# PORT OF COOS BAY WINS HARBOR CASE

### Ruling Giving Control of Tide Flats of Importance to Other Oregon Districts.

### PRIVATE CLAIMANTS LOSE

Circuit Judge Coke Decides Port to Pussess Right of Restriction Over Tide Lands-Appeal

Will Be Taken.

NAESHFIELD, Or., March 1.-(Spe-cial)-John S. Coke, Judge in the Cir-mit Court, has handed down a docis-ion which is of greatest importance to all of the port districts of Oregon. He has decided that the Fort Commission of Coos Bay has absolute control of the ide flats back of the present Gov-ernment harbor lines. The case was that of Patrick Hen-nessey, Jane A. Chadwick and others against the Port of Coos Bay. The port claimed the Patri which are woned by the plaintiffs and the latter woked for an injunction restraining the port from taking possession of the tide

port from taking possession of the tide fats on the grounds that no compen-sation was given.

### Ownership is in Trust.

Judge Coke's decision in substance that all of the tide flats were orig is that all of the tide flats were ofti-inally held by the state in trust for the people, to be used for purposes of navigation when they might be needed, and that while these tide flats have been hought by individuals, the latter enly hold title subject to the trust of e state, The Port Commission is regarded as

an agent for the state with the rights to use the tide flats for navigation urposes without compensating the resent individuals who claim owner-

The decision also gives the Port Commission the right of restriction over the tide lands, so that those who over the inde lands, so that mose who now hold the tide lands cannot build or improve them without a license from the Fort Commission, thus giving the port the control of these lands and the possibility of increasing in the future the size of the harbor over the tidal area

### East Side Affected.

East Side Affected. The channel of the bay, according to the present Government lines, is 400 feet which but this has been extended by the Fort Commission and the proj-towed in the future, is for a 1000-foot the thich has been adopted to be fol-lowed in the future, is for a 1000-foot the tide lands which have been plat-ted and have been owned. The har-hor lines, however, on the Marshfeld which be changed, so the decision of the side of the bay which are improved will not be changed, so the decision frects only like unimore tide flats on the edit side of the bay, including part of the city of East Side, the badditions -1. W. Bennett and C. F. Me-kught, who started the case for the source are the land, will take it to the

Supreme Court C. R. Feek, the port attorney, de-fended the port interests. If the declaton should be sustained in the Supreme Court it will affect millions of dolars worth of tide lands of the ports of Oregon where port dis-tricts have been formed.

### KLAMATH SOCIALISTS ACT

Party Adherents Establish Headquarters, for Work in Campaign.

KLAMATH FALLS, March .---With the intention of becoming active in the campaign preceding the city elec-tion May 6, the Socialist party has es-

farmers and fruitgrowers throughout Clark County has been called by the Commercial Club of Vancouver for Wednesday noon, March 20, at Colum-bla Hotel, at which time they will be guesta of the club for luncheen. The meeting will bring the farmers, busi-mess and professional men together for the benefit of the Clark County Fair.

Fair. Invitations will be issued to 100 farmers, and they will be requested to let the committee know if they will come or not. Suggestions from those who are qualified to make them will be asked for by H. L. Moody, who will preside, he having been appointed by President Lloyd Dubois today, when the currection was made.

President Lloyd Dubois today, when the suggestion was made. At the midweek luncheon today President Hayes presided and read a statement showing the fair association to be in good financial condition. Among these who spoke were Clement Scott, H. L. Moody, Mr. Hayes, W. P. Connaway, N. C. Hall, J. E. Dubois, O. B. Hathaway, L. M. Hidden, Rev. H. S. Templeton, H. W. Arnold, W. H. Grms-by, of the Northern Pacific, and others. - The racetrack at the fairgrounds, which will be half-mile standard, will be completed this week, and will have which will be half-mile standard, will be completed this week, and will have cost approximately \$1590. It is in a good location, easy of access and will ne doubt attract bousands of persons from Portland when the race meet will be given in July, in addition to the one in September, 9 to 15, inclusive.

SURF PARTY IS NOVELTY

SOCIETY IN EVENING DRESS SPLASHES IN OCEAN.

Barefoot Beach Parade by Families of Millionaires New Sensation at California Resort.

LONG BEACH, Cal., March 7 .- (Spt cial )-A midnight "wading party," in which members of millionaire families paraded the sand in bare feet, caused paraded the sand in pare reel, datase Long Beach to gasp long and deep to-day, when the details became known. Among those in the party, it is said, were Mr. and Mrs. Walter J. Hill daughter-in-law of the railroad mag-nate; the Misses Wall, daughters of Colonel and Mrs. E. A. Wall, of Salt Lake City, and Mr. and Mrs. H. G. H. Spreame

Lake City, and sit. and sales in Oral Sprague. The unusual "splash" was participat-ed in by both men and women in even-ing dress, following a "candy pull" at the Virginia Hotel and a box party later at one of the Long Beach thea-ters. When the performance at the theater was over the moon was shining brightly and some one suggested a "wading parts. There was a merry rash for the beach and, quickly dis-carding shoes and hoslery, the mem-bers soon were splashing about and fielng before the breakers. Several were cought by the waves, much to the enjoyment of the others.

# KLAMATH FALLS TO VOTE

Proposed Commission Government Charter Will Go on City Ballot.

KLAMATH FALLS, March 7.--GPe-cial.1-Clty. Recorder T. F. Nichols has announced that he will place on the ballot at the coming municipal election the proposed commission form of gov-erament charter, which for a time looked as though it were, figuratively speaking, up a tree. When present-ed to the Council the City Attorney, Horace M. Manning, inspected the in-strument and declared it fatally de-fective, even if it were adopted by the people, the title having been ower-looked. The committee which drew up the document them said they wished to withdraw the petition and charter from

be cancelled.

the document then said they wished to withdraw the petition and charter from the council, but the City Attorney be-leved that not only could the instru-ment not be returned to the filers nor could it be handed bac: on petition of a majority of the voters. The law providing that the City Recorder could ust the charter before the people without Councilmanic action, which was lacking in this case, the advocates of the masure decided to let it go on the ballot as framed, with its defects and pian. If it is adopted, to hold a special election later at which it can ho amended.

DIVA SCORES ENEMY Mme. Schumann-Heink De-

clares Suit Is Conspiracy.

### MOTHER LOVE IS DEFENDED

"If My Son Promised Marriage," Says Singer, "He Must Wade From His Own Puddle"-Will Not Pay a Penny Declared.

7.- (Special.)-SEATTLE. March That the marital difficulties of Madame Schumann-Heink may, in a measure, be responsible for the institution of a \$25-000 damage suit alleging breach of promise on the part of Hans Schumann.

promise on the part of Hans Schumann-Heink, son of the noted singer, brought by Fraulein Johnna Alloe Forner, of Dresden, is the inference left by an in-terview with the famous songbird. "Infamous---a conspiracy! Enemies would drag my mother love through the puble mire, hoping I will worry until my voice fails me. We of Germany know the mother love is more precious than art--than the plaudits or deliars of the world. They are striking me through my child." This was the dramatic answer of Madame Schumann-Heink at the Hotel Washington today.

Washington today. "I will not air my private troubles for the public's pleasure," she continued. "If my son has erred he must-as we for mass say-wat the broth of his own cooking. But \$25,000-1 wonder how she would get it? Eliminate Madame Schumann-Heink from this world and see how quickly this suit would be dwonad dropped.

"I know but little of the life Hans lived at Dresden. He may have been wild. German students are not what you Americans call 'mollycodiles." If he and this woman—I will not call her a girt—had an honest understanding, if he went to her believing her to be his mate, and asked her to live her life with him, he must wade from his own puddle. Not one penny will I give. Madame Schumann-Heink will go on singing to her audiences, smiling for her friends, ignoring her enemies and forgetting that canalite—beasts—are, allowed to live in the world. She is above petty spite." "I know but little of the life Hans

# OFFICIALS CHANGE MIND

Spokane Commissioners to Let Job on Main to Day Laborers.

SPORANE, Wash., March 7 .- (Special.)-Although the City Commissioners Wednesday, by a vote of 3 to 2, voted to throw the big North Side force main job open to hids from contractors, that action will be rescind-ed and the ordinance providing for doing the work by day labor allowed to stand, according to a new lineup of the commissioners, which developed following another meeting of the Coun-

Major Hindley, who voted for got-ing bids, will vote against the enter-sency amendment providing for bids when it is presented for passage Friday afternoon. Commissioner Fassett this morning

said: "I have ordered riveting and calking machines to do the work, as well as a new arm for our steam shor-el and I find that these orders cannot 22.00

Contractor James Broad said there

norm of premont me in the club voted to co-operate in placing lights where they will do the most good. The club voted against holding open meet-lings for the discussion of political questions involved in the campaign.

Pastor's Resignation Accepted. At the meeting of the congregation of the Third Presbyterian Church las

of the Third Presbyterian Church last night, it was voted to accept the resig-nation of Rev. William Parsons, the pastor, and it was decided to join the pastor in asking the Portland Presby-tery to dissolve the pastoral relations. Wilson Benefiel and Dr. F. S. Post were appointed to represent the church at the meeting of the presby-tery March 12. No action was taken toward securing a pastor, the under-current being toward a possible con-solidation with Hawthorne church. However, the consolidation question was not considered.

Body Found in Coos Bay.

# AN OUT-OF-THE-USUAL SALE OF **READY-TO-WEAR GARMENTS**

Instead of the formal Spring Opening upon which many establishments spend thousands of dollars for decorations, we intend to make this Spring announcement unusually attractive in regard to prices. Today and Saturday, therefore, the doors will be thrown open for one of the most emphatic sales we have ever held in this great growing Ready-to-Wear Sample Store for Women. These prices for Friday and Saturday only:

anywhere on the Coast. Lingeries, silks, serges,

challies; newest, up - to - the - minute styles;

blues, black, brown, white and tan. A collec

# Smart Sample Suits Chic Sample Dresses A collection of Dresses that is not equaled

New showing very elassy assortment Spring Suits; blue serges, fancy mixtures; the hand some plain tailored new four-button coat modeis, also fancy handsome trimmed models; onethird to one-half less than any other store on Extra special for our first Spring the Const. sale \$14.95.

Blue serges, worth \$25.00.] Fancy mixtures, \$20.00 to \$25.00..... \*\*\*\*\*\* Fancy trimmed Suits,

# Sale of Waists

almost bewildering; lingerie, silks and the new, much-wanted mannish shirts; all colors, tan, blue, white,

	\$1.50	WAISTS	Sec.	444	10.00	122	0.02.5	98c	6
	\$2.00	WAISTS			****		ولالاله	.\$1.49	
10	\$2.50	WAISTS						.\$1.98	
2	\$5.00	WAISTS	*****			120	(5.1.)	.\$2.98	l - 1
4				100	la an		1200	210.00	

\$14.95, \$16.75, \$19.85, \$22.75, \$24.95, \$27.50, \$30.00 to \$50.00



TWO SEVERELY BURNED AND ELECTION CONTEST ENDS OTHERS IMPRISONED. Court Holds City Council Must Be

Sole Judge.

MARSHFIELD, Or., March 7.- (Special.)-The contest of the election of Dr. E. E. Straw, as Mayor of Marshfield, which was brought by R. A. Copple, one of the defeated candidates MERRITT, R. C., March 7 .- An ex-plosion of gas in No. 1 level of the Diamond Vale Collieries today killed Diamond Vale Collieries today killed four men, severely burned two others and background to an abrupt end today, when





\$20.00 to \$25.00.....

Of the most unusual values and assortment

We Show the Largest Assortment of Blue Serge Suits in the City

tablished headquarters on Fourth streat. The hall there will seat 90 people, and the meetings so far held there have been interesting, owing in part to the interest shown by women part to the interest shown by women present. As a starter, the Socialists are taking up and analysing the situ-ation with regard to the proposed city charters. They already have discussed the commission form of charter, pro-posed by private citizens who have had the document printed at their own expense, and later will take up the consideration of the form of charter to perpetuate the present form of gov-ernment. The Social'st, who had a city ticket is the field a year ago, plan to have both county and city tick-ets acrore the people this Spring. ets before the people this Spring.

### PAYROLLS PADDED 5 YEARS

Northern Pacific Investigation Fin-

### ished at Spokane.

SPOKANE, March 1 .- The results of SPOKANE March 3.—The results of the investigation into charges that the payrolis of the freight department of the Northern Partific Entirond at Spo-have been forwarded to headquarters of the company at St. Paul. As moon as the actual sum secured by employee is ascertained, the sureity company which bonded the comployees of the road will be asked to reimburse, the company.

the company.

he company. According to E. J. Cannon. Spokane ounsel for the road, a part of the nonsy secured was used to pay delin-using and uncollectable freight barges so that employes might make a record as collectors.

### VESSELS LOAD FOR ALASKA

ships Brought From Winter Quarters to Carry Cannery Supplies.

ASTORIA, Gr., March 7.-(Special)-The Ahaska Tishermen's Facking Com-transfer and the source of the

in her, the gear of the Flint being used



VANCOUVER Wash. March 7- The Isla inate of the United Ringdom in Special 3-A meeting of 198 prominent 1910 was estimated at \$3,900,258,\$24.

COOS BAY WILL GET SITE East Side Business Men's Club Sees

 And Appoints Committee to
Choose Ground at 1915 Fair.
MAESHIFTELD, Or., March 7,-(Spentwire has named a committee to Committee to the Placing and operation of the placing and operation of the placing and operation.
March 14, at San Francisco, will select a site for the Oregon exhibit at its not placing the appoints the temperature will be the special train from Portland schemettee will be the sale for the Oregon exhibit at its not place to the Hawthorne schoolhouse, to be used to the placing and operation of the west side of the grounds. Ogleshy roung brought the matter before the special train from Portland is those selected are men who will be at time. Marshineld's committee will be the sale for the Oregon exhibit atter.
The committee is composed of C. As mith. W. S. Chandler, L. J. Slimpon, M. Hake, A. Mereen, Sammel Magnus, S. Now, C. J. Millis, G. X. Wendling, M. Make, A. Mereen, Sammel Magnus, S. Now, C. J. Millis, G. X. Wendling, M. Make at me shine course of Education.
The committee is composed of C. As mith. W. S. Chandler, L. J. Slimpon, M. Hake, A. Mereen, Sammel Magnus, S. Now, C. J. Millis, G. X. Wendling, M. Make, A. Mereen, Sammel Magnus, S. Now, C. J. Millis, G. X. Wendling, M. Make, A. Mereen, Sammel Magnus, S. Now, C. J. Millis, G. X. Wendling the the committee of the Executive Board.
M. Hake, M. Marshanelis, Composition and the resources and Industries of the Science of Education.
M. Hither, resources and Industries of the the East Sloe has been the structure base of the time of the Executive Board of the time of the Executive Board of the Executive Board of the East Sloe has been the structure base has been the time of the Executive Board of the time of the Executive Board of the time of the Executive Board base and the time of the Executive Board base and the time of the Executive Board base and the time of the Executive Board the time of the Executive Board the tinthe time of the Executi as they consider that the placing of this furnace in the basement of a frame schoolhouse is very dangerous. Chairman Kellaher was authorized to appoint a committee to co-operate with a like committee of citizens in pro-testing against this arrangement be-fore the Board of Education. W. H. Fitzgerald, member of light-ing committee of the Executive Board, explained that the East Side had been divided into three districts and that 15 lights could be installed a month in each district. South of Hawthorne avenue is one district, between Haw-thorne avenue and Fremont street is the central district and the territory north of Fremont the third. The club voted to co-operate in placing lights

# STUDENTS PLAN MAGAZINE

Cottage Grove High School Will Issue Annual Publication June 1.

COTTACE GROVE, Or., March I.-(Special)-The high school student body is preparing for the banance of an annual magazine to surpass any former editorial work in the school. The magazine will be printed on a fine online of onner have an artistic cover

The magazine will be printed on a file quality of paper, have an artistic cover and contain individual and group pho-tographs of the students. Every stu-dent is privileged to write a story for the publication. For these cash prizes will be given, from \$5 to \$10. Preparation of the annual is being done on a business busis, and there are otheres to supervise the different de-

officers to supervise the different de-tails of the work. The annual will be ready for distribution on June L.

# MEDFORD FIREMEN BALK

Wages Offered by Council Not Ac-

MARSHFIELD, Or. March 7.- (Spe-vial.)-The body of an unknown man was found floating in Coce Bay today cepted-Truck Has No Operator.

MEDFORD, Or., March 7.—(Special.) —This city has a new motor fire truck but there is ho one to run it. The acquisition of the truck necessitated a larger force and the city fathers de-clied to have a paid department, con-sisting of a chief, assistant chief and four firemen, to get \$85, \$75 and \$60 a month respectively. This scale of wares has not met with the approval of the firemen and they have issued an altimatum asking for \$109. \$86 and \$76, or they won't work. The City Counclimen seem inclined to stand pat.

Danger to Hawthorne School,

ise was blown over and a belt drawhouse was blown over and a bell draw-ing the fan was thrown 150 feet away. Water pipes leading into the mine were blown out. An hour passed be-fore any attempt at rescue could be

made. The first living men brought out were Ralph Kellsh and Harry Hogg. The former was baily burned on the head and upper pari of the body and the latter was burned upon the body.

Fan in Diamond Vale Collieries.

Weighing Ton, Blown Out.

Smoke Halts Rescuers.

The former was badly burned on the bead and upper part of the body the latter was burned upon the body. High School Graduate Honored. ALBANT. Or. March 7.—(Special.)—Helpless from his injuries and with both wrists broken. Richard Grant, aged 25, was found in the rall-road yards here after midalght, and was taken to St. Joseph's Hospital. Grant said he was beating his way on O. W.R. & N train No. 364, and that a brakeman threw him off the train when it was going at a fast rate, si-thout institution by being given a place of the denating team of the univerthat institution by being given a place though Grant offered on the debating team of the univer- off at the first stop.

four men, severely burned two others and imprisoned four men without hope of rescue. Two of the dead are John Horg, areal 24, and Harry Grimes. The first initimation of trouble was just after a signal had been received to run up loaded cars. Alexander Pat-terson was stooping to put the line in the sheave at the main slip and was blown 30 yards to the engine house. A fan weighing more than a ton was blown completely out. For 15 minutes the smoke of the ex-plosion and coal dust obscured every-thing. The smokestack of the engine house was blown over and a belt draw-The judge further decided that the petition of Copple was insufficient. The court stated that the Marshineld char-ter provides that the City Council shall be the final judge of the election and qualification of the Mayor and other officers and that this section of the charter which was granted by a spe-cial act of the Legislature had never been repealed. Copple was defeated at the election by Straw, with a majority of elight votes and he filed his petition for a contest on the grounds that some of the votes for Straw were illegal.

he votes for Straw were illegal.

### Man Steals Ride, Severely Hurt.



"A good cigar is a smoke"-but a Gordon Hat's the Hat

## WHISKEY FROM NATURE'S **OWN FIELDS**

Clarke's Pure Rye. bottled in bond, 100 proof, guarantees to you at your club, your favorite bar, or in your home, a pure and wholesome drink. If it is used judiciously, only beneficial results will follow. WHY? Because it carries with it nothing but the natural grain flavor. Clarke's Pure Rye is made in the old fashioned three chambered still and carries with it quality, flavor and honesty. For more than a century the purest whiskey made.

> CLARKE BROS. & CO., Peerin, HL. BLUMAUER & HOCH

Portland, Oregon Distributers

SAN **Prompt Collection** The prompt collection of checks, notes and drafts by the most direct routes is an important essential in the execution of mod-ern banking service. We give particular attention to this branch of our business.

WE PAY 4 PER CENT INTEREST ON SAVINGS ACCOUNTS.

Hartman & Thompson, Bankers FOURTH AND STARK STREETS Chamber of Commerce Building

mitted suicide. He water over a week.

was found floating in Coos Bay (oday, The body was brought ashore and turned over to Coroner Wilson. Many men have looked at the dead man but no one seems to know who he is. It is believed that he had been working in one of the logging camps as his shree indicated that he had been employed in the woods. The body is that of a man about 40 years of age with black halv and black mustache and of large stature. He had no papers in his poshair and back mination and of acce-stature. He had no papers in his pos-newsion. No marks were found to in-dicate fout play and it is supposed that he accidently fell off the wharf or com-mitted suicide. He had been in the