

MEMBERS OF THE ANTI-DEBRIS ASSOCIATION SEVERELY CONDEMNED.

BLOW AT A LEADING INDUSTRY.

ALL THE MINES MAY BE SHUT DOWN.

Julian Sonntag Declares the Matter to Be the Most Vital Now Before the State.

The action of the Anti-Debris Association in suing out an injunction against Jerry Goodwin of the Goodwin mine in Nevada County has stirred the deepest indignation of the miners of the entire State.

"It is the most important to the people of this State now before any court or other tribunal."

"The injunction holds," said Mr. Sonntag yesterday, "it means that the Anti-Debris Association has in its power to shut down almost all the mines of the State and we know enough of the disposition of the men at the head of it to believe they will attempt it."

The Goodwin mine is operated by ground sluicing. The decision of Judge Sawyer, rendered in 1884, was to the effect that any person owning property on the Sacramento, the Yuba or American rivers might restrain by injunction any miner whose work contaminated or diverted the flow of the waters of these rivers or any of their tributaries.

The Anti-Debris Association declared that under this decision they could sue against any class of mining operation, but that they did not think that quartz mining, drifting or ground sluicing were materially injurious to the State, and would not disturb any but hydraulic mining.

"I tell you," said Secretary Sonntag, "this love feast has been so widely advertised in the newspapers, and even the miners and the farmers are all the rakes' kind of bosh."

"Under the act providing for the building of the debris dams, the difficulties complained of will all be overcome, and the miners, being permitted to work without hindrance and embarrassment, will increase the wealth of the State from \$6,000,000 to \$8,000,000 annually. When I traveled through the mountains of Nevada and portions of Placer County some years ago I found a district dotted with the pretty homes of a prosperous people. When I went over the same ground within two years after the Sawyer decision the population I found there was enough to make the heart sick. Property had been laid waste to the value of \$8,000,000."

"If the Anti-Debris Association attempts to act under that kind again there will be trouble."

IN THE YELLOW HOUSE Heads of Departments Awaiting the Christian Endeavor.

Nine Trans-Pacific Tourists Were Yesterday Boked for the Yosemite Valley.

C. P. Huntington, president of the Southern Pacific Company, is yet in San Francisco, occupying during business hours his offices in the yellow building. His portrait, life size, is being painted by Fred Yates. Mr. Huntington has some notions about the use of beverages for the stimulating purpose and fancies that the time to begin their use is when a man attains the age of 80.

Colonel C. F. Crocker left the City for New York last Wednesday evening. He will not be absent a great length of time. Colonel T. H. Goodman, general passenger agent, left for the East last Saturday.

Vice-President Stubbs is out of town, looking after freight business. F. S. Dundy of the Pacific Improvement Company is in town doing business at the freight agent, notes with a view to pleasure the expected visit of the Christian Endeavor.

William Sprague, assistant general freight agent, notes with a view to pleasure the expected visit of the Christian Endeavor. He is likely to be short and the yield of California peaches will open up above the average. He reckons that the fruit shipments this season will exceed last year's haul. The regular business of the special fruit trains will open up early in June. Several carloads of cherries have already gone East from Vacaville. Cherries do not demand rapid transit, but require refrigeration.

Manager J. A. Fillmore is not prepared to give any estimate as to the number of Christian Endeavorers that will attend the convention. He noted, yesterday, however, that a hundred conductors of the New York Central Railroad were in town and fancied that they were taking in the sights, such as Chinatown and the City House. The conductors' special left for Los Angeles last evening.

At the Yosemite office eleven passengers were booked for the valley yesterday, nine of them being trans-Pacific tourists. A Christian Endeavor excursion, to last

MRS. KEEGAN'S MONEY. The Fight Over It Causes an Execution to Be Issued Against the Union Trust Bank.

An execution was issued against the Union Trust Company, a banking institution at the corner of Montgomery and Market streets, yesterday, as a result of the corporation's participation in the suit of Michael Keegan against John H. Kelly, A. Deputy Sheriff served it during the afternoon.

Keegan's wife died in October last and at his request Kelly was appointed administrator of the estate of the deceased. Later the relatives of Keegan, who is somewhat feeble-minded, had Kelly removed and brought suit by Attorney W. G. Zeigler to recover \$2300, which had been deposited in the Union Trust Company's bank.

At the time Kelly was appointed administrator he was unable to furnish the necessary bonds and the court was allowed to take the funds of Mrs. Keegan out of the various banks in which they were deposited and place them in the institution mentioned. For this reason the bank was made a party to the suit and was included in the judgment rendered in Keegan's favor. Attorney Zeigler, on behalf of the Union Trust Company presented a claim against the funds for fees and keeping and for attorneys' fees and refused to turn the money over until these were paid.

Another suit has been brought against Kelly to recover \$10,000 worth of Minnesota property, decided to him by Keegan without consideration immediately after Mrs. Keegan's death. G. H. Umbson has been appointed receiver of the property pending the decision in the case.

A QUARTER OF A CENTURY. Mr. and Mrs. William Clark Celebrate Under a Bower of Roses and Smiles and amid the congratulations of a big delegation of friends, Mr. and Mrs. William Clark of 102 Haigh street celebrated the twenty-fifth anniversary of their wedding last evening.

The cozy Clark home was tastefully decorated for the occasion, and those who were fortunate enough to receive invitations were made comfortable and at ease by the charming hostess, whose appearance shows that her quarter of a century of married life has not been a failure.

Mr. Clark is Under Sheriff in John Wheelan's department of the municipality, and the City Hall was largely represented at the gathering. The festivities and good cheer lasted until a late hour.

NOTES OF THE THEATERS

Monster Benefit at the Baldwin for St. Mary's Hospital. "David Garrick." Goodwin in the title role of this piece has already won distinction. Maxine Elliott returns with Goodwin as his leading lady. "David Garrick" will be presented on Monday, Tuesday and Wednesday evenings and at the matinee on Saturday.

"The Rivals" will be given on Thursday, Friday and Saturday evenings. For the last week of his engagement Mr. Goodwin will present "An American Citizen."

Many changes for the better have been made in "Excelsior Jr." since the opening night, and the members of the company have a budget of new songs and specialties for next week.

Francis Powers' clever little Chinatown melodrama has proved quite an attractive novelty at the Alcazar. The audience nightly swarms to the theater, and the Chinatown play is preceded by a breezy farce comedy "Lost for a Day."

"The White Rat" is one of the best productions seen at the Grand for some time. The plot is strong, and in addition the characters are well sustained and the specialties clever.

The last nights of the successful romantic opera "Shamus O'Brien" are taking place at the Tivoli Opera-house. Next Monday evening "Dillingham's comic opera, 'Captain Fracassa,' will be given. This is the first real German comic opera the Tivoli has presented for some years, and it is hoped it will duplicate the success of 'The Gypsy Baron.' 'The Black Hussar' and other kindred works.

The Venetian Ladies' Orchestra, A. L. Guille, Feustle and a number of other good acts are all doing well at the Orpheum.

At the Baldwin Theater this afternoon a monster benefit will take place in aid of the free ward of St. Mary's Hospital. The program will include: De Wolfe Hopper and company, as well as Denis O'Sullivan, Joe Cawthorne, Ferris Hartman, De Wolfe Hopper in a specialty, and a new one-act farce, to be presented for the first time. The play is entitled "An Up-to-Date Maid," and will have in the cast Phoebe McAllister, George Kosworth, Francis Lollife, Mr. Cavanaugh, Anna Daly and Frank B. Robinson.

FOR THE UNEMPLOYED. First Steps Taken in the Salvation Army Colony Scheme. The citizens' colonization committee appointed by the Chamber of Commerce took the first steps on the line providing work for the unemployed as suggested by Major W. W. Winchell of the Salvation Army. Major Winchell desires to secure a large tract of land to be cut up in small holdings to be worked on a system half communitarian and half individual. That is, the heavy machinery, water supply, large farm tools, etc., to be provided for the benefit of the community, while the land and improvements are to be eventually become the property of those who pay for the same. He has received several offers of large pieces of land.

The colonization scheme has hung fire, so to speak, while the boulevard was being constructed in order not to interfere with that work, but now it is believed is the proper time to make arrangements for the new project. H. H. Sherwood, chairman of the committee, appointed a special committee consisting of J. J. Valente, H. H. Bunker, E. Eliot, George S. Montgomery and George F. Butler to make a thorough investigation of the plans offered by Major Winchell, and, if found to be practical, to devise ways and means of putting the plan into operation. Major Winchell will have his plans prepared within a few days.

Annulment of Marriage. Mrs. Reta Irene Smith has sued John J. Smith, an Oakland man, for the annulment of her marriage with him. She asks that the be returned to resume her maiden name, Mrs. Tomson.

THE "PENCIL" WILL UNDER DISCUSSION. The Question as to Its Admissibility in the Fair-Craven Trial.

The so-called "pencil" will which Mrs. Nettie R. Craven produced after the death of Senator Fair, and the date of which shows that it was executed subsequent to the "trust" will, is now the bone of contention in the Fair-Craven litigation.

The attorneys for the executors of the Fair estate are extremely anxious for at least one to be— to prove this document to have been forged, as well as the deeds over which this present suit is about. It is plain that their object in attempting this is to establish some support for their alleged alibi—the claim that Senator Fair was in San Rafael on the 24th of September, 1884, and therefore could not have been in this City at the same time and delivered the deeds to Mrs. Craven, and could not have written that will, as she asserts he did. Their contention is that if the will falls the deeds must fall, too.

The defense is opposing the introduction of this class of evidence on the ground that it is immaterial, to say the least, more than that it is a matter calling only for a decision from the court—something in which the jury could have no interest. The debate was inaugurated when R. B. Mitchell, for the plaintiffs, attempted to put into evidence a magnified photographic reproduction of the "pencil" will. Judge Curtis of the defense wanted to know what connection the will had with the case, and inquired as to the purpose of introducing the reproduction. After some backing and filling Mr. Mitchell admitted that the purpose was to prove, if possible, that the will was not genuine. That was what Judge Curtis had anticipated, and he said he was prepared to present an argument to show that the will, whether good or bad, could not be dragged into this particular proceeding.

To begin with, Judge Curtis cited the California Code of Evidence and said it pronounced the class of evidence sought to be introduced as being wholly irrelevant in a case of this character. Another point was made, and that was that the will was not a forgery in the pleadings. He asked, as a matter of principle, why he should be asked to consider a document which was not a forgery, or that it was to benefit the author. The eminent "will-smasher" of New York then took occasion to rap treat his writing evidence on the head. He had had to do with a great many cases in court, he said, where this class of testimony had been introduced, and he had seen most other attorneys in the country. He had followed litigation of this kind in twelve different States, and his experience under the law had led him to conclude with a few exceptional cases, the courts were right when they expressed doubt and suspicion regarding the testimony of a witness who had been shown to be lying, and something that should be handled with extreme care.

Another view of the question under discussion the Judge said that the plaintiffs' counsel had not laid a proper foundation for the introduction of this evidence. He said he was going to show before the jury with their photographs and wise-looking "professors," in the hope of swerving opinions or raising doubts.

"Their theory is that in desperate cases they must appeal to the senses," said the Judge. "As was once said in a celebrated homicide trial, 'There is no evidence against the paragon of the law, the chemist.' Suppose this pencil will is a forgery, do you think that the acknowledgment is spurious? The moral struggle of the plaintiff here in this case is to prove that the defendant, Mrs. Craven, is a criminal—to prove also that Notary J. J. Cooney is a criminal. But it is not going to be accomplished by means of this kind of evidence. If I am to be permitted to lift my voice against it—"

The Judge next read a number of authorities to show that evidence regarding the pencil will was inadmissible as collateral evidence. The laws of England, he said, were strict in prohibiting the method of proving a person guilty of an offense by means of collateral evidence showing that he had committed other offenses similar to the one charged. The defense in this case, he said, was asking for no merciful consideration. It would be shown that Mrs. Craven's deeds were valid and genuine. They would combat the proof against this only for legal reasons.

Attorney Mitchell replied to the Curtis argument. The sworn deposition of Mrs. Craven had been introduced in evidence, he said, and it was the duty of the court on September 24, 1894, Senator Fair wrote the pencil will in her house, and on the same day handed her the disputed deeds. Therefore, he held that all the documents became part and parcel of the one transaction, and one was as admissible as evidence as the other. The attorney referred to United States Circuit Judge Deady's decision in the celebrated Sharon case, in which it was declared that it was just as important to prove the validity or invalidity of the "clear will" letters as to establish the nature of the marriage contract.

Charles S. Wheeler and Garret McConerney followed Mr. Mitchell and cited additional authorities tending to support the plaintiffs' claim.

Then the defense was given another turn, this time by Delmar H. Gilman of the floor. He did not have an opportunity to say much, however, being interrupted by the arrival of the adjournment hour. But he will open the proceedings this morning.

Boys' Training Home. At the annual meeting of the Boys' Training

IN HONOR OF THE LINCOLN MONUMENT. Work of the Lincoln Monument League Proceeding Favorably.

The executive committee of the Lincoln Monument League met Wednesday night at the headquarters of the G. A. R., President W. W. Stone presiding. The committee on printing was authorized to have a second issue of 20,000 certificates in books printed and circulated. On motion of Colonel C. Mason Kinn, quarter-cards were ordered printed and placed in various stores with subscription-books for the benefit of the general public. Judge M. Cooney offered resolution to the effect that, "in order to prevent confusion and a possible misconception, no organizations of any kind or nature be permitted to give any entertainments in the name of the Lincoln Monument League without first obtaining the sanction of the executive committee of the Monument League committee."

The resolution was adopted. The following letter from Naval Officer John F. Irish was read: "In the apotheosis of Lincoln the actual man has been forgotten. Herndon's 'Life of the Emancipator' was severely criticized, and I have been very much gratified to see the best biography that has been published. It represented Lincoln as he was—a man oppressed by the cares of his environment, beset by the passions common to all men."

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Lincoln was not spared in his own time. Criticism and detraction were not left exclusively to his political opponents, but were without number by readers of his own party. The combination of Senators Wade and Horner, and the awful letter of Murray Bates, and the only a part of the thorns planted in his path by hands that should have been his friends, and which during his lifetime nothing more unfavorable affected his good name and standing as a statesman than his reputation as a story-teller. Scarcely a week passed without the circulation of a new story attributed to him. More than twenty years ago, during a long night journey with a gentleman who was a member of his cabinet, I asked if the President had ever been accused of lying. In reply the ex-Cabinet Minister, Montgomery Blair, said that while the reputation was deserved it was an unjust and unwarranted charge. Lincoln's reputation for truthfulness was a part of his greatness. It was a part of his greatness that he was an atmosphere in which all the plain people among whom his life had been, it was sometimes risqué and always very stately, and tickled the ribs of the cabinet until every member roared. In that explosion of good humor evil temper evaporated and directly the matter that had caused the deadlock would be disposed of usually as suggested by the President, and his official family would separate, each feeling and going to buoyant spirits to their several duties."

Mr. Blair said that Stanton was a peculiarly situated man. He was a man of high official contacts. One Cabinet day he and Blair met on the steps of the White House, and Blair said to Blair: "We suppose you will get another story to-day." Stanton faced him with a severe expression, and uttering an oath said: "I have listened to the stately lie which will bear from the President. With the country's life flowing to waste from every pore and the whole land seething with a mad more idle stories."

"They entered the Cabinet-room and when usually violent scenes, with the President in the middle, were being enacted, Blair, in his profound sadness, when the deadlock came, would stand by the President's side, and when the window across the Potomac flung out. At the

THE REBEKAHS. Officers Chosen for the Ensuing Year—The Word "Grand" No Longer Used.

In conformity with the laws of the Sovereign Grand Lodge, the word "grand" will no longer precede the title of the officers of the assembly.

At the session of the assembly yesterday

morning Mrs. Minerva Karner of Oroville was elected president; Mrs. Dell C. Savage of Livermore, vice-president; Mrs. H. M. Carpenter of Ukiah, warden; Mrs. Mary E. Donoho of San Francisco, secretary (re-elected); Mrs. Anna M. Leise of Oakland, treasurer. The appointed officers will be named before the close of the session.

The board of trustees of the Orphans' Home building at Gilroy was re-elected. Its members are Mrs. C. A. Hoxett of Gilroy, Mrs. Sallie Wolf of Sacramento, Mrs. Mary E. Donoho of San Francisco, Mrs. Olive T. Allen of Santa Rosa, Mrs. M. F. Thordike of Stockton.

The greater portion of the day was taken up in the transaction of routine business.

Past Grand Master Alexander read a letter from Past Grand Sire Nicholson of Philadelphia, an ardent supporter of the Rebekahs, in which he expressed his deep interest in the order and dwelt upon its possibilities.

During the afternoon the assembly was addressed by Past Master George Warboys, Deputy Grand Master Bruce and Past Grand Masters Simpson and Glasdon.

OFFICERS WERE ELECTED. The Odd Fellows Pass Resolutions Against Lottery—No Smoking During Work.

The Odd Fellows of the Grand Lodge of Odd Fellows yesterday the trustees of the Odd Fellows Home at Thermanito presented a report showing that of the receipts during the year, amounting to \$63,694, the sum of \$28,118 had been expended in the purchase and improvement of the land and the balance had been used in the maintenance of the home.

In connection with the home a committee of five was empowered to make an investigation into complaints that had been made against Superintendent Bartlett. The names of the committee are: Morris, W. W. Phelps and T. H. Selva—left for the home in the afternoon to interview the inmates, and the other two, J. H. Simpson and J. G. Myrrell, were authorized to hear testimony in this regard. The report of the committee will be presented to-morrow.

The representatives to the Sovereign Grand Lodge were instructed to use their influence to have the law passed looking to the organizing of juvenile Odd Fellows, that is lodges in which minors under the age of 18 may be admitted. This is looked upon as a most important move.

The election for grand officers resulted in the choice of the following named: A. M. Drew of Reno, grand master; Karl C. Brueck of Stockton, deputy grand master; W. A. Bonnyne of Los Angeles, grand warden; George T. Shaw, grand secretary (re-elected); J. W. Warboys of Santa Rosa, grand representative; J. F. Thompson of Eureka, trustee; and the grand officers will be named by the grand master on the last day of the session, and the committees will be named on the same day.

Two resolutions were adopted, one prohibiting raffish in the lodgemoons and another prohibiting smoking during work and while the lodge is in regular session.

How the Philosophy of the Martyred President Influenced His Cabinet.

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STOCKTON'S GIANT CREW. Why the Champion Oarsmen of the San Joaquin Will Not Row at El Campo.

The giant crew of the South End Rowing Club will not have the pleasure of measuring arms with the big men of the Stockton Rowing Club on June 20 at El Campo, but if there is any truth in the many rumors that are afloat, the South-enders will not have easy padding on the day of the regatta, as there is a very promising crew representing one of the local clubs which may give the swiftest rowing oarsmen of the South Ends a grueling race from start to finish.

The CALL's correspondent at Stockton interviewed a director of the Stockton Athletic Association yesterday and this is the result: STOCKTON, CAL., May 13. Sporting Editor of the Call: W. H. Lyons, one of the directors of the Stockton Athletic Association, was seen this evening with reference to the refusal of the club to send a large crew to compete in the coming regatta at El Campo. In the first place the Stockton Athletic Association has no crew in training, and the girls have been invited to the recent departure of the giant, Carl Davis, for Montana. They could still put in a splendid crew, but there are other reasons for the large crew not entering.

"You know our experience of two years ago," said Lyons, "was that the crews under great expense, greater than it costs the San Francisco clubs to send their crews to El Campo. Then we were there three days and the weather was so bad that the races were postponed and we were obliged to go back again and row it at Long Bridge, San Francisco. We are not in a position to repeat this experience. We have feeling against the other clubs, except that we do not think that the South Ends treated us exactly right before. When they were invited to the regatta at Stockton here on the Fourth of July we would go to the expense of going below, but they did not, and that is the reason we are not going to row in the last Thanksgiving regatta in Oakland Bay."

Such men are best seen in perspective. It is then made plain that while they shared in all the emotions of the great man, they drew from the same elements different results. In our mountains the Mariposa tulip and the yellow poplar grow side by side and grow under the same sun, but with results how different! So it seems to be with men. Out of common experiences one draws encouragement or caution only, while another absorbs philosophy."

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