THE COQUILLE HERALD

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GOVERNMENT WINS LAND GRANT CASE

Judge Charles E. Wolverton in the United States circuit today rendered a decision in the Oregon and California land suit, finding for the storing to the United States 2,500,000 acres of land in western Oregon, following the line of the railroad through the state and throwing out of court, to all intenets and purposes, both the cross complaints and the intervenors in the suit.

The court overruled the demurrer of the Oregon and California railroad company, a part of the Southern Pacific Co., to the complaint of the government, and sustained the demurrer of the railroad company to the cross-complaint of the actual settlers on some of the land in question, known as the Lafferty intervenors, who came into the suit after the filing of the government's complaint.

Will Appeal Case.

What action the Southern Pacific company will take in the case as a result of Judge Wolverton's decision is as yet undetermined. The court allowed the defendants ninety days in which to prepare answer, should it be decided to file an answer, and present new features of the case before the court, which William D. Fenton, appearing for the defendant railroad company, said he is in possession of.

Of course the case will be appealed finally to the United States supreme court, but whether from the decision of Judge Wolverton, overruling the defendant's demurrer, or from an ultimate decision after a hearing of the case in the circuit court here, is as yet undecided.

It is probable the attorneys for the various intervenors, who number many hundreds, will appeal while the 90 days allowed the railroad company to file an answer, in the hope that they be reinstated in the case with a right to secure the land which they claim the railroad should have sold them upon their being offered the stipulated price of $2.50 an acre.

Enough Intervenors.

In denying the application of a number of persons to be allowed to intervene in the suit, Judge Wolverton announced that there were already enough intervenors in the suit to establish the rights of all who might be concerned, and said he would not permit any more interventions or hear any more petitions to intervene.

He also, inruling against further intervention in the Oregon and California suit, made the same point against would-be intervenors in the case of the United States against the Southern Oregon company, a suit to secure title to the United States to land granted the Coos Bay Wagon Road company, a litigation resembling the Oregon and California suit in many ways.

History of the Litigation.

The land grant suit was filed in April, 1908, following the passage of a resolution by congress authorizing the United States to begin suit to quiet title to the lands granted the Oregon & California railroad in 1866 and 1869 as an inducement to build a railroad from Marysville, on the Central Pacific, in California, to Portland.

These lands consisted of alternate sections on either side of the railroad right of way and originally consisted of 3,100,000 acres. The terms of an amendment to the grant passed by congress in 1868 and 186 specified these lands should be sold by the railroad company in quantities not more than one quarter section to one person and for a price not greater than $2.50 an acre.

It is because it claims the provisions of the act granting the land to the railroad have been flagrantly violated that the government brought suit to forfeit the lands to the United States.

Congress passed an act in July, 1886, granting any railroad company that would build the desired line to Portland every alternate section of public land along its route, to the amount of 20 alternate sections per mile. Two companies were organized in Portland to secure this grant and both were called the Oregon Central Railroad company, the first being known as the West Side company and the second as the East Side. The Oregon legislature finally designated the east side company, which had been organized by Ben Holladay and his associates, as the company to receive the grant and eventually it secured the greater part of the land. In 1870 the Oregon & California Railroad company was organized and the East Side and the West Side companies were united in this new organization.

In 1887, lured mainly by the rapidly increasing value of the land grant held by the Oregon & California company, the Southern Pacific system began casting out its hooks to secure the Oregon & California, and in March acquired all of the capital stock and outstanding bonds of the concern.

During the years that the Southern Pacific company controlled the and up to 1903, when all were withdrawn from sale, 534,000 acres had been sold in quantities exceeding one quarter section and 296,000 acres in quantities not exceeding the legal limit fixed by the grant. Subsequently all of the 534,000 acres sold in quantities greater than one quarter section were sold for a price far greater than $2.50 an acre.

WHY PEOPLE TRADE WITH MAIL ORDER CONCERNS

Bandon, Ore., April 15, '11.

Editor Coquille Herald:

Dear Sir: In your esteemed paper of April 13 you give ten good reasons why the people of the county should deal with the merchants doing business in said county.

Your reasons are perfectly correct in every way—no fault to be found with those expressions. However, there needs ONE AMENDMENT, and this will tell the tale why so many people got into the habit of sending their money outside. Mail order houses are strictly cash concerns, while our merchants try their best to get customers by giving credit.

To a certain extent, no doubt, it is not to be avoided, as workingmen receive their payments weekly or monthly.

But there comes the rub; the month has passed and no payments have been made for goods bought. A silly story will prolong such crediting him. After two or three months the purchaser is so deep in debt that the merchant becomes afraid he will lose the customer and while the party in debt skiddoos—either leaves the town or gets new credit from another merchant who will soon become richer in experience. What matters it to the said merchant whether he gets payment for goods sold to a beat; the merchant has patrons who are honest or pay cash at each deal, and by overcharging such customers he will soon make up what the other has not paid.

Merchants combine and keep blacklists; your way of dealing encourages dishonesty squandering of money for things never needed, and one by one your cash dealers will take advantage of mail order houses.

I will give you an example, in one store in Coos county. I bought several years ago an all wool outing suit, we will say $5. However the figure paid was smaller, and paying cash I received five per cent discount.

Being an outing suit it consisted of pantaloons and coat. Three years have passed, the suit has been washed time and again and is not bad yet, and serviceable.

To get a waistcoat to match the suit I bought such in Coquille City. For it I paid two-thirds of the price I paid for the other two garments and this waistcoat is gone long ago. One half of the price paid for it would have been much more than I should have paid for it according to dealings with other Coos county firms.

Such lessons last quite a while.

Do away with your credit system, if it must be. A man who can not pay in four weeks is less able to pay you in four months. Save your cash customers by charging the price with an honorable profit added, and if you are wise give a small discount, and you will find you will get your full share of business.

W. C. A. POHL.

The latest in shirt waists at Robinson's.

CANDIDATES NOMINATED FOR COUNCIL

The general nominating caucus called for Monday night was held at the Masonic hall, and six councilmen and a recorder were placed in nomination for the coming election.

R. H. Mast called the meeting to order.

H. O. Anderson was elected chairman and J. C. Savage secretary.

Chairman Anderson then read the call for the meeting, which was to nominate three councilmen for on year, three for two years, and a recorder.

L. H. Hazard stated that it was his understanding and belief that but one candidate should be nominated for each office, and not several as heretofore. The latter practice virtually placed two tickets in the field and divided the vote, so that in the event a ticket should be placed in the field by another party, it would give them a better chance to win out.

Others took the position that it was not a party caucus, but a caucus of the general citizenship of the city; that a nomination was equivalent to an election and that the voters should be given a number of candidates to choose from.

Chairman Anderson ruled that according to the call but one candidate should be nominated for each office. An appeal was taken from this occasion, but on being put to a vote the chair was sustained.

Five candidates were nominated for the one year term as follows:

W. C. Laird, W. H. Mansell, Al. Crouch, Fred Von Pegert and Joe Bledsoe.

The caucus then voted by ballot to nominate three from the above, the vote being as follows:

W. C. Laird, 50.
W. H. Mansell, 33.
Al Crouch, 30.
Fred Von Pegert, 25.
Joe Bledsoe, 22.

Laird, Mansell and Crouch were declared candidates for the one-year term.

The following were nominated for the two year term, and the balloting resulted as follows:

F. C. True, 48.
Fred Von Pegert, 33.
Dr. Richmond, 20.
[illegible]ers, 11.
A. W. Johnson, 24.
Ned Kelley, 13.

True, Von Pegert and Johnson were declared the candidates.

A. W. Kelley and John Lawrence were placed in nomination for recorder, and received the following votes:

A. W. Kelley, 17.
J. S. Lawrence, 39.

Lawrence was declared the nominee for city recorder.

O. C. Sanford moved that the chair appoint a committee of 3 to fill any vacancies which might occur on the ticket between now and the election. Motion carried.

CChairman Anderson appointed O. C. Sanford, T. T. Land, and B. H. Burns as the said committee.

REVIVAL MEETINGS.

The revival meetings in progress at the M. E. Church, South, conducted by Messrs. Law and Curry, evangelists, is full of interest and enthusiasm. Law is a good, plain, forceful preacher, and Curry, the singer, knows his business and handles his choir with ease. Assisted by Mrs. Law, the sololist, the singing is fine. Everybody ought to hear them sing and Law preach. Get everybody come.

Hume Property Reported Sold.

A report became current here a few days ago to the effect that Mr. Keasey would take over the Hume property, which he and associates have held under option for some time. The report was confirmed to us by one of our reliable townsmen, who had just received a letter from Mr. Keasey, as well as one from the attorney for the Hume estate. The deal is carefully watched by the entire community as it will doubtless mean a great development in this section.—Gold Beach Globe.

Mrs. Ray Dean returned home Wednesday, after spending several days with her parents at Arago.

LOGGER KNOCKED DOWN BY ANGRY MOTHER BEAR

Henry Conologue, the well known Coquille logger, had an exciting experience the other day that he will not forget in a long time. While his friends and the boys at the Lampa creek camp have been treating it as humorous, Mr. Conologue thought for a moment that it was a serious matter.

The other day, soon after lunch, he started away from camp. He was surprised to find a young cub on a log and had no trouble in picking up the little bear. It was as cute as could be, and Mr. Conologue had it in his arms stroking and admiring it when suddenly the cub began to squeal. The next instant Conologue got a terrific clout on the side of the head that felled him to the ground.

He recognized at once that the mother of the little cub had entered objections. In falling, the cub got away and Mr. Conologue tried to roll away and got on his feet as quickly as possible and started to run. He realizde that his only hope was in making a getaway from the enraged bear, and he did. When he reached camp, his hair was disheveled and his hair was stil standing on end.

A hunt was made for the old bear and the cub, but they had not been located at last reports.—Times.

MEN CHARGED WITH TIMES DISASTER JAILED

Victorville,, Cal., April 26.—With one end of the journey to the Los Angeles jail almost in sight, the three prisoners en route from the east are affected in vastly different degrees by the prospect of the desperate legal struggle for their lives.

James J. McNamara, accused of being J. B. Bryce and actually placing the dynamite that blew up the Times building, is in a savage mood. "Get out," he shouted to the reporters who sought to enter the compartment.. "I'll break these irons on your head if you start to come in here." The reporters remained discreetly outside the door.

John J. McNamara, the indicted secretary and treasurer of the International Bridge and Structural Iron Workers' courteously invited the callers to enter the compartment. "You come to see what a big villain I am, I presume," he said. He showed a disinclination to cuss his own situation and smiled good naturedly when the suggestion was made that his present predicament was one which might prove serious for him. He vouchsafed no answer.

Ortie McNamigal, the alleged tool of the dynamiters' ring, was in the lightest humor of them all. "I'm holding a pat hand," he said gaily, "and I'm drawing no cards. I will talk only at the proper time, and that will be later."

None of the men have been out of their separate compartments since they left the starting place. In the day time, they wore only shackles, but at night while asleep they were shackled and handcuffed to the guards. Captain Paul Flammer of the Los Angeles detective force said the prisoners gave no trouble whatever. "But we have taken no chances and none of us have had much sleep."

Flammer declared that one of the men had confessed fully to all the plots that have been carried out.

ADJOURNED TO FRIDAY.

The commercial club met on last Monday evening, but owing to the caucus the same night they adjourned till Friday night of this week, when the regular business meeting will be held.

Nellie Lane, the little daughter of Mr. and Mrs. Tom Lane, who has been very ill for some time, was reported a little better last night and today.

Captain Butler, of this city, went to Marshfield Thursday to bring back his automobile, which broke down near Marshfield last Saturday.

R. E. Shine and family, of Ontario, Cal., arrived in Coquille yesterday, where they will now reside.

Mr. and Mrs. Arthur Ellingsen and little daughter were passengers to Marshfield Wednesday, returning home Thursday.

PROF. HOWARD IS HIRED AS PRINCIPAL

At a meeting of the school board Thursday evening !Prof. C. A. Howard was elected superintendent of the local schools for the ensuing year.

Prof. Howard graduated from Baker University at Baldwin, Kan., in 1907, with the degree of Ph. B., and in addition he has had special courses in pedagogy, and school administration, and holds a state life certificate in Kansas, and soon will be eligible to receive one in this state. He came here from the County high school at Klamath Falls, where he has been principal the past year.

Prof. Howard was very highly recommended by G. W. Wilson, who established the Coquille Valley bank here a few years ago, in a personal letter to the clerk of the school board. He is a married man, and is about 30 years of age.

This leaves five teachers yet to to be hired—one in the high school and the third, fourth, fifth and eighth grades.

NO PUBLIC DRINKING CUPS.

Oregon State Board of Health Prohibits Their Use.

Portland, Ore., April 25.—Public drinking cups will be banished from the state September 1st. The state board of health has issued this order and it applies to public schools, trains, railroad stations and all public places. The ruling of the board is now in the hands of the state printer and will be promulgated within a few days.

Dr. Calvin S. White, state health officer, has proof that the public drinking cups vie with the fly as a spreader of disease. Pneumonia, htuberculosis, measles, scarlet fever and typhoid are transmitted in this way, and infection and disease come as a natural consequence. Dr. White believes the use of cups in the citty schools is particularly dangerous, and gives the health authorities too much to do to check the epidemics that get started in that way.

Drinking fountains will be placed in the Portland schools, which have been found to be very satisfactory wherever tried. The same plan will probably be adopted at railway stations, and on trains individual cups will have to be provided.

The rule of the state board of health will be enforced rigidly. It provides that after September 1 no person or corporation in charge of any railroad train or station or electric car or any public conveyance or any public or private school, or any state educational institution, shall furnish any drinking cup for public use, and no such person shall permit on said railroad train or station or in the various educational institutions the common use of the drinking cup.

COQUILLE CLUB TO MOVE INTO LAIRD BUILDING MAY 1

The old "Kokeel Klub" has reorganized and will hereafter be known as the "Coquille Club." The directors are Judge Sperry, Alfred Johnson, Sr., Geo. E. Peoples and Dr. Endicott.

New quarters have been secured in the Laird building and the furniture and other belongings of the club will be moved from the old club rooms on Front street the first of May.

The two front rooms will be used as reading and writing rooms, while the large room used by the M. W. A. as a lodge room will be partitioned in the middle and converted into two large rooms. The back room will then be fitted up for a billiard room and the front one used for card tables.

The M. W. A. retain the dining room and will fit it up for a lodge hall.

Mrs. Woodruff, who is very low with typhoid fever, is reported as being in about the same condition today.

Subscribe for the Herald. $1.50.

NOMINATE CANDIDATES FOR CITY OFFICERS

The socialists held their caucus last Saturday and nominated candidates for city offices as follows:

Councilmen for two-year term: J. H. James, J. C. Noel, S. L. Curry.

Councilmen for one-year term: J. M. Sanford, J. D. Meyers, J. C. Wilson.

Recorder, L. S. Martin.

The platform of 1910 was re-affirmed, which is in substance as follows:

We, the undersigned nominees of the socialist party for the following offices of the City of Coquille, to-wit: six councilmen and one recorder, do hereby pledge ourselves, if elected, to enforce the laws and ordinances of the city as in our power lies; and to submit as far as possible all ordinances to the citizens for their approval or rejection, especially such as relate to taxes and franchises. Also, that we will let the citizens of Coquille know from time to time the financial condition of the city.

ALLEGANY NEWS.

Mr. Gray brought up some of his household furniture from North Bend last week.

Mr. J. H. Price was in Marshfield last Thursday on business.

Mr. Kudmas has moved from the camp into Mrs. Matson's house in this community. They moved here so as to be close to the school with their children, who started to go to school last week.

Mr. and Mrs. F. B. Rood were very enjoyably surprised on Tuesday evening, the 18th, when about 18 or 20 of the young people of Coos river came in and gave them a surprise party. Two boats, the Millicoma from Allegany, and Mr. Russell's gasoline launch from down the river, brought the young people to Rood's. The evening was spent in playing games and singing, after which refreshments were served. Every one reported having had a very nice time.

Mrs. Edwards and Mrs. Jess Ott and little son Harold went to Marshfield last Wednesday. Mrs Ott and little son stopped at Mr. Russell's on the way home and visited there until the next afternoon.

Mrs. Alice Stemmerman spent a day or so in Marshfield last week.

Miss Erma Camp is visiting at the home of Mr. and Mrs. Thomas of this place.

Some of the people of this community went up to Mrs. Roberts' on Sunday last and had church. Mrs. Roberts is an invalid lady and can not attend church.

Miss Peterson, who has been doing some dressmaking for Mrs. Pierce, went to Marshfield Saturday morning, returning the first of the week.

Clarence Gould went to Coquille Friday to see his sister, Mrs. Grace Woodruff, who is very low with typhoid fever at that place.

Alta Soule spent Sunday at her home in this place. She is going to high school in North Bend.

Mrs. Charles Kroegar went to Marshfield on the boat on Tuesday. morning.

Mrs. Emmett Pierce is visiting her uncle, who is very ill.

McKINLEY ITEMS.

Captain Wilcox made a trip to Coquille this week.

James Laird passed through here on his way to Marshfield Saturday.

Mrs. Hulse, has been very sick, bu it is thought that she is improving a little now.

School started here this week, with the largest attendance there has ever been here since the school district was organized.

L. F. R. Heller was quite badly inured last Friday evening at the Heller mill. He was working near the planer and in some way his trousers were caught in the machinery and drew his knee into the same. His knee cap was cut in two and the muscles on the front of his leg were also cut quite badly. At last report he was resting easy.

BUYS NEW PRESS.

George H. Baxter, formerly of this place but now editor of the Creswell Chronicle, last week installed a new cylinder press to be used in printing his paper, and other work in connection with his printing business.

WILL SUBDIVIDE LARGE ACREAGE

Articles of incorporation were filed this week by a corporation of local capitalists, the name of which is the Coquille Valley Land and Improvement company. The county records show the incorporators are R. S. Knowlton, R. H. Mast and Geo. A. Robinson.

The company is incorporated for $25,000.

The company has already purchased what is known as the Dickson place, located at the head of Fat Elk creek. The tract consists of 320 acres of partly cleared land under the Fat Elk drainage ditch. The land is considered to be equal to the best in the valley, and will be subdivided into small tracts and sold to homeseekers. It will probably sell at from $125 to $150 per acre.

ANOTHER FIRE AT BANDON TUESDAY P. M.

Fire broke out in the Disher residence, which was occupied by Mr. and Mrs. L. J. Butterfield, about 3:30 o'clock this afternoon, and no fire protection, the wind blowing a gale, there was the same result, the house was entirely consumed, and nothing could be done but stand and watch it burn. The contents of the house were all saved. There is no way of knowing how the fire started. It was first discovered by Lawrence Stitt and wife, who saw the flames coming from under the house at the back porch, and it is presumed that sparks from a flue sucked under the porch in the wind causing the blaze.

Mrs. Butterfield was sleeping on the cot and was aroused by Mrs. Stitt, and the alarm was immediately turned in and as a result of the rapid work of friends everything was saved from the house except the range and a few things upstairs.

As a result of the fire, the Recorder is a day late this time, owing to the fact that our force was considerably mixed up in the affair, Mr. Butterfield being the office foreman.—Recorder.

AN OPEN LETTER.

To the Hon. William Howard Taft, President of the United States.

Dear Sir and Brother—We, the undesirable citizens, most respectfully beg and pray that you will mobilize 10,000 United States soldiers on the borders of the Coquille valley so that the Japs may not enter into the harbor of the Coquille, effect a landing and invade the United States by crossing the Coquile valley. Also that the farmers of the adjoining county of Coos may have the opportunity to dispose of their pigs, poultry, butter, eggs and spuds at a remunerative figure, thereby relieving "Brother Henry" of the great burden of providing rations for all of the 40,000 troops you are now mobilizing on the borders of Diaz-ridden Mexico,

JAS. H. JAMES,
Chairman of the Committee.

Approved April 15, 1911, by the S. L. of U. C.

J. E. QUICK,
Secretary.

ANOTHER TICKET.

It has been decided by a number of citizens that another ticket will be placed in the field for city offices. No candidates have as yet been secured to go on the ticket, but it is said good men can be secured who will do so. It is proposed to endorse a part of the candidates nominated by the citizens' caucus last Monday night.

George Goodrum, after spending several days in Coquille, returned to his home at Marshfield Wednesday.

Ned Kelley started Wednesday for Portland for a short visit. While absent Mr. Kelley will attend the M. W. A. convention at Hood River.

L. A. Langley, local manager of the Home Telephone company, made a business visit to Myrtle Point on Wednesday.