

REDWOODS' BIG SUIT.

The Potter Removal Case May Be Reopened at Once.

NEW EVIDENCE FOUND.

Miller & Lux Check Given to a San Francisco Woman by the Executor.

SHE REFUTES HIS TESTIMONY.

He Had Sworn That a Ranch Employee Received and Cashed the Draft.

REDWOOD CITY, CAL., Jan. 7.—The suit for the removal of Jesse Sheldon Potter as executor of the Charles Lux estate was closed about a month ago, and since that time the decision of Superior Judge Buck has been looked forward to with considerable interest.

A few days ago, on application of D. M. Delmas and J. H. Campbell, attorneys for petitioners in the suit to remove Potter, Judge Buck permitted depositions to be taken in San Francisco collaterally and simultaneously with the depositions taken in the case of Miranda W. Lux, deceased.

Yesterday County Clerk J. F. Johnston of Redwood City was summoned to San Francisco and was called upon to produce the check for \$800 drawn by Jesse Potter on the firm of Miller & Lux in favor of John Brown or order, and indorsed "E. Marchand." That check was an exhibit in the recent trial against Potter to cause his removal as executor of the Charles Lux estate.

It is believed that this testimony is a serious blow to Potter's chances for a favorable decision in the removal suit. For two or three days there has been a noticeable flitting to and fro of the various parties interested in the outcome of the litigation, and there is a vague whispering in Potter-Lux-Miller circles that the speedy resignation of Jesse Potter is the most probable solution of the whole matter.

On several occasions during the recent removal suit Attorney Pillsbury maintained that the attempt was being made by the prosecution to draw from Defendant Potter's testimony to feed the Miranda Lux litigation. The situation to-day is, that testimony brought out in the Miranda Lux matter may also be doubled up on Potter to try and accomplish his downfall.

THE WINE FLOWED.

Stories of Jesse Potter's Revelry Told by Mrs. Sadie Young in Affidavits.

When the Lux & Miller case is reopened Mrs. Sadie Young will be the central figure in it. She and others have sworn to affidavits and produced account-books to show that early in 1893 Jesse Potter, the son of Mrs. Lux, deceased, spent big sums of money with her for wine and lived very rapidly.

Mrs. Young is the proprietress of a house at 317 Stockton street, of whose reputation there can be no doubt. At the time Mr. Potter was living with other women at 295 Post street.

There will be other affidavits. They are merely of value in corroborating Mrs. Young's story. All of them are upon that one particular question.

According to Mrs. Young, Mr. Potter called often at her house. Sometimes he came alone, but oftener with friends. He was always lavish in his expenses and wine invariably flowed even faster than water. And though Mrs. Young does not say whether she had a license to sell liquor or not, he invariably made a little memorandum of the number of bottles used.

These memoranda made up a part of a set of very simple books. When the accounts amounted to several hundred dollars she would make out a little bill and get her money. Mr. Potter's last little bill amounted to \$800.

He paid this graciously enough. The check he gave her was for \$800. It was made payable to bearer and was honored upon presentation. This was early in 1893.

Nothing more was said of this till about a month ago. Then, she says, three detectives, one of whom was Ross Whitaker, went to her house and questioned her. They learned about the amount of wine Mr. Potter had paid for and she had then been called on to testify.

Mrs. M. Howarth, the housekeeper for Mrs. Sadie Young, sworn to Mr. Potter's frequent visits to the house and his wine-buying propensities. She had taken the check for \$800 around the corner to Ed Marchand, the restaurateur. Mr. Marchand cashed it and gave her the money, which she took to her residence.

Mr. Marchand made affidavit to cashing the check. The paying-teller of the bank made affidavit to having received it. The check itself is in evidence, so there can be no doubt as to Mr. Potter having incurred an indebtedness to Mrs. Young and settling it.

There can be but one purpose in preparing this mass of affidavits. It would be to show that Mr. Potter was a careless and profligate man, in his expenditures and a companion of dissolute women. There has been no indication as to how Mr. Potter's attorneys will meet these charges in order to prevent his being deposed from his position.

charge of assault with a deadly weapon. This is the outcome of the sensational shooting of Winnie Gossage on the Lakeville road several weeks ago. Maynard entered a plea of not guilty and furnished \$500 bail.

PASADENA'S ROMANCE.

Crimes Confessed by a Young Man Recently Converted.

LOS ANGELES, CAL., Jan. 7.—The members of the South Pasadena Baptist Church, who had assembled at a prayer-meeting last evening, were astonished when a young man, who had recently experienced religion and who was a general favorite in the church, arose and stated that he had a startling confession to make.

The young man had appeared in Pasadena about two months ago, giving his name as Charles Crawford. He secured employment in a store, and became an attendant and then a convert in the First Baptist Church.

In beginning his confession, the convert said that his true name was Albert Diefenderfer, and this parents lived at Lancaster, Pa.

"In April, 1894," said he, "I was sentenced to the Reform School at Huntington, Pa., for a period of four years. I was convicted on three different charges of grand larceny, and there is now hanging over my head another charge of forcible entry, which means burglary in this State.

"After being in the reformatory for one year I was paroled on account of my good behavior and influence brought to bear by my father, who is a merchant in Lancaster. I was obliged to report only at cer-

GUESTS OF TRUCKEE.

Nevada's Contingent Comes on a Special Train From Reno.

TRIP TO DONNER LAKE.

Visitors Treated to a Sleigh Ride and a Tournament on the Ice.

PLANNING FOR THE FUTURE.

Success of the Carnival Leads to a Scheme for a Permanent Winter Resort.

TRUCKEE, CAL., Jan. 7.—An excursion train from Reno brought 150 carnival vis-

itors to-day, and the town has been given up to the Nevada people. The Truckee brass band met the excursionists at the depot and led the way through the ice palace, then giving a concert at the top of the toboggan-slide, while the guests crowded on the Canadian sleds for the trip through space.

Following THE CALL's suggestion, the carnival managers have fenced off the level portion of the toboggan way from the route of the coasters. The double-rippers now have to make a sharp turn or go through the fence, and that makes the sport all the better for the boys.

Two large sleighing parties came in from Prosser Creek this evening. It is estimated that there are from 400 to 500 carnival guests here, and the residents are jubilant over this early indication of the success of the enterprise.

There is little doubt that before the end of the month all the visitors that the town can accommodate will be here. In view of the popularity of the winter sport and the assurance that these carnivals will be annual features, there is already talk of greatly enlarging the hotel facilities, and it is not improbable that a new hotel will be built in this vicinity especially for a winter resort. An endeavor will be made to have the railroad company grant stop-over privileges on all classes of tickets during the carnival time next year.

"The carnival is certainly going to be a success," said Charles F. McGlashan of the carnival committee to-day. "It is a success already. This is the first year of the enterprise, and of course, it is not easy to get people started toward a new field of amusement. But the people of Truckee are satisfied with the undertaking. The directors do not expect that Eastern tour-

will be given prominence in connection with it, the free use of the tribunes being conceded the visiting association on all but the floral procession day.

The firemen's programme is made out, and will consist of running contests for hose companies; department horserace; a wet run, embracing runs to hydrants, connection of and operation of hose, hose disconnections, transfers of hose and of hose sections; connection with pipe and second operation of hose. There will also be hook and ladder contest, single ladder contest, coupling contests and hub-and-hub races, concluding with a general field day of athletic sports on Saturday, the closing day.

No professional fireman will be permitted to compete, and, as these volunteers are a splendid body of men, numbering some of the finest athletes in the State, the tournament promises to be a notable one.

The local volunteer corps to whose enterprise and intercession the city is largely indebted for the arrangement which has secured this meet, has on their own part extended an invitation to the Exempt San Francisco firemen, the veteran organization of the State, to attend the carnival as its honored guests.

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CLOVERDALE'S FAIR.

Dates for the Annual Exhibit of Citrus Fruits and Wines Announced by the Directors.

CLOVERDALE, CAL., Jan. 7.—The

SAN RAFAEL ROMANCE.

Miss Ellen Gable Brings Suit Against Her Fiance.

ACCUSATIONS OF FRAUD.

The Time-Worn Tale of Faithless Suiitor and Trusting Maid Retold.

HE SECURED ALL HER MONEY.

Forgot His Promise to Marry After She Had No More Gold to Give.

SAN RAFAEL, CAL., Jan. 7.—A decidedly interesting and what promises to be a highly sensational suit has been filed with the County Clerk of Marin County, in which Miss Ellen Gable, living in the northern part of the county, is plaintiff, and Hugh McCormick and E. R. Samuels are named as defendants.

Miss Gable accuses Hugh McCormick, assisted by E. R. Samuels, of defrauding her out of over \$2000. In the complaint she sets forth the oft-repeated tale of the faithless suiitor and a trusting maiden. The parties to the action are well known in the northern part of the county, where they reside.

Some time ago Ellen Gable bestowed her affections upon Hugh McCormick, who was apparently a hard-working sort of fellow, and he in turn appeared to love the fair Ellen. After they had been keeping company for some time he promised to marry her, but said at the time that he was hardly prepared to do so from a financial standpoint and represented to Miss Gable that he needed at least \$2000 to fix up his farm and build a house in which they could live together as man and wife.

Miss Gable possessed some means and, trusting him implicitly, readily advanced the money he needed. In all, so she sets forth in her complaint, she advanced \$2400, believing that he would marry her. All this occurred in 1894, and he has not married Miss Gable and refuses to give up the \$2400.

The plaintiff further alleges that Defendant E. R. Samuels, whom she has made a party to the case, has colluded with McCormick in order to defraud her out of the money she advanced to McCormick. She charges that on October 15, 1895, McCormick, without any consideration, executed and delivered to Samuels a mortgage on his property to secure a promissory note executed by him to Samuels on the same day for the sum of \$2100, with interest at 5 per cent. This was done, she declares, to defraud her, and she wants relief from the court.

Miss Gable is determined to fight the case to the bitter end, as she considers that McCormick has treated her in an outrageous manner.

PALO ALTO EVENTS.

University Orators Seemingly Not Anxious to Enter the Intercollegiate Contest.

STANFORD UNIVERSITY, CAL., Jan. 7.—Students are busy now getting ready for a long semester's work. With but one week's recess at Easter, there will be no further break in university instruction for nearly five months when the long summer vacation begins.

The postponement of the Stanford suit was a disappointment to the students, all of whom have the university's interests at heart, and are desirous of seeing a vexatious litigation brought to an end.

No appointment has been made to the vacancy caused by Professor Hussey's departure for Lick Observatory, and it is not likely that such an appointment will be made for some time.

The Daily Palo Alto this evening published a letter from Mrs. Stanford, in which she thanked those students who saved the chemical laboratory from a ruinous fire during December.

From present indications it would seem that Stanford will have a hard time selecting her debaters to meet Berkeley in the intercollegiate match. So large a number of candidates are dropping from the list that there is anxiety felt lest Stanford be unrepresented when time is called.

The debate next Saturday evening is the first of a series of three. These six orators take part: Neil Johnson '96, J. T. Burcham '97 and W. P. Harrington '96 for the affirmative, and A. M. Cathart '96, G. L. Williams and Cecil Smith for the negative. The question is: "Resolved, that United States Senators should be elected by popular vote."

WRECK NEAR PUYALLUP.

Freight Cars Ditched by the Breaking of an Axle.

SEATTLE, WASH., Jan. 7.—A Northern Pacific coal train, heavily laden, from Carbonado to Tacoma, was wrecked this afternoon in a big cut about half way between Puyallup and the Indian Reservation bridge.

No loss of life resulted, though the engine and fifteen or twenty cars were ditched, being piled three and four deep in places. The rails were torn up, some of them being bent and twisted into every imaginable shape.

Local trains between Seattle and Tacoma have been abandoned, though the Northern Pacific officials say they expect to get the wreck sufficiently cleared and the tracks relaid in time for the regular Portland train, due at 6:50 o'clock, to reach Seattle by midnight.

The cause of the accident was the breaking of an axle on one of the cars about the middle of the train, in which there were thirty or forty cars. All the cars following were ditched and both rails of the track were torn up by the dragging axle for a distance of nearly a half mile.

SANTA CRUZ SENSATION.

August C. Hihn Fined by Judge Logan for Contempt of Court.

He Had Ignored an Order to Produce a Lease Wanted as Evidence.

SANTA CRUZ, CAL., Jan. 7.—August C. Hihn, president of the F. A. Hihn Company, was to-day adjudged guilty of contempt of court and ordered to pay a fine of \$100 or serve fifty days in the county jail.

The case of Hoffman vs. F. A. Hihn has been in court for the past few days, and in the proceedings it was ordered yesterday that the Hihn Company produce a lease of the Pacific Ocean House, which was to be used as evidence by the plaintiffs, who wished to prove that the defendant received \$500 which had never been accounted for.

It was ordered by the court that the lease be brought into court at 10 o'clock this morning. When the case was called this morning the lease had not been handed in and a half hour more was given for its production. August Hihn went upon the witness-stand and was examined. When the half hour was up the lease was not forthcoming, and then Judge Logan said: "Yesterday I made an order that the lease should be produced in court at 10 o'clock today, and I am of the opinion from the evidence that it is under the control of the witness on the stand, and that he can produce it. If not his attorney can. The witness is in contempt of this court, and is fined \$100 or fifty days in the county jail, or \$2 for every day."

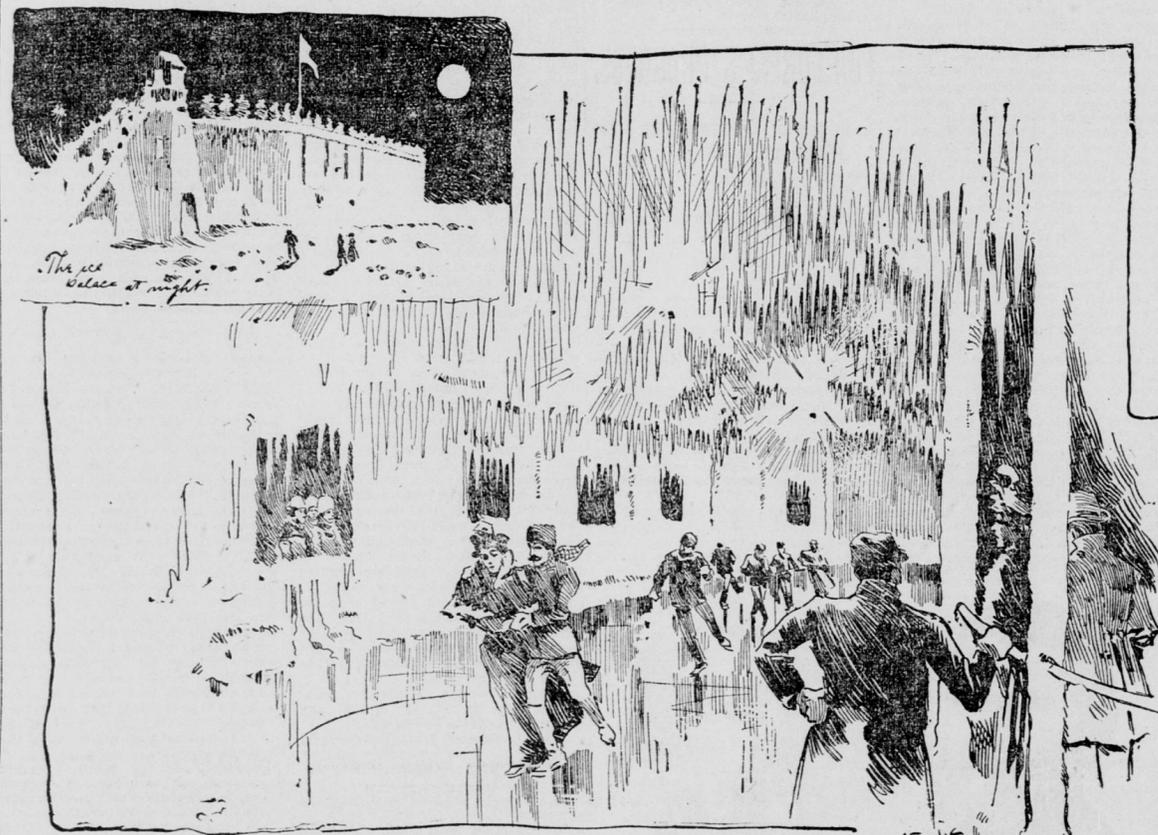
The commitment was drawn and served on Mr. Hihn by Sheriff Besse. This afternoon the fine of \$100 was paid and the lease was delivered in court.

Elks Launch a Roseburg Lodge.

ROSEBURG, OR., Jan. 7.—Roseburg Lodge No. 326, B. P. O. Elks, was instituted to-day with fifty charter members. A special car from Portland brought forty-seven Elks, who were met by a committee accompanied by the Knights of Pythias Band and escorted to headquarters. The day was spent in organizing and initiating. To-night a grand banquet was held in Odd Fellows' Hall. This is the fifth lodge in the State.

Fined for Loveladyism.

SANTA CRUZ, CAL., Jan. 7.—Thomas Hyland was sentenced this morning by Judge Craighill to pay a fine of \$90 or serve ninety days in the county jail, for disturbing the Salvation Army.



THE EVENING SCENE AT THE CARNIVAL PALACE IN TRUCKEE, WITH THE ELECTRIC ILLUMINATION OF THE ICE-COLORED CORRIDOR.

[From a sketch made by a "Call" staff artist.]

FLAGSTAFF'S WAR SCARE.

Startling Rumors of a Navajo Uprising Prove to Have Been Exaggerated.

The Posse Sent to Rescue Settlers Fails to Find Evidence of Serious Trouble.

ALBUQUERQUE, N. M., Jan. 7.—The startling rumor last night of an uprising of the Navajo Indians proves to have been exaggerated. A cowboy had ridden into Flagstaff at a breakneck speed and announced that a band of twenty-five renegade Navajos had a number of white settlers surrounded at a place about forty miles distant and that relief must be sent immediately. The Sheriff of the county, with a strong posse, left for the scene of the trouble at once, but a messenger who came in from the party to-day reports that the difficulty was but a slight one. While there is some trouble between a few of the Indians and the white settlers in the immediate vicinity of the reservation in regard to the right of the Indians to graze their sheep on the public lands, there is no general uprising of the Navajos or a threat of one.

The Navajos number about 25,000, and if they should go to war with the whites they would cause serious trouble, for they are all well armed. Roving bands occasionally commit depredations upon isolated settlers, as in this case, but the Indians have too much property at stake to go upon the warpath as a tribe.

It has been learned that a small band of Navajos captured three cowboys who disputed the grazing right of the Indians. They were probably released before the Flagstaff posse arrived.

ARGUED AT MADERA.

Cattle King Henry Miller Seeks to Dissolve an Injunction.

MADERA, CAL., Jan. 7.—The case of Kutner & Huffman against Henry Miller came up in the Superior Court here to-day on a motion by the defendant to dissolve the injunction. The ground upon which Miller relied in support of his motion is that the injunction was irregularly issued, inasmuch as there was no great or irreparable damage threatened a suit for trespass and damage was the proper action. The matter was taken under advisement by Judge Conley.

Flow of the Gold Reserves.

WASHINGTON, D. C., Jan. 7.—The gold reserve at the close of business to-day stood at \$58,685,710.

ists will come here in any great numbers, except that those who travel this way may stop over for a few hours.

"The main patronage is expected from the people of California and Nevada. To the Easterners an ice carnival is not the greatest attraction.

"It is argued that the trip over the summit of the Sierras and the sport here available ought to be experienced by every California, and that the health benefits to be derived from the athletic exercises in the cold and rarefied air will be a great factor in establishing the popularity of the carnivals."

SANTA BARBARA'S FETE.

State Firemen to Be Honored Guests at the Coming Carnival of Ross.

SANTA BARBARA, CAL., Jan. 7.—The Flower Festival Association is arranging its programme for the forthcoming spring festival, to be held on April 13, 14, 15 and 16, and a succession of charming and brilliant spectacles is promised, far exceeding both in scope and attraction those of any previous festive here.

An important feature to be incorporated with the great fete this year will be the tournament of the Southern California Association of Volunteer Firemen, which has selected Santa Barbara for its place of meeting this year, because of this city's great liberality in the matter of prizes. This tournament, lasting four days, will be coincident with the flower festival, and

Cloverdale Citrus Fair Association will hold its fourth annual exhibition at Humbert's Pavilion on January 29, 30 and 31. This was decided at a meeting of the board of directors—John Field (president), W. T. Brush, M. Menihan, George B. Baer, F. W. Brush and C. E. Humbert—last night.

The citrus fair this year will be more than a local affair. The whole of Sonoma County is taking a lively interest in it already and displays by the several towns in the county will form interesting features of the exhibition. Among the displays will be Sonoma County wines, famous all over the world. Of course everything will be subordinate to the citrus fruit displays, which will this year equal anything of the kind seen at the Midwinter Fair.

Fear is entertained that the pavilion will not be large enough to hold all the displays; still those that it will contain will be worth coming miles to see.

The orange crop this year around Cloverdale is twice that of last year, and the fruit is large in size and luscious in taste. Trees are loaded to the ground with both oranges and lemons.

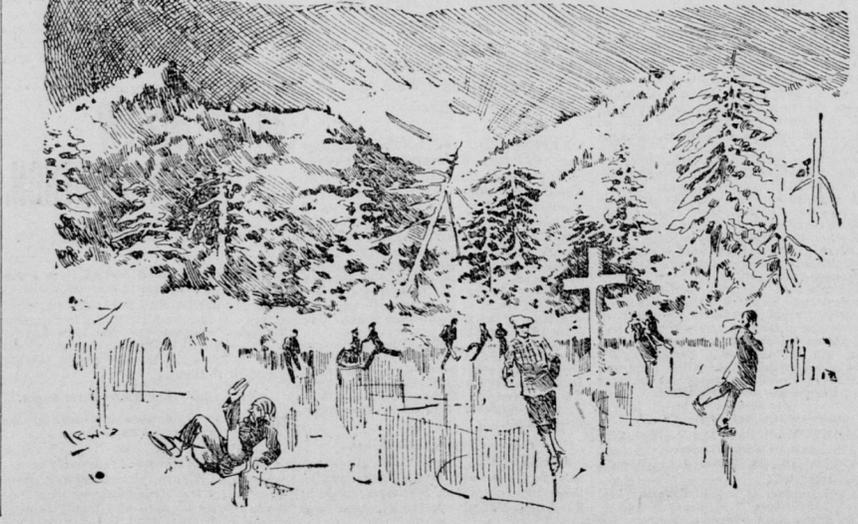
TACOMA LIBEL SUIT.

Evidence in the Mineola-Strathnevis Suit Taken.

TACOMA, WASH., Jan. 7.—The examination of witnesses in behalf of the steamship Mineola, libellant of the steamer Strathnevis, was continued to-day before United States Commissioner Worden. The evidence was all in by noon, allowing the steamer Mineola to depart for Honolulu. The salvage claim of the Mineola is \$150,000. The case will be tried here during the February term of court.

A CARNIVAL SCENE ON THE TRUCKEE MEADOWS, NOW COVERED WITH ICE, THE WOODEN CROSS SHOWING WHERE THE MURPHY CABIN STOOD IN THE DONNER PARTY DAYS.

[Sketched yesterday by a "Call" staff artist.]



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