEPARTMENT TWO—Judge Clark. (2378) Pawling vs. Pas and Pac. Ry. Co. (1731) Estate of Alexander Gibson, petition for distribution. N. P. (2020) Estate of Virginia M. Glassell, probate of will. N. P. (2023) Estate of Kate Schueller, probate of will.

N. P. (2024) Estate of Stephen Morgan Davidson, probate of will. N. P. (2027) Estate of Auguste Bernard, letters of administration. N. P. (588) Estate of Mary Gray Fitzgerald, petition for partition. (2396) Estate and Guardianship of Orr, minors; seventh annual accounting. N. P. (1358) Estate of Joseph Hull, final accounting and distribution. N. P. (2016) Estate of W. J. Glendinning, letters of administration (two petitions).

N. P. (2028) Estate of Albert Osthoff, letters of administration. (1731) Estate of William Converse, certificate of sale of real estate. N. P. (1737) Estate of John S. Johnson, petition for assignment of the whole estate to the widow. N. P. (2016) Estate of George M. Walker, deceased, confirmation of sale of real estate. N. P. (1770) Estate of G. N. Dewey, confirmation of sale of personal property. N. P. (1688) Estate of G. W. B. Kerckhoff, deceased, semi-annual accounting, extr., and petition for partial distribution.

N. P. (1702) Estate of C. L. Seaman, final accounting and distribution. N. P. (1785) Estate of George Osborn, final accounting and distribution. N. P. (1509) Estate of Giacomo Berners, final accounting and distribution. N. P. (1673) Estate of F. W. Sparr, final accounting and distribution. N. P. (2031) Estate and guardianship of Manuel Berners, letters of guardianship.

(5824) Estate and guardianship of Weingarth, minors, ninth annual accounting, extr., and petition for partial distribution. (15085) Estate and guardianship of Erbes, minors, and certificate of sale of real estate. N. P. (1854) Estate of William Repligie, confirmation of sale of real estate. N. P. (751) Estate of M. C. Holman, petition to remove executor.

DEPARTMENT THREE—Judge Voss. (27084) Kennelly vs. Del Valle; trial. DEPARTMENT FOUR—Judge Van Dyke. (17632) Field vs. Andradra, trial.

DEPARTMENT FIVE—Judge Shaw. (2549) Farmers' Bank of Odessa vs. Kessler. (3663) Cunningham vs. L. A. Ry. Co.; trial resumed.

DEPARTMENT SIX—Judge Allen. (21792) Popperwell vs. Joyce; trial, 10 a. m. Staats vs. Lemmert, argument, 2 p. m.

TOWNSHIP COURT—Justice Young. Clark vs. Sanchez, trial, 9 a. m. T. Hutchinson vs. Huffman, motion, 9 a. m.

People vs. Taylor, rape, 10:30 a. m. Holmes vs. Gutierrez, trial, 1:30 p. m. Holmes vs. Krenner, den. 1:30 p. m. Lane vs. McIntyre, trial, 2:30 p. m. Bottello vs. Wolf, supp. procds., 4 p. m. Cahill vs. Morell, supp. procds., 4 p. m.

To Be Called Tomorrow

DEPARTMENT ONE—Judge Smith. (2330) F. H. Pope, appeal; trial. DEPARTMENT TWO—Judge Clark. Perkins vs. Barto; trial, no jury. N. P. (1669) Estate of Theodora Wilkin; final accounting and distribution. N. P. (2033) Estate of Ella Springer; letters of administration.

DEPARTMENT THREE—Judge Voss. (21719) Odle vs. Odle; trial. (26782) Jay vs. Jay, divorce; 10 o'clock. DEPARTMENT FOUR—Judge Van Dyke. (27015) Davis vs. Davis et al.; trial. DEPARTMENT FIVE—Judge Shaw. (26749) Lucas vs. McDermott et al.; trial. (26715) Lucas vs. McDermott et al.; trial.

DEPARTMENT SIX—Judge Allen. (27299) Dominy vs. Creditors; final distribution. (28150) Workman vs. city of Los Angeles; trial.

TOWNSHIP COURT—Justice Young. Keiger vs. Rappert et al.; trial, 9:30 a. m. Whistler vs. Hupp; 9:30. Colyear vs. Dunant; trial, 9:30 a. m. Horton vs. Hintig et al.; trial, 1:30 p. m. White vs. Collins; demurrer, 1:30. Lidel vs. Pacific States Life Assurance Co.; 1:30 p. m. Newlyn vs. Burr; 2:30 p. m. Yee Ton vs. Yonkin; 4 p. m.

OLD AND FEEBLE

A Fortune Which Mrs. E. J. Cashatt Refuses to Claim

Mrs. Eliza J. Cashatt is an old lady of 63, who, it appears, doesn't know where she is well off. She is living in a small, one-story house, and is a modest fortune awaiting just for her to put out her hand and claim it.

Frank Cashatt, the lady's son, yesterday filed his petition in the probate court, asking that under these circumstances a guardian be appointed for the person and estate of his mother. He claims that his mother is entitled to a large and productive inheritance from the estate of her father, in Ohio, which was handed over to W. W. Graham of Olathe, Kansas, who has appropriated it for his own use.

For six years the son has supported his mother, and is still doing so, but with advancing years and physical infirmity, Mrs. Cashatt's mind has become enfeebled. She refuses her son's

offer of assistance, and insists that she will manage her own affairs. She is now 63 years of age, and is in poor health. She has a large fortune, but she refuses to claim it.

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aid and is living very miserably in an indigent condition.

Court Notes

A grand jury was yesterday ordered of sixty jurors, returnable June 1st.

In the United States district court, before Judge Weiborn, in the case of the United States against H. D. Slosser, the demurrer to the indictment was sustained.

In the circuit court, before Judge Ross, in the case of the United States Trust company of New York vs. the Atlantic and Pacific Railroad company et al., the decree confirming the sale of the road was made yesterday.

The suit of Nora McCartney vs. Mary Bills et al., to foreclose property at the corner of Sixth and Flower streets, said to be worth \$35,000, was submitted on briefs in Judge York's department. The interest involved was \$12,700.

Y. H. Tisdale was charged by T. L. Cole with threatening to "beat the life out of her" and "break her neck," and yesterday he acknowledged the same by qualifying with his wife on a bond for \$200 to keep the peace for six months.

In the suit of Henry Greenawalt vs. Mary Mueller, an action to have set aside a deed to real estate made by the husband of defendant, an insolvent. Judge York yesterday handed an opinion down wherein he finds for the defendant but without costs.

The suit of the National Bank of California and the Citizens' bank vs. Los Angeles Iron and Steel company was before Judge Shaw yesterday. The suit is to have about \$11,000 worth of indebtedness declared a lien against a certain lot of iron. The case was submitted.

A good many people were disappointed that Ed McCamish, the deputy who is charged with killing Constable Eyle, was examined at Newhall instead of in the township court as arranged. The witnesses were so numerous, however, that to save expenses the place of examination was changed.

THE BRITISH ARMY

Obtains Coffee Direct From the Plantations. The British government formerly brought the coffee intended for the army directly from the coffee plantations in Java, and the term "Old Gov't Java" is familiar to all.

Mr. P. M. Hanney, now manager of the grocery department of the great house of Siegel, Cooper & Co., Chicago, was located in Java for about nine years, purchasing coffee for her majesty's troops, and his ability to judge of the quality and flavor of coffee will hardly be questioned.

Experts of tea, coffee, tobacco and whisky are not always free users of the article they judge so keenly of. Indeed the reverse is frequently true.

In Mr. Hanney's family, Postum, the health coffee made by the Postum Cereal Co., Ltd., of Battle Creek, Mich., is used in place of coffee. The immediate cause being that the wife had trouble in digesting coffee and Mr. H., knowing that the grain beverage which looks so much like coffee and which fits the coffee drinker's taste, was a pure and nourishing drink, introduced it to his own family, with the result that the old ailments which were directly attributable to coffee-drinking, have materially disappeared.

Proper adjustment of food and drink means good bodies, clear minds and the ability to push to the front and make a success of life, while those who insist upon using such dietary articles as they know check digestion and impair the health, will lag in the race for prosperity. The law of the survival of the fittest is plainly marked.

"Just as good" as Postum Cereal are words used to defraud the public.

JOTTINGS

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Anheuser Bar and Cafe. 243 South Spring street, Los Angeles, Cal. Telephone No. 935 main. Entrance to cafe through natorium on Broadway, adjoining city hall.

For Mirrors or Beveled Plate Glass. Go to H. Raphael & Co., who are the manufacturers of them, and you will make a large saving. No. 438 and 440 South Spring.

Laws for Filing Stockholders. The mining laws as revised by the present legislature, per copy, 10 cents. N. A. Wolcott & Co., 123 South Broadway.

Hawley, King & Co., cor. 6th st. and Bwy., agents genuine Columbia Buggy company buggies and Victor bicycles.

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

Everything on wheels. Hawley, King & Co., cor. Fifth street and Broadway.

Agents Victor, Keating, World and March bicycles. Hawley, King & Co.

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The Creditor's Sale of the Tyler Shoe Co.'s Stock. At 137 South Spring St. Will Open Wednesday Morning

Will Open Wednesday Morning

Will Open Wednesday Morning

Will Open Wednesday Morning

Will Open Wednesday Morning

Will Open Wednesday Morning

Will Open Wednesday Morning

Will Open Wednesday Morning

Will Open Wednesday Morning

Will Open Wednesday Morning

Will Open Wednesday Morning

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Values with any in town. We'd like to have you try all the stores and then come here—or, come here first then you will know they can't be matched.

Men's Russia Tan Calf Shoes, Handsewed, Lace, New Cottage and London Toes.
Men's Fine French Calf and Box Calf Handsewed Lace Shoes, London and Round Toes.
Men's Finest Patent Leather Handsewed Lace and Congress Shoes, French, London and Cottage Toes.
Men's Tan and Black Vici Kid Lace Shoes, Handsewed in all new Toes.
Men's Finest Cordovan, Kangaroo and French Calf Lace and Congress Shoes, Genuine Handsewed, all styles of Toes in these.

Your Choice of These for

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A. HAMBURGER & SONS
127 to 145 North Spring Street.

Three Zobel Specials

That will make your Millinery Buying easy today. Special qualities, special styles, and special, very special, prices.

Special Ribbons

100% pure silk, fancy and plain ribbons for hats, neck, waist and millinery use. Nothing but the best silk goods. Your choice at one uniform price of, yard, 25c

Special Turbans

Berline Braids in six new and stylish styles. Extra special today for only 50c

Special Bonnets

Special sale of Bonnets for elderly ladies. Six distinct shapes to pick from; worth \$1.00 each, today we offer them at 50c

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THE WONDER MILLINERY.....
219 S. Spring Street.

Cheap Glasses

Like Slow Poison

May not show their bad effects today, tomorrow, or even next month, but eventually they destroy the sight and the best glasses in the world will do no good. Come and see us and be fitted with good glasses at..... Low Prices.

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Uncolored Japan, per lb..... 29c
M. and J. Coffee, per lb..... 29c

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Guarantees latest styles and lowest prices. Madame Clarion

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