

Coos Bay Times

MEMBER OF THE ASSOCIATED PRESS

WATCH THE WANT ADS. There are many good bargains to be found there. Anything lost or found is always advertised in The Times.

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PROMINENT PORTLAND MEN INDICTED BY FEDERAL GRAND JURY

Representatives of Ten of the Largest Produce Commission Firms in Drag Net.

CHARGED WITH COMBINE IN RESTRAINT OF TRADE

Members of Produce Merchants' Association in Serious Trouble.

Portland, Feb. 5.—Indictments were returned here today by the federal grand jury against representatives of ten of the largest produce and commission merchants in this city. They are charged with forming a combination in restraint of trade and with a conspiracy to ruin the so-called independent produce merchants through an organization known as the Produce Merchants' Association of Portland. Those indicted are: F. H. Page, E. A. Bamford and N. Dilley of Page & Son; Ben Levy and John Cole of Ben Levy & Co.; M. W. Caldwell of Pacific Fruit and Produce Co.; Timothy Pearson of Pearson, Page & Co.; John A. Bell and W. A. Mansfield of Bell & Co.; W. H. Dryer of Dryer, Bollan & Co.; H. B. McEwen of McEwen & Maskey; Mark Levy of Mark Levy & Co.; Charles E. Levy and E. B. Levy of Levy & Spiess; W. B. Glafke of W. B. Glafke Co.

The indictment charges that the association was formed to eliminate competition and also charges that by refusing to sell in less than carload lots and at advanced prices to concerns which refused to enter the combination these were hampered when not actually forced to retire from business.

RAILWAY NEWS OF COOS BAY

Bradford Wheeler Says Work Will Soon Be Underway; Many Wild Rumors.

Bradford Wheeler of the construction department of the Southern Pacific and understood to be on Coos Bay as the special representative of Chief Engineer Hood, is going over the situation here pretty thoroughly. He did not care to give out any interview beyond the statement that the steel for the work on this end had been ordered and that actual construction work would be under way within ten days.

Many rumors and stories of railroad activity are afloat. Somebody circulated a story yesterday that the Southern Pacific was going to buy a private right of way through North Bend and spend a large sum of money there. Right of Way Agent C. H. Marsh stated today that the story was absolutely without foundation. He said that the Southern Pacific has the necessary right of way through North Bend. He jokingly remarked that the Southern Pacific had \$40,000,000 which they were going to spend in buying right of way through Marshfield.

Mr. Marsh said that yesterday they were looking over the right of way in North Bend to determine what they would do with some of the houses and buildings on the property. He said they might decide to settle the house formerly owned by Dr. Bartle and have it moved away.

It was reported that more representatives of the Southern Pacific would reach here on the Breakwater.

New Common User. There have been no developments in the situation so far as the negotiations between the Southern Pacific and the Terminal Railway are concerned, so far as could be learned today.

One rumor had it that possibly an effort would be made to amend the "common user" clause in the Terminal franchise, which many claim is worthless. In view of the possibility of the Terminal railway changing ownership, it is pointed out that the common user clause should be made strong and definite. Some have suggested that the Marshfield city council insert the Terminal franchise that the government is inserted in the bridge permit.

A FRESH SUPPLY OF FRESH OLYMPIA OYSTERS JUST RECEIVED. Free Delivery. PHONE your ORDER to PHONE 73-J.

WOMEN TIRE OF JAIL SENTENCE

Suffragettes Are Paying Fines in London—Miss Pankhurst Sentenced.

London, Feb. 5.—Miss Sylvia Pankhurst, suffragette leader, was sentenced to two weeks' imprisonment or a fine of \$10 at the Bow street police court today. The same punishment was meted out to 19 other women who participated in a raid on the House of Commons with "General" Mrs. Drummond, January 8. As Miss Pankhurst was led away she shouted: "I shall not serve this sentence." This probably was correct as the leaders of the militants have become tired of jail and their fines are now invariably paid by some third party.

TRY JACK JOHNSON. Negro Pugilist's Case Is Set for February 25.

CHICAGO, Feb. 5.—The trial of Jack Johnson was set today for February 25.

JUDGE HALL IS CASE WINNER

Judge Bean Decides Against Christian Herrmann in Suit.

The decision of the United States District court at Portland in the case of Christian Herrmann vs. Judge John F. Hall, Henry Seugstacken, et al. involving about 240 acres of property at Eastside, was received here this morning. The decision is a complete victory for the Coos Bay men, Judge Bean ruling against Herrmann on practically every point and ordering the suit dismissed.

The case caused much comment on the Bay on account of Herrmann charging fraud in the sale of the property. Judge Hall was attorney for Mrs. Herrmann, who was administrator of the estate of her first husband, John Norman. While she was in Germany and soon after she married Christian Herrmann, he represented her in sales of property. Among the sales was that of the Eastside tract to Henry Seugstacken, Ren Smith and others. After the latter had bought it, Herbert Rogers dropped out of the syndicate, and Judge Hall took part of Rogers' subscription.

Later Mrs. Herrmann died and Herrmann married a second time. He and his wife came to the Bay and then he discovered that the property had greatly enhanced in value. He then began suit to nullify the sale on the ground that Hall had not represented them properly, but Judge Bean holds that Hall did not do any wrong.

The decision clears up the title to the Eastside property, much of which has been sold in lots.

Decision in Case.

The full text of the decision is as follows: In the District Court of the United States for the District of Oregon. Christian Herrmann, complainant, vs. John F. Hall, et al. defendants. Robert J. Upton, Henry St. Raynor and C. I. Reigard, attorneys for complainant, and C. R. Peck and C. A. Sehlbrede, attorneys for defendants.

R. S. Bean, D. J. (Memorandum Opinion.)

There is nothing in the record to support the charge of actual fraud made in the bill. On the contrary, the facts clearly show that the sale of the property in controversy by Hall, as attorney in fact for Mrs. Herrmann, was entered into by all the parties connected therewith in the utmost good faith. It was made for \$400 more than the price fixed by Mrs. Herrmann and for its full market value at the time. Several witnesses for the complainant testified that its market value at the time of the sale was in excess of the amount paid therefor by the defendants, and while I think these witnesses intended to testify to what they believed to be the fact, I am constrained, in view of the other testimony, to conclude that they were mistaken in the year and had referred to real estate values in 1906.

(Continued on Page Six.)

MUST PAY BACK MONEY HE STOLE

Judge Hall Paroles Phil Lennon of North Bend and Provides for Reform—Gives Him Good Advice.

COQUILLE, Ore., Feb. 5.—Judge John F. Hall in juvenile court here yesterday granted a petition for the parole of Phil Lennon, the sixteen-year old son of Mr. and Mrs. John Lennon of North Bend, who was found guilty of aiding in the robbery of the North Bend News Company. Lennon had been previously sentenced to an indeterminate term in the state reform school, but sentence

was suspended pending the trial of Clint Akers, the pal.

In granting the parole, Judge Hall made it condition on Lennon's good behavior. He gave him a good talking to in the nature of fatherly advice. He told him that he must go to work at once and that he would have to pay Allen about \$150. Judge Hall told him that he would have to apply one-half of his salary each month on this account. He also told Lennon that he must keep away from billiard, pool and card rooms and must keep good company and shun evil companions.

The parole may be revoked at any time in case Lennon does not live up to its provisions.

TOBACCO MELON IS CUT TODAY

Over \$6,000,000 Divided Among Stockholders of Trust; Like Standard.

NEW YORK, Feb. 5.—More than \$6,000,000 will be distributed among the holders of the common stock of the American Tobacco Co., from a 15 per cent extra dividend declared today. Like the \$40,000,000 "melon" divided last week by the Standard Oil Co., the extra dividend results from the supreme court decree dissolving the old corporation and represents the sale of treasury securities in conformity with the decree.

FARRELL HELD TO GRAND JURY

New York Bomb Maker Placed in Tombs Pending His Indictment.

NEW YORK, Feb. 5.—John Paul Farrell, janitor and confessed bombmaker, was arraigned before a coroner's jury today and remanded to the Tombs, charged with murder, to await the action of the grand jury.

The police have confirmed all the details relative to his connection with the Herrera case, but have not yet determined whether he told the truth, lied or had a hallucination about the Taylor and Kozalsky cases.

FIND FOSTER'S DEATH NATURAL

Physicians Find That He Died of Bright's Disease—No Inquest Necessary.

That Chas. Foster, who was found unconscious and dying in the house of Hazel Cameron on North Front street, last Friday, died from natural causes, is the report of two physicians who performed autopsies on the deceased. The reports were made by Dr. E. Mings and Dr. Horsfall to Coroner Wilson and Deputy Prosecuting Attorney Liljeqvist yesterday. They state that death was caused by Bright's disease and that the injuries about the body were not sufficient to have contributed to any extent towards death.

In consequence of these reports, no inquest will be held.

Deputy Prosecuting Attorney Liljeqvist was here from Coquille yesterday and went into the case pretty thoroughly with Coroner Wilson. They were unable to find any evidence to show that Foster was in any way involved in the fracas that occurred near the Cameron house a week ago.

It is now believed that Foster, overcome by the disease, fell and bruised his head and that the other bruises about the body were the result of his effort to move himself to secure assistance. He must have been lying on the floor for two or three days in a helpless condition.

MANY ARRIVE ON ALLIANCE

STEAMSHIP IN THIS AFTERNOON FROM PORTLAND—WILL SAIL EARLY TOMORROW MORNING.

The Alliance arrived in this afternoon from Portland. She had a fair passenger list for here and a large number of through passengers for Eureka. She had a miscellaneous cargo of freight.

The Alliance will sail at 6 o'clock tomorrow morning for Eureka.

Among those arriving on her were the following: B. H. Munson, R. L. Phillips, F. A. Daly, G. W. Hollister, W. H. Brown, M. C. Kertson, Geo. Howit, A. L. French, and John Talley.

MURDER IN PARIS. Prominent French Official and Nurse Are Slain.

PARIS, Feb. 5.—Eduard Peltier, a high official in the French Department of Justice, was murdered in his residence here today. A woman nurse who was attending him was also killed.

BULGARIANS CONTINUE ATTACK ON FORTS AT ADRIANOPLE TODAY

WILD SCENES IN OLD JAPAN

Political Turmoil Follows Censuring of Premier—Nobles Thrown from Rigs.

TOKIO, Feb. 5.—Exciting scenes were witnessed during the dispersal of the Japanese diet today, after a vote of censure on the government of Premier Katsura had been carried. The exits from the chamber were thronged with people who cheered the members of the Constitutional party, while they assailed Saburo Shimada and other so-called leaders of the national liberal party. These were thrown out of their rickshaws when they attempted to drive away. Efforts to duck them in the canal were frustrated by the police.

WILSON STILL ABOUT CABINET

President-elect Intimates He May Not Announce Members Before Inauguration.

TRENTON, N. J., Feb. 5.—President-elect Wilson sees no particular reason why he should announce his cabinet before he is inaugurated, though he indicated today that he will try to reach a decision as to selections before that time. Mr. Wilson said that he recalled that Cleveland did not make his announcement until after his inauguration, though the Governor said he hoped he will not find it necessary to follow that precedent.

PLANS ARE MADE.

Program Completed for Inauguration of President Wilson.

WASHINGTON, Feb. 5.—The official program for the inaugural ceremonies was completed today. It follows in detail the plans of the inauguration of Taft and Sherman four years ago.

CASTRO IS HONORED.

Invited to Luncheon with Governor Sulzer of New York.

NEW YORK, Feb. 5.—Cipriano Castro, ex-president of Venezuela, today accepted an invitation to take luncheon with Governor Sulzer at Albany tomorrow.

KING NOT COMING.

Alphonso Will Not Visit America At Present.

MADRID, Feb. 5.—King Alphonso will not visit America, according to an official statement issued today.

ROADS FOR ALASKA.

Special Commission Reports in Favor of New Line.

WASHINGTON, Feb. 5.—The Alaska railway commission has reported to President Taft that one more extensive railroad will be needed to properly open up Alaska resources. The report, which the president will send to congress, says there are several available routes from the coast to the far interior of Alaska, but no recommendations are made as to the choice of routes.

U. P. MEETING HELD.

NEW YORK, Feb. 5.—The executive committee of the Union Pacific railroad held another meeting yesterday but it was unproductive of any news regarding the dissolution of that road from the Southern Pacific.

BEACH ON TRIAL.

New York Broker Charged With Assaulting Wife.

AIKEN, N. C., Feb. 5.—The taking of testimony in the case of F. O. Beach, millionaire New York broker, charged with attempting to kill his wife, continued today. The evidence today referred to the struggle at the point where Mrs. Beach was attacked.

Fighting Continues Along Fortifications but News of Results Held Back.

BULGARIANS BARRED RED CROSS THERE

Newspaper Men Also Kept Back—Reports Turks Are Losing Ground.

WAR BULLETINS.

LONDON, Feb. 5.—A sharp engagement began late today on the Tchatalja lines, according to a dispatch from Constantinople. The roar of the cannon is said to be plainly audible in the Turkish capital.

LONDON, Feb. 5.—During the retreat by Turkish soldiers from Adrianople today, 1000 of them were taken prisoners by the Bulgarians, according to a dispatch from Sofia.

Report From Sofia.

LONDON, Feb. 5.—The bombardment of Adrianople, which began Monday, proceeded without interruption today. The report was spread that the Bulgarians had decided to suspend operations for twenty-four hours so as to give the Turkish garrison opportunity for surrendering. This appears, however, to be without foundation, according to army stories spread broadcast in reference to the conditions around the beleaguered fortress. A message from Belgrade this morning speaks of the heroic conduct of two Serbian regiments, which participated in the attack on the outer circles of forts. There are no means of verifying this or any other reports, as whatever fighting is going on, is, so to speak, being carried on behind closed doors so far as the outside world is concerned.

Report From Sofia.

SOFIA, Feb. 5.—The bombardment of Adrianople continued today on all sides of the city. The Bulgarian army headquarters report yesterday (Monday) passed without fighting along the Tchatalja lines.

The forty-eight hour bombardment of Adrianople by the allies has thus far resulted in only eight deaths within the city and the injury of ten others, according to Turkish war office officials' statement. Fifty private houses were set on fire. The bombardment continues.

GOES TO FRONT.

Turkish Grand Vizier Leaves for Field Headquarters.

CONSTANTINOPLE, Feb. 5.—Mahmoud Sheakat Pasha, grand vizier and minister of war, left for the front at noon today. His departure is taken to indicate some forward action is contemplated by the army at Tchatalja.

RED CROSS BARRED.

Bulgaria Will Not Permit Medical Aid for Adrianople.

BERLIN, Feb. 5.—The Bulgarian government has refused to grant the appeal made by the German Empress to the Queen of Bulgaria for permission for the German Red Cross expedition to enter Adrianople to attend the Turkish sick and wounded. After the German minister at Sofia tried in vain to secure permission, the German Empress telegraphed Queen Eleonore to use her influence, but the Bulgarian government says tactical considerations make the request impossible.

TURKS WIN FIGHT.

Bulgarians Are Easily Repulsed at Adrianople.

CONSTANTINOPLE, Feb. 5.—The garrison of Adrianople, according to an official report, easily repulsed the attack Monday night by the Bulgarians. Although no serious fighting occurred on the Tchatalja lines, the village of Tchatalja, which hitherto has been the limit of the Bulgarian lines is in flames, its destruction apparently having been decided on for tactical reasons.

GOLD BEACH IS TO HAVE GRAVITY WATER SYSTEM

GOLD BEACH, Feb. 3.—The Gold Beach Water Power and Light Co. is the name of a new company organized for the purpose of furnishing the very necessary requisites to the inhabitants of Gold Beach and vicinity. The company was organized January 23 with a capital stock of \$5000 and the following officers were elected by the directors: E. A. Bailey, president; J. R. Stannard, vice president; Frank G. Bauer, secretary; George D. Wood, treasurer, and W. A. Wood, general manager. The company will tap Riley Creek about a mile and a half from town and build a large reservoir, insuring water for use of all and of fire protection for the town. It will have a gravity system.