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MARSHFIELD, OREGON, FRIDAY, DECEMBER 11, 1914—EVENING EDITION.

A Consolidation of Times, Coast Mail and Coos Bay Advertiser

No. 121

GERMANS CLAIM FRENCH ATTACKS WERE REPULSED AND ALLIES MADE GAINS

Paris, Dec. 11.—The official statement this afternoon says: "The enemy yesterday showed certain activity in the region of the Ypres. He directed several attacks against our front, the Germans succeeded in reaching one of our first trenches. On our side, we continued to make progress in the direction of the enemy's lines. In the region of Arras in the vicinity of Juvin-court there have been artillery engagements. In Argonne, we pushed forward in several places and have driven back two German attacks. In the region of Varennes we consolidated our gains of preceding days. The German artillery was very active, but we suffered no losses. Our progress continued in the Loprete Forest. The German army occupied the railroad station of Aspach. The remainder of the front in the Vosges there have been no engagements."

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Mexicans Near Naco Shoot Another American Trooper

CARNEGIE IS OPPOSED TO XMAS TRUCE

WASHINGTON, D. C., Dec. 11.—Andrew Carnegie, who was a White House caller today, expressed a decided opposition to a truce in the European war during the holidays. He declared it would be unchristianlike and immoral to stop fighting and then begin it again. When Carnegie spoke of the horrors of war his voice quivered and tears appeared in his eyes.

STATE MILITIA IN BAD CONDITION

General Mills in Report Says That Citizen Soldier is Not Kept Up Properly

WASHINGTON, Dec. 11.—In no state is the prescribed minimum peace strength of all organized militia maintained and in many instances the deficiency has reached such a figure as to leave the corresponding organization such in name only—organizations of no value as a military asset to the Federal government. This is the way Brigadier General Mills, chief of the division of military affairs of the War Department, characterizes the citizen soldiery of the country in his annual report.

C. A. SMITH DUE HERE THIS EVENING

Will Arrive on Nann Smith—Gets Many Logs from Coos River—Coquille Freshet

C. A. Smith, head of the Smith companies, is expected in this evening on the Adeline Smith from San Francisco. He has just returned from a several weeks' stay in Chicago. It has been several months since he was on the Bay.

GERMANS CLAIM FLEET DID WELL

Say Ships Lost off Falkland Islands Were Out Four Months Without Repairs

BERLIN, Dec. 11.—The following statement was issued by the German admiralty today: "The British admiralty does not say in its statement of the battle off the Falkland Islands that our squadron had been on the high seas for four months without means of communication, either cable or otherwise, and had been without any port where it could put in for coal or supplies. Despite this, it always obtained coal." In a previous statement the admiralty reproduced the communication of the British admiralty regarding the sinking of the German cruisers and added: "Our losses seem to have been great. Concerning the strength of the enemy, whose losses are reported small, the English dispatches say nothing."

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Wednesday the rise at Myrtle Point was about fifteen feet. The water was up to the ties on the local railroad at Schroeder's Crossing, but it did no damage. Quite a few logs were floated out of the North Fork, but only a few have come out of the Middle Fork. There is a big jam on the Middle Fork and it will probably be necessary for A. H. Powers to build dams to get out his big supply there. He has about \$45,000 worth of logs laying in the upper waters of the Middle Fork which were cut over a year ago by the former Dashney camp near Bridge.

Second Bullet from Conflicting Forces Across Border Perforates Officer's Tent

CASUALTY LIST TODAY REACHES FIFTY MEN

General Bliss Arrives and Awaits Formal Orders—Says U. S. is Not Bluffing

(By Associated Press to Coos Bay Times.) NACO, Dec. 11.—Another American trooper was wounded today by a Mexican bullet fired across the border and a second bullet perforated a stove pipe in a tent of a United States army officer, General Bliss, who came here yesterday, is awaiting orders, which it is presumed have been sent by mail. The casualty list on the American side today reached 50. Bliss said he hoped hostilities with the Mexicans could be avoided but that the United States government was not bluffing.

WILL STOP BATTLE AT NACO FOR U. S.

WASHINGTON, Dec. 11.—Provisional President Gutierrez has ordered Governor Maytorena, commanding the forces at Naco, to avoid operations altogether if he cannot confine his fire within the Mexican borders. Consul Silliman, at Mexico City reported Gutierrez's action today, which undoubtedly was in response to yesterday's urgent representations from Washington.

MORE U. S. TROOPS REACH NACO TODAY

Four Special Trains Arrive at Border Town—Firing from Mexicans Still Continues

(By Associated Press to Coos Bay Times.) NACO, Ariz., Dec. 11.—A train in four sections bearing United States artillery, which was ordered here from El Paso to enforce the border troops, arrived today. The soldiers of Generals Hill and Maytorena were unusually active all last night. Several shells burst on this side of the border from both factions.

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TEXAS WILL SELL MULES TO GERMANY

DALLAS, Tex., Dec. 11.—Negotiations for the purchase of 30,000 horses and 12,000 mules, to be sent to Germany by way of Italy, are under way in Texas, according to an announcement today.

MIGRATORY BIRDS UNDER STATE LAW

Judge Coke Holds Federal Law Regarding Migratory Birds is Unconstitutional

(Special to The Times.) COQUILLE, Or., Dec. 11.—Judge Coke this morning rendered a decision for the first time in the United States on the subject of the constitutionality of the Federal law which has been hitherto held supreme to the state law regarding the taking and killing of migratory birds within the limits of a state. The judge held that the state law is supreme; that the government has no jurisdiction over game within the boundaries of a state and therefore a game warden of the government has no right to enforce the federal law within the state of Oregon.

The decision was brought up in connection with the case of the state of Oregon vs. Hillis Short, who was arrested by Game Warden Thomas acting under instructions from Prosecuting Attorney Liljeqvist last year for killing ducks from a gasoline boat in Ten Mile Lake. Short was indicted by a previous grand jury about twelve months ago.

Argued Federal Laws. Attorneys for Short pleaded that the Federal law, passed within the last two years, has in hand the protection of migratory birds; establishes a game zone and administers punishment for any infraction of the law. And furthermore the attorneys for Short declared that the Federal law has no statute making it unlawful to kill ducks from a gasoline boat and therefore Short was innocent of any crime. They also brought up the question as to whether Ten Mile Lake is publicly or privately owned.

Government No Authority.

It was from this argument that Judge Coke handed down his decision, overruling a demurrer to the indictment. He declared that the United States has no authority over state game laws and therefore their statutes are unconstitutional and Short is amenable to the state of Oregon for shooting ducks from a power boat.

His decision in part was as follows: "The Congress of the United States has no legal right to regulate or attempt to regulate the taking or killing of migratory game birds within the state of Oregon." This was a test case.

May Go to Supreme Court.

The decision of Judge Coke will be taken before the state Supreme Court for their action and will probably eventually be decided by the Supreme Court of the United States.

Judge Coke leaned heavily on decisions in the Arkansas state laws that have been somewhat similar to his decision this morning. The decision upholds the contention of Prosecuting Attorney Liljeqvist that the state game laws are supreme to those of the United States.

PROTECT PACIFIC COAST

Secretary Daniels agreed that the Pacific Coast was not so well protected as the Atlantic. He said that the general opinion in the navy was against dividing the Atlantic fleet now but later he hoped there would be battleship protection for the Pacific.

GERMANS LIKELY TO TAKE WARSAW WITHIN SHORT TIME IS REPORT

Berlin Simply Announces That Advance in Poland Continues While Petrograd Intimates That Russians Will Evacuate Warsaw for Strategic Reasons.

GERMAN ADVANCE ARMY WITHIN FIFTEEN MILES OF CAPITAL OF POLAND TODAY

Situation in East Prussia, Which Russians Invaded, Reported Unchanged and No News Has Been Given Out Concerning Developments Near Cracow.

GERMAN ADVANCE ARMY WITHIN FIFTEEN MILES OF CAPITAL OF POLAND TODAY

BERLIN, Dec. 11.—The Berlin war office states Petrograd virtually concedes the German advance in Poland is continuing. A statement from Petrograd says that if Warsaw is evacuated by the Russians it will be for strategic reasons. The Russian official statement admits that the German General Mackensen is striking forward rapidly and is now within 15 miles of Warsaw. The situation in East Prussia where the Russians invaded German territory is unchanged and no further news from the battle front for possession of Cracow, Galicia, has been received.

TURKS ANNOUNCE RUSSIANS WERE DEFEATED IN BATTLE NEAR GOURIEH

CONSTANTINOPLE, Dec. 11.—The official statement today says: "Under the cover of warships, the Russians attempted to embark Thursday near Gourieh, South of Batum, trans-Caucasia, in order to outflank our troops. They were compelled to retreat with heavy losses."

WANTS NAVY YARD TO BUILD WARSHIPS

Secretary Daniels Says Pacific Coast Should Be So Provided

(By Associated Press to Coos Bay Times.) WASHINGTON, Dec. 11.—Secretary Daniels continued today before the house naval committee, speaking on the naval construction program. He said all navy yards should be equipped to build warships and that there should be a place on the Pacific coast to build battleships. He said too many warships are being built by contract and too few by the navy yards.

CASES UP NEXT WEEK SET TODAY

Thirteen up Next Monday—Bandon Liquor Cases First on Next Week's Docket

(Special to The Times.) COQUILLE, Or., Dec. 11.—Judge Coke today set the cases that will come up for trial next week. There were 13 cases set. First on the docket next Monday morning will be the case of the City of Bandon versus John Heron and immediately following this will be the case of Bandon versus Joe Coach, both of these originating out of the liquor troubles in which the defendants are alleged to have sold liquor to Lolita and Ruby Simpson.

The third case on the docket will be that of A. S. Hammond and Frederick Hollister versus the Coos Bay Manufacturing Company; next, Anna Rusk versus the City of Marshfield and R. R. Montgomery as an action at law. The following are the other cases as they will follow on the docket adopted this morning: Herbert Lockhart, plaintiff, vs. the Simpson Lumber Company; Gracie Baber vs. E. G. Allen; Tom Brown vs. Gaa Demos; Peter Scott and Emma Scott vs. the Port of Coos Bay; Robert E. Taylor vs. John Neilson; C. E. Smith vs. A. D. Perdue; Stanley Oldland vs. John B. Anderson; George Erdman vs. A. S. Gilbert; National Sales Company vs. L. H. Manclat.

BANDON MAN IS FINED TODAY

(Special to The Times.) COQUILLE, Or., Dec. 11.—Judge Coke today fined Fred Gross of Bandon \$50 for contempt of court and sentenced him to sixty days in jail for failure to comply with an order of the court ordering Gross to pay alimony to his divorced wife. Gross' attorneys informed the court that the alimony had since been settled out of court and Judge Coke suspended the jail sentence pending Gross in the future complied with the order.

Mrs. Jessie Quigley and Wm. R. Rodgers and her eight-year-old daughter are in jail here. They were brought back last night from The Dalles. The couple eloped the first of the month and were living at The Dalles under assumed names. Quigley, who lives in the southern part of the county, preferred charges against them.

Sale Is Postponed. The receivership sale of the Seeley & Anderson Logging company set for this afternoon, was again postponed until next Wednesday at 3:30.

Grand Jury Is Slow. There has been no further report from the grand jury. It was unofficially stated this afternoon that the woman in the Myrtle Point bank case whose identity has been kept secret, failed to substantiate the new clue in that case and it is not likely that any indictments will be returned.