

## HILLENBRAND HOTEL.

### A DECISION THAT KLOSE IS ENTITLED TO IT.

#### The Deed Made by the Old Man Is Decided to Be the Result of Fraud and Is Ordered Canceled.

Judge Levy rendered an interesting opinion yesterday in the two suits brought by Phillip Klose, an aged man, against William Hillenbrand et al. The evidence brought out during the trial was of a sensational nature and showed that Hillenbrand, with the assistance of his wife and father-in-law,

Dr. Schmitz, induced Klose to deed to the defendant certain valuable property in the Mission under peculiar circumstances, and, as it was alleged, by means of fraudulent representations. Klose was very ill, and being made to believe that he was dying, was induced to deed to Hillenbrand that portion of his property known as Hillenbrand's Hotel, with the understanding that should he recover the property should be retransferred to him. Klose did recover, and when he demanded the return of the deed he found that Hillenbrand had transferred it to his wife. Both of them refused to relinquish their claims and told Klose, who had been more than a father to them, to get out of the house, as he was no longer wanted there. He thereupon brought suit to recover the property, and in rendering judgment in his favor yesterday Judge Levy said:

From the testimony in the case, we see an old man, whose years are numbered and who is fast tottering on to the grave, giving away the accumulations of a well-spent life, or, in the old man's language, which is more forcible than I can paint it, "Do you suppose I would give away all my property and go to the Almshouse and be buried a pauper?"

The evidence in this case shows that a great wrong has been committed, and for every wrong there is a remedy, and a court of equity will now interpose and give to this plaintiff the remedy he asks for.

The Court further holds that the conveyance from Klose to Hillenbrand was obtained by fraud and artifice and that the transfer made by the latter to his wife was with fraudulent intent.