

COOSBAY TIMES

M. C. MALONEY Editor and Pub. DAN E. MALONEY News Editor

C. R. PECK IS MADE RECEIVER

The United States Circuit Court of Portland has named C. R. Peck receiver for the Bandon property purchased by LaFrance, and later transferred to his brother-in-law, J. C. Wofford, who in turn mortgaged it to G. T. Treadgold, of Bandon, for \$3000.

PICNIC AGAIN POSTPONED

President Johnson, of the Sons of Norway, is today more than ever convinced, with the immortal bard, that "Of all bad words of tongue or pen the baddest are these: 'It has rained again.'"

NORTH BEND YOUTH'S ROB

Son of Former City Engineer Brigham and Frank Fisher Held for Burglary.

Frank Brigham, better known as "Bud" Brigham, the 19-year-old son of former City Engineer Brigham, of North Bend, and Frank Fisher, aged 21, a stranger who has been in North Bend almost three weeks were yesterday bound over to the grand jury in the sum of \$1000 each at their preliminary, by Justice Schuster, on the charge of breaking into and entering the cigar and billiard room of Jack Nowlin.

The crime for which the youths are held was committed Thursday night and their capture was a result of a bit of clever detective work by Jack Nowlin. On two or three occasions recently his place has been entered and a number of articles stolen.

King did not wait long until the window was opened and young Brigham entered and was caught. Fisher, who was following Brigham, beat a hurried retreat and made his escape to the waterfront, where he was later apprehended and placed in the city jail.

Young Fisher refuses to give any information as to his former residence and says he has no home. Young Brigham takes his arrest nonchalantly and there is much sympathy for his parents. It is unlikely that they will be able to furnish bonds and they will be taken to the county jail next Monday.

GOOD BAND CONCERT.

Large Audience Hears Program at Masonic Opera House.

To a good sized crowd in the Masonic Opera House last evening the Coos Bay Concert Band discussed a program of seven numbers which pleased each and every one. The most applauded number of the evening was the rag, "Frozeu Blu," which received a hearty encore as did No. 6, "Songs of Scotland." In this selection the audience was treated to several solos by A. Landlee.

Probably the most finished number was the overture "Festival," which was charming.

Saturday Specials
160-acre stock ranch, \$15 per acre, Coos River; eight miles from Marshfield. Six acres under cultivation, house out-buildings, family orchard. Ten variety of berries, 76 fruit trees. Easy terms.
160-acre stock ranch, \$20 per acre. Daniels Creek, South Fork Coos River. Good grass country, excellent for grazing purposes, with good brook bottom. 1000 acres adjoining may be used for stock grazing. 72 acres slashed and in grass. Easy terms.
OTHER EXCELLENT RANCH BUYS.
Coos Bay Realty Co.
REID JONES HOFFMAN
150 Front street, opposite Grand Theater.

THE CITY WATER CASE

BASE FINDING ON FRANCHISE

Commissioner Aitchison Intimates Basis of Their Conclusion.

Whether the city of Marshfield wants the Oregon Railroad Commission to base its decision and order about rates and improvements in the system based entirely on the present franchise, or whether it wants the commission to take into consideration a franchise extension, was the question put up to City Attorney Goss late yesterday by Commissioner Aitchison, just before the conclusion of the hearing for the city.

Mr. Aitchison said that he understood that the present franchise has only about 14 years more to run and if that was to be taken as the end of the franchise, intimated that the improvements that would be ordered would be of a more temporary character than the kind that would be ordered if it had a longer term of service.

Mr. Goss said that under present instructions from the Marshfield City Council, he could only base his demands on the present franchise of the company and its lifetime. He said that he could readily understand that this might have a considerable effect on the commission's order either as to rates or the nature of the improvements ordered. He suggested that the commission make two orders, one conditional on an extension of the franchise and the other based on the present franchise's life of 14 years yet.

Mr. Aitchison said that the North Bend franchise had been referred to as a perpetual franchise and also as an unlimited franchise. He wanted to know which it was. J. N. Teal said that it was what is termed a perpetual franchise, but not as an exclusive franchise. He said that he referred to it as "what is known as a perpetual franchise" because people's views are ever changing as to perpetual franchises, intimating that the courts were not sustaining perpetual franchises. City Attorney Mullen agreed that it was supposed to be a perpetual franchise.

Mr. Aitchison said that in case Marshfield refused to grant a renewal of its franchise, it might mean a stop in the North Bend service, as the main to North Bend was through Marshfield. Mr. Mullen said that he believed that the company could condemn right of way for this pipeline.

Some Colon Bacilli. Dr. Bartle, of North Bend, testified yesterday afternoon about analysis of the Marshfield and North Bend water he had made. He said that in 1911, the water was very bad, but after publicity was given to the tests the service was improved and since then has been pretty good. He said that on June 4 he sent two samples, one showing colon bacilli and the other showing no impurities. He read of many tests, some showing a large amount of organisms. He said these were mostly from "dead ends" and while not injurious, made a fine breeding place for germs in case the system should be infected. This attracted Commissioner Miller's interest and he queried him considerably about it.

In response to Mr. Teal's questions, Dr. Bartle said that he had not known of any typhoid fever on the Bay except what had been brought in here, that it was an unusually healthy place for children. He said that in taking samples, it would be very easy to infect the sample. This was in answer to Mr. Teal's question that no contact of the hand or fingers with the water might infect the water going into the bottle for the sample.

Insurance Rates. Henry Sengstacken was recalled to the stand and queried about insurance rates. He said that with proper water pressure and a sufficient number of hydrants, the insurance rates should be reduced considerably, possibly 20 per cent. He said the average insurance rate in the City Hall block is now 5.50 per cent; west of Front street it is about 6.50 per cent. Mr. Teal wanted to know the rate on the Flanagan & Bennett Bank building and Mr. Sengstacken said it was 1.38 per cent on building and 1.40 per cent on contents. Mr. Teal said this would indicate that the class of buildings and tenants determined the fire insurance rate. Upon Mr.

Bennett's prompting, he wanted to know if the insurance rate wasn't over ten per cent before the water system was installed and Mr. Sengstacken responded that in places it was about ten per cent.

Value of Land. E. D. McArthur was called to testify about the value of the land in the water system. He did not know exactly about it but said that land near Roosevelt Heights, south of the water system was worth about \$400 per acre, and some \$550 or \$600 per acre. Mr. Teal objected to Mr. McArthur testifying because he would not qualify as an expert on land values.

Pressure Changed. Engineer Stutsman, of the Fire Department, was called as a witness. He testified that the pressure varied considerably, being generally about 55 pounds. He said that while the commission's experts were here it was about 60 pounds or over. He said the pressure was greater while they were here than it was before or since. Mr. Teal wanted to know why it was so. Mr. Stutsman said he did not know. Mr. Teal wanted to know if the pressure had increased much since the whole railroad commission had come, and Mr. Stutsman said no. He testified that during the fire near the old hand laundry, New Year's Day, the pressure was only about 25 pounds and that the fire engine pumped the mains dry two or three times.

Chandler Witness. W. S. Chandler this afternoon testified as to the value of the lands. He said that the coal tract of the Coos Bay Water Company was not good enough for export purposes and he did not think there was enough of it to add to the value of the land. He said it was a poor grade lignite with about 27 per cent carbon. He said it might be used for a steam plant on the land.

North Bend Pressure. Marshal B. P. Anderson, of North Bend, testified about keeping a record of the pressure at the different points in North Bend.

L. A. Loomis, fire chief at North Bend, testified that the pressure there was so poor that they had to almost disregard it and install a salt water fire protection system. J. W. Groat, of North Bend, testified that the land at the pumping station and reservoir was worth about \$250 per acre.

Arthur McKeown was called and testified about insurance rates. Flanagan Testifies. J. H. Flanagan, manager of the Coos Bay Water Company, was called and testified about the land values. He said that he considered \$900 or \$1000 per acre a reasonable price for the water company's land.

He said the water rights were worth at least \$50,000, owing to the difficulty of getting another source of supply. He said the Coal Bank Inlet supply did not compare with the Pony Inlet Supply. He estimated the lot at Fourth and Central where the warehouse stands to be worth \$12,000; two lots at Front and Broadway to be worth \$1200 each and three lots in North Bend to be worth \$2000.

He said the whole tract was underlaid with coal and that at the rate of ten cents per ton royalty, the coal alone was worth \$350 per acre. He said that the timber on the tract cruised 6,000,000 feet in addition to the piling. J. W. Bennett will follow Mr. Flanagan this afternoon.

WATER CO. TO GIVE EVIDENCE

(Continued from Page 1.)

acres being needed for the source of supply that really 35 acres or more in the drainage basin was needed. Mr. Gidley said that he considered the land too valuable to be so used, in view of the fact that the use of the surface water off it was so liable to contamination.

Mr. Gidley said that the Coal Bank Inlet source of supply was between a mile and a half and two miles from town. He said that there was a coal mine within two miles of where the pumping station would be located and that either steam or electricity could be used.

Cost of Improvements. Mr. Gidley said that his recommendation for improvements were not altogether based on the 14-year term as some of them would last much longer.

Commissioner Aitchison wanted to know if Mr. Gidley thought the citizens of Marshfield and North Bend would be willing to pay the increase in rates that would be necessary to pay for these improvements in 14 years.

Mr. Gidley said that he did not consider the improvements would be a total loss at the end of 14 years as they might sell it either to the city or someone else.

Mr. Aitchison said that they could not consider that because the franchise expired then. He said the wat-

June Is the Month of Weddings

And they say that there is "nothing half so sweet in life as love's young dream," but, say, have you ever tasted Sarter's candy? Any girl can tell you it is just as sweet as love. And the Sarter fountain drinks are as delicious as a dream.

er company had applied for permission to increase rates.

Consideration for People. City Attorney Goss interrupted asking Mr. Gidley if he did not think that the people and water users had to be given some reasonable consideration in regard to the necessity of these improvements. Mr. Goss in his question, which was really an answer to Mr. Aitchison, said that the company's old contract maintained yet.

Mr. Gidley said that the people certainly were entitled to consideration in the ordering of the improvements regardless of the cost.

Mr. Goss said that the railroad commission or state had no more right to guarantee the water company's investment than it had any other investor.

Mrs. Thorpe Witness. Mrs. R. O. Thorpe of South Marshfield, wife of Rev. R. O. Thorpe of the Norwegian Lutheran church, testified that they had to filter the water from the hydrant all the time, that it always contained more or less sediment, that often they could not get any water at all, etc.

Value of Land. I. S. Kaufman testified that he considered \$400 to \$500 per acre a liberal valuation for the land embraced in the water company's tract. He thought that \$500 per acre would be a liberal price for five acres in the reservoir site. He did not place any value on the timber or the coal. He said that they did not generally add additional value to acreage on account of the coal. He said that at Roosevelt Heights, the land sold for \$275 to \$300 per acre. He said there was a coal mine near there that already had been opened and that they had been offered a royalty of 25 cents per ton to work the mine. He said that the value of the acreage that far out was determined by the prospect of plating it as lots and that there was other use now that it could be put to that would pay an income on the valuation.

Alva Doll testified about the same as Mr. Kaufman, except that he declared that he did not think that the acreage at the reservoir site would bring more than \$300 per acre if put on the market now. He did not think a reservoir site would detract from the value of the surrounding land.

Buckingham Witness. City Engineer D. L. Buckingham said that he would concur with Engineer Gidley's testimony. However, he stated that he would not consider the water system and reservoir would be a dead loss at the expiration of the franchise because there is a constant demand for water for commercial uses by the factories and mills. Mr. Teal wanted to know if in reaching these mills it would not be necessary to lay pipes through the streets and Buckingham said it would in the city of Marshfield, but that there were other factories that could be reached outside of Marshfield without utilizing Marshfield streets for mains.

Dan Keating Testifies. Fire Chief Dan Keating testified that there was never sufficient water pressure for adequate fire protection. He said in answer to Mr. Teal that additional hydrants would give better fire protection providing greater pressure was provided. Mr. Keating said that at the time of the Ferndale fire there wasn't sufficient pressure from the hydrants to force water out of the nozzle of the 600 or 700 feet of hose that was strung, but later they hooked on the fire engine and got good pressure.

Commissioner Aitchison said that he had been informed that every hundred feet of hose detracted ten pounds from the pressure.

D. A. Nelson testified that in his neighborhood on South Sixth street, when one family was watering their lawn or garden, the others could not get water. Mr. Greene explained that there were four or five houses furnished by a three-quarter inch pipe. Mr. Corey said this had been lately remedied.

City Attorney Mullen of North Bend introduced a record of the pressure at the city hall and North Bend brewery. Engineer Corey of the Water company explained that the pressure at the city hall was on a two inch main, about 1000 feet from the big main and that as there were a number of consumers between the city hall and the large main, the pressure record given was not a fair one. Mr. Mullen did not know whether the pressure record from the brewery showed what it was in the main or service pipe.

There was a little tilt between Mr. Mullen and Mr. Corey about the pressure in Marshfield and North Bend. Mr. Mullen said he understood Mr. Corey to testify in the Sulphon

case at Coquille that there was loss of 15 or 20 pounds pressure in the main between Marshfield and North Bend. Mr. Corey said this would depend on the amount of water used in North Bend, but the pressure in the mains at North Bend and in Marshfield ought to be the same.

Good Testifies. D. L. Rood just before adjournment at noon today was introduced by the Water company as a witness in their behalf, who had volunteered his testimony. Mr. Rood testified that sometime ago the pressure at his house was not good but that he had cleaned out rust and found that the pressure was good. He said he was personally to blame for the lack of good service at his house, but now he had fine pressure although his house is as high or higher than the average residence in Marshfield.

C. H. McLaughlin this morning brought in a bucket of dirty looking water which he said he had drawn from the faucet at his home. Commissioner Aitchison objected to receiving it unless it was submitted by City Attorney Goss and when the latter did so, Mr. Aitchison said that they did not need it as they had been gathering some samples themselves.

RAISE PHONE RATE.

Railroad Commission Approves Advance on Farmers Line at Coquille. No objections were presented this afternoon to the Oregon Railroad Commission against a proposed raise in the rate on a farmers' line between Coquille and Riverton. Manager Douglas, of the Coos Bay Home Telephone Company explained that a better line had been put in and that the old rates of \$27 to \$29 per year were too low and the Commission approved the increase to \$12 per year or \$1 per month.

More Workmen.—Superintendent A. S. Riggs, of the Willett & Burr Company came over from Myrtle Point today on business. The company is endeavoring to rush the Smith-Powers line to completion. Yesterday the Nann Smith brought in about 30 workmen for them.

BIG BUILDING STRIKE TALK

Building and Trades Council Threaten a Nation-wide Tie-up.

(By Associated Press to Coos Bay Times.) CHICAGO, June 21.—Threats of a coast to coast strike in sympathy with the Chicago union men who were locked out by the Building Construction Employers Association, has been made by President O'Donnell of the Building and Trades Council. According to O'Donnell, union men in cities throughout the country are awaiting his word to drop their tools and tie up the construction work of the nation.

NOTICE. A special communication of Blanco Lodge No. 48, A. F. & A. M. will be held at Masonic Temple, Monday, June 23, at 8:30 p. m. Official visit of the Right Worshipful P. J. Miller, Sen. Grand Warden, special representative of the Grand Master.

Work in M. M. degree. All sojourning Master Masons in good standing invited. By Order of the W. M. Funeral of M. R. Brown.—Many sorrowing friends paid their last tribute to the memory of M. R. Brown, the Coos Bay pioneer yesterday afternoon. The funeral services which were conducted by Rev. H. I. Rutledge, the pall bearers were F. E. Aiken, J. O. Langworthy, I. S. Kaufman, G. N. Bolt, J. E. Cooley and Judge Hall.

BREAKWATER SAILS

Steamer Leaves This noon With Cargo and Passenger List. The Breakwater sailed this afternoon for Portland with freight cargo and a large passenger list.

The following is the list: H. E. Wells, A. Knorr, J. Rudman, Fred Leatta Smith, H. Hays, C. Buque, Jno. McKinnon, G. J. Carlson, Mrs. J. Carlson, Picher, S. G. Fain, Mrs. Mrs. M. Sweet, Mrs. J. C. H. I. Rutledge, Mrs. J. C. E. Fay, G. Maran, F. H. C. M. Eberhart, C. B. Ellis, Mrs. C. B. Ellis, Mrs. E. Nymander, J. B. Coons, C. Coons, H. W. A. Hays, Henry C. Kammmerer, E. W. Kammmerer, W. L. Furroth, John Holm, Harold S. I. Towers, M. R. Wilhelm, Geo. W. Catecheon, K. B. Morrison, Mrs. E. W. Florence Wyant, M. C. M. Evenson, Thos. W. Craig, M. P. Bakker, Russell, Miss Alma Jackson, Thomas, Mrs. Frank Thomsen, Mrs. J. L. Smith, Donaca, Mrs. A. P. Asher Post, Alfred Hastings, Nick Kerber, B. Samples, Dan Macdonald, J. M. Kelson, J. John Girdanango, W. L. Joe Deso, J. Douglas, H.

COAST LEAGUE BASEBALL

San Francisco Loses to land 8 to 1—Oakland Venie Wins. STANDING OF CLUBS. W. L. Los Angeles ... 15 10 Oakland ... 25 10 San Francisco ... 19 10 Venie ... 17 10 Sacramento ... 22 10 Portland ... 22 10

PORTLAND, OR. JUNE 21

land won from San Francisco yesterday eight to one, five of San Francisco adding to the list of Portland's thirteen league games yesterday.

At San Francisco—San Francisco ... Portland ... At Los Angeles—Los Angeles ... Venie ... At Sacramento—Sacramento ... Oakland ...

F. THOMAS AND WIFE, Montana, who have been in field on business in the with the A. F. Darter, Perham Park, left today.

EVERETT NYMANOTER land today after a several sojourn in Coos County.

Protect Your Building With Paint That Protects This Store Is the Place Where You Get Paint Protection You realize the necessity of protecting your house with good paint but you do not realize the necessity of protecting yourself from poor paint. It all looks alike in the can, but one kind coats the other stays on; one kind soon looks shabby, the other new. The kind that holds on strongest, looks new longest. THE SHERWIN-WILLIAMS PAINT It is the result of a quarter of a century's paint-making experience; the product of the largest paint factory in the world. We sell it. SUMNER'S HARDWARE The Store With the Guaranteed Goods

BUY THE VERY BEST Marshfield Creamery BUTTER MADE UNDER SANITARY CONDITIONS IN A CLEAN AND MODERN FACTORY. STERILIZED MILK AND CREAM. PURE ICE Free delivery, 8 a. m. and 2 p. m. Phone 73. WANTED watches that won't keep time. Dirty and rancid oil are the ruin of your watch. Let me handle it and preserve it perfectly for years to come. E. C. BARKER, 226 Front st. Marshfield, Or.