

THE LEVY IS 27 MILLS.

A New Court House will be Built.

The board of county commissioners, composed of County Judge W. W. Conder and Commissioners Geo. W. Bodfelt and Geo. Loerpabel, met on Wednesday and transacted the following business:

Reports of road supervisors in districts Nos. 3, 2, 5, and 4 were placed on file.

Report of P. W. Todd, county treasurer, was ordered placed on file.

Communication from Emil Schacht, architect, asking that W. N. Owens be made to remove his fence, was placed on file; also another petition on location of road.

Petition to appoint James Christensen supervisor of road district No. 5 was placed on file.

Petition of Mrs. Annie Roenicke for remission of penalties and interest was placed on file.

It was ordered that the door of the Courthouse door be designated as the Courthouse door.

In the matter of the claim of Otto Walther for \$1,200 damages, allowed \$1.00 for medical assistance and the balance of the claim was rejected.

In the matter of the taxes against lot 12, S. W. 1/4, sec. 25 and lot 13, sec. 26, tp. 1 south, range 19 west for the year 1899, it was ordered that they be released from any lien.

In the matter of the sale of N. E. 1/4, sec. 16, tp. 2 north, range 9 west for 1901 taxes, it was ordered that the sale be cancelled.

In the matter of the county printing it was awarded to the Herald for \$100 to a period of one year.

Fred Zudach was appointed road supervisor of district No. 1.

W. H. Hoskins was appointed road supervisor of district No. 2.

S. M. Duley was appointed road supervisor of district No. 4.

R. O. Richards was appointed road supervisor of district No. 5.

John Her was appointed road supervisor of road district No. 6.

John Hickey was appointed road master of Tillamook county.

THE TAX LEVY. The Court set the levy for the county as follows:

4.6 to mills for County School Fund, 1.20 mills for Indigent Soldiers' Fund, 10 mills for Road and Bridges, 3 mills for Court House Fund, 9.720 mills for County General Fund.

It was ordered that the County Clerk extend the tax levy on the assessment roll for the year 1904, and he was further ordered to place a warrant on the 1904 tax roll for collection of said taxes.

TO BUILD A COURT HOUSE. In the matter of creating a building fund for a Court House, it was ordered that the county judge proceed and procure and submit to the board of commissioners for the purpose of paying for the court house a special fund be created, known as the Court House Fund; that to supply that sum a tax of 3 mills be levied for that fund, and that a like tax of 3 mills be levied for each year of the succeeding years to 1904 until all the warrants issued for the payment of the court house, together with the interest accruing thereon, shall be finally paid and discharged.

I. M. Smith professional services 6 50

P. L. Springston, surveying 18 00

C. H. Woolfe's Account 93

M. F. Leach, meat 50

Todd & Co., rent and merchandise 5 50

Pacific Navigation Co. 85

Asa Woods 50 00

Yellow Fir Lumber Co., lumber 2 61

Tillamook Water Co. 2 00

D. J. Wiley's estate, professional services to A. C. Wood 31 50

J. J. Hollett, mileage 5 00

Lee Lyster 36 00

O. Osburn 3 20

A. Kinnaman 59 60

H. C. Kinnaman 12 00

C. L. Kinnaman 3 20

C. Coulson 18 80

D. Hays 4 20

E. Davis 4 80

R. Jacobs 2 00

P. Davis 2 00

H. Ely 11 40

J. Overhammer 11 40

P. Dye 16 00

N. Dye 14 20

F. Blum 1 60

J. R. Eldridge 5 40

W. Rosnick 3 20

J. R. Thompson 3 20

Otto Walkers 4 60

A. Blum 1 00

A. Wagner 4 60

P. Newberg 1 00

P. Amacher 7 40

R. V. Blacklock 2 80

Work in Road District No. 4

Russ Johnson 9 60

H. H. Johnson, and team 8 80

Dan Darby, and team 3 20

O. Blum 1 60

Ike Moor 4 60

T. W. Lyster 3 80

Fred Robridge 3 20

Erwin Phillips 1 40

Too Much Money. TO THE EDITOR TILLAMOOK HEADLIGHT. Dear Sir.—Will you allow me space to say a few words? At a special school meeting held in this district No. 11, a tax of five mills was levied for general and incidental purposes. Now this in itself would not convey much, but taking into consideration the fact that the financial condition of the district is such that one fifth the amount or a levy of one mill would provide ample funds for the fiscal year, it is an unusual and startling perversion of the taxing power. The only reason given by the advocates of the tax was to provide for the probable future needs of the district, such as the education of their grandchildren that may be. Now the constitution and laws of Oregon nowhere provide for raising revenue excepting for the fiscal year, consequently for a district to levy a tax that will raise from five to eight hundred dollars in excess of that amount is contrary to the spirit (and I also believe the letter) of the law.

E. K. SCOVELL, Nehalem, Ore., Jan. 2, 1905.

BEAVER. A happy new year to the editor and the readers of the Headlight.

A watch night meeting was held at the U. B. church on Saturday night to bid the old year adieu and welcome the advent of the new.

The wind storm of Wednesday night and hard rain did some damage to roads and telephone lines, besides buildings and fences. Wm. Hiatt's barn was unroofed, it being lifted completely off. One hoer was made a prisoner for a time by being held by fallen timbers.

Mrs. Linna Poland and Mrs. Minnie Gilbert are on the sick list, though nothing serious and are slowly improving.

Miss Buel began school on Monday after a vacation of one week, and spending the holidays with her brother, Prof. Buel.

Rev. Murphy, a Christian minister, preached at the Free Methodist church on Sunday afternoon and again on Monday night.

Representative W. T. West expects to leave for Salem on Tuesday morning to attend the legislature.

Miss Helen West is visiting her friend, Miss Nilson in Tillamook.

Arthur Davidson is in the valley on a visit.

EOULDER CREEK. M. T. Snares went to Tillamook Saturday.

Ralph Bundy was on Boulder Monday.

Miss Adelaide Gray walked over the trail to Beaver last Wednesday, and got the full benefit of the storm.

Work is being pushed forward as rapidly as possible on the new road.

L. P. Gray came down from Blaine to spend Sunday with his family. He finds batching rather lonely work these dreary winter days.

Mr. H. L. Jensen and family, Sunday, ed at O. W. Kinnaman's New Year's Day.

Mr. and Mrs. Harley Poland, of Beaver, visited last week with O. W. Kinnaman, Mrs. Poland's brother.

W. D. Gladwill has been building fence between his place and H. L. Jensen's.

Frank Dye is up from Wolfe Creek working on the new road.

We regret to state that one of our citizens, Mr. George W. Lucas, is making preparations to leave Oregon. He intends to go to California. Mr. Lucas has many friends here who will be sorry to see him go.

Mrs. Elsie Kinnaman was a welcome guest at H. A. Chopard's last Monday.

Miss Sarah Gray and brother Perry are sojourning on the ranch at East Creek at present.

Mr. and Mrs. O. W. Kinnaman went down the river last week and just got home in time to escape the high water.

NETARTS. Ed Morgan, of Fairview, was on the bay Sunday last.

Geo. Coffman went to Tillamook the last of the week on a business trip.

Messrs. Matson and Hamilton, of Portland, who have been stopping on the bay for the past two months made a trip to Tillamook Saturday.

W. T. Morgan, the Barnegat mail carrier, passed on the Netarts beach on Monday with the Barnegat mail, as the Light-house road was blockaded.

Geo. W. Phelps went to the county seat Wednesday on business connected with the county court.

J. M. Morgan was seen on the bay Sunday after an absence of several days.

Sam Reading, of South Prairie, was on the beach the last of the week.

School Program. The following program was rendered Friday afternoon, December 23, by the pupils of the Nehalem school:

Song, "Old Black Cat," School. Opening address, Helena Schollmeier. Recitation, "December," Oscar Klein. Recitation, "Christmas Carol," Herman Schollmeier. Recitation, "Chime On," Ethel Vedder. Recitation, "Christmas Wishes," Alie Effenberger. Recitation, "Watermillion," Orson Batterson. Exercise, "Jack Frost," Eight Little Ones. Recitation, "Fir Tree Cross," Grace Vedder. Recitation, "Santa Claus is Coming," Guy Thompson. Recitation, "December," Rudolph Bunnester. Recitation, "The Stocking," Helena Schollmeier. Recitation, "Happy Earth," Guy Vedder. Recitation, "The Reindeer," Eunice Todd. Song, "Ting a Ling," Eight Little Ones. Recitation, "Star of the East," Otto Effenberger. Recitation, "A Little Boy," Joseph Bunnester. Recitation, "The First Christmas," Elsie Schollmeier.

HEADQUARTERS FOR DAIRYMEN'S SUPPLIES AND STEEL STOVES & RANGES. We carry a Large Stock of Hardware, Tinware, Glass and China, Oils, Paint, Varnish, Doors, Window Sashes, Fine Line of Choice GROCERIES. Agents for the Great Western Saw. McINTOSH & McNAIR CO., The Most Reliable Merchants in Tillamook County.

Recitation, "Merry Christmas," Albert Robitch. Recitation, "Christmas," Hattie Anderson. Exercise, "Christ Child," Six Children. Recitation, "Christmas Carols," Walter Walker. Recitation, "December," Violet Klein. Recitation, "Star of Bethlehem," Claude Vedder. Recitation, "Christmas Bells," Emil Schollmeier. Recitation, "The Angel's Message," Lottie Vedder. Recitation, "Why Christmas Comes," Frank Thompson. Recitation, "Scaring Santa Claus," Esther Lundburg. Recitation, "Night Before Christmas," Oscar Effenberger. Song, "Christmas Bells," School. BERTHA ROWE, Teacher.

Three are Dead. Filled with jealous rage and thirsting for revenge, Henry H. Loomis Tuesday night shot and killed Frank Fitz at Union avenue and Davis street, Portland, ran to his own home, murdered his wife by a shot at his forehead, grasped his razor from a shelf, cut his throat from ear to ear and died with his arms embracing the woman he had slain.

The double murder and suicide was the culmination of a scandal involving Loomis' victims, and the report furnished the husband by Henry Warner, a messenger boy, who had been employed to "shadow" the pair while they were engaged in their clandestine movements. Loomis had learned how matters stood upon leaving a hospital two weeks ago. During his illness, Fritz and Mrs. Loomis had been much together, and could not be found for several days after Loomis recovered.

A crisis was reached Tuesday morning when the messenger boy reported a trip of Fritz and Mrs. Loomis to the reservoir, a walk in the suburbs and their final return to her home. Loomis did not conceal his plans. He openly talked of murder and suicide. He even went so far as to ask Mrs. A. Ollenbeck, his mother-in-law, for oil with which to get his revolver, into good condition. He told her early in the morning that he would kill Fritz if he met him. He left the house angry and desperate, vowing revenge and beside himself with rage.

Saved From Terrible Death. The family of Mrs. M. L. Bobbitt, of Bargerton, Tenn., saw her dying and were powerless to save her. The most skillful physicians and every remedy used failed, while consumption was slowly but surely taking her life. In this terrible hour Dr. King's New Discovery for Consumption turned despair into joy. The first bottle brought immediate relief and its continued use completely cured her. It's the most certain cure in the world for all throat and lung troubles. Guaranteed Bottles 50c. and \$1.00. Trial Bottles Free at Chas. I. Clough's Drug Store.

Dr. P. J. Sharp, the experienced dentist is located in Dr. Wise's dental parlors, and is prepared to do nothing but the best of satisfaction. If your teeth need fixing call upon him.

ADMINISTRATOR'S NOTICE. NOTICE is HEREBY GIVEN.—That the undersigned has been by the County Court of the State for Tillamook County, duly appointed administrator of the estate of WILLIAM FITZPATRICK, deceased. All persons having CLAIMS against the estate are hereby notified and required to present the same to the undersigned administrator, with the proper vouchers duly verified according to law, at the office of Eddy & Bots, Attorneys-at-Law, Tillamook City, Tillamook County, Oregon, within six months from the date hereof. Dated at Tillamook City, Oregon, the 5th day of January, 1905. DAVID FITZPATRICK, Administrator of the Estate of William Fitzpatrick, Deceased.

"ALL SIGNS FAIL IN A DRY TIME: THE SIGN OF THE FISH NEVER FAILS IN A WET TIME." Remember this when you buy Wet Weather Clothing and look for the name TOWER on the buttons. This sign and this name have stood for the BEST during sixty-seven years of increasing sales. If your dealer will not supply you write for free catalogue of black or yellow waterproof oiled coats, slickers, suits, hats, and horse goods for all kinds of wet work. A. J. TOWER CO., THE TOWER SIGN TOWER CANADIAN CO., TORONTO, CAN. FISH BRAND.

PORT ARTHUR FALLS. Russians at Port Arthur Yield to Fate.

The people of St. Petersburg have received with composure the news, known to the rest of the world a day earlier, of the fate of Port Arthur. The event had been anticipated and, under official direction, the minds of the populace were prepared to receive with resignation the announcement of the fact by the publication of dispatches forwarded last week by General Stossel describing the straits to which the garrison had been reduced.

The expectation in some quarters that the surrender of the fortress would be followed at the capital by anti-war demonstrations had not been reached. So far as there has been any expression of feeling, it has been for earring on the war with all the vigor possible.

At Tokio last night the surrender of Port Arthur was celebrated by a lantern procession and a general illumination. The Japanese Diet will formally express the thanks of the nation to General Nogi for his conduct of the siege.

Among the Russian officials there is a feeling that any proposals of peace that may be made must be with the fact in view that, in order that peace may be lasting, Japan must recognize Russia's right to free transit of its ships through the Far East. High Japanese officials declare that there is no probability of advice coming from their government looking toward peace negotiations.

In official quarters in St. Petersburg, it is said that no tender of good offices from a third party would be accepted and that any proposal for peace must come from Japan direct.

Summary of the Terms. LONDON, Jan. 4.—The Japanese Legation yesterday published the agreement which served as the basis of the capitulation of Port Arthur. The agreement was signed by the Russian and Japanese commissioners, representing Generals Stossel and Nogi respectively, and later by the commanders-in-chief themselves, the final consummation of it taking place in the evening of January 2.

The agreement consists of 11 articles. Several of them are of a purely technical nature. The essential points of the others are as follows: The entire fortress with its surrounding fortifications, the ships still afloat in the harbor and the wrecks of those sunk and partly sunk, all arms and ammunition, the military buildings in the fortress and forts as well as in the old and new towns together with all other government property, are to be surrendered to the Japanese. The latter agree to respect and duly investigate all private rights and claims.

The Japanese reserve the rights of free action relative to their claims for restitution and indemnity in the event of it becoming established that any forts, ships or other property were destroyed after the signatures had been affixed to the agreement. Impartial investigation of the reports alleging such violation of the proprieties of the surrender is promised, and the Russians agree to cooperate.

The plans of the forts still standing, destroyed or in the course of construction, the stock of torpedoes and mines, the lists containing information in referring to the placing of mines on land or sea within the confines of Port Arthur, as well as the lists with the names of all military and naval officers engaged in the late defense, are to be delivered without deductions and erasures to the Japanese.

The soldiers, sailors and volunteers, as well as the officials under Russian jurisdiction, will become prisoners of the Japanese. The officers and officials will retain their arms and private property, however, in accordance with the expressed wish of the Mikado as a recognition of their gallantry in defending the fortress. These officers and officials are to be sent on parole to Russia.

As a guarantee of good faith, the forts

at Itzeshan and Antashan, together with other fortifications still standing are to be surrendered to the Japanese not later than noon of January 3.

THE MOMENTOUS DISPATCH Messages Between Russian and Japanese Generals as to Surrender.

TOKIO, Jan. 2.—General Nogi reports as follows: "At 5 in the afternoon of January 2 the enemy's bearer of a flag of truce came into the first line of our position south of Shuishiyang and handed a letter to our officers. The same reached me at 9 o'clock at night. The latter is as follows:

"Judging by the general condition of the whole line of hostile positions here by you, I find further resistance at Port Arthur useless sacrifice of lives, propose to hold negotiations with reference to capitulation. Should you consent to the same you will please appoint commissioners for discussing the conditions and conditions regarding capitulation and also appoint a place for such commissioners to meet the same appointed by me.

"I take this opportunity to convey to your excellency assurances of my respect.

"Shortly after dawn today I will patch our bearer of a flag of truce with the following reply, addressed to Stossel:

"I have the honor to reply to your proposal to hold negotiations regarding the conditions and order of capitulation. For this purpose, I have appointed Commissioner Major-General Nogi (Chief of Staff of our army). He will accompany me to the enemy's camp to meet civil officials. They will meet your commissioners January 2, noon, at Shuishiyang. The commissioners of both parties will be empowered to sign a convention for the capitulation without waiting ratification, and cause the same to have immediate effect. Authorization of such plenipotentiaries shall be signed by the highest officer of both the negotiating parties, and the same shall be changed by respective commissions to convey to your excellency assurance of my respect.

Blow up Own Forts. LONDON, Jan. 3.—The Daily Mail's correspondent with General Nogi says capture of Wantaui involved six hours of the fiercest fighting, while the loss on the forts to the south were estimated at 1000 men. Describing final siege, the correspondent says: "The slackened fire at the northern eastern forts seemed to show the Russian ammunition was failing. The situation was now desperate. Explosions around the forts proved that the Russians were exploding magazines. Flames and smoke from the harbor were followed by explosion explosion, which revealed the destruction of the Russian ships. The Russian apparently blew up two of the forts.

The battleship Sevastopol was up, and the other warships were destroyed as thoroughly as possible by the Russian batteries. Retzivan and Poltava the protected cruiser Pallada were blown up.

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