

# THE COQUILLE HERALD

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## COOS WINS IN THE KINNEY CASE

### Judge Shipworth Holds With Plaintiff on Every Point--Can Collect But Ten Cents for Each Property Description in Summons

The decision by Judge Skipworth in the case of Coos county versus A. T. Allen, et al, was received at the court house yesterday and great jubilation is evidenced by all the county officers who had a hand in the matter. This is what has become locally known as the Kinney tax case. The decision is in favor of the county on every point involved, with the possible exception that the county be enjoined from collecting over ten cents for each property description in the foreclosure notice including all foreign matter. This involves but a small sum comparatively speaking and its only import is in relation to the recovery of the money paid the publishers in excess of the above sum.

Excerpts from the decision follow: The court holds that the certificates of delinquency involved in this suit should be foreclosed and the property sold to satisfy the taxes, penalties and interests and costs of this suit. That the plaintiff be enjoined from collecting to exceed ten cents per property description, to include all matter in the summons, as cost of publishing the summons. That the contract entered into for the publication of the summons in this suit was in violation of the law in this: that the price contracted to be paid for such publication is in excess of the price fixed by law. (Here cases are

cited where, in the decision, the amounts paid in excess of ten cents per description may be recovered back from any person into whose hands it can be traced.)

That the results of this decision by Judge Skipworth will be far-reaching in its ramifications goes without saying. In the first place it serves as grounds for a suit to recover the excess amount paid, and second, it will necessitate the return, by the county, of all money collected from taxpayers in excess of the ten cents per description. The latter will cause a considerable amount of extra work on the part of the tax collecting force as all taxes paid after this summons was published had the excess amount attached and the same was collected. Now these excess payments must be searched for on the records and refunds made.

That a suit will be instituted soon to recover the excess paid by the county for the publishing of this summons was hinted at by one of the county officials, but no date has as yet been set for the beginning of the action. This, as well as other matters pertaining to the decision received today, hinge to a greater or less extent on whether or not the case is appealed to the Supreme court. The defendants will have sixty days in which to make their declaration of an appeal.

## TRAINING CAMP LIFE IN TEXAS

The following from one of Coos county's enlisted boys, stationed at San Antonio, Texas, may be of interest to our readers, especially as it will give a definite idea of the time necessary to actually get into the aviation game after enlistment:

Provisional Aviation School Squadron  
2nd Co. E, San Antonio, Tex.,  
June 8, 1917.

3:30 Friday afternoon. We finished our afternoon drill period and are now sitting in our tent in our undershirts enjoying the refreshing breeze. We drilled two hours this forenoon and one this afternoon. Our drilling consists merely in marching around and turning, and keeping straight lines. Every morning also during drill period we are given calisthenics—we jump and wave our arms and dance up and down until we work up a good sweat.

My throat is all well now, and I am in condition to enjoy life more than formerly. Schreiber, who was taken to the hospital with measles a week ago last Monday, is back in our tent. He is not able to work or drill yet. He has a sore throat still and a hard cold.

We are getting all we can eat now. There is not a great variety but it is cooked all right. Last night for supper we had stew as the main food, iced tea, rice, potatoes and bread. This morning we had corn flakes and milk (condensed of course), hash and coffee. At dinner today we had sago cooked with raisins and with sugar in it. It is the first time we have had sago since I have been in the army.

Yesterday we were on fatigue. We are being put on fatigue more now, I think. Several companies have been assigned to squadrons and while they are waiting to be shipped they do no fatigue, so it throws a little more on the rest of us. If I am in this camp long I shall get so lazy that I shall not know how to work. Wednesday we were sent up to the gravel pit to load trucks with gravel. Seven or eight truckloads of men went up, about two hundred men from three or four companies. There were about thirty trucks to load. A certain bunch of men was detailed to load a certain truck, and after working a half hour the men were relieved by another bunch. While working men with shovels stood by until the men with picks loosened the gravel, then the shovel men worked and the others rested; so we worked only half the time while we were working, and only worked half the time we were in the gravel bed. We were in the gravel bed about two hours and a half. In the afternoon I worked about fifteen minutes helping to load two trucks, and the rest of the time lay in the shade of a bank waiting to be called, and I was not called until nearly time to quit, and then every one in my detail got on the water line and waited

for a drink until time to ride back to camp. The gravel pit is about a mile and a half from the camp.

Another gravel bed is closer and sometimes we go there. We were there yesterday afternoon and I guess that I probably worked an hour during the afternoon. In the forenoon we were sent up to the other camp and six of us were detailed to clean up the camp incinerators where the kitchen refuse is burned. The man in charge of us led around and had us wait in several places, and finally a truck arrived and we loaded a little stuff into it and then rode about a mile to the dump and dumped the stuff off. Then we returned and loaded the ashes from one incinerator and took it down to the dump and then returned to our own camp and our tents and waited for dinner. There were only two of us from this tent. The other fellow is Loughlin, from near McMinnville. Schreiber is from there also.

A man by the name of Parsell went to the hospital last week, also with measles. He taught school at Enterprise last winter, quitting to join the

### ANDREW JOHNSON AT CHAUTAUQUA

Johnson One of the Best Story Tellers on American Platform.

A rousing Ellison-White Chautauqua event for 1917 Assemblies is the coming of Andrew Johnson, noted platform humorist. Johnson has taken the East and Middle West by storm. That he will repeat his previous triumphs on



ANDREW JOHNSON.

the Pacific Coast is certain. The "Johnson smile" alone starts the diaphragm to shaking and the risibles to bubbling. Into the wrinkle of every laugh Johnson lays a thought. The famous humorist is said upon authority to possess the richest store of point illuminating anecdotes in Chautauqua or Lyceum.

## Levar Dies at Eureka

A telegram dated at Eureka, California, today, states that Percy C. Levar died at 11:05 this morning. Mr. Levar, accompanied by his wife, sailed on the Breakwater for Southern California in search of health, but death overtook him before he reached his destination. No details were given in the dispatch.

## MANY ADDITIONS AT CREAMERY

With over 19,000 pounds of milk and over 1,000 pounds of cream arriving daily and machinists and carpenters busy on alterations and installations the local creamery presents a busy scene these days. During the past week a new hoist has been put in from the dock to the cheese and butter rooms of the creamery and workmen are now erecting an elevator from the ground to the very top-most floor of the building. The hoist will handle all the incoming milk and cream and will save over an hour of time in the handling of this part of the work alone. The elevator will handle all the manufactured product in its various journeys through the plant as well as the incoming material which arrives by truck and wagon. Both the new installations will be operated by electricity.

A crew of men from the Nelson Iron Works of Marshfield are at the plant working overtime to get the new innovations in working order and a crew of electricians are straining every point to get the huge dynamos and other electrical equipment installed so there will be no delay when the elevators are finished. And with all these repairs, alterations and installations being put in and the workmen necessary to their installation working at the plant, the butter and cheese men are compelled to handle their product in the shortest space of time possible. That they are working under many adverse conditions is admitted by all and they deserve great credit for the manner in which the plant has been operated for the past month.

The management has much to congratulate itself on at present along this line. Not many establishments

ach the idea of bathing them in such heavy slop. Some men lick their dishes and dry them in the sun.

The men in the next tent are now quarreling over the quality of men from the various states, each, of course, maintaining in favor of his own state.

There are men in this company from several states. In the whole camp there are men from practically every state.

Our mail service is all right now. The mail for each company comes to the company headquarters tent and is called off when we come in from drill. If any mail is not called for, owing to a man's not hearing his name called, the letters are taken to the tents and given to the man to whom they are addressed.

Concerning your remarks about the aviation section, I shall be able to give more information about it when I get some. I still expect to fly, but not for some time. When I enlisted I was told that it would probably be a year before I would have charge of a machine. From what I have learned I think nearly all the men here will have the opportunity to fly. Some of them will not be physically able to stand the change of air pressure or to control the aeroplanes. Several who have been up in machines have been so frightened that they do not want to try it again. A good many have no desire to fly, but are hoping for jobs driving trucks or as mechanics. Mechanics have a good chance to fly as they are often on aeroplane crews. I want to get on an aeroplane crew if I can. When a company is assigned to a squadron each man signs up for something definite. If he knows no trade he may be put anywhere. As I know something about gas engines I think my chances are pretty good. As the U. S. is so unsettled in its preparation it is slow getting anything done.

I suppose you will be home soon now. I should like to be there too. It will be a nice vacation for you I suppose that on account of the late season the grass and trees are in their best spring greenery now. If I were so situated that I could work out my fatigue on the ranch I could probably accomplish a good deal.

Here in camp most of the men do not think the flying dust much of a joke. The wind blows nearly all the time and the dust flies all the time. (Continued on fourth page.)

## DOUBLE ALLOTMENT RAISED HERE

### Red Cross Drive of Past Week Gets Total of Over \$5000 In Coquille Territory--Over One-Fourth This Amount Paid in Cash

The Red Cross drive which ended here last night resulted in the raising of \$5,007.30 for the use of the society in the work of saving from suffering and death those who may be wounded on the fields of battle during the coming year. The members of the force which has completed this task feel highly elated over this result and well they may. At the start it seemed an almost impossible task to even raise the sum allotted to this territory but when, at the end of the first day's work, over \$300.00 in excess of the required amount was subscribed their hopes were raised to such a point that they went out the following days with the avowed purpose of doubling the allotment for this district. That they did accomplish this purpose will redound to their credit in the annals of the society for many moons.

At the close of the drive it looked to the team members as though failure stared them in the face but the day was saved by the Commercial Club executive committee coming to the front with a \$25 subscription and the Knights of Pythias joining in with a subscription of \$10 which brought the grand total to \$7.30 more than double the allotment for the district. The daily result of the drive is as follows: Tuesday, \$2,809.25 subscrip-

ed, \$485.25 paid in cash; Wednesday, \$742.50, \$292.25 cash; Thursday, \$424.75, 232.25 cash; Friday, \$503.00, 208.00 cash; Monday, 528.05, \$184.05 cash.

Of this total subscription \$1,401.80 was raised in the form of cash subscription while the balance will be paid in four equal installments, the first on July 1, the second on August 4, the third on September 1 and the last on the first day of October.

Under the rules of the society one-fourth of this fund may be kept in this city for the use of the auxiliary in the relief of needy cases both in a general way and as a result of members of families going to the front and leaving those at home in a dependent condition. That such an auxiliary will be organized in a short time was stated by those at the head of the movement today and the membership will be composed of all those who subscribed to the fund raised the past week. The annual dues of the members will be \$1.00 which is payable at the beginning of each calendar year. The local society will have a membership of over one thousand at the start and this number will no doubt be swelled as the work of the society is investigated by those who have not before become members.

## RICH PLACERS ON UPPER COQUILLE

J. R. Smith, who has become almost famous in this section as a miner and prospector, paid the Herald a visit last week and while here displayed a couple of bottles which he said contained in the neighborhood of \$1,000. To say that the display was beautiful does not fully express it, and the writer sure had a feeling of envy when Mr. Smith said it was the result of less than three months' labor on the part of himself and son. The gold was mostly in the form of irregular nuggets from the size of a myrtle nut down to that of the head of a pin. Very little dust appeared in the bottles and he stated that but little dust had been taken out at the present place of working.

The ground from which this gold came is located at the head of Rock creek, a tributary of the South Fork of the Coquille and is located within a mile of the summit of the divide between the watersheds of the Coquille and the Rouge. Smith and his son have four claims there and he estimated that they have enough ground to keep them busy for many years. Owing to being so near the summit the water supply is limited and not sufficient for any large operations, hence the property is not for sale but

will be worked on a small scale when he has no larger matters on hand.

Smith has reported many discoveries of gold in Coos and Curry counties during the past two years—so many that various skeptical remarks as to their authenticity have been made—but as a fair judge of the filthy lucre in its virgin state the writer has no doubt that the sample shown here Friday all came from the same ground and that it must of necessity lie very near the source of supply as none of the nuggets show any great sign of erosion. There is but little question that Mr. Smith is very near to the finding of the chimney or blow out from which this gold was thrown and when this discovery is made it will be equal to any ever made in southwestern Oregon.

Deputy Sheriff Clyde Gage was in the office at the time Mr. Smith was here and stated that he knew the ground well and that he also believes Smith is very near the source of the placer gold found in that section. He also has several claims on Rock creek, several miles below Smith's locations, and contemplates a visit to that section some time this summer. Mr. Smith made no statement regarding platinum but we do not think this is the same discovery which was reported by Inman as having made in that section recently.

Mr. Smith went on to Bandon Friday where he expects to meet some mining men from the south who have come up to look over another discovery recently made by him. He has a call to eastern Oregon this summer to expert a mine and evolve a system of profitable operation which will occupy the greater part of the summer. He will return to Rock creek as soon as the water situation will warrant and will probably remain there during the winter.

### NEW YORK SOPRANO AT CHAUTAUQUA

Famous Eastern Soprano With Royal Venetian Band.

Mary Adel Hays, prima donna soprano of New York, is to appear on the 1917 Ellison-White Chautauqua as soloist in joint concert with the Royal Venetian Band. Miss Hays is noted for the uncanny perfection of her trill



MARY ADEL HAYS.

but she has warmth and sympathy of interpretation, as well as that bitter fly lightness in the execution of colorful passages. Miss Hays' repertoire is faultlessly suited to band accompaniment and includes favorites of operatic and oratorio arias, down to the little classic songs and ballads of universal appeal.

### Special Cable Rates

Special arrangements have been made by the Western Union under which week end letter telegrams of social character may be sent to soldiers, sailors and nurses of the American forces that may be sent to England or France. Such telegrams will be charged for on a word basis and without the minimum charges applicable in the case of ordinary week end telegrams. These telegrams will be handled by mail between England and France. The rate will be nine cents per word.

### TEACHERS' EXAMINATIONS.

Notice is hereby given that the County Superintendent of Coos County, Oregon, will hold the regular examination of applicants for State Certificates at the High School Building, Coquille, as follows:

Commencing Wednesday, June 27, 1917, at 9 o'clock a. m., and continuing until Saturday, June 30, 1917, at 4:00 o'clock p. m.