

Coos Bay Times

MEMBER OF ASSOCIATED PRESS

WANT ADVERTISING in The TIMES Will Put Your Real Estate "in the Market" Effectively!

WANT ADVERTISING in The TIMES Will Keep the Income from Your Furnished Rooms from Lapsing!

Established in 1878 as The Coast Mail MARSHFIELD, OREGON THURSDAY, MARCH 7, 1912 - EVENING EDITION. A Consolidation of Times, Coast Mail and Coos Bay Advertiser. No. 201

HOLDS CIRCUIT COURT HAS NO JURISDICTION IN ELECTION CASE

Judge Coke's Decision Brings Marshfield Mayorality Contest to Abrupt End.

A. COPPLE LOSES IN SUIT AGAINST STRAW

Right to Amend Defect in Petition for Appeal to Supreme Court Granted.

Holding that the Circuit Court has no jurisdiction in the case, the election contest of R. A. Copple vs. E. E. Straw over the Marshfield Mayorality was brought to an abrupt termination this morning by Judge John S. Coke.

Judge Coke in his ruling held that the Marshfield city charter makes the city council the judge of such contests.

Besides this ruling, which terminates the case in the Circuit Court, Judge Coke held that the petition of the plaintiff, R. A. Copple, was insufficient in that he did not show that the petitioner was an elector, but was right to amend the petition in that respect was granted.

Judge Coke in announcing the decision in the case stated that the Circuit Court had no jurisdiction for the reason that the Marshfield charter provides "that the common council shall be the final judges of the election and qualifications of the mayor, recorder and members of the council and in case of a contest shall determine the same."

Whether Mr. Copple will appeal the case to the Supreme Court has not been announced. An appeal to the Supreme Court and the attendant delays would probably mean that a decision in the higher court would be obtained until the term of the court which is in controversy had expired.

MANY ARRIVE ON BREAKWATER

Partnership in Today From Portland With 103 Passengers.

The breakwater arrived in about 10 o'clock today from Portland with 103 passengers and a big cargo of miscellaneous freight.

On the freight, she had two autos, one for J. A. Lamb of Coquille and one for J. C. Walling of Coquille.

The breakwater will sail at one o'clock Saturday afternoon for Portland.

Among those arriving on the breakwater today were the following: W. Wright, S. Wheaton, O. E. Wardlaw, G. W. Reese, W. Childer, C. Getke, D. R. Wheeler, Mrs. Wheeler, M. A. Cohen, Mrs. C. Cook, W. C. Cook, C. W. Martin, W. Ray, H. F. Ray, Mrs. G. W. Dillon, G. W. Kaufman, Kaufman, F. LeRoy, W. D. Ryan, I. P. Pans, W. A. Healey, Larsen, Mrs. A. Shellcomb, Mrs. Anker, A. Shellcomb, Mrs. Meador, J. H. Brathers, G. W. Weldon, A. E. Ames, J. F. Sommons, J. R. Hones, F. G. Hones, Mrs. Hones, C. Young, W. Livengood, Mrs. Livengood, H. Hight, C. J. Kern, Blonder, A. A. Hale, H. E. Miller, Miller, A. Kirkland, T. Brown, P. O. Hunter, J. W. Bennett, A. Granger, J. L. Tolls, Sister General, L. J. Jackson, Mrs. Peterson, T. Peterson, A. Peterson, W. Wilken, H. Foss, Miss Sixton, Mrs. J. C. Sane, E. Blum, J. S. Barton, A. E. E. Meyers, Mrs. Meyers, R. Stenhaus, R. D. Richey, I. M. F. M. Reeves, F. M. Compton, Hamline, Mrs. L. Turner, Ruby, O. S. Mish, B. F. Kramer, N. W. Schult, C. L. Kraus, Mrs. McSamara, C. B. Landers, S. H. C. Hall, Y. Kato, J. Anderson, A. Holla, O. H. Black, J. Peterson, O. Lemek, J. Sarata, C. E. P. Johansen, T. Holsing, S. Strowbridge.

Shipping TACKLE at Milner's.

See the show try a Turkish Bath

See the show try a Turkish Bath

See the show try a Turkish Bath

See the show try a Turkish Bath

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THE PEOPLE'S INDIFFERENCE

HERE are times when the staunchest advocate of government direct by the people is sorely tried by the indifference of the people themselves to their opportunity—an indifference that almost amounts to shirking of their duty as citizens.

"Does it not appear to the taxpayers that they should take some interest in the kind of man to represent them and select their representatives from among those whom they have a right to expect would protect the interest of the taxpayers instead of known incompetents, from whom nothing of benefit can be expected, and whose incumbency in office is a burlesque and a farce?"

"With a state tax rate double what it was last year and a waste of the money of the people like a drunken sailor in charge, is it not worth while for the people upon whose shoulders fall the weight of this intolerable condition to step out from their indifference and demand a new deal?"

The fact is that the people never have any real trouble in making their wishes known or their powers effective when they are really aroused. All of our governmental troubles, past, present and prospective, come from the people's indifference.

The Times is a believer in and an advocate of the Oregon system of government; the initiative and referendum, primary nominations and the recall. The Times thinks these are not the final words in good government but they are a step in advance of the old system and should not be permitted to be strangled by their enemies because of public indifference.

The people of Coos and Curry counties should see that their candidates for the legislature should really represent them and represent the principles which the people have endorsed and enacted at the polls.

Every citizen should participate in the primaries and the election. Every citizen should be a registered voter.

The Times is not certain but there should be a law enacted providing that when a citizen willfully neglects to register or vote he should be penalized by being deprived of his citizenship for a certain period.

Be a good citizen and REGISTER!!!

PERKINS VISITS ROOSEVELT AND CAUSES BIG SENSATION

Visit of New York Financier at Sagamore Hill is Latest Development in Politics—Roosevelt's Views.

MINEOLA, L. I., March 7.—"I don't see why anyone should be concerned over such unimportant things," said Col. Roosevelt when he reached Mineola for jury service today and was asked to say something about the visit of George W. Perkins at Sagamore Hill last night.

"Why," continued the Colonel with a grin, "I would see Rockefeller, Morgan, Perkins and Jim Hill all together if they wanted to see me. I would see Gompers, Mitchell, Detective Burns and McNamara if he was pardoned out of jail."

"I will see anybody I want to at any time. If they don't want it known that they have seen me, I won't tell. If they do want it known, I will tell."

Roosevelt was again excused from jury duty today.

NEW YORK FOR TAFT. Woodruff Claims He Will Have 80 of the 90 Delegates.

WASHINGTON, March 7.—Timothy L. Woodruff of New York, former state Republican chairman, predicted today that Taft will get eighty of the ninety New York delegates to the National Republican convention.

PERKINS FOR ROOSEVELT. Doesn't See Why His Visit Should Cause Such a Stir.

NEW YORK, March 7.—"It is curious," said George W. Perkins today, "that the papers should try to make a mystery out of my calling on Roosevelt yesterday when every one knows I am for him. I did see Senator Dixon last night. He is making a heroic fight against the tremendous odds of a powerful political machine, to give the people of this country a chance to express their preference for president. My talk with Dixon was about this very important matter."

USES DYNAMITE TO KILL SELF IN WESTPHALIA

Danbury Coachman Assaults Girl and Then Blows Himself to Pieces.

DANBURY, Conn., March 7.—George Mead, coachman of Rev. Frank Hartfield, rector of the Episcopal church at Brewsters, N. Y., made a murderous attack on the two daughters of the rector and then blew himself to pieces with dynamite.

The girls were taking some tools to him in the carriage house when he assaulted Amy, aged 21, over the head with a pair of pliers. Ruby, aged 20, escaped and gave the alarm. Amy soon recovered consciousness and ran from the place just before a terrific explosion wrecked the building. Mead's mangled body was found in the ruins.

STIMSON IS SILENT. (By Associated Press to the Coos Bay Times.)

WASHINGTON, March 7.—Secretary of War Stimson held a brief conference with President Taft today and announced when he left the White House that he expected to see the president later and discuss the Mexican situation.

PLOWS, HARROWS and CULTIVATORS at MILNER'S.

TAMALES for SPECIAL occasions made to ORDER. Phone 263J. SARTER'S.

PORT COMMISSION IN ABSOLUTE CONTROL OF TIDE FLAT AREA

NEW PLAN IN HIGH SCHOOL

North Bend Will Test Out One Session a Day There for a Month.

The North Bend High School today introduced an innovation in the one session a day plan. Beginning this morning school opens at 8 o'clock and closes for the day at 12:30.

The plan has been under consideration there for some time owing to the distance that some of the pupils reside from school. This made it difficult for them to return home for lunch in the usual luncheon period.

The school board yesterday decided after the pupils had been consulted to place the new plan in operation for a month to test it out. If it works satisfactorily it will be made permanent.

The change in hours does not curtail the school work in any way. One intermission of fifteen minutes is given in the forenoon and the seven study periods remain the same.

The plan is generally followed in the high schools of the larger cities.

Supt. Raab, who has been considering the matter for a long time, believes that a big advantage to be gained will be the separation of the older children and the younger pupils during the long noonday recess, there being constant annoyance on this score.

SCOTT FOUND SOUTH POLE

Capt. Amundsen Confirms the Rumor of Success of Antarctic Explorer.

WELLINGTON, March 7.—Captain Ronald Amundsen, the Norwegian explorer, stated today that Captain Scott, the British explorer, had reached the south pole.

LONDON, March 7.—The first message containing a statement from Amundsen that Scott had reached the south pole was received from Wellington, N. Z., by the Daily Express.

PEARY IS GLAD. Discoverer of North Pole Pleased Over Scott's Success.

WASHINGTON, March 7.—Rear Admiral Robert E. Peary, U. S. N., retired, the Arctic explorer and discoverer of the north pole, today said he was glad to hear that Scott of the British expedition was the first man to succeed in reaching the south pole.

It is said on good authority, according to a special dispatch here from Christiania, Norway, that Captain Amundsen, the Norwegian explorer and a leading rival of Scott, did not reach the south pole.

Mrs. Scott, wife of the British explorer, has not received direct news from her husband about his reported success. Lieutenant Evans of London, secretary of the Scott expedition, authorized the statement that no news whatever of Scott's reported success had reached the headquarters beyond newspaper dispatches.

AMUNDSEN AT SOUTH POLE?

Copenhagen Paper Claims Fram Expedition Reached There Also.

COPENHAGEN, March 7.—The social Demokrat publishes a dispatch from Christiania saying a private in-

Judge Coke Hands Down Important Decision in Local Case Today.

WILL AFFECT MILLIONS OF DOLLARS IN STATE

Action of P. Hennessey, Jane Chadwick, et al. vs. Coos Bay Port Commission.

In handing down a decision in the case of P. Hennessey, Jane A. Chadwick, et al., vs. the Port of Coos Bay Commission this morning, Judge John S. Coke in Circuit Court held that the port commission has absolute control of the tide flats of Coos Bay back to the ordinary high water line.

The decision is one of the most important and far-reaching that has been handed down in many years. It affects many thousands of dollars worth of property on Coos Bay and will affect property running into the millions if sustained in the Oregon Supreme Court to where it will undoubtedly be carried.

Judge Coke delivered a lengthy verbal opinion in the case. He held that the Port Commission has the right to establish wharf lines and also has the right of police control over navigable waters to the ordinary high water line.

He stated that the tide flats were originally held by the state in a dual capacity, one being that of trustee for the people and the interest the public had in them in their relation to navigation. He held that the state had no right to deed or transfer this right of the people and that the only deed or title or interest in them that the state could cede to private purchasers was that part which had no effect on navigation.

It is stipulated in the act whereby the tide lands became the property of the state that the rights of the people to them in so far as they affected navigation should be reserved to the public. Judge Coke held that the present private owners bought them subject to this law.

The effect of the decision is that the public through authorized port commissions has absolute control of the tidal areas without either purchasing or condemning the tide lands.

It means that private owners of tide lands can utilize only those features of their property which the public does not want. It also means that the tidal area cannot be reduced by being bulkheaded and filled, that is only that portion of it which the Port Commission may not deem necessary, which is bound to be very small. The Port Commission will have the right to prescribe whether buildings may be erected and how within the limits of the ordinary high water lines.

FUNCTION AT PEKIN. New President of China to be Inaugurated There.

SAN FRANCISCO, March 7.—Chinese newspaper advices state that the national Chinese assembly in session at Nankin yesterday sanctioned the inauguration of President-elect Yuan Shi Kai at Pekin instead of at Nankin, as originally planned.

FLOATER IS FOUND TODAY

Body of Unknown Man Discovered Near Stave Mill—Unknown Logger.

Coroner F. E. Wilson was notified late this afternoon that a floater had been found in the bay near the old Stave Mill. He left for there at once.

No particulars were given other than that the body appeared to be that of a logger.

No one has been reported missing lately and who the victim can be is a matter of much speculation.

CHRISTIANA, March 7.—King Haakon of Norway, who was to have received news from Amundsen if he had been successful in attaining the south pole, has not heard from the explorer.

EARLY MILLINERY SALE. First showing of new SPRING MILLINERY all this week at CLARK MILLINERY.