

# THE COQUILLE HERALD

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## MORE ABOUT RECALL OF JUDGE COKE

Last week we gave the report of the starting a petition for the recall of Judge John S. Coke, of this judicial district which found its conception at Roseburg, and was purported to have been the outcome of the instructions given by the Judge in the McClallen case, tried in that city. We have since been looking into the matter and have become fully satisfied that there is something back of this more than the rulings above referred to. Judge J. N. Teal of Portland, has examined thoroughly the instructions of Judge Coke in this case and pronounced them as being in perfect accord with the evidence, etc., in the case.

District Attorney Brown who prosecuted the case and has cause for complaint, if anyone has, has assured Judge Coke that his instructions to the jury were entirely within the bounds of the law and of not such a nature as to warrant the action of the petitioners.

Deputy District Attorney Liljeqvist has read the instructions and pronounces them proper and right as has many other lawyers in the state. We feel sure that very few Coos County people will put their names to such a document.

We give below several clippings from outside county papers, the publishers of which have looked into the matter and know whereof they speak:

From the Sutherland Sun:

The petition calling for the recall of Judge Coke has not yet made its appearance in Sutherland, and if presented here it is very probable that it will meet with a cool reception. Citizens of Douglas county should think twice before placing their names to a petition which asks for the recall from the bench of one of the foremost jurists in the state.

While the specific reason given for asking for the recall of Judge Coke is that he showed partiality in the McClallen murder trial, there are those who believe that the movement had its origin among certain individuals in Roseburg who were recently fined heavily by Judge Coke for illegally disposing of liquor.

So far as can be ascertained Judge Coke's official career in Coos county has been entirely satisfactory to the bar, and to the citizens, and indeed throughout the entire judicial district. Judge Barnett, one of the most able lawyers of the state, is credited with the statement that Judge Coke's instructions to the jury in the McClallen case were those approved by the supreme court of the state, and that it was compulsory on Judge Coke to give the instructions he did in view of the ruling of the supreme court.

From the Cottage Grove Sentinel:

The cities within this judicial district are not giving general support to the movement initiated in Roseburg to recall Circuit Judge John S. Coke, of Marshfield, because of his instructions to the jury that acquitted Roy McClallen at Roseburg on May 27 last, of the charge of murder in the second degree. While it is not disputed there that the instructions of the court were not as complete for the defense, few voters consider this sufficient reason for invoking the recall against Judge Coke and few are signing the petition for that purpose.

It is the outspoken opinion of many citizens that the real animus behind the movement lies with the radical antiprohibitionists, who display undisguised hatred for Judge Coke because he imposed a fine of \$500 on three beer-sellers at the recent term of court. Six others indicted on a like charge face the

same evidence that convicted the first three and the natural presumption is that they, too, will be fined the limit. The nine comprise the whole number of soft-drink dealers in Roseburg. The recall petitions are being circulated under the direction of E. L. Cannon, a Socialist attorney, of Roseburg. He says ample funds are being pledged to defray the expense of such work. This judicial district is composed of six counties, Douglas, Coos, Curry, Lane, Lincoln and Benton. Within its confines are about 20,000 voters and the signatures of at least 2 per cent of these must be affixed to the recall petitions before the election may be held.

From the Daily Eugene Guard:

The threatened recall of Judge Coke of this district is much to be regretted. There is no evidence that he has been derelict in his duty, or intentionally biased in his rulings from the bench. A murder trial at Roseburg, however, resulted in an acquittal when many persons thought the defendant should have been punished in some degree, and exceptions are taken to the instructions given the jury by Judge Coke. Careful examination of these instructions fails to disclose wherein the court deviated from the rules of law in such cases, but after the verdict of acquittal it seemed necessary to criticize some one and fix the blame somewhere, and it was discovered that the instructions were not worded in accordance with those asked for by the district attorney though materially of the same import. Judge Coke is in reality being humiliated as an expression of popular feeling against lax enforcement of criminal law. It is asserted also, that violators of the local option law who were heavily fined by the court are taking advantage of the situation for purpose of revenge.

The danger in putting the recall into effect against the judiciary becomes apparent once we confront a condition such as obtains in this instance. It has been argued with apparent good reason that the election of judges for short terms reduces the occupant of the bench in this country to the level of the common office seeker. This may be an extreme view, but we can easily realize how the menace of the recall will tend toward making trimmers of the weaker class of judges. They will be more intent upon making popular decisions than in weighing the law and evidence and rendering a decision in accordance with it.

In the case in point, Judge Coke has made a really enviable record upon the bench. He is a hard-working man, of good legal ability and known to those who are closest to him as honest and sincere. Even if the recall movement does not progress to the point of an election the action taken has been humiliating from its inception, implying a distrust, and censure that is wholly undeserved.

While on his recent trip to Portland, Attorney J. O. Stemmler of this city took the necessary steps to be admitted to practice before the federal courts, and on May 22d was issued the required certificates admitting him to the United States Circuit Court, District of Oregon, and the United States District Court District of Oregon. Mr. Stemmler now practices in all the Courts of the land with the exception of the United States Supreme court at Washington.—Myrtle Point Enterprise.

Ladies' two-piece khaki suits—just the thing for the auto—some leather trimmed. Get them at Robinson's. Also ladies' ready-to-wear dresses in mesaline, foulards and poplin.

### FOR SALE.

A country store with postoffice in connection. A good, new building 24x30 feet, good business and acre tract of land. Inquire at the Herald office.

When your watch is in need of attention, remember Willie Schroeder does first-class repairing. Fresh vegetables at our store every week. Lyons & Jones.

## TIMBER WEALTH OF COOS COUNTY

An indication of the great timber wealth of Coos county is found in the official figures of the standing timber in two townships made public now for the first time by Dennis McCarthy, official cruiser by appointment of the county court. These figures show that two townships in Coos county contain more than two and a half billion feet of lumber, or to be exact, 2,555,565,000 feet.

Mr. McCarthy's crew of cruisers recently completed the estimates in township 24 range 10 and the following are the official figures from his records of the timber therein:

Township 24 Range 10.  
Second growth fir.....1,194,275,000  
Old growth yellow fir 37,020,000  
Hemlock..... 22,045,960  
Red cedar..... 390,000

Total feet.....1,253,730,000  
Number of acres in township..... 23,763  
Average per acre..... 52,755

Section 7 contains—highest estimate..... 52,375,000  
Section 6 contains—lowest estimate..... 22,325,000  
The poor showing of section 6 is caused by the fact that nearly one half was burned over.

Some time since Mr. McCarthy cruised township 31 range 10 and found the timber therein to amount to 1,300,915,000 feet. He thinks these two townships are the most heavily timbered sections of the county and this makes township 31 the banner township in timber wealth. The official figures are as follows:

Township 31—Range 10  
Old growth yellow fir.....776,505,000  
Second growth fir..... 435,280,000  
White cedar..... 53,850,000  
Red cedar..... 965,000  
Hemlock..... 40,595,000  
Sugar pine..... 3,620,000

Total.....1,300,815,000  
Number of acres..... 23,627.42  
Acreage feet timber per acre, 55,056  
In addition to the detailed statement of the different timber, Mr. McCarthy's records as prepared for the county assessor show a topographical map of the township giving all the streams, slopes, ledges, cleared land, etc., making an accurate and valuable map of every nook and corner of the county.—Times.

Washington, D. C., June 24.—The Senate Committee on Territories today voted six to three to report favorably on the House resolution admitting New Mexico and Arizona to statehood with the provision that the Arizona constitution concerning the judiciary shall be resubmitted to the people. Slight amendments to the House resolution were made.

### Horses for Sale.

Span of young mares, coming 6 this spring; weight between 1600 and 1700; well broke, single or double. One black horse, coming 5 years old in spring; weight about 1400. Inquire A. Smalley's ranch Hall's creek. -16142

### WOOD. WOOD. WOOD.

Lay in your winter's supply while you can. Alder—the best on the market, \$2 a tier delivered. Phone 352.

### FOR SALE.

Registered Berkshire pigs of both sexes. J. C. Watson, Coquille. 41

For Rent—Six room house, good garden lot with fruit and berries. Inquire at Herald office or at J. G. Fish's furniture factory. 1614

The Coquille Bakery and Confectionery carries a complete line of choice fruits, cigars, candies and nuts.  
Remember, we are still selling the finest bread in Coos county, 2 loaves for 5c. Coquille Bakery and Confectionery.  
Fireworks and Fourth of July ornaments at Folsom's Confectionery.

## COOS COUNTY DAIRY FARMERS' INSTITUTE

A recent letter from James Withycombe, director of the Oregon Experiment Station at Corvallis, to Thomas Hanly, fixes the dates for the Coos County Dairy Institute to be held as follows: At Myrtle Point July 18; at Coquille, July 19, and at Marshfield July 20. There will be three departments of the station represented, namely, Prof. F. L. Kent of the dairy department, Prof. H. D. Scudder who will talk on silos and crops, and E. L. Potter who will discuss live stock husbandry.

This is something that every farmer in Coos county should attend. The time is at hand when farming must be brought right up to a science or the farmer is working to a very great disadvantage, and there is no way in which he may inform himself as rapidly at as small a cost as by attending these institutes. These men are skilled experts in their line, and are sent to you on account of their superior knowledge and skill and the ability to impart to you this knowledge in a manner that you may receive the greatest profit from their instructions. All dairy farmers should be on hand and on time.

### Big Fire in Portland.

Portland, Ore., June 26.—One of the most dangerous fires this city has ever had to contend with occurred today when the warehouse plant of the Union Oil Company was destroyed. Chief of the Fire Department Dave Campbell, one of the best known chiefs of the country, was killed, and two other men are missing and several are in the hospital suffering from injuries. The loss will exceed \$100,000. Chief Campbell lost his life in the performance of his duty. Together with Assistant Chief Young and Patrolman L. K. Evans he went into the warehouse to determine the best means of fighting the conflagration. Both Young and Evans tried to dissuade the Chief from risking his life but he insisted, and Evans even used some force to restrain the chief, but he broke away from them and proceeded to go deeper into the building. They started after the chief when a terrific explosion occurred. Young and Evans were hurled through the open warehouse door badly injured. Chief Campbell was not seen again alive and three hours later his body was recovered. Two firemen are missing. Their names have not been ascertained.

A touching incident in the recovery of the body of Campbell was when the firemen brought the charred body to a point some distance from the fire a woman stepped forward and asked whose body it was.

"It's poor Dave Campbell," was the reply.  
"Oh, my God, it is my poor Dave, it's my darling husband," exclaimed the woman, and fell in a dead faint in the muddy street. It was Mrs. Dave Campbell who had not heard of her husband's death. She was moved to the hospital in a hysterical condition.

### Coach Timber Co. Office

The Coach Timber Co., capitalized for \$300,000 will open offices in the Thrift building in the near future. D. C. Gibson, who was the late Col. Coach's secretary, will be secretary and treasurer of the company and will have charge of the office.

The Coach Timber Co., as it is generally known, owns the large tract of timber on Lampa creek, from which place the Geo. W. Moore Lumber Co. get their logs for the local mill.

The Coach Timber Co. is now owned by Arthur Coach, Joe Coach, and Mrs. Cary, all children of the late Col. Wm. Coach, or rather these three own \$287,000 of the stock, while the other \$13,000 is owned by friends to whom the Col. gave small interests while yet alive. The office of the company will be maintained for the purpose of looking after the business of the company which, in consideration of the large capitalization, will be very extensive.—Bandon Recorder.

## COUNTY COURT PROCEEDINGS

In Re Circuit Court.  
April 1811 Term, Jurors.

Phil W Pearson.....\$ 44.40  
W H Kennedy..... 36.60  
A H Hodgins..... 39.60  
Fred Nosler..... 39.60  
E H Kern..... 39.00  
E S Barzee..... 40.20  
Wm Oddy..... 39.00  
Geo Griffin..... 29.80  
Wm Harman..... 35.50  
Lloyd Spires..... 22.80  
W L Mast..... 22.80  
D C Krautz..... 16.40  
I T Weekly..... 42.60  
Geo W Pike..... 39.00  
A M Ross..... 42.60  
C D Garoutte..... 41.20  
Joseph A Collier..... 36.60  
H A DeLong..... 41.00  
D R Lewis..... 41.40  
A E Neff..... 33.60  
George Doll..... 21.60  
W G Lawhorn..... 21.60  
J H James..... 15.90

### Special Venire

J E Paulson..... 6.00  
Myron Wickham..... 2.00  
T A Walker..... 2.00  
L D Smith..... 3.00  
J A Boomer..... 9.00  
J S Lawrence..... 3.00  
John E Paulson..... 2.00  
Henry Holverson..... 3.00  
P E Drane..... 3.00  
Robt Train..... 3.00  
J D Barklow..... 3.80  
Skookum Restaurant, meals for jurors..... 6.50  
J F Steinman, meals for jurors..... 6.50  
The Fields Timber Co vs R D No 11 Coos County, et al.

### Witnesses

Otto Epps.....\$ 4.20  
Geo W Norris..... 4.20  
Walter B Norris..... 4.20  
J D Benham..... 4.40

### In Re Officers.

Claude L Kidder, labor Sheriff's office.....\$ 18.00  
Ada McConnell, labor Sheriff's office..... 12.00  
C H Jackson, assessing Assessor's office..... 186.00  
Claude L Kidder, labor assessor's office..... 20.00  
Minnie McCloskey, grading 8th grade MSS, Supt office..... 9.00  
Della Clinton, grading 8th grade MSS, Supt office..... 9.00  
Maudie Hermann, grading 8th grade MSS, Supt office..... 9.00  
Lena Belloni, grading 8th grade MSS, Supt office..... 3.00

### In Re Miscellaneous.

Geo and E D Goodman, kalsomine, varnishing.....\$231.50  
Robt C Train, wood for..... 90.00  
Court House.....

### In Re Roads and Bridges:

Chris Richert, lumber, R D No 19.....\$241.57  
Marshfield-Hdw Co, powder Lloyd Spires, viewing & mi Leneve Hill rd..... 12.00

C R Flanagan, viewing & mi Leneve Hill rd..... 11.60  
Denzel Kay, chairman mi Leneve Hill rd..... 6.00

Logan Kay, chairman mi Leneve Hill rd..... 6.00  
Thos Devereux, axman mi Leneve Hill rd..... 2.50

Henry Virgil, axman mi Leneve Hill rd..... 2.50  
A N Gould, surveying etc Leneve Hill rd..... 26.50

Lloyd Spires, viewing & mi North Slough rd..... 21.40  
C R Flanagan, viewing & mi North Slough rd..... 14.20

C E Hanson, chairman North Slough rd..... 5.00  
J R Waters..... 5.00  
G C Peterson, axman North Slough..... 5.00

G R Bear, axman North Slough..... 4.00  
A N Gould, surveying, etc North Slough rd..... 41.00

Lloyd Spires, viewing & mi North Fork rd..... 12.70  
C R Flanagan, viewing & mi North Fork rd..... 15.00

T G Barker, chairman North Fork rd..... 2.50

## C A Baker, chairman North Fork rd..... 2.50 C O Crosby, axman North Fork rd..... 2.50 T H Benham, axman North Fork rd..... 2.50 T N Boone axman North Fork rd..... 2.50 A N Gould, surveying etc North Fork rd..... 30.50 A N Gould, surveying, profiles etc, various rds.... 32.00 Susan O Ensign, damages and cost, Ensign vs Coos County Oregon..... 205.94 In Re Special Improvements. A N Gould, surveying Brewster Canyon, RD No 12..... 5.00 A N Gould, surveying etc, Cherry Creek Hill rd, Lee-Lawhorn rd R D No 30..... 53.50 State of Oregon } ss. County of Coos }

## NEW ENGINES FOR SOUTH- ERN PACIFIC

Twenty six of the most modern type of locomotive, a part of the 96 ordered a year ago by the Harriman Line, are now being delivered to the Southern Pacific Company and within another two weeks will be placed in operation over the heavy Sierra Nevada and Tehachapi mountain grades. The Pacific System of the Southern Pacific Company is to have 65 of these new iron monsters. Thirty eight of them are to be based on that part of the system under the jurisdiction of E. E. Calvin, vice president and general manager with office at San Francisco. Calvin's jurisdiction extends west from Sparks, Nevada to San Francisco; north to Ashland, Oregon, and south to El Paso, Texas.

These engines mean to the shipping public, a saving of thousands of dollars. They will expedite the transportation of fruit to all points in the country, saving much money to the grower and shipper by making deliveries in perfect condition and securing for the producer top prices. Several hours consumed in traveling over these heavy mountain grades will be cut from the passenger schedules of the Company by the new, large and modern passenger engines that are to be placed in service.

Of the thirty eight locomotives to be operated on the Calvin lines of the Pacific, 12 are of the Mallet consolidated type; 11 of the Mallet Mogul type; 5 of the American type and 9 are switch engines. The five of the American type have been received and set up in the Sacramento shops of the Company. They have been in operation for about three weeks. Nine of the Mallet Consolidated locomotives have already been delivered at the shops of the Baldwin locomotive works at Philadelphia, and will probably arrive at Sacramento within a week. The nine switch engines are also on the way westward. The Mallet Moguls, which are a new type of engine for the Southern Pacific Company, have not yet been delivered.

All of these new locomotives are equipped with fuel oil burners. The Mallet Consolidated locomotives are known as the quadruple compound Mallet type, and are practically two complete freight engines in one. The cab is located in front of the locomotive, thus protecting the engineer and fireman from smoke in passing through tunnels and preventing the obstruction of the view in sounding sharp curves. These engines have 16 huge drive wheels and are capable of hauling a 1,000 ton train over the Sierra Nevada and Tehachapi grades, three ordinary locomotives being required to perform similar service heretofore. The Mallet Mogul locomotives are similar in construction to the Mallet Consolidated, except that they consist of two passenger locomotives consolidated into one. Briefly, the consolidated locomotive comprises two sets of engines assembled under one boiler. They are the first of this type to be used by the Southern Pacific Company and will be used in hauling the passenger trains over the Sierra Nevada and Tehachapi. It is expected that all of the new locomotives for the Southern Pacific Company will be delivered within the next three or four weeks.

F. S. Rexford, 615 New York Life Bldg, Kansas City, Mo., says: "I had a severe attack of a cold which settled in my back and kidneys and I was in great pain from my trouble. A friend recommended Foley Kidney Pills and I used two bottles of them and they have done me a world of good."

For sale by C. J. Fuhrman.  
A fine selection of post cards at Folsom's Confectionery.

Witness my hand and the seal of the County Court affixed this 14th day of June A. D. 1911.  
JAMES WATSON,  
(Seal) County Clerk.

### Port Orford Tribune

Abe Sypher, an old pioneer, and father of ex-commissioner Ed. Sypher of this county, died at the latter's home on Floras creek, June 13th, 1911, aged 92 years. Mr. Sypher resided for many years, in early days at Rogue River, and is known by all old timers.

The heavy winds have bothered Wilson and Forty some in their sea lion hunting, but whenever they run out to the reef they usually kill from 25 to 30—all they can take care of. They skin the animals with the blubber on the skins, and then bring them in to Nellie's Cove where they cut off the blubber, which they bring to the wharf, where they try out the oil and put it in barrels. Of course they save the "trimmings."

Teams are daily swinging into Port Orford with dead cedar poles for piling and telephones. These doles would be called logs in the East as they are about 1 foot at the small ends. Other teams are hauling railroad ties, several are hauling lumber from the Elk river mill while others are hauling shingle bolts. These with the sound of the carpenter's hammer, and the sight of new buildings being painted, give the town a busy appearance,—and if anything life-like is wanting, the northwest wind more than makes it up.

John Gillings and wife, of Sheridan, Wyoming, arrived here Saturday by stage from Bandon having come to Coos Bay on the Breakwater via Portland. Mr. Gillings is the son of our Hardware merchant, Mr. and Mrs. Wm. Gillings, and his wife is the daughter of Mr. and Mrs. J. D. Loucks, our banker and leading financier. The young couple enjoyed their long trip, and were joyfully received by their old Wyoming friends, and cordially welcomed by the people of Port Orford, with whom they expect to make their future home.

There was a very large crowd witnessed the launching of the new boat Tillamook at Kruse & Banks ship yard in North Bend today at 2:15 p. m. About one hundred people were on board and joined in the general cheering as she touched the water. Miss Alice Dean of Astoria, with her father, Inspector Deane, who is a part owner in the new boat, christened her "Tillamook" as she broke a bottle of wine over the bow. The bottle was tied with green ribbons—Coos Bay Times.