

MRS. TRUITT'S LENGTHY DEPOSITION.

Attorney Jones Completes the Task of Reading It.

Further Testimony in the Gilman-Dee Libel Suit—Hostler Pat Barry as a Witness.

At the opening of Judge Catlin's court yesterday morning Attorney Jones resumed the reading of the deposition of Mrs. Lulu Estella Truitt in the suit of C. H. Gilman against the publishers of the Bee for \$50,000 damages for alleged libel. The contents of the deposition are mostly unimportant for publication. She admitted that she returned to Gilman's house after the alleged assault, and that matters went along as usual. She did not tell any of her friends in the meantime of her trouble with Gilman. Neither did she tell Mr. Madison, the man whom she regarded as her friend and suitor. Mr. Gilman asked Madison, when he found him in the house: "What are you doing in my girl's room?" There were some words said Madison's visit, and Mr. Gilman said he told her not to have men call on her at the house. The witness then related how, more than a week after the alleged assault on her, she went to Gilman's store to purchase some goods. On the Monday following the alleged assault, Mrs. Truitt said, she asked Mr. Gilman to let her take his horse and buggy. When she went to the store on the following Friday Gilman declined to let her have goods on credit, but told her to call a little later and get what money was due her for wages. She would not have had Gilman arrested had not other persons talked about the matter and urged her to do so; she supposed it would take money to do that, but was assured it would not cost her anything. She denied having asked Gilman for \$25 on the day she left his house and went to the store, also that the man Madison had been keeping her. In reply to other questions she further denied having once been in the barn with Gilman's hostler when wanted by Mrs. Gilman. It was 11:30 o'clock when Mr. Jones finished the reading of the deposition, which was begun on Tuesday. It was listened to by a courtroom full of people, including some youths who should have been elsewhere. Mrs. Bush, who resides at Nineteenth and G streets, was the first witness called for the defense. She said she lived next door to Mr. Gilman. The first time she talked with Mrs. Truitt was on the sidewalk in front of her house at the time Mrs. Gilman was at the springs. She saw Madison call at Gilman's house one Friday, the day before Mrs. Truitt left there. She heard the latter tell him to come up stairs; that she was busy. He was there about five minutes, and she heard loud talk coming from the Gilman house. The next day Mrs. Truitt called on witness and complained of Gilman's alleged ill-treatment of her. The prosecution objected to the witness relating the details of the story related by Mrs. Truitt, but she was permitted to tell the nature of the complaint made by her. The examination of witness was very tedious, owing to frequent objections made to questions asked and arguments resulting therefrom. On cross-examination by Mr. Johnson, Mrs. Bush said she had always been friendly to Mr. Gilman. On second thought, the witness said it was on Thursday, and not on Friday, that she saw Madison call on Mrs. Truitt. She knew it was fish day, but she remembered now that she had fish on that Thursday. Prior to that time witness had spoken to Mrs. Truitt but once. The prosecutor called on Patrick Barry, the hostler referred to as in Gilman's employ, but he failed to respond, and John A. Sheehan, a former attaché of the Bee, was placed on the stand. He testified that he called on Mrs. Truitt on the 24th of August, 1892, at a house next door to Gilman's. There were several women present, also Chief of Police Rodgers and Reporter Healey. The women all appeared to be excited. Mrs. Truitt complained that Gilman had criminally assaulted her. The witness identified an article published in the Bee of that date as containing the substance of what Mrs. Truitt said on that occasion, but persons seated things told the witness by Reporter Healey, who had been there before the witness arrived and who said he had heard all that Mrs. Truitt had told. Mr. Sheehan was called on, and he showed his copy to the publishers before it was printed. He replied that it was customary to hand all copy to the managing editor, and he was quite sure he did it in this case. He told Mr. McClatchy that Mrs. Truitt had said she was going to the police station to make complaint against Gilman. The witness was told that a warrant had been issued, and so informed the managing editor. He was quite sure he did not write the head-lines to the article in question, or at least a portion of them. On cross-examination the witness said Mrs. Truitt appeared to him to be a woman of robust health and weighing about 140 pounds. Patrick Barry, the horseman, testified to having been in Gilman's employ at the time Mrs. Lulu Estella Truitt was a domestic in the family. He went up the back way into the house and saw them in the hallway. He could not say that either fell down. He saw no occasion to interfere, and immediately went out. The day Madison called on Mrs. Truitt Gilman told the witness to go into the house and see what he was doing there. Witness found them in one of the bedrooms. Madison was standing there talking to the woman. Gilman came in and "fired" the intruder. Gilman remained in the house and took a bath. The witness did not hear what, if anything, Gilman said to Mrs. Truitt, nor she

to him. The next day, after Mrs. Truitt left, she returned to the house to get some things. She afterward showed witness some buttons she said she had picked up from the floor. In response to a question by Mr. Jones, Barry stated that Gilman had asked him to testify that he had been criminally intimate with the woman. On the day that Madison was at the house Gilman complained to Mrs. Truitt about having a man there, and found fault with her for not having cleaned up the dining-room. The morning after the alleged assault on Mrs. Truitt Gilman told witness that Mrs. Truitt got her jaw dislocated the night before and that he had to go after a doctor. Judge Holl cross-examined the witness. The latter said she had gone to Lawyer Jones' office at the request of V. S. McClatchy. He did so and told what she knew about the matter. He appeared to be in a rather excited condition and persisted in getting in his own opinion and suspicions, regardless of the questions asked him. He adhered to some of the statements made in the direct examination, but was badly mixed up as to dates and disclaimed recollection of many things he had testified to. Apparently the witness had been drinking, which would partly account for his eccentric conduct. He repeatedly contradicted himself on minor points. The court took a recess until 10 A. M. this morning.

KINDERGARTEN ENTERTAINMENT.

Exercises by the Children of the Marguerite School. An entertainment was given on Wednesday by the children of the Marguerite Kindergarten, in the nature of a "violet party," at which quite a large number of ladies and patrons of the school were present. It was given as a compliment to the teacher, Miss Pullman, who is about to take a needed vacation of several months. The exercises consisted of: March; ring song; hymn, "Lovely"; song, "Little Jack Frost"; song, "Lullaby"; song, "Clap, Clap the Hands"; recitation, "Christmas Dolly"; by three little girls; game, "The Raindrops"; song, "The Rain"; song, "Violets." After which the children entertained their guests, "the violets," by impromptu songs, recitations, etc.: Game, "Rainbow Fairies"; song, "The Robin and the Thrush"; play, "The Apple Seeds."

EASTERN JOURNALISTS.

A Party of Them Come to Visit the Midwinter Fair. A party of Chicago newspaper men passed through this city yesterday morning on their way to attend the opening ceremonies of the Midwinter Fair tomorrow. They will be the guests of the Executive Committee of the fair, and will also be entertained by the Press Club during their sojourn in San Francisco. Following are the names of the members of the party: C. G. Seymour, Herald; George Ade, Record; E. W. Haden, Traveller; G. A. Balling, Intelligencer; Irving J. Lewis, Times; Ray Sherman, Journalist; Daniel Green, Post; John T. McCutcheon, News; J. Hatfield, Staats Zeitung; John M. Maxwell, Mail; F. J. Archibald, San Francisco; J. J. Peacock, Boston Globe.

MINOR MATTERS.

Justice Devine Continues Some Cases and Disposes of Others. Frank Cashman pleaded guilty to a charge of vagrancy in the Police Court yesterday. He had just served a term in the County Jail for the same offense and was arrested yesterday for being, the officer not knowing that he had just been released. The court sentenced him to ninety days in the County Jail and withheld the commitment for twenty-four hours to give him a chance to leave town. Wong Aton pleaded guilty to a charge of selling lottery tickets, and was fined \$15, which he paid. The cases of Ah Chung, Ah Ching and Gee Chung, for selling lottery tickets, and the two charges against Ah Chung of resisting an officer, were continued till Monday morning.

TEXAS HEARD FROM.

United States Marshal at San Antonio Wants Whitaker. Chief Rodgers yesterday received a telephone message from the United States Marshal at San Antonio saying that the United States Marshal at San Antonio, Texas, had telegraphed him to send a man up here and bring down P. L. Whitaker, the Assistant Postmaster from that State, who on Wednesday surrendered himself at the police station, saying that he had embezzled \$500 and wished to give himself up. He will probably be taken to San Antonio immediately on his arrival in San Francisco. Conditions of the Weather. The Weather Bureau reports show the highest and lowest temperatures yesterday to have been 52° and 37°, with light northerly winds and partially cloudy weather prevailing, while during the greater part of the forenoon dense fog prevailed, the air being extremely damp and moist. The barometer readings at 5 A. M. and 5 P. M. were 30.29 and 30.25 inches, respectively. The highest and lowest temperatures one year ago yesterday were 49° and 34°, with no precipitation, and one year ago to-day 54° and 38°, with .86 of an inch of rain.

Chinaman's Sentence Commuted.

Governor Markham has commuted the sentence of Lee Ling Chi, who was sentenced in the Police Court of San Francisco to six months imprisonment in the County Jail for vagrancy, to three months in jail. It appeared from the statement of the Police Judge and the Superior Judge that Lee was not a vagrant, but was an interpreter, and was sentenced under a misapprehension of the facts.

Complaint Demurred To.

In the suit of J. R. Hodson vs. C. C. Taft, an action to recover damages for injuries alleged to have been sustained by the plaintiff's horse, Kate Bender, being kicked by one belonging to defendant, the latter, by his attorneys, Johnson & Johnson, has filed a demurrer to the complaint, and also has given notice that the Superior Court will be petitioned to strike out certain portions of the complaint.

Notaries Public.

Governor Markham has appointed and commissioned the following Notaries Public: Frank Pico at San Luis Obispo; Effie S. Vance at Yreka, Siskiyou County; W. R. Grunshaw, Jr., at Cosumnes, Sacramento County; J. R. Cox at Folsom, and H. M. Albury at Colusa.

Land Patents Signed.

Governor Markham has signed land patents under the grant of sixteenth and thirty-sixth sections for school purposes, as follows: Helen M. Westcott, 320 acres in Monterey County; Harry W. Ince, 240 acres in Siskiyou County; John Steel, 65.70 acres in Calaveras County.

Work on the Folsom Canal.

To-day a force of men will be put at work on the excavation for the remainder of the canal at Folsom, which is to complete the water-power system of Messrs. Livermore and Galati. The contractor is John Keiso of San Francisco, and he promises that it will be pushed forward vigorously.

A Half-Dozen Burglars.

The burglar who robbed the room of L. L. Callendine, at 613 J street, some weeks ago, has returned to the city by mail from Fresno, some deeds and notes that were stolen at the time.

RAID ON A LOTTERY.

A Lively Scramble Between Officers and the Proprietor. Yesterday afternoon Under Sheriff Rooney and Deputies Johnson and Hendricks swooped down upon the Chinese lottery conducted in the rear of Max Ginsberg's fruit store on the south side of J street, between Third and Fourth. Deputies Johnson and Hendricks entered the place by the rear, and Under Sheriff Rooney gained admittance in the front part of the establishment. In attempting to enter the room where the lottery was going on the officers were attacked by Ginsberg, his brother Jacob, and his two sons, Fred, Bloom and Mrs. Rachel Litzberg, and also by M. Litzberg, Ginsberg's uncle. Deputy Johnson, during the melee, was struck on the face by some instrument in the hands of Ginsberg, and Dr. Ogden was required to make three stitches to sew up the wounds under Johnson's eyes. The men and women made a desperate resistance, but the superior forces of the officers prevailed, and they were subdued. During the row a show-case in Ginsberg's store was smashed, and the Chinamen were conducting the lottery escaped by the back door. All the material utilized in conducting the lottery was confiscated and taken to the County Jail. Max Ginsberg, together with his brothers, sisters and uncle, were taken before Justice Barry, where they were admitted to bail in the sum of \$500 each. The offense with which they are charged is resisting an officer, which is an indictable misdemeanor. Their examination has been set for Wednesday, the 26th. It is the intention of the officers to endeavor to have Max Ginsberg prosecuted before the Federal Courts for selling Louisiana lottery tickets.

ESTATES IN PROBATE.

Petition for the Admission of the Will of W. A. Gott. Superior Judge Johnson has issued a citation to E. B. Walbridge, administrator of the estate of Alexander Dennis, deceased, to appear before the court and render a complete inventory of the estate. The citation was issued on the petition of Charlotte Dennis Cutter, widow of the deceased. Driver & Sims are attorneys for the petitioner.

Articles of Incorporation.

The following article of incorporation has been filed in the office of the Secretary of State: The Winters Fruit Exchange. Principal place of business, Winters, Yolo County. Capital stock \$25,000, with Samuel Taylor, J. B. Griffin, J. A. Devillon, A. B. Ish, George North, F. W. Wilson, William Sims of Winters as directors.

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NOTICE OF COPARTNERSHIP. Notice is hereby given that the undersigned have this day formed a partnership, under the firm name and style of JONES & DAVIS, for the purpose of conducting a Fish Market in the city of Sacramento.

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JOHN KEISO, Contractor. Work on the Folsom Canal. To-day a force of men will be put at work on the excavation for the remainder of the canal at Folsom, which is to complete the water-power system of Messrs. Livermore and Galati. The contractor is John Keiso of San Francisco, and he promises that it will be pushed forward vigorously.

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