

Interesting Items From Important Points in Alameda County.

WAS TOLD TO ACT CRAZY.

How De Costa Says Judge Frick Was Deceived by a Guardian.

PARTED WITH HIS MONEY.

A Cover Scheme Exposed by Which It Was Hoped He Would Regain Possession of It.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, Jan. 7.

A very remarkable story was told Judge Frick this morning during the proceedings to have Jose Ignacio de Costa restored to capacity.

A few months ago de Costa was possessed of \$200,000 which he intended to leave this country and spend the remainder of his days in his native land.

Before leaving, however, he met Martin Wenceslow, and it is alleged that he persuaded the old Portuguese to remain in Oakland, and that if he would turn over his money to Wenceslow, the latter would provide him with a comfortable home for the rest of his days.

Not many days after De Costa had parted with his money and Wenceslow had put him out of his house.

At this stage of the proceedings J. Martin appeared on the scene. He told De Costa that the only way he could get his money back would be by being declared incompetent by the court.

De Costa was declared incompetent and the court appointed Martin guardian of his person and estate.

De Costa commenced to lose his memory and suddenly exhibited evidence of a falling mind.

After a time he became tired of being treated as an imbecile and his mind was as strong as ever and he told the story to two of his friends.

His attorneys had a petition on hand to have De Costa restored to competency, and were ready to proceed against Wenceslow in a civil suit when they heard of the fraud.

The petition was on the calendar for this morning and when De Costa's friends, Gregory Zelick and J. Silva, told the story to the court, the judge ordered the sheriff to produce J. Martin, that he might explain his actions.

In addition to these witnesses, Rose Andre, a niece, who lives with De Costa's family, testified that she had never seen anything in her uncle's actions that would lead her to believe that he was insane or that he was in any way unable to take care of his affairs.

The investigation will be continued tomorrow and Judge Frick will have an opportunity to explain his position in the complication.

WHAT IS POKER?

Experts Discuss the "Draw" as Distinct From Other Kinds of Poker.

OAKLAND, CAL., Jan. 7.—About a month ago four young fellows named S. A. Turner, George Meader, F. Lestrangle and J. Cahill were arrested with gambling.

The arrests were made in a saloon conducted by Pete O'Brien and J. Cahill, one of the defendants, at Twelfth and Webster streets, by Sergeant Hodgkins.

They are seeking to escape conviction on the plea that they played only "draw poker." The State law enumerates a list of games among those prohibited, but makes no mention of poker.

On this they "draw" poker is not gambling according to the law.

George C. Kaufman, city expert and private secretary to Mayor Davis, was called as a witness in behalf of the prosecution.

He was asked if he had not gone to Sergeant Hodgkins and said Cahill, one of the defendants, was a friend of his, that Cahill had told him the party were playing a certain banking game.

Kaufman denied such statement, but said he had told Hodgkins that Cahill had said they were playing "draw" poker.

Sergeant Hodgkins took the stand and swore that Kaufman did say that Cahill told him they were playing "draw" poker.

The defendant's attorney argued that even were it proved the men were playing horse poker it would have to be shown it was a game of banking game to make it gambling under the law.

Prosecuting Attorney Melvin opposed such an argument, claiming the law meant the game was not the way it was played to be gambling game.

Judge Wood accepted the latter view, but withheld his final decision upon the men until to-morrow.

THE KIRKHAM SKELETON.

Its Dry Bones Are Given Another Rattle in Court.

OAKLAND, CAL., Jan. 7.—The third petition within a year to have appointed a guardian of the person and estate of Kate Edith Kirkham was filed to-day.

Mrs. Kirkham is the widow of the late R. W. Kirkham, and desires to have her daughter, Mrs. Kate Kirkham Wheeler, to be named as such person.

Mrs. Kirkham has a life interest in certain real and personal property in Oakland and San Francisco.

The petition alleges that she is unable by reason of old age and physical infirmity to manage her property and to take care of herself. It is presented by Attorney Kirkham Wright at her request.

It was about a year ago that the late Gustave L. Mix, a brother of Mrs. Kirkham, applied for letters of guardianship.

This application was afterward dismissed, and when Lady Leilah Yarde-Buller arrived from England she filed a petition for letters.

This was fought by the family and some undesirable notoriety was threatened, as her ladyship demanded distribution of her share of the estate.

She was finally induced to return to England and to promise to stay away from California.

Some months ago the death of Lady Yarde-Buller was reported, but it turned out to be her husband's mother who had died instead of her ladyship.

Mrs. Kirkham is at present living with her daughter, who is the wife of Dr. W. Wheeler, on Oak and Eighth streets.

There is another daughter in the East. The estate is worth upward of half a million dollars.

The application will be heard Tuesday, January 14, before Judge Greene.

NAUGHTY SCHOLARS.

The High Students Played Football in the Lunch-room.

OAKLAND, CAL., Jan. 7.—The Oakland High School boys were hauled over the coals by the Board of Education last evening for actions which are altogether ungentlemanly, to say the least.

It has been found that the new High School building, which has only been occupied one year, has been badly damaged and defaced by the young men.

In a room set apart for the use of the Egis Publishing Company it had been defaced by having initials cut into the window-frames and canes stuck into the walls.

During the last term the boys played football in their lunch-room and did other things to mar the building.

Another complaint made is that the street gamins are collecting on the cinder track in front of

MORE MIXED THAN EVER.

The Council Passes Measures That Override the Mayor's Objections.

CONTRACTORS ARE WARNED.

All the Municipal Departments Come in Contact With the Dollar Tax Limit.

OAKLAND OFFICE SAN FRANCISCO CALL, 908 Broadway, Jan. 7.

It is very evident, after last night's meeting of the City Council, that there is to be a bitter political warfare between the Mayor and the city's chief administrative body so long as they continue in office.

No possible opportunity is ignored by either side to fire at the other, and the results are now beginning to be seen. The Mayor, anxious to prove that a dollar tax is sufficient to run the city economically, will not sign any requisition that he does not feel certain is necessary, and an attempt to take this power away from him a few months ago failed for want of votes.

As no requisition can be legally supplied without the signature of the executive the city's expenditure was checked for a time at the pleasure of the Mayor.

To Chief of Police Lloyd belongs the credit of having discovered a way to circumvent the situation and arrive at the desired end by other means. "I felt convinced," said Chief Lloyd to-day, "that there must be a clause in the charter that provides for just such an emergency."

After the Chief of Police had successfully enlisted the sympathy and action of the Council against the Mayor, Superintendent of Streets Miller tried his hand with equal success. Councilman Bassett, the tried friend of the Mayor, gave some figures that required an explanation from Mr. Miller.

When Mr. Miller was asked to explain the figures he said that he had a fair sample of the judgment shown in the Street Department. The Council accepted Mr. Miller's explanation that what was not used on one job would be used on the other, and granted the supplies under the same section of the charter by which the Chief of Police had been accommodated.

The peculiar part of the requisitions consists of the fact that they were passed by the Board of Works, of which the Mayor is a member, and then tarried in the Mayor's office.

"If those supplies are granted without my signature," said the Mayor this morning, "there will be a lot of trouble, and I warn contractors to be very careful."

As a matter of fact, the present condition of affairs at the City Hall is the very best that could be expected.

The Council has undertaken to break me politically by expending all the money they can get, and by this means prove that the dollar tax is not sufficient for the city's needs.

When I try to check them by refusing to sign extravagant requisitions they try to get around it another way.

The officials do not know their duty and the other half is run by their friends. The situation is absolutely funny, if it were not serious. It is not easy at this stage of the game to predict the end."

CONTROLLING THE LIGHT.

Berkeley Still Wandering Over the Electric Company Changes.

Mrs. Carmichael's Sad Condition—Crescent Club Election—Campus Fund.

BERKELEY, CAL., Jan. 7.—The Berkeley Electric Lighting Company is no longer an institution controlled by the citizens of the town for their own self-comfort and accommodation.

It is a mystery to the people of Berkeley just how the old stock company, of which J. George Gardner was the prime mover, gained such absolute control of the institution which was primarily formed for the purpose of furnishing lighting service to the residents of Berkeley at the lowest possible rate, but which has been converted into a business for the benefit of a few.

The extensive transfer of stock to the old company has been the cause of much comment, especially among those who were interested in the founding of the original system, and every one is watching with anxiety to see what move the capitalists who now have it under control will make.

No changes have yet been reported in the management, but there seems to exist much apprehension along the line.

President Britton, who was elected last night, visited Berkeley, and spent part of the morning in examining the books of the old company.

Crescents Elect Officers.

BERKELEY, CAL., Jan. 7.—The annual election of officers of the Crescent Athletic Club took place last evening.

Prior to the election the reports of officers for the year just closed were read. In President Mikleson's report it was stated that on January 1, 1895, the membership of the club was 35, and that during the year the roll was increased to 128.

The gymnasium apparatus was increased materially by the purchase of bars, barbells, Indian clubs, boxing gloves and other accessories.

Treasurer Wilcox stated that he had received during the year \$195 83 and expended \$1028 09, leaving a cash balance on hand of \$37 80.

Following is the list of the newly elected officers: President, H. D. Kelsey; vice-president, S. H. Metcalf; recording secretary, W. H. G. Mertz; treasurer, Frank McClain; financial secretary, W. H. Bone; leader, G. L. Wilcox; field captain, J. Armstrong; club captain, F. B. Wilkins; directors—C. Mikleson, A. L. Stamper, Dr. C. Anthony and A. B. Quackenbush.

Deserted by Her Husband.

BERKELEY, CAL., Jan. 7.—Mrs. E. C. Carmichael, who was deserted by her husband several months ago after an unsuccessful attempt to have her sent to the insane asylum, is now in straitened circumstances, and has made an appeal for assistance, offering several fancy articles to be raffled.

READY TO BUY THE BONDS.

Morgan's Syndicate Yet Intact and Will Soon Make a Bid.

AWAITING AN OPPORTUNITY.

Treasury Officials Watch With Interest the Renewed Attack on the Gold Reserve.

NEW YORK, N. Y., Jan. 7.—There were no new developments in regard to the proposed \$100,000,000 Government popular loan to-day and the more prominent bankers, as usual, were not disposed to talk freely on the matter.

The Morgan syndicate, according to good authorities, is still intact and will, in all probability, make a bid for the bonds at the proper time.

A feature which attracted attention this morning was the engagement of \$2,000,000 for shipment to Europe by to-morrow's steamers. It was said that as much more will probably go on Saturday.

Fears are entertained that the further withdrawals for foreign account might start up a demand from possible bidders for the new loan. There is no way to prevent this.

The Belmont-Morgan syndicate, it will be remembered, expressly stipulated that the gold for the bonds should not come from the treasury.

WASHINGTON, D. C., Jan. 7.—The treasury officials are watching with keen interest the renewed attack on the gold reserve and do not hesitate to express the opinion that most of the gold now being withdrawn is taken out by intending purchasers of the new bonds.

They condemn such proceedings in strong terms, but with the present law on the statute-books see no way to legally stop such withdrawals.

KICKED OUT THE SOLICITOR.

Mr. Chalmers Was Subsequently Justified in the Act.

CHICAGO, ILL., Jan. 7.—William J. Chalmers, president of the great machinery firm of Frazer & Chalmers, was a prisoner before Police Justice Crott this morning, being charged by Charles H. Holm, a life insurance solicitor, with assault.

Holm was engaged in the shops of the firm yesterday, without permission, soliciting among the workmen when Chalmers asked him to retire.

Holm became indignant, and was thrown out by the police.

The Justice in discharging the defendant advised him, in case he was again pestered by such agents, to use all the force in his power, and if that was not enough to call on the police.

MELVILLE A GOOD CHIEF.

Will Be Reappointed as Head of the Engineering Bureau.

NEW YORK, N. Y., Jan. 7.—A Times special from Washington says: The term of Engineer-in-Chief G. W. Melville will expire on the 10th inst. He has been chief of the Bureau of Steam Engineering for eight years, and has done such good work that Secretary Herbert has decided to reappoint Melville for another term of four years.

The honor thus extended Commodore Melville is unusual. There have been few bureau chiefs who have occupied the position for more than two years.

Notable exceptions are Admiral Walker, who was the head of the Navigation Bureau for a long time, and Overton Gale, Superintendent of the Mint at New Orleans, and John Daggert, Superintendent of the Mint at San Francisco.

BACKWARD IN ACCOUNTS.

Among the Delinquents Is Mint Superintendent Daggert.

WASHINGTON, D. C., Jan. 7.—The Secretary of the Treasury today sent to the House a list of officers of the Government coming under his department who are delinquent in rendering their accounts or in the payment of balances due from them for the last fiscal year.

The list includes A. R. Spofford, Librarian of Congress; Elihu Olund, Collector of Customs, Duluth, Minn.; Overton Gale, Superintendent of the Mint at New Orleans, and John Daggert, Superintendent of the Mint at San Francisco.

WESTERN FREIGHT POOL.

Practically Assured by All the Railroads in the Association.

Only One Line Remains Opposed to the Great Scheme in Its Entirety.

CHICAGO, ILL., Jan. 7.—The formation of a Western freight pool by the railroads which are members of the Western Freight Association was practically assured after a meeting to-day in Chairman Midgley's office of the executive officers of the interested lines.

The stumbling block in the way of the freight officials, when they were ordered last October to arrange a percentage division of the total traffic, was in regard to the business originating at or passing through Kansas City.

A disagreement on three points in that part of the Western territory was reported to the executive officers, according to instructions, and at to-day's meeting there was a surprising agreement on these points.

The officers adjourned the meeting until to-morrow, when the only points unsettled, Des Moines and Ottumwa traffic, will be considered.

The Kansas City, Fort Scott and Memphis road was opposed to the pooling scheme in its entirety as not being the best method of restoring and maintaining rates, and its antagonism prevented the freight officials agreeing on the merchandise and grain percentage to and from Kansas City, the Fort Scott being an important factor at that gateway.

When all percentages are fixed by the executive officers they must remain in effect for a year, and can only be changed then by a discontinued party giving notice next November.

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