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VOL. II.

MARSHFIELD, OREGON, WEDNESDAY, JULY 31, 1907.

No. 20.

WIDENING OF BAY CHANNEL

Chamber of Commerce Committee Makes Exhaustive Report on Improvements

TIDELANDS ARE DONATED

Property Owners Show Their Good Faith.

EXPENDITURE NOT LARGE

In Proportion to the Great Results Obtained the Approximate Cost Is Comparatively Small.

WHAT THE PROPOSED IMPROVEMENTS TO THE BAY CHANNEL PROVIDE FOR:

Widening of channel to 800 feet, to begin 1,000 feet north of Standard Oil warehouse to C. A. Smith mill; total length 10,000 feet.

East Harbor line to be moved back a distance of 300 to 400 feet.

Depth of channel to be 20 feet at low tide.

Amount of dirt necessary to move, 3,000,000 cubic yards.

Estimated that dredger with capacity of 5,000 yards per day could accomplish task in two years.

Total approximated cost of project, one hundred and fifty thousand dollars.

Some time ago, a mass meeting was held in the city hall for the purpose of devising means, if possible, for dredging a channel at this section of Coos Bay and deepening the water, besides widening the channel, to give more room for the larger boats docking at Marshfield. At that time a committee was appointed to look into the matter and ascertain everything that could be learned regarding aid from property owners, donations in the way of tidelands, the cost of removing the silt, the time required to complete the work, the best method of interesting the people in the territory affected, and learning whether dredgers could be obtained for commencing the work at a time convenient to the committee.

The work involved in looking after the many and diverse questions which enter into the scheme at hand took much time, and for reasons which will later appear clear to the reader, the work was necessarily slow. But the committee went at the investigation in a systematic manner and have completed a report which is complete in every detail and puts the proposition up to the people of Marshfield ready for action if they desire to proceed on the committee's findings.

The committee is composed of Dr. Everett Mingus, chairman; W. S. Chandler, J. E. Oren, Eugene O'Connell, Henry Sengstacken, James Flanagan, W. U. Douglass. This committee was appointed by J. U. Matson, who was chairman of the mass meeting.

The committee proceeded upon the theory that an 800-foot channel was advisable if anything was to be done which would afterwards prove worth the expense and enterprise. It has figured on the length as follows: From a point one thousand feet north of the Standard Oil warehouse to the C. A. Smith mill on Isthmus Inlet, a distance of ten thousand feet, something less than two miles, and carrying a width from the northward point, of 800 feet, as far south as the O. C. & N. bunkers; from this point to the Smith mill, the channel's width would vary, according to the natural formation, from 400 feet to 800 feet.

In obtaining a channel of this width, the committee found it necessary to encroach upon tidelands on the eastern side of the present channel, distances running from 300 feet to 400 feet. These lands are owned

NEW MASTER IN CHARGE OF PLANT

Captain Burtis Takes Place of Captain Nelson, Who Will Bring Smith Boat In.

The steamer Plant pulled in to the local dock yesterday afternoon with a new face on the bridge—a new face on the Plant's bridge, but an old face to the Coos Bayites. Captain Burtis, formerly master of the Empire and for over a year mate of the steamer Breakwater, was the man who wore the happy smile. He left the Breakwater about eight months ago and has been until recently master of the river boat, F. M. Smith, which plies between Oakland and San Francisco.

Jack Flanagan says that Capt. Burtis is the best mate who ever piped a crew on Coos Bay and he ought to know. The captain's friends are numerous here and the glad hand was offered to him by them all upon his arrival. The Plant's former master, Captain Nelson, left the ship at San Francisco, from which point he will journey east, starting today, to superintend construction and bring out the new C. A. Smith boat, built for the lumber trade. This is the boat which will be brought around the Horn some time during the coming winter. It is now building at Newport news.

LIBERTY FOR INDICTED MEN

CONTINUED FROM COLUMN SIX

decision of yesterday is a victory for the defendants. "The decision," said Mr. Moran, "practically upholds our contention regarding the legality of the present grand jury. We are sure of our stand, and have no fear that we shall not get a favorable decision in the higher court. This action will be taken before the Supreme Court at once as the Appellate Court will not convene until August 12th, and we shall come into court August 6th, the date set for our defendants to plead, with a favorable decision."

Judge Cook in handing down his decision of yesterday instructed the defendants to ask the Appellate Court for a writ of prohibition, but as that body will not be in session before August 12th, the cases will be taken to the Supreme Court direct. The cases against Hayes, Olsen, Mitzen, Schmidt, Peterson, Kyle and McDonald will again come up before Judge Cook on August 6th.

In handing down his decision yesterday Judge Cook said in part:

"The question presented for decision in these cases, by the defendants' objection to being compelled to plead to the indictments therein, is one of far-reaching effect. If the defendants' contention is correct, the indictments on which these prosecutions are based would be merely so much blank paper and a conviction would mean nothing, for any judgments of conviction rendered would be reversed.

"The same question has been—as I understand—presented to two other indictments found and presented by the same grand jury. In those departments of the courts the objections to the validity of such grand jury were, as I am informed, overruled."

ARRIVE OVERLAND FOR COAST TRIP

Mr. R. B. Ryan and wife and Mr. L. P. Ryan, of Salem, and Dr. and Mrs. Hicks, of Silverton, Oregon, arrived in this city by team yesterday. They were on the road three weeks. From here they will go down the beach, returning by the way of Ashland.

by different parties and all had to be seen or addressed upon the subject. The committee has secured from every owner of tidelands fronting the proposed east side of the channel, agreements to donate without recompense, whatever lands are necessary in the widening.

This proposal of widening the channel makes it necessary, if the matter is carried through, to change the harbor line for the eastern side of the channel and this matter has been successfully taken up with the War Department. Should the scheme go to conclusion, the line would be changed or moved to the eastward, distances varying from 300 feet to 400 feet. The committee is em-

(Continued on Page 4.)

THEY COME HIGH, BUT WE MUST HAVE THEM.



—Columbus Dispatch.

PLANS OF THE S. P. RAILROAD

Harriman's Chief Tells of Company's Intended Operations On Coast.

POWER PLANT AT OAKLAND

Scarcity of Coal in the Pacific Country Is One of Most Momentous Questions.

Oakland, July 30.—"We are soon to build up on the Oakland estuary on a block of land we bought for the purpose, one of the finest, most modern and up-to-date electric power plants in the United States. It will occupy the whole block, which is about 400 feet square. It will be quite a showy building, and high, because we shall have big coal bunkers there and mechanical stoking machinery for supplying the furnaces with fuel. The plans for this electric power house have been finished, and Electrical Engineer Babcock has started east to submit them to Mr. Harriman."

Such was the important announcement made yesterday by Vice President Julius Kruttschnitt of the Southern Pacific, director of maintenance and operation of the entire Harriman system.

"Some other plans we have are three great tunnels, one for Portland, one for Tacoma and one near Seattle," continued Director Kruttschnitt. "I have only recently returned from there. At Portland it is proposed to drive a 5600-foot tunnel under the little town of St. Johns and bring passenger and other trains in on a level grade and at some saving in distance. At Tacoma the difficulty is that the residence part of the city is up on bluffs from 200 to 250 feet above tidewater, while the business section is down on the level. Our plan is to run a 7800-foot tunnel into Tacoma to save grade and distance. Another tunnel is projected at Seattle, rather beyond Seattle. But we can get both freight and passenger trains into Seattle without any tunnel.

"We have already begun construction of a six-mile branch road near Centralia, Wash., to some coal mines we have bought. Coal is getting to be scarce on the Pacific Coast. We use oil on our passenger locomotives. But oil prices keep going up, showing that the supply at present is not so great as the demand."

U.S. AND JAPAN AT A DEADLOCK

Views Radically Different Regarding Exclusion Clause in Treaty.

PLAN FOR NEW COMPACT

Tokio Asks Elimination of All Mention of Immigration Restriction.

Washington, July 30.—From an authentic source comes confirmation of the report regarding negotiations with Japan for exclusion. It has been stated that information had come from Japanese source, that Ambassador Wright had been fruitlessly negotiating with Foreign Minister Hayashi and that the latter had declared that he would never consent to any treaty of which Japanese exclusion was a feature.

It seems that what the State Department has been trying to accomplish at this time was not an agreement for a new treaty, but for a protocol to the existing one, making even stronger the consent of Japan to the exclusion of laborers than is provided for in the much discussed article 2, clause 4. As a concession for this agreement it was proposed that this country should consent to granting naturalization to the Japanese after the expiration of the treaty. It seems not to be generally known that by mutual agreement the life of the treaty was extended one year, and that it does not expire until 1912.

Of course even the State Department has grave doubts whether Congress would consent to the naturalization of Japanese, but in the meantime it was hoped to settle the exclusion feature. Hayashi's obduracy prevented that, and his insistence on the elimination of article 2, clause 4, from any future treaty makes the work of the State Department more difficult, because it is stated here positively that this government stands for exclusion and will continue to stand for it. With exclusion practically in force, Japan will have five years in which to become reconciled to it before a new treaty must go into effect.

DELICATESSEN STORE IN ROGERS BUILDING

Davis & Davis have opened their delicatessen store in the Rogers building, on A street, a few doors west of Front. They have abandoned the bakery they purchased of Mr. Pothoff and moved the oven into their new quarters. The company's fixtures arrived on the Breakwater last night, and they will soon be equipped to take care of a good patronage.

PLANT COMES IN FROM SAN FRANCISCO

Steamer Brings in 200 Tons of Freight and Carries a Good List of Passengers.

The steamer Plant arrived in yesterday from San Francisco with 200 tons of freight, including fruits and vegetables and supplies for the various Coos Bay and Coquille river industries. The ship has a new captain, Mr. Burtis, who was at one time first mate on the Breakwater. No incident of unusual nature was encountered on the trip and the boat had a calm sea all the way.

Following is the passenger list: Miss R. E. Hamilton, E. A. Saunders, Mrs. Saunders; Mrs. J. J. Wilson and child, Miss E. J. Campbell, G. W. Bowman, Mrs. Meyer and child, Mrs. C. Lighter, W. J. Wadhams, Mrs. W. B. Norman, Mrs. Diers, Miss N. Girard, Miss Lena Logan, C. M. Mortensen, Lester Pollack, Geo. Franklin, E. S. Larsey, Jr.; Mrs. C. K. Avery, J. A. Von House, W. McLaren, Mrs. C. W. Sickett, Thomas O'Donoghue, J. A. Banks, E. J. Harrah, W. Wetherill, Mrs. Wetherill, R. E. Bohn.

The Plant will sail this afternoon from North Bend at 3 o'clock.

JAPAN'S MOTIVES TO U. S.

ENGLAND VALUES FRIENDSHIP OF AMERICA MOST.

Little Brown Nation's Intentions Are Serious Menace Says Newspapers of London.

London, July 30.—The Tribune this morning prints an interview with M. H. de Young of San Francisco, explaining the situation in this city and denying the existence of race prejudice against the Japanese, but maintaining that Japan wants the Philippines primarily and the Hawaiian islands if she can get them.

The Tribune, in an editorial, thinks that such a view of Japan's intention, soberly set forth by an American of influence and position, contains more matter for alarm than any mere race prejudice on the part of a mob which wrecks restaurants. At the same time, the Tribune declares, it cannot believe that Japan has any such designs until there is better evidence of it than has yet been adduced.

The Tribune proceeds to comment on a recent article in Harper's Magazine with reference to the alleged disposition of Emperor William to enter into an agreement with the United States for the reciprocal defense of German and American possessions in the Far East, and expressed great surprise that any doubt could arise as to whether Great Britain values most the friendship of the United States or of Japan. It says:

"The Americans are our natural friends, and should be the last to misconceive the meaning of an Anglo-Japanese alliance."

REASON FOR LACK OF LABOR ON BAY

Mr. E. A. Anderson, in speaking of the scarcity of labor on Coos Bay, said it is a common thing here at this season of the year. He has been here for many years and understands the situation. The time from now until the rains commence is rather limited and contracts often drag along until late in the summer, when everybody gets in a hurry and will hire more help than would be necessary otherwise.

MILKING MACHINE IS BECOMING POPULAR

Mrs. Yoakum, of Coos River, was in Marshfield yesterday looking after business affairs. She says the late demonstration of the milking machine she held some two weeks ago has resulted in the adoption of this means of separating the Coos county cows from their milk by a number of farmers with large herds. Mrs. Yoakum has seven machines spoken for.

LIBERTY FOR INDICTED MEN

Judge Cook Questions Validity of San Francisco Grand Jury.

GOES TO SUPREME COURT

Effect of Decision Will Be Far Reaching.

INDICTMENTS WILL BE NULL

Men Now Under Ban of Law Will Have Freedom if Body Is Declared Illegal.

INDICTED MEN WHO WILL GO FREE IF GRAND JURY IS DECLARED ILLEGAL.

A. K. Detweiler, T. V. Halsey, Louis Glass, Patrick Calhoun, William M. Abbott, Thornwall Mullally, Tiley L. Ford, G. H. Umbsen, W. I. Brobeck, Joseph E. Green, E. J. DeSabra, Jr.; F. G. Drum and John Martin.

San Francisco, July 30.—Whether or not the indictments returned by the present grand jury are valid, and whether that body has any legal existence since February, 1907, were seriously questioned in a decision handed down by Judge Carroll Cook of the Superior Court yesterday afternoon, and the Supreme Court of California will, within the next few days, be asked to decide the matter.

The decision was the outcome of the action of the attorneys for John W. Hays, Barney Olsen, John Mitzen, R. Schmidt, George Peterson, J. C. Kyle and J. M. McDonald, who are indicted in connection with the recent strike riots, appearing before Judge Cook and demurring to the indictment, arguing that as the present grand jury has continued in service after a new panel had been drawn in the office of the clerk of the court and placed on file, the term of service of the old body expired and that they were no longer part of the machinery of the court and had no power as an inquisitorial body. It was this question that Judge Cook passed up to the Supreme Court.

This same question was raised before by the attorneys for T. V. Halsey, who was indicted after February 1st, but Judge Dunne of the Superior Court ruled against them and decided that all actions of the present grand jury were legal, and that the drawing of the panel did not end the life of the old body.

This raises another point that has been in question and which the contemplated action before the Supreme Court will decide. The question is whether or not a ruling by one judge of the Superior Court is law for all of the judges of that court.

Judge Cook in his decision of yesterday holds that it does in all cases of general law affecting the court, as in the present grand jury contention, and he further asks that a higher court pass upon this question before the defendants, in this instance, plead to the indictments.

Should the Supreme Court decide that the grand jury has not been a legal body since February, many of those who are under indictments since that time will find themselves at liberty, and all of those who are in custody under indictments in connection with the telephone, trolley, Parkside and gas graft cases will be free.

Some of those who will be affected by a favorable decision from the Supreme Court are: A. K. Detweiler, T. V. Halsey, Louis Glass, Patrick Calhoun, William M. Abbott, Thornwall Mullally, Tiley L. Ford, G. H. Umbsen, W. I. Brobeck, Joseph E. Green, E. J. de Sabra Jr., F. G. Drum and John Martin.

Attorney E. F. Moran, who represents the men mentioned above, who are indicted in connection with the strike riots, says that Judge Cook's

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