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Fred C. Baker, Publisher.

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Thoughts on the City Election

The Headlight a few weeks since indicated along what lines the present election should be fought and which we believed was for the best interest of Tillamook City—that of having the law rigidly enforced and explicitly obeyed. We believe so still, and on a square issue we believe also that this is what the conservative people require and have the power to carry through. As usual the extremists steps in, men who fail to grasp the situation and take no heed as to what can or cannot be accomplished—and, in our opinion, they become a detriment to those who work along safe and conservative lines. The introduction of prohibition into city politics has proved fatal to those who have striven to bring about reform by other means. It will prove fatal this year as well; doubly so, because when prohibitionists undertake to scold the business men of Tillamook City it antagonizes a powerful influence and brings the matter down to personalities. Business men resent being scolded by throwing their influence in an opposite direction—an influence, which, if properly handled, can be used to good advantage. Let us take a retrospective view. For the past few years the ministers of the respective churches have taken active interest in the elections, God fearing men, men who are giving their life work to raise humanity to a nobler and higher pinnacle, men who were just as earnest as any member of the present ministerial association, yet for all that they have sadly lacked the experience to grapple with local evils and checkmate those who are masters in the art of controlling votes. We have all heard these good men talk when they first came here full of zeal, and taking part in elections, solemnly declare that the prohibition party was going to sweep the saloons out of this city and county. These men have come and gone and others have taken their places, only to follow the same tactics of applying the prohibition medicine to cure existing evils in a city where any attempt to introduce prohibition kills off any sentiment that may have been created for better city government. If any gentleman belonging to the ministerial association doubts the Headlight's statement, we point to a "wide open" town so to speak, where some laws are not enforced and obeyed, as the result of their misguided efforts. This should cause food for reflection, for they are stubborn facts which those who want to do good and raise the moral standard of the city should not overlook. We have this much faith in the people of Tillamook City. They would support a conservative movement to right existing wrongs if it was undertaken by conservative men, but as soon as the extremists, with their prohibition ideas, attempt to run things, it ends in failure. The experience of those who have come to Tillamook and know it all and how to run things directly they get inside the city limits is that they unconsciously court defeat when they start out to take the bull by the horns.

We cannot understand why so many business men are in favor of gambling. Looking at it from a business standpoint, apart from its pernicious influence and moral aspect, we look at the matter like this: Suppose there is \$5,000 in circulation in a city, all of which would go through the legitimate channels of trade and is required to meet the people's obligations. Allow the gamblers to gather up one fifth of the above amount and the business men are deprived of an equal proportion of that money. It is a well known fact that a number of men who gamble owe store bills and that the money they lose deprive their families of clothing, etc., the money for which the business men would receive if the gamblers did not rake it in. True it is, we have no pity for the man who gambles and goes into a game with his eyes wide open and tries to buck a lot of professional gamblers at their own game. No wonder some men cannot pay their store bills and neglect their families, and no

wonder that bright business men who become intoxicated with the same ideas cannot pay creditors and their businesses gradually go to the dogs.

Let us administer a kindly rebuke to those who have been in the habit of complaining about the saloons and the gambling and the morality of Tillamook City. The Editor of the Headlight has heard these complaints from the pulpit, on the streets and in private, and although he has attended nearly every meeting of the city council for over three years, not one word of complaint has been made to the city council, not even by a member of the ministerial association, or those who have done no end of kicking. At the council meeting is where the kicking should be done. Another thing, we fail to recall how many attempts have been made to curtail the evil, by a little smattering of agitation for a few weeks before an election, or when a few new ministers arrive in the city, only to drop into insignificance after a few weeks. We point this out to show what little results have been accomplished by these spasmodic efforts. Is the present agitation going to meet a like fate?

The Headlight believes that, no matter who is elected next Monday, they should enforce the law and not fine one man for breaking it and allow another man to do so with impunity. There is no justice in that. Let the new city officials have a little more grit in enforcing the law. In advocating that the Headlight firmly believes that this is for the best interest of Tillamook City, and we appeal to our sober thinking citizens if this is not a fair and right position they should take in the matter and insist upon it being carried out?

It only takes three things to make an ideal city official: Good business judgment, moral backbone and a determination not to be a tool for the special interest of any one faction.

Tillamook City is no one horse town, neither can it be run long by one man or in the interest of one faction. Those days are past and gone, and a good thing, for if it will broaden people's ideas as well.

The Law in the Matter.

We stated that we would give the law in the matter regarding the action of the county court which has been called into question. County Judge Sappington stands self convicted. No one doubts this after his admission last week, both as regards the Nolan-Woods bid and the building of Beaver Creek bridge. Even if both commissioners had sanctioned the building of that bridge there is nothing in the journal, and, besides, the law was not complied with and the county judge has no right to dabble into county contracts, or so-called contracts.

The law relating to the salary of the County Judge, is as follows: "The County Judges of the several counties of this state shall receive as compensation for their services the following annual salaries: Tillamook county, five hundred dollars."

The duties of the County Court, setting as a board of County Commissioners, are pointed out by law. They constitute a court of limited and inferior jurisdiction. They are simply agents or trustees for the people of the county, and their acts must be strictly within the law as provided by the statutes. Whenever their actions go beyond it their jurisdiction ceases and their acts are void; or, in other words, they can only exercise such powers as are expressly conferred or necessarily implied by statute. Nor will their jurisdiction be implied where the existence of the powers are doubtful.

Being courts of limited and inferior jurisdiction, their records must show that the requisition of the statute under which they acted were complied with in order to give them jurisdiction. They must speak by their records.

The County Commissioners are trustees of the property interests of their county and owe the same good faith towards the county as is required of any ordinary trustee. They have no power except what is expressly given them by statute. Their acts, their salary, and per diem is fixed by law and they have no right or authority to perform an act in any other way, or to charge one cent

more for any act on their part than the law provides.

The acts of one commissioner can not bind the county unless he acts by authority of the board and that authority must appear in the records. The board cannot make a contract with one of their number.

In regard to the bridge law, which was in effect when Judge Sappington says he made a contract to build the Beaver Creek bridge, the following will show conclusively that he as well as the other commissioners acted unlawfully.

Upon the establishment of any road, the county surveyor shall enter the plat and field notes thereon upon the official records of the county. He shall make out a complete description of all or any part of the real estate of his county, to be made out and entered in proper rolls furnished by the county clerk for such purpose. The county surveyor shall make complete surveys, plans, specifications and estimates for all bridges, culverts, roads ditches or other public works to be constructed under the authority of the county court, and shall report the same with his recommendations thereon, and he shall superintend the construction of such work and make reports on the progress of the same to the county court as often as they may require; provided, that the county court may employ a civil engineer or architect to act in conjunction with the county surveyor in making plans, specifications and estimates of any bridge, culvert, road ditch or any other public work to be constructed by the county and in superintending the construction of the same; provided, that in the construction of the same the services of the county surveyor may be dispensed with, at the discretion of the county court. Whenever any bridge is to be built by any county in this state, the estimated cost of which shall exceed the sum of \$200, the county surveyor shall at once advertise for sealed bids, according to the plans, specifications and strain diagrams to be furnished by him and to be kept in his office for the information of bidders. Said advertisement to be published for at least two consecutive weeks in the official newspaper of the county, if a weekly, and twenty days if a daily paper. Each bidder shall be required to deposit with his bid 5 per cent of the amount of such bid, which shall be forfeited to the county in case the award is made to him and if he fails, neglects or refuses for the period of two days after such award is made to enter into the contract and file his bond in the manner required by and to the satisfaction of the county court. Upon the day appointed, the county surveyor, with the county court, shall proceed to open the bids and award the contract to build such bridge to the lowest responsible bidder, and the county court shall enter into contract with him therefor; provided always, that said county court may, in its discretion, reject any and all bids.

Here's a Coooco.

Bro. Baker's report of the matter was unfair to the Judge in attempting to compare a contract to do the work with the one to do the work and furnish the lumber.—Herald.

Had the Headlight reported the matter in any other way it would have erred in truth. We simply stated the ground of the complaint, so if anyone is unfair to the Judge it is Commissioner Parrish and others, as well as the editor of the Herald, for in an issue of that paper on the 12th Sept. there is this item:

G. W. Sappington, building Beaver Creek bridge \$236 00
Now what kind of a kettle of fish has the editor of the Herald fallen into when he attempts to palaver and soft soap the county judge all over with the idea that "Bro. Baker's report of the matter was unfair to the Judge?" Bro. Watson can find by looking up the bill for the above \$236 that it claims \$200 for building the Beaver bridge and \$36 for pulling out the old structure. And not one word is mentioned about lumber, it being simply an itemized bill, which any intelligent person could not mistake its meaning. As long as Bro. Watson can bleed the county judge for all the patronage at his disposal he will never utter a word in protest. He has not the backbone, the grit or the public enterprise to expose a rotten system of county government. He has the reputation of standing in with the county judge now, but wait until the

wrathful indignation of the republican party in Tillamook county belches forth in protest of Sappington's loose system of government, then see how quick Bro. Watson will scramble out of the Maxwell-Sappington band wagon and slobber those who are elected.

Rural Delivery Extension.

President Roosevelt is favorable to continuing the extension of the rural free delivery system. At a recent conference with the postmaster general he is said to have expressed himself earnestly in favor of the development of the service to the idea that the friends of the system have had in mind for years. It is understood that in his annual report the postmaster general will recommend an appropriation of \$6,000,000 for the maintenance and extension of free delivery routes during the next fiscal year and it is expected that congress will do this. It is said to be in contemplation to place this under the civil service rules, so that the carriers will be protected and retained in employment on the merit plan and without regard to political influences.

Mr. A. W. Mischen, who has had charge of the rural delivery system since it started, predicts that in a very few years every farmer in the land will have his mail delivered at his door. The spread of the service, he said, has demonstrated that it will ultimately have the most important effect on the business opportunities of the farmer and it will bring the tradesmen of the cities in such intimate relations with the farming community that gradually we shall see some remarkable results in our domestic commercial world. He declared that it would be impossible now to deprive those parts of the country that have become habituated to the free rural delivery system of its advantages. The outcry against any attempt to do away with it would soon become a political issue that would have to be reckoned with promptly.

There is no doubt that the system is permanent, nor is there any question as to its great benefit. At present nearly 4,000,000 people are enjoying its advantages and within five years the number will doubtless be several times that, if the appropriations are sufficient to enable the department to promptly meet the applications for routes. As an educational influence alone the value of rural free delivery cannot be overestimated.

Real Estate Transfers.

U. S. to Isaac M. Donkel, lots 3, 4 and 5 and Sw 1/4 of Nw 1/4, sec. 2, tp. 3 N., and lots 9 and 10, sec. 35, tp. 4 N., R. 8 W.; same to James McFarland.
Freda Hendricks, by sheriff, to Claude Thayer, S 1/2, Se 1/4, sec. 18, and N 1/2 of Ne 1/4, sec. 19, tp. 1 N., R. 6 W.
Wm. D. Stillwell to Mina M. Chase, lots 5 and 6 of block 10, in Stillwell's add. to Tillamook.
W. H. Hammond to The Astoria Co., various tracts.
U. S. to Josiah P. Kane, Nw 1/4, sec. 23, tp. 1 N., R. 8 W.
Henry Vierick to Hugo Reichenbach, Ne 1/4 of Se 1/4 of sec. 16, tp. 2 N., R. 10 W.
Thomas Coates to E. T. Davies, quit claim deed, E 1/2, Se 1/4, sec. 10 and E 1/2 of Ne 1/4, sec. 15, tp. 1 N., R. 7 W.
Rachel V. Lavish to Laurence Lavish, N 1/2 of Nw 1/4, sec. 8, tp. 3 S., R. 10 W.
John B. Ault, by sheriff, to Geo. W. Kiger, Sw 1/4 of sec. 3, tp. 1 N., R. 8 W.
U. S. to Gerrod E. Graves, Se 1/4 of sec. 27, tp. 1 N., R. 8 W.; same to the Olean Land Company.
Henry Hamilton to Winton Lumber Co., Se 1/4 of sec. 34, tp. 2 N., R. 8 W.
Lyrena E. Weaver to Winton Lumber Co., Ne 1/4, and sec. 32, tp. 2 N., R. 8 W.
George A. Monroe to Winton Lumber Co., W 1/2 of Ne 1/4 and W 1/2 of Se 1/4 of sec. 29, tp. 2 N., R. 8 W.
John W. Farquhar to Giles Gilbert, und. 1/2 interest in Ne 1/4 of Sw 1/4 of sec. 1, tp. 1 S., R. 8 W.; Charles T. Wooding to Giles Gilbert, same.
Roman Catholic Archbishop to Sisters Servants of Mary, block 4, in Miller's add. to Tillamook.
H. M. Burton to W. W. Redehugh assignment of bond, lot 7, block 4, in town of Bay City.
I. W. Cook to Sam McVey, W 1/2 of Ne 1/4 and N 1/2 of Nw 1/4 of sec. 12, tp. 6 S., R. 9 W.
W. D. Stillwell to Erick Glad, 8 acres in sec. 25, tp. 1 S., R. 10 W.

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