

# SMITH GETS FRANCHISE

(Continued from page 1.)

ed that one of the reasons why Judge Hamilton had held the franchise invalid was because W. S. Chandler had signed for the "Coos Bay, Roseburg and Eastern Railway company" as the owners of certain abutting property when he should have signed for the "Southern Pacific", a technical error on Mr. Chandler's part. Besides this, Mr. Coke said that he wanted to call attention to the great benefits that the locating of the Smith mill here had been to Coos Bay and Marshfield in particular. Coming at a time when it did, the \$700,000 or \$800,000 payroll the company has had each year has done much to prevent this section suffering from the hard times following the panic of 1907, and prevented many from being compelled to leave here. He said it had been an effort on Mr. Smith's part to build the mill and keep it in operation. He said that the granting of the franchise in question had been a condition of the company building the mill here and that Mr. Smith had more than made good his promise. Now that a flaw had been found in Marshfield's part of the contract, he said it was up to the council and this community to make good at once in the matter and that as a question of common honesty, the council could do nothing but grant it immediately. He said that he believed that nearly everybody in Marshfield had favored granting the franchise at the time and were in favor of living up to the Marshfield's part of the agreement now. He said that many, including himself, had donated towards the \$6,000 necessary for building the Coal Bank Inlet drawbridge. He said that perhaps a few now that the city had enjoyed all the benefits from building the mill might want to take advantage of escaping fulfilling their part of the contract, but that the city was honor bound to live up to it. He said that maybe the tramway was a slight damage to some of the property but that the mill's benefit to the community more than offset it.

J. H. Flanagan in a letter took the same stand as Judge Coke. Irvy Condon and F. P. Norton, who were on the council when the franchise was first granted, took the same stand. Furthermore, Mr. Norton said that lots he had bought on Second street prior to the building of the tramway and mill for from \$50 to \$200 apiece he had recently refused \$400 apiece for them.

R. M. Jennings said that the matter appealed to him as a very big proposition—the proposition of whether the city of Marshfield was going to be honest or dishonest. He said that if the city was to "gig back" on its promises or agreements and try to evade doing what was right, the reputation of the city and community would be seriously damaged. He said that he regretted that Mr. McKnight was speaking from a legal standpoint instead of from a personal standpoint that he felt certain he would not question for a minute what the council ought to do—grant the franchise and make the city's word good.

Dave Mussen, one of the property owners wanted the council wait a while as he said the property owners could probably effect an agreement with the C. A. Smith company whereby a different route could be granted them.

Mayor Straw then told the history of the matter, he having been mayor when it first came up. He said that the granting of the franchise had been one of the conditions upon which Mr. Smith located the mill here at a time when Marshfield was about "fall flat." That the drafting of it had been left entirely to the city and that he felt that city should make good at once.

Dr. Mingus said there was only one thing for the council to do and that was to maintain the city's integrity by granting the franchise immediately.

### Views of Council.

Councilman Cople said that he had resolved never to be a party to reroading a franchise through. He said that as there was still a few weeks in which the company was not prevented using the tramway and he wanted to give it more consideration. He didn't favor a lifelong franchise, wanted electric motors used and thought provision should be made for ending the franchise when the city reached a certain population.

Councilman Albrecht wanted provision made for the company to keep up the tramway at its own expense.

Mr. McKnight again asked that action be delayed to permit more consideration. He said that not for an instant did he think the franchise should be denied the company but he wanted more consideration given it.

Councilman Ferguson said it was merely a matter of whether the city was going to keep its word and he thought it should. He pointed out the big benefits the community had enjoyed from the C. A. Smith company locating here.

Mr. Cople wanted to know of Mr. Booth if the company wouldn't consider changing the terms of the franchise, but Mr. Booth said that he was not authorized to change it in any particular. He said he merely wanted the agreement and promise of four years ago ratified. He said it was the company's intention to use motors as soon as the street was made strong enough to support them.

Councilman Coke said that he didn't believe any property owner was damaged by the tramway and pointed out the big advance in property values in that section following the opening of the mill.

Mayor Straw and Councilman Cople had a little tilt over the latter expressing his views of the matter when the latter said he wanted to apply some "common sense" to it. Mayor Straw said it was impossible and Mr. Cople retorted that he was talking about the council using common sense and not the mayor.

Mr. Booth said that Tuesday afternoon, he had been served with an injunction prohibiting the use of the tramway and service over it was stopped. Mr. McKnight said that W. U. Douglas, who is fighting the tramway franchise, had offered not to enforce the injunction if Mr. Booth would delay the franchise application and the latter refused and the injunction had then been invoked.

Finally Mayor Straw called the vote on the franchise and it resulted in Coke, Ferguson, Savage and Powers voting for it and Cople and Albrecht against it.

This carried the franchise. Nasburg Holds Back.

Former Councilman J. N. Nelson who is now heading movement for the improvement of North Front street reported to the council that Claude Nasburg is now threatening to delay the proper improvement of the street by refusing to pay his share towards the cost of the bulkheading for the fill. Mr. Nelson said the bulkheading should extend along Nasburg's property but Nasburg wouldn't pay for it.

Councilman Powers and Coke said that Nasburg had been one of the

principal advocates of having the street improved and they couldn't understand how he could be kicking on bearing his share of the expense now. They urged Mr. Nelson to go ahead and try and force him to improve.

Mr. Nelson was also given permission to go ahead and fix the bulkhead in front of the ferry landing even though it may interfere with traffic.

### Other Matters.

Dr. Houseworth's application for grading Twelfth Court near his residence was brought up. He wanted the city to have an engineer give him the probable grade and estimate of the dirt moved. It was finally decided that Dr. Houseworth should hire a private engineer at his own expense.

The license of the National saloon was ordered transferred from John Snyder to Mirrasoul brothers.

Contractor Morrissey was ordered paid \$49 on his Market avenue manhole contract. Other contractors were ordered paid small amounts.

A warrant for about \$2,800 on the North Cedar street contract was ordered drawn in favor of Hugh McLain. This matter is in litigation and it may be a couple of years or more before Mr. McLain is able to get his money owing to the litigation as to who owns the property and the council decided it would be only fair to allow Mr. McLain six per cent interest on this balance. The interest may have to be paid out of the city general fund.

Mrs. A. R. Sears application for a rebate on North Cedar street owing to a bridge being put in front of her property instead of a fill was taken up and it was agreed that she was entitled to about \$40, but it can't be paid now owing to there being no money in the fund.

An alias warrant was issued for the collection of assessments on Flanagan avenue.

A rebate of \$11.04 was ordered divided among the property owners assessed for the improvement of the alley in block 15, South Marshfield.

The council adjourned for two weeks.

**Regulate Moving Pictures.**  
An ordinance prohibiting the showing of obscene, immoral or degrading films and sparring matches or prize fights was adopted. A fine of \$10 to \$50 for the first offense may be imposed, the license taken away for the second offense and a jail sentence of not exceeding fifty days imposed for a possible third offense.

### CARD OF THANKS.

I hereby wish to express my thanks for the kindness and sympathy shown in the illness and death of my brother, W. A. Morris.

JASPER J. MORRIS.

### ARRIVALS AND DEPARTURES OF VESSELS DURING FEBRUARY 1911

ARRIVED:		DEPARTED:	
Feb. 2.	Str. Breakwater	Feb. 2.	Alliance
" 2.	Alliance	" 4.	Nann Smith
" 2.	Nann Smith	" 4.	Breakwater
" 3.	Plant	" 5.	Alliance
" 5.	Alliance	" 6.	Plant
" 5.	Omega, schr.	" 10.	Fifield
" 6.	Fifield	" 11.	Nann Smith and Breakwater
" 8.	Redondo	" 11.	Alliance
" 9.	Breakwater & Nann Smith	" 16.	Schr. Omega
" 11.	Alliance	" 16.	Alliance
" 16.	Breakwater, Nann Smith and Alliance	" 18.	Nann Smith and Breakwater
" 16.	Bandon	" 19.	Bandon
" 18.	Redondo	" 20.	Redondo
" 22.	Alliance	" 23.	Alliance
" 23.	Breakwater and Nann Smith	" 25.	Nann Smith and Breakwater
" 26.	Alliance	" 26.	Alliance
" 27.	Redondo and Grace Dollar.		

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(By Associated Press to Coos Bay Times.)

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"Just In"—Smart hats in great profusion. Trimmed and semi-trimmed hats. All the spring styles will be in evidence at the preliminary showing at our store on Thursday, Friday and Saturday of this week. This showing embodies all the correct styles and the prices are moderate. CLARKE MILLINERY.

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- 6-cross panel Doors, for staining \$1.30
- New Craftsmen Door, for hangings \$1.60
- 2 1/2" Windows, check rail \$ .75c up
- 2 1/2" Doors, Sash \$ .42c up
- Curbboard Doors, with plain glass \$1.00
- R. D. Door Frames 7 1/2, R. D. Sash Frames 9 1/2

Do not fail to send me your list of materials for prices and freight charges. Ask for Catalog No.

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