NEWS OF THE COUNTY OF ALAMEDA

INSANE NEGRO BATTLES WITH OAKLAND POLICE

With Rude Weapons Alonzo Sugg Holds Pursuers at Bay.

WELL THROWN LARIAT ENDS STRUGGLE

Oakland Office San Francisco Call, 1016 Broadway, Nov. 21.

Armed with a hod of coal and a baseball bat, Alonzo Sugg, a negro, held a squad of police at bay for some hours early this morning, and was only taken when a well directed throw of a lariat pinioned his arms and he was dragged off the roof of a hen roost at the corner of Fifty-sixth street and San Pablo avenue. He then fought again savagely until he was subdued.

Sugg is an electrician, 32 years old, and is believed to be insane. He ran out of his home at 944 Fifty-seventh street about midnight. He had been confined to the house for some days by illness. He was followed by his brother. At San Pablo avenue Alonzo ran through the basement of a house. Taking a hod of coal for ammunition and a baseball bat, he mounted by a small ladder to the top of a hen house, from where he defied his brother.

A call for the police brought Officers Brown, Howlett and Walters to the scene. They were kept away from the hen house by the waving of the bat. When beyond reach of this weapon, Sugg had recourse to the coal, with which he maintained a heavy fire.

Not caring to test the quality and weight of Alonzo's baseball bat and fearing his artillery fire, the peace officers retired for a conference. As a result a lariat was procured and while Sugg's attention was held in one direction the lariat was thrown from the other and he was yanked off the roof before he could get free. He fell fifteen feet and was partially stunned, but recovered consciousness almost immediately and gave the policemen a terrible fight before he was secured. He was removed to the insane ward of the Receiving Hospital.

NO ONE SWEARS TO COMPLAINT

Policemen Refuse to Make Affidavits on Warrants for Arrest of Pilferers

Oakland Office San Francisco Call, 1016 Broadway, Nov. 21.

Policeman Michael Shannon and Special Policeman N. N. Goodwin to-day refused to swear to complaints against former Sergeant of Police C. E. Clark and former Policemen Lee E. Andrews, J. F. Stahl and C. W. Hamerton on charges of burglary growing out of the recent exposures of pilfering in merchants' stores.

Both Shannon and Goodwin explained to Prosecuting Attorney A. P. Leach and to Chief of Police Hodgkins that they did not feel warranted in making sworn accusations upon the evidence at hand. The law requires that direct charges must be made in cases of a felony grade; that affidavits sworn to "upon information and belief" are not acceptable. Therefore neither policeman was willing to take the responsibility of making the charges.

So far as prosecution of any of the dismissed policemen is concerned the refusal of Shannon and Goodwin to act settles the situation and closes the incident. They were the only men who saw any of the operations and were the only men who came anywhere near being in a position to make the required affidavits upon which warrants of arrest could issue.

Chief Hodgkins was barred from swearing to complaints as were all other police officials who were connected with the investigations which caused the dismissal of the quartet.

SON WILL ADMINISTER YARDE-BULLER ESTATE

Ralph K. Blair to Handle His Mother's Property Until the Arrival of Her Will From England.

OAKLAND, Nov. 21.—Ralph K. Blair, the only surviving son of the late Lady Kirkham Blair Yarde-Buller, was granted letters of administration on the estate of his mother to-day. The estate consists of a building at Pine and Battery streets in San Francisco, valued at $100,000. The will of the deceased is on its way out here from England and until it arrives Blair wants authority to handle the estate.

Arthur Blair, a second son, who died a few months ago, leaves a widow, who will be a second heir. Edward Yarde-Buller, deceased's husband, is now in Africa. It is believed that in the will the two sons are left all of the property.

Accident Her Own Fault.

OAKLAND, Nov. 21.—On the ground that she had contributed by her own negligence to an injury to her leg, which necessitated its amputation, Judge Melvin to-day held that Mary Kennedy had no action at law against the Oakland Traction Company and granted a motion for a nonsuit. Through her attorney, M. C. Chapman, she was suing for $35,000 damages. Attorney Harmon Bell represented the railway. This is the second time a nonsuit has been granted in the case.

ADVERTISEMENTS.

NOT FOR BEST FARM

In the State.

"I saw so much in the papers about the wonderful cures effected by Pyramid Pile Cure I determined to give it a trial. I bought from my druggist one 50-cent box and used it as directed, and by the time I had used the last 'pyramid' I was entirely cured; in four days after I began to use the 'pyramids' all inflammation was gone. I was perfectly easy all the time, the excessive discharge stopped at once and stools became easy and gentle.

"I was unable to get my own firewood for four months, and half the time when I could walk at all I had to walk half-bent. I used many pile remedies, salves and ointments, all to no effect until I used one 50-cent box of Pyramid Pile Cure and was cured.

"I would not be afflicted as I was four months ago for the best farm in the State of Arkansas. I can give proof and reference of the wonderful cure to all who are afflicted as I was. Please publish my letter that I may advise the afflicted." W. E. Wallis, Piggot, Ark., box 26.

The experience of Mr. Wallis is that of thousands of others who suffer for years with the most painful forms of hemorrhoids or piles, and after trying everything they hear of give up all hope of a cure and look for temporary relief only. To all such a little book published by Pyramid Drug Co., Marshall, Mich., brings glad tidings, as it tells all about the cause and cure of piles and is sent free for the asking.

LOADS WITH OIL AT MONTEREY

First Cargo From Pipe Line the Occasion of Joyful Celebration by Citizens

The steamer Rosecrans of the Matson Navigation Company's fleet was loaded with 23,000 barrels of crude oil at Monterey yesterday and will sail for Honolulu with the first cargo loaded through the pipe line from the Coalinga field in Fresno County. Last Saturday evening Monterey held joyful celebration of the dawn of a new era of shipping and commercial activity that the enterprise of the Coalinga Oil Transportation Company has brought to the historic town.

The various commercial and social organizations had prepared a programme that will long stand out in the annals of Monterey. There was a salute of fifty guns and a grand reception by the citizens when the newly equipped oil steamer arrived Saturday afternoon. In the evening the Fifteenth Infantry band gave a concert in front of the Monterey Hotel. In the hotel was served a banquet, over which Charles Dickman, the artist, presided as chef in extraordinary. The society young ladies of Monterey, marshaled by Miss Evelyn McCormick, the San Francisco artist, acted as waitresses.

The banquet was a triumph of originality. The table, beautifully decorated with palms and flowers, was in the shape of the letter "U." General Quinton, U. S. A. (retired), chairman of the Monterey Chamber of Commerce, was seated at the center of the lower end of the "U" as toastmaster. At his right was Captain William Matson, president of the Matson Transportation Company and the Coalinga Oil Company, who was the guest of honor. At his left was Judge Cope of Morrison & Cope, attorneys for the company; Colonel Ward, Fifteenth Infantry, U. S. A., in command of the post at Monterey, and F. H. Powers, Mayor of Carmel; Hon. Thomas Field, president of the Bank of Monterey; Hon. Ross C. Sargent, president of the City Council, were also at the speakers' end of the table.

A number of men notable in the financial world of San Francisco were present. Among them were Captain John Barneson, Captain I. N. Hibbard, Hon. Nicholas Ohlandt, Frank Ames, Walter Buck, George Cameron, F. H. Davis, Frank Pauson, Joseph Martin, George Jackson and Hon. Erastus Knickerbocker. There was also at the table about seventy-five of the leading citizens of Monterey and San Francisco.

In his opening remarks General Quinton called attention to the magnitude of the undertaking the completion of which they were celebrating. Although less than a year had passed since the enterprise was inaugurated, yet by the expenditure of more than a million dollars Monterey with its varied but numerous resources and its deep water harbor, had been connected with the cheap fuel that would enable its projected commercial enterprises to compete with the cities of the world and make it possible for the local capitalists to put upon the markets the various stone products, glass sands, cement, lime and other natural resources that had hitherto been undeveloped because of the lack of cheap fuel and transportation.

The first toast of the evening, "Captains of Industry," was answered to by F. H. Powers. He spoke of Collis P. Huntington as the master of the captains of industry produced by the great West. He reviewed that development of California and particularly of San Francisco under the guiding hand of Huntington. He showed how the necessity for the development of San Francisco had prevented the development of Monterey and insisted that the projecting of the pipe line by the Matson Transporttion Company and the completion of the wharf giving to Monterey, with its splendid harbor facilities, the advantage of accommodating the largest deep water ships, would be as important in developing Monterey and bringing to it the new growth incident to the coming of new capital as the building of the Central Pacific Railroad had been to making San Francisco, the great metropolis of the Pacific Coast.

"Monterey, with its deep water harbor, with its varied resources, with the cheapest fuel of any seaport city of the world, will," he said, "become to San Francisco and the Pacific Coast what the city of Boston is to New York and the Atlantic Coast."

Mr. Powers paid a glowing tribute to the splendid ability and public spirit of Captain Matson and dwelt at length upon the great good that Monterey would derive from his enterprise and interest. He also told of the achievements of Hon. Nicholas Oblandt, Captain Barneson, Captain Hibbard, Mr. Martin and the other capitalists associated with Captain Matson.

Captain Matson, as the guest of the evening, thanked the citizens for their magnificent reception and the army for the part they had played in its success. He thanked the City Council for granting the franchise that had made the enterprise possible. He explained that his company had made connections with the various parts that are commercially tributary to the Pacific Coast and his company was prepared to deliver to them the fuel oil they needed so urgently. Captain Matson explained that the industry was only in its infancy and foretold some of the results that should accompany bringing cheap fuel to a city whose harbor facilities were such as to enable her to communicate directly with all the great industrial centers of the world.

Addresses were also made by Ross Sargent, Colonel Ward, Joseph Martin, George Cameron, Mayor Johnson, Mr. Dixon and Harry Green. A visit to the Rosecranz followed the banquet and there was more speechmaking there.

FRANK MOFFITT NEAR TO DEATH

Little Hope for Recovery of Once Prominent Politician and Journalist

HEART ACTION FAILING

Physicians Resort to Extreme Measures in Effort to Revive Patient

Oakland Office San Francisco Call, 1016 Broadway, Nov. 21.

Former State Senator Frank J. Moffitt is critically ill at his residence, Filbert and Eighteenth streets. His recovery is extremely doubtful. He has been ill for several months, but at intervals had recuperated and gained strength until a recurrence of his trouble prostrated him ten days ago.

Since then the patient has been gradually sinking, and his condition became so alarming to-day that his physicians say the case is almost hopeless.

Dr. S. H. Buteau, the family physician, who has charge of the case, to-day summoned Dr. E. H. Woolsey of this city and Dr. McConnell of San Francisco in consultation. After a close examination the physicians decided that the administration of extreme remedies to meet the low action of the heart was necessary. Owing to Moffitt's debilitated condition the doctors fear that he has not sufficient vitality to rally.

Moffitt has been one of the prominent characters in the political life of California. His activity in affairs in this city has given him a wide prominence, both in politics, in journalism and in business. For many years he conducted the Oakland Times through the heat of hard-fought campaigns, in which the blows given and taken were far from being love taps. Senator Moffitt is married and has a son, Jefferson Moffitt. There are several brothers and sisters.

RETIRED CAPITALIST IS CALLED BY DEATH

Henry Mellmann Passes Away at His Home in Oakland—W. H. Rouse Dies in Nevada.

OAKLAND, Nov. 21.—Henry Mellmann, a well known retired capitalist of Oakland, aged 44 years, died this morning at his home, 1376 Franklin street. Death was caused by heart disease and was not unexpected by the family. Mr. Mellmann leaves a wife and five children, Henry, Carl, Frederick, Miss Ausuta and Miss Lena Mellmann.

The deceased was a member of Oakland Lodge No. 171, B. P. O. E., and the funeral will be held at 2 p. m. Wednesday, under the auspices of the lodge. The remains will be incinerated.

Information has just been received of the death of W. H. Rouse, formerly a well known resident of this city, at Goldfield, Nev., where he was engaged in mining. Rouse was 70 years of age and was a brother of W. A. Rouse, the pioneer commission merchant. He leaves a wife, Mary W. Rouse, and one son, Robert W. Rouse. The remains will be brought to this city for interment.

Swears to Charge of Murder.

OAKLAND, Nov. 21.—Mrs. Hannah Cutler, a witness to the shooting of her daughter, Laura Campbell, swore to a complaint to-day charging Lemuel D. Campbell, the young woman's husband, with murder. Campbell was taken before acting Police Judge Geary this morning, but the case was continued a day pending the filing of a complaint. Campbell will be arraigned to-morrow morning. Attorney A. L. Frick represents Campbell.

Kahn Succeeds Wiese.

ALAMEDA, Nov. 21.—John B. Kahn of San Francisco was to-night elected by the City Trustees to be superintendent of the municipal electric light and power plant to succeed G. A. Wiese, who retires with the end of the present month.

Trustee Bowers introduced an ordinance to prohibit the hauling of Oakland garbage through this city and the dumping of the same on the Bay Farm Island.

Burg Bigamy Case Dismissed.

The case of Isidor Burg, charged with bigamy, was dismissed by Judge Cook yesterday on the ground that the alleged first marriage in England could not be proved. Attorney Digby Johnson said he had been called four times as an expert on the marriage laws of England and had not received a fee. The Judge instructed him to make out his demand and he would indorse it. There is a charge against Burg of failure to provide. It is on appeal before Judge Lawlor, still pending. Burg is a tailor and his first wife came here from England with her two children to find that he had married another woman.

CARMEL-BY-THE-SEA.

Thanksgiving Day Excursion, Wednesday to Sunday.

Thanksgiving day will be delightfully spent by those who take advantage of the excursion to Carmel-by-the-Sea, which leaves Wednesday, November 23, returning Sunday night, November 27. The round trip rate will be $10, which includes all expenses of railway, transfer at Monterey, accommodations at Pine Inn, baths, etc. There are a thousand attractions at Carmel Bay, and Pine Inn is a charming hotel.

Week-end excursions will be run to Carmel-by-the-Sea every Saturday commencing November 25. Tickets, good from Saturday to Monday and including all expenses as above, $6 75. Ask agents Southern Pacific. *

STILL IGNORANT OF THEIR FATE

Captain Nance Files Report With Wheeler, but Seniors Are Not Yet Enlightened

APPEAL TO BE TAKEN

Editor of College Paper Will Prepare Petition to the Academic Senate

Berkeley Office San Francisco Call, 2148 Center Street, Nov. 21.

Despite the fact that Captain J. T. Nance, military instructor at the University, to-day delivered his report to President Wheeler in the cases of forty-eight of the sixty-three seniors who were charged with insubordination and riotous conduct, the suspense of the accused men continues. They still are ignorant of their fate. They do not know whether Nance has recommended their dismissal, or whether he has decided to accept the excuses made to him as satisfactroy. President Wheeler refuses to state what Captin Nance has reported. Captain Nance refers all questioners to the president. The President has nothing to say.

"I cannot be interviewed again on this matter," said President Wheeler this afternoon. "All in good time, whatever is done, will be known."

W. T. Hale, editor of the Daily Californian, a college publication, who was called before the students' affairs committee of the faculty last week to explain his editorials, which were strenuously objected to by the commitee, said to-day that the controversy of the seniors with Captain Nance will be taken eventually to the academic senate, a body composed of the professors and instructors of the university, who will be asked to rule upon the justness of the military instructor's action, if that action results in the dismissal of seniors from the military class, and so from the university. Said Hale to-day:

We are permitted to make this appeal to the senate, and in the event of our dismissal being ordered we certainly shall avail ourselves of the privilege. If it is demonstrated that Captain Nance was not carrying out any specific regulation of the War Department in directing the class to line up in front of North Hall, but merely was carrying out his idea of what constituted discipline, then the senate will be competent to revise that order and decide upon the wisdom and advisability of the order.

In the cases of individual students, who may feel that they have been treated unfairly, and have not had the hearing before Captain Nance to which they are entitled, the senate will be asked to consider the facts, from the students' standpoint, and decide whether they have been unfairly condemned.

Hale was informed by Captain Nance to-day that a special report in his case had been made by Professor W. A. Setchell of the students' affairs committee, Setchell having reported, according to Hale, that the young editor's conduct at the riot on the campus was reprehensible.

Some of the students have attempted to excuse themselves to Captain Nance, for failure to be present at the recitation when the original trouble occurred, by saying that they simply cut that recitation. J. L. Dobbins, a senior, to-day made this explanation to Nance and was informed that it could not be considered a sufficient excuse. This point, it is said, will be brought before the academic senate

Captain Nance, with his adjutants, drilled the cadets as usual this morning on the campus and the old football field. Colonel Robert Moulthrop, who has been instrumental in organizing the military department of the university, assisted in the drill. After the cadets had been drawn up in hollow square formation, Colonel Moulthrop addressed the men as follows:

Some things have happened recently that in no way have reflected credit on your university. The best way for you to show your regard for your college is to stand by its military department. If you don't, the Government inspector may some day advise the department at Washington that it be abolished, and this, in addition to the disgrace, would mean a loss of $100,000 a year to the university, the greater part of which is utilized in other departments than the military.

No one wants to tyrannize over you, or to make this work galling or irksome. All the Government asks in return for the $100,000 it gives the university is that we maintain a military department. You have an able and honorable officer in command of the department in the person of Captain Nance. He has rendered this country valuable service in China and the Philippines, and is now stationed here to carry out the Government's plan. If you men obey the regulations the work can be made pleasant and will be productive of great good to all. Implicit and absolute obedience is necessary, however. No military department can be maintained without it. To be able to subject yourself completely to properly constituted authority is a fine thing and should in no way be thought to indicate subserviency on the part of those who so obey the regulations.

Drunken Parents Blamed.

Coroner Leland held an inquest yesterday on the body of Lawrence Ayer, four months and two weeks old, who died in his mother's arms November 16 after she had tramped the streets for several hours while intoxicated. The jury returned a verdict that death was due to neglect by its parents. They exonerated the landlady, Mrs. Hicks, from any blame.

Mrs. Hicks had ejected the child's parents from 331½ Sixth street because of their drunkenness and filthy habits.

An Artist Needs Thousands

Of different things in his studio. Being agents for Winsor & Newton, we can supply every want. Also pyrography outfits and wooden and leather articles to burn. Sanborn, Vail & Co., 741 Market st.*

SCHERF MURDER TRIAL POSTPONED. The trial of Gustave Scherf, deputy poundkeeper, charged with shooting and killing Rudolph W. Schultze in South San Francisco, was again postponed in Judge Lawlor's court yesterday till next Monday. The defendant's attorney, Frank J. Murphy, is suffering from eye troubles and the Judge desires to accommodate him.

LATE SHIPPING INTELLIGENCE.

SAILED.

Monday, November 21.

Stmr Acme, Reed, Eureka.

DOMESTIC PORTS.

ABERDEEN—Sailed Nov 21—Schr A. B. Johnson, for Redondo; schr Falcon, for San Francisco; schr Carrier Dove, for San Pedro; bktne John Smith and Eleanor, for San Francisco.

PORT GAMBLE—Arrived Nov 21—Schr John Currier, from Port Blakeley.

FOREIGN PORTS.

VICTORIA—Arrived Nov 21—Stmr Whittier, hence Nov 17.

Memoranda.

VICTORIA, Nov. 21.—Per steamer Whittier, hence for Vancouver with a cargo of oil for the Vancouver Refinery—The captain reports terrible weather all the way from Golden Gate, bucking southeast gales.

VICTORIA, Nov. 21.—The German ship Engelhorn is taking ballast at Esquimalt before shifting for Port Blakeley for lumber cargo. The French ship Guerveur is having ports cut in her hull at Bullens Wharf, Esquimalt, to load lumber at Chemainus.

VICTORIA, Nov. 21.—The German stmr Memphis called to-night to take pilot for Comox, where she loads bunker coal for homeward voyage. The stmr Bengal has arrived, with 700 tons salted salmon for shipment to Japan by the next liner from Puget Sound calling here.

BAY CITIES' PLAN IS THE FAVORITE

People's Vote Will Guide Water Committee

OAKLAND, Nov. 21.—The Bay Cities Water Company's proposal to establish a municipal water supply for the city of Oakland has been recommended to the City Council for adoption by unanimous vote of the special committee on water supply. This action is the result of the canvass made by the committee, which returned a vote of 5054 for the Bay Cities project as against 1545 for the artesian wells plan. The report of the committee was made to-night to the City Council and it was referred to the committee of the whole, which will meet Friday night.

On motion of Councilman B. H. Pendleton the City Attorney was directed to consult with the attorneys of the Bay Cities Water Company with relation to the preparation of a contract of construction of the plant. Under the terms of the company's proposition a plant will be installed to bring not less than 20,000,000 gallons daily to the southern boundary of the city. This is to cost $3,750,000.

COMPANY'S AGREEMENTS.

The company has also agreed to install a distributing system to cost approximately $1,500,000, making the total cost of the plant $5,250,000.

In view of the committee's recommendation it is assured that the City Council will submit this proposition to a vote of the people at a bond election to be called as soon as legal requirements can be met.

The canvass of the citizens, which was ended to-day, gave a total vote of 7122, or within 400 of the total vote that was cast at the recent bond election for public improvements. The cards returned showed preferences as follows:

Five thousand and fifty-four are for the Bay Cities Water Company's proposition, 1545 are for the wells supply, 65 are for either, 366 are against both propositions, 92 were rejected, of which 52 were not signed, 22 expressed no opinion and 18 for miscellaneous reasons.

Of the 366 votes against both propositions, 57 expressed a preference for the Contra Costa Water Company's plant, 23 were against municipal ownership on principle, 23 miscellaneous reasons were given, and 263 gave no reason.

In its recommendations to the Council the committee said:

Of the various propositions brought to our attention, the committee, having unanimously agreed upon two as possessing the greatest merit and being the most feasible for adoption, was also of the opinion that an expression of preference on the part of our citizens, after setting forth before them the salient features of each of these, would be of great assistance to the Council in deciding as to the project which should be presented to the people in a bond election. We therefore issued a circular letter, which is attached hereto, and a copy thereof was mailed on November 14 to every registered voter of the city. We think the above letter sufficiently set forth the results of our investigation, except that we should now add that the committee has had to eliminate all propositions presented to it for bringing water from the Sierra Nevada Mountains, because in each case the expense would be greater than the city can now legally incur, and it does not seem practically possible at the present time to unite Berkeley and Alameda with us in such a plan.

SOME CONCLUSIONS.

The committee embodies the result of the canvass and continues:

In view of the fact that at the recent bond election held September 27, when ten different propositions for public improvement were submitted to vote, a total of 7563 votes were cast, and that at the election held April 23, 1904, for the issuance of $900,000 of school bonds, only 3905 votes were cast, we feel that the above response, over the signatures of the voters, is indicative of a deep interest on the part of our citizens in this important question of municipal policy.

While there was at first a difference of opinion in the committee as to which of these two propositions we should recommend, we are now unanimous in recommending the Bay Cities Water Company's proposition. Our citizens have expressed their choice in so positive a manner we believe that all genuine friends of municipal ownership of water supply, regardless of former preference as among various possible plans for its accomplishment, should now heartily unite in support of this proposition which finds favor with such a large majority of voters who have thus spoken.

Embodied in the recommendation is the statement sent to the voters, which presented the arguments on the Bay Cities Water Company and the artesian wells scheme.

The report to the Council is signed by the entire committee, which is composed of Warren Olney, J. T. Wallace, Edwin Meese, F. C. Turner, R. H. Chamberlain, Cary Howard and James K. Moffitt.

BID ON PORTION OF BOND ISSUE

Banking Syndicate and State Examiners Would Buy Some of City's Securities

The Board of Supervisors yesterday opened bids for a portion of the bond issue for public improvements and referred them to the joint Committee on Public Utilities and Finance for action thereon.

Only two bids were submitted, one by a banking syndicate and the other by the State Board of Examiners. No bids were received for the bonds for sewers, schools or hospital.

The Bank of California in the interest of a local syndicate bid par and accrued interest for all of the following 3½ per cent bonds, amounting to $2,099,800, segregated as follows:

Eighteen series library bonds, $739,800.

Children's playground bonds, $740,000.

Golden Gate Park and Presidio extension bonds, $328,000.

Mission Park bonds, $292,000.

The names of the banks composing the syndicate and the amounts bid by each follow: Mutual Savings Bank, $328,000; Hibernia Savings Bank, $300,000; German Savings Bank, $292,000; San Francisco Savings Union, $200,000; Mercantile Trust Company, $154,500; National Bank of D. O. Mills & Co., $75,000; Security Savings Bank, $40,000; French Savings Bank, $25,000; the Mission Bank, $25,000; Bank of California, $660,000. Total, $2,099,800.

CHECK ACCOMPANIES BID.

A certified check for $10,000 accompanied the bids.

The State Board of Examiners bid par and accrued interest on 250 children's playground bonds of the denomination of $1000.

The board adopted a resolution providing that in future it will not grant any one a permit to build a grand stand or booth on City Hall square.

Braunhart thought the board should not permit any more heavy decorations to be suspended, such as had been hung at Third and Market streets recently, on the ground that they are dangerous to life.

Petitions were filed by property owners protesting against the closing of Beach street, between Laguna and Buchanan, and requesting that measures be taken to prevent the donation of a public highway to private persons representing a corporation, such action having been recommended by the Board of Public Works. The protestants say such action would be a gross violation of law and cause the loss of a valuable highway without any compensation to the city.

FOR ST. MARY'S SQUARE.

The Finance Committee laid over until the compilation of the next budget the petition of the St. Mary's Square Association that the monthly revenue of $500 derived from property acquired for St. Mary's square be applied to the fund therefor. The committee decided it has no power at present to credit the rentals to the fund named.

The committee took under advisement the passing of a demand of $330 presented by B. Hayes for hauling voting machines to halls for exhibition purposes. The committee thought the price charged, of $10 each way, was excessive.

The committee referred a demand of F. M. Yorke & Co. for repairing bituminous streets in October to the joint Finance and Street Committee for consideration to-morrow at 3:30 p. m.

Death of John D. Putnam.

John D. Putnam, inspector in charge of the United States Immigrant Bureau at Los Angeles, died in that city yesterday. He was a lineal descendant of General Israel Putnam of revolutionary fame.

HAS FIT IN BATHTUB.—John Kelly, an old man, while taking a bath at the Lurline yesterday, is supposed to have been overcome by an apoplectic fit. A friend of Kelly's was attracted to the bathroom and found the old man lying unconscious in the bath and the hot water overflowing. Kelly died at the Emergency Hospital. He lived at 138 Lily avenue.

COURT WORRIED WITH MOTIONS

Rebstock and Wyman's Attorneys Still Filibustering on Technical Grounds

Judge Lawlor yesterday morning denied the motion to quash the indictment charging Joseph Rebstock with a violation of the election law in refusing to administer the oath to a voter whose vote was challenged at the primary election while he was acting as an inspector. The defendant's attorneys were granted a stay of thirty days to prepare a bill of exceptions to the Supreme Court.

Attorney Newburgh then filed a motion to terminate the proceedings on the ground that prior to the filing of the indictment the defendant was compelled to attend upon the Grand Jury as a witness and testify against himself, in violation of his constitutional rights. He also asked the privilege of producing oral testimony in support of his motion. District Attorney Byington objected to the motion and the Judge sustained the objection.

Newburgh thereupon interposed a demurrer to the indictment on the ground that it was not alleged that the defendant had ever qualified to act as an inspector. There were other grounds, among them that the administering of the oath was not mandatory and that it was unconstitutional, as it destroyed the secrecy of the ballot. The arguments on the demurrer will be made this afternoon.

The motion to set aside the information charging Charles Wyman with fraudulently voting at the primary election on the ground that the defendant had been illegally committed was argued before Judge Lawlor yesterday afternoon. The point at issue was that Judge Cabaniss had erred in taking testimony while the defendant was out on bail on the application for a writ of habeas corpus before Judge Sloss.

After considerable argument the Judge denied the motion, holding that whatever irregularity may have been committed by Judge Cabaniss it was not such a departure from the strict rules of procedure as to prejudice the substantial rights of the defendant. Attorney Countryman was allowed thirty days to prepare a bill of exceptions to the Supreme Court. Countryman then interposed a demurrer to the information on several grounds, among them that it did not state a public offense and was not drawn up under the proper section of the Penal Code. The constitutionality of the primary election law is also attacked. The arguments were not concluded when court adjourned, and will be resumed to-morrow afternoon.

BRANCH OFFICES OF THE CALL IN ALAMEDA COUNTY

OAKLAND.
1016 Broadway.
Telephone Main 1083.

BERKELEY.
2148 Center Street.
Telephone North 77.

ALAMEDA.
1435 Park Street.
Telephone Alameda 559.

REAL ESTATE TRANSACTIONS.

Alameda County.

MONDAY, NOVEMBER 21.

Sophia J. Schneider to Frederick J. Schneider, lot on N line of Second street, 100 W of Jefferson, W 50 by N 100, lots 24 and 25, block 22, Kellerberger's map, Oakland; gift.

Thomas D. and Rose A. Sullivan to Peter J. and Katherine F. Mullen, lot on SW corner of Telegraph avenue and Morgan street, S 103.54, W 106.40, N 50, E 121, lot 12 and portion lot 10, McElrath Tract, Oakland; $2600.

Realty Syndicate to Harlow P. Bancroft, lots 1 to 28, block I, map Alpine Tract, Oakland; $10.

Sarah Greer (widow) to Sarah H. Macauley (single), lot on NE corner of Campbell and William street, N 50:7 by E 75, lots 1 and 2, block 499, Gibbons property at Oakland Point, Oakland; gift.

Frank F. and Mary C. Cruz to Joseph Smith, all interest in lot on SE corner of B and Louise streets, E 33 by S 100, subdivision J of lot 6, in block 701, map No. 2, Watts Tract, Oakland; $10.

Mary and John McCarthy to Ida Vaughan, lot on W line of Campbell street, 80 N of Seward, N 30 by W 115, lot 14, map part of plats 385 and 386, Oakland; $10.

Luther A. or L. A. Teague to Mary S. Teague (wife), lot on S line of Sixtieth street, 133 E of Idaho, E 33 by S 130, portion lots 4 and 3, block 4, amended map of Butler Tract, Oakland; gift.

Same to same, property in San Francisco County; gift.

Same to same, lot on E line of Hersog street, 135 N of Butler avenue, N 56.32, E 150, S 52.44, W 150, to beginning, Oakland; gift.

Charlotte L. Castle (widow) to G. Vandenpeereboom, lot on NE corner of Peralta and Watson avenues, NE 448.80, E 299.20, S 402.60, W 487.68, being plat 16, map of Lakeview subdivision of plats 16 to 19, Watson Tract, East Oakland; $10.

Rachel M. Smith, Lucy M. Hale, Agnes M. Noyes and Harriet M. Comstock to George E. Dyer (wife of Joseph B.), lot on N line of Edwards street, 1250 E of Telegraph avenue, E 15 by N 125, being W 15 feet of lot 26, Pacific Theological Seminary Tract, Oakland; $10.

Ira and Charlotte A. Vaughan to Mary McCarthy, lot on S line of Lincoln street, 75 W of Campbell, W 40 by S 110, lot 4 and E ½ of lot 5, block 711, map of part of plats 385 and 386, Oakland; $10.

Harry L. (or H. L.) Walker to Alida A. Babb, lot on S line of Wallace avenue (or Forty-fifth street), 540.16 E of Salem, E 50, S 155.17, W 50.2, N 159.68, lot 18, Coggeshall Tract E of San Pablo avenue, Oakland; $10.

Julia A. and Fred A. Ring (wife) to Charles and Augusta C. Behnke (as joint tenants with right of survivorship), lot on SE corner of Paradise (now Genoa) and Benton (now Sixtieth) streets, S 45 by E 120, lot 1, block 2, McKee Tract in plat 46, V. and D. Peralta Rancho, Oakland; also lot beginning at SE corner of lot 11, block O, thence along N line of Sixtieth or Benton street, W 40, thence at right angles N to S line of Stanford avenue, NE to NE corner of said lot 11, S 100 to beginning, being E 40 feet of said lot 11, Paradise Park, Oakland; $10.

Edward and Tilly K. Salz (wife) to Edgar Hunter, subdivision 10 in lot 36, map 3, Glen Echo Tract, etc., Oakland; $10.

Emma H. Button (wife of Fred L.) to Adam J. Trescher, lot 45, Milton Tract, Oakland; $10.

Adam J. and Lizzie Trescher to John Walde, same, Oakland; $10.

John Walde (single) to Daniel I. Walde, undivided half of lot 45, Milton Tract, Oakland; $10.

Andrea and Antonia Delucchi to Eugenio Casazza, lot on W line of Peralta street, 73 N of Fifteenth, N 31:3 by W 110, lot 38, block 727A, map resubdivision portion blocks 726A, 727A and 727B, Oakland; $10.

Eugenio Casazza or U. G. Cassazza and Serafina Casazza (wife) to Andrea Delucchi, lot on NW corner of Fifteenth and Peralta streets, N 31:1 by W 110, lot 37, block 727A, same map, Oakland; $10.

Abbie L. and Alice M. Marston to A. J. Morrison (married), lot on N line of East Twenty-first street, 425 E of Twenty-first avenue, N 140, W 36, S 140, E 36, block 67, Northern Addition, East Oakland; $10.

Thomas F. McMullin (single) to Charles R. Harmon, lot 19, block I, map subdivision blocks I, J and L, Harmon Tract, Berkeley; $10.

Milton and E. J. Shepardson to James Irvine, lot on N line of Dwight way, 150 E of Choate street, E 150 by N 300, lot 2, block 7, property College Homestead Association, Berkeley; $10.

John D. Griswold to John Griswold, lot 7, Fruitvale and San Leandro Road Tract, Brooklyn Township; $10.

Charles A. and Helena J. Armstrong to George H. Lee, lot on E line of Wheeler avenue, 162:10 N of Washington street, N 62:6 by E 130, lots 29, 30 and portion lot 28, subdivision A, Fruitvale Terminal Tract, Brooklyn Township; $10.

Leah F. Mott (single) to H. B. and Minnie Orwig (wife), lot on S line of Pacific avenue, 250 E of Chestnut street, E 50 by S 150:2, lo: 13, block 5, lands adjacent to Encinal, Alameda; $10.

Theresia Vollmar (widow) to Bertha T. Vollmar (single), lot on W line of Cedar street, 240 S of Clinton avenue, S 40 by W 130, lot 13, block C, Bellevue Tract, Alameda; gift.

Mary E. Holton (wife of L. J.) to Mary A. Maslin, lot on S line of San Jose avenue, 148 W of Lafayette street, W 49 by S 150, block 14, amended map Bartlett Tract, Alameda; $10.

JORDAN TO PAY ALL HIS DEBTS.—OAKLAND, Nov. 21.—In answer to a summons of court, Frank C. Jordan, clerk of the Supreme Court, appeared before Justice of the Peace Quinn to-day to explain why he has not paid his debts. Jordan informed the court that his debts amount to about $12,000 and that he has no personal property. He refused to take advantage of the insolvency laws and will pay all his debts in time.

HORSES DIE FROM BURNS.—BERKELEY, Nov. 21.—Fire in the barn of George Mulholland on the quarry ranch, north of Berkeley, destroyed 80 tons of hay last night and burned eight horses so that they died later. The loss is estimated at $3000.

JORDAN ON THE JAPANESE.—ALAMEDA, Nov. 21.—President David Starr Jordan of Stanford University will deliver an address on "The Strength of the Japanese" before the Unitarian Club Wednesday night.

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