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 All Resolutions of Condolence and
 Lodge Notices, 5c. per line.
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The Tillamook Headlight.
 Fred C. Baker, Publisher.

P. R. & N. C. LOST ITS SUIT.

A & C. R. R. Obtains Possession of the Garibaldi Pass.

Circuit Judge G. H. Burnett has filed his decision in the injunction suit filed in the circuit court of Tillamook county by the Pacific Railway & Navigation Company against the Astoria & Columbia River Railroad Company, in which the former company sought an order of the court to enjoin the A. & C. from building a railroad around the Garibaldi pass. The P. R. & N. C. claiming priority to do so. The latter company has established its grade down the Foley valley, and, it is said, to prevent the A. & C. from building down the Coast. said claim to the strategic point at Garibaldi. Judge Burnett's decision is against the P. R. & N. C., and instead of that company obtaining a right to the pass the A. & C. has done so, obtaining a decree of the court enjoining the P. R. & N. C. from interfering with the construction of the road.

In his findings and decree, Judge Burnett says:

While it is possible that plaintiff might have the right, under its articles of incorporation as quoted in the first finding of fact, to occupy the Foley Creek pass or the Garibaldi pass with its railroad, it cannot lawfully or equitably, as against the defendants, occupy both said passes to the exclusion of the defendant.

It is inequitable as a matter of public policy for plaintiff to occupy both of said passes to the exclusion of the defendant, and the plaintiff having permanently located its line of railway over and upon the Foley Creek pass, upon the line described in the particular words of its articles of incorporation, it should be held in equity, for the purpose of this suit, to have elected to locate its road upon that pass and to have waived its right to occupy the Garibaldi pass under the more general and alternative clause of its articles of incorporation.

It being impracticable to operate two independent railroads over the two permanently located lines through Garibaldi pass, as described in the seventh and eighth findings of fact, it would exclude the defendant from that pass if plaintiff were decreed to be prior in right there by reason of being merely prior in time there with the survey of its line.

The construction and operation of a railway along and upon the Garibaldi pass upon the permanently located line described in the eighth finding of fact is within the scope of the corporate powers of the defendant, as set forth in its articles of incorporation.

Inasmuch as the supplemental complaint does not allege any act of the defendant done or threatened against the rights of the plaintiff, it does not constitute the basis of any relief for the plaintiff in this suit.

The plaintiff is not entitled to any relief against the defendant in this suit and its original and supplemental complaints should both be dismissed.

The defendant is entitled to a decree of this court perpetually enjoining the plaintiff, its agents and servants, and all persons acting by or through or under it, from interfering with or obstructing the defendant in any way in the location, construction or operation of the defendant's railway upon the defendant's permanently located line as surveyed by the defendant's engineers and mentioned and described in the eighth finding of fact, and from obtaining or attempting to obtain any rights of way for a railway in any manner affecting defendant's said permanently located line and for the costs and disbursements of this suit.

Based on the findings of fact and conclusions of law made and filed in this suit by the court, after hearing evidence and argument of this cause, and the decree decreed by the court that the plaintiff take nothing by its complaint or supplemental complaint in this suit, that plaintiff's complaint and supplemental complaint be and the same are both hereby dismissed; that the plaintiff, its agents and servants, and all persons acting, through or under it be and they and each of them are hereby perpetually enjoined and restrained from interfering with or obstructing the defendant in any way in the location, construction or operation of the defendant's railway upon the defendant's permanently located line as surveyed by defendant's engineers from the land of L. C. Smith southwardly and through the town of Garibaldi and thence easterly to the Miami river, all in Tillamook County.

It was further ordered and decreed by this court that each party to this suit shall have until and including October 1, 1907, to file its motion for new trial of this suit or for modification of the findings or decree of the court.

Remedy for Diarrhoea. Never Known to Fail.

"I want to say a few words for Chamberlain's Colic, Cholera and Diarrhoea Remedy. I have used this preparation in my family for the past five years and have recommended it to a number of people in York county and have never known it to fail to effect a cure in any instance. I feel that I cannot say too much for the best remedy of the kind in the world."—J. JEMISON, Spring Grove, York County, Pa. This remedy is for sale by Clough's Drug Store.

Dairy Ranch for Sale.

A dairy ranch of 250 acres, including 100 acres of timber, house, barn, 12 head of cows, team, wagon, harness, mowing machine, hack, brood sows and 9 shoats, 9 head of spring calves, bull, and other farm implements. A bargain if sold soon. 6 1/2 miles from Tillamook City, on the Trask river.—Address J. L. Childers, Tillamook, Ore.

Latest Announcement.



I am a Candidate for your work in the Optical Line. Here is my Platform:

I believe every person, old or young, rich or poor, should have a "square deal," and I am here to give it to you. In case you do not need glasses I will tell you so. I have told several this the past week.

If your eyes are diseased I am in a position to discover it, and will not trifle with anything so valuable as eye sight, and will promptly recommend medical treatment if you require it.

If you do need glasses I do not fit you up with a dollar pair and charge you \$10.00 for them. You pay just what they are worth and no more. The price is regulated by the style, quality and complications of glasses you require.

I have a finely appointed operating room equipped with the latest instruments, tests, charts, etc., for the thorough testing of the eye for the purpose of fitting glasses, either for the most complicated or the "common every day kind."

I am especially equipped for the handling of children's cases, especially if their eyes are weak, near or far sighted, or they have headaches or their eyes are crossed.

I do not have any of the long, drawnout, tiresome and painful, backnumbered tests, but use all the later day short cuts. Positive, sure and quick.

I positively guarantee my work to be satisfactory and I am ever ready to "Make Good."

I hope all who can consistently do so will stand by me on this platform when they have trouble with their eyes, need their glasses changed, or need to have new ones fitted, or at least call and talk the matter over with me and I will appreciate the favor if they will ask their friends to do likewise.

Examinations Free.

DR. HENRY E. MORRIS,
Eye Specialist.
TILLAMOOK, OREGON.

COAST COUNTY RICH.

Mulkey Surprised at Resources of Tillamook.

NEEDS CHANNEL TO SEA

Ex-Senator Says Government Should Improve Waterway to Facilitate Export of Lumber and Other Products of the District.

(From the Oregonian).

Greatly impressed with the richness of Tillamook County and the possibilities of its future development, Frederick W. Mulkey, ex-United States Senator, returned last night from a trip to the Coast. He went to Tillamook to attend the fair that has been in progress there and where he delivered an address Friday night. The wealth of timber and the vastness of the dairy industry was a revelation to him and he believes that the district's greatest need at present is an appropriation to improve its harbor.

On the return trip to Portland over the North Yaquina stage road, Mr. Mulkey found just what it is to encounter an Oregon rain at its worst. For 12 hours he rode through a driving thunderstorm and was soaked from head to foot. Notwithstanding the discomfort, he says the pleasures of the trip to the Coast more than offset this experience. He was accompanied by J. P. Kennedy.

"The timber tributary to Tillamook City is enormous in amount and of exceptionally fine quality," said Mr. Mulkey last night. "There are millions on millions of feet of standing timber that will eventually be milled and become of enormous profit to the people of Tillamook County. It is one of the very great attributes of Oregon's splendid resources."

"But the permanent resource, one that will never be exhausted and will continue to grow until a very large area of land will be covered, is dairying. As it is now, the livestock, both cattle and horses, cannot be surpassed by any other county of the state. The farmer who owns a few cows in Tillamook is possessed of a veritable gold mine. A single cow now yields a profit of \$100 a year. Tillamook's grass and climate seem to be perfectly adapted to dairying interests."

"The cream is practically all used in the manufacture of cheese, and, as is well known, the Tillamook cheese has a reputation all over the United States for

its fine quality. It was surprising to learn that the cheese is so profitable that other dairy products are little made. Although they make excellent butter, there is so much more profit in cheese that the county imports butter for its own consumption.

"Tillamook County is one of the most prosperous districts of the state. It is estimated that there is deposited in the Tillamook banks \$500 for every man, woman and child in the county. This per capita deposit is an excellent indication of the prosperity of the people."

"I was especially interested in the waterway problem. The last report of a recent survey conducted by a Government engineer shows that the Tillamook bar has a depth of 10 feet at low water, and this without the aid of any Government project for the deepening of the bar. They need an appropriation to keep the bar at a permanent depth of 16 feet, as there may or may not be shoaling unless some work is done."

"The people of Tillamook City also need and should have Government aid to maintain a depth of 10 feet in the channel of Tillamook Bay. The people are very anxious that this depth be maintained and the resources of the county fully justify this request on the Federal Government. The waterway problem of Tillamook is thoroughly practicable, and if a sufficient amount of money is appropriated at one time a 10 foot channel can be maintained at slight annual expense. This would enable Tillamook to mill its available timber and export the lumber to Coast points and the Orient."

"I have the highest praise for the people of Tillamook for the very cordial hospitality accorded me, and it certainly will be to the benefit of the business men of Portland to encourage and stimulate business relations with that section. Their carnival was a great success, and would have done credit to a city five times as large."

HAD AN AWFUL TIME But Chamberlain's Colic, Cholera and Diarrhoea Remedy Cured Him.

It is with pleasure that I give you this unsolicited testimonial. About a year ago when I had a severe case of measles I got caught out in a hard rain and the measles settled in my stomach and bowels. I had an awful time and had it not been for the use of Chamberlain's Colic, Cholera and Diarrhoea Remedy I could not have possibly lived but a few hours longer, but thanks to this remedy I am now strong and well. I have written the above through simple gratitude and I shall always speak a good word for this remedy.—SAM. H. GWIN, Concord, Ga. For sale by Clough's Drug Store.

The Oregon Cheese Co., Incorporated, is prepared to buy all the first class cheese that comes along. Spot cash and highest price. Factory men will do well to see R. Robinson, the manager, before selling. He will be in Tillamook a good part of the time during the season. Only the best stock wanted.

THE OREGON CHEESE COMPANY,
 126 Fifth Street, Portland.
 Reference, Tillamook County Bank.

The Best Hotel.

THE ALLEN HOUSE,

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Headquarters for Travelling Men.

Special Attention paid to Tourists.

A First Class Table. Comfortable Beds and Accommodation.

HARNESS, COLLARS, etc.

**You Use Them.
 We Sell Them.**



W. A. WILLIAMS & CO.,

Next Door to Tillamook County Bank.

Fir and Spruce Lumber.

Spruce and Cedar Shingles.

Cheese and Butter Boxes a specialty.

Orders for Lumber promptly attended to.

TILLAMOOK LUMBER COMPANY

A. K. CASE,

PROPRIETOR

Tillamook Iron Works

General Machinists & Blacksmiths.

Boiler Work, Logger's Work and Heavy Forging.

Fine Machine Work a Specialty.

TILLAMOOK, OREGON.

The Largest Mail Order Liquor House on the Pacific Coast.

MIKE JACOB & COMPANY,

51 FRONT STREET, PORTLAND, OREGON.

Buy your LIQUORS direct from the WHOLESALE HOUSE at WHOLESALE PRICES and save the middle MAN'S PRO. FIT, which means 50 to 100 per cent on your PURCHASES.

We are offering for the next 60 days as follows:

- 2,500 Gallons of Double Stamp Whiskies, Regular price, \$5.00 per gallon.....at \$3.50 per gal.
 - 2,500 Gallons of Pure Old Rye Blend Whiskies, Regular price, \$5.00 per gallon.....at \$4.00 per gal.
 - 2,500 Gallons of Pure Old Bourbon Blend Whiskies, Regular price, \$6.00 per gallon.....at \$4.00 per gal.
 - 2,500 Gallons of Lyon Rye or Bourbon Blend, Regular price, \$5.00 per gallon.....at \$3.00 per gal.
 - 5,000 Gallons of Fine Old California Port, Sherry, Angelica, Muscat, Madera and Malaga, Regular price, \$2.50 per gallon.....at \$1.50 per gal.
- Freight and Express Prepaid and no Charge for Coorage.**
- 500 Cases of McBrayer Whiskey, bottled in bond.....at \$12.00 per doz.
 - 500 Cases of Millview Whiskey, bottled in bond.....at \$10.00 per doz.
 - 500 Cases of Stanford Rye Whiskey, Pure Blend.....at \$11.00 per doz.
 - 500 Cases of Ranier Bourbon Whiskey, Pure Blend.....at \$11.00 per doz.
 - 5,000 Cases of Port, Sherry, Angelica, Muscat, Tokay, Madera and Malaga.....at \$4.00 per doz.

On Five Case Lots we allow a discount of 50c. on each Case.

Of five and ten gallon kegs and half barrel Lots we allow a discount of 25c. per gal.

MIKE JACOB & CO.,

51 Front Street, Portland, Ore.

Centrally located. Rates, \$1 Per day

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M. H. LARSEN, Proprietor.
TILLAMOOK, OREGON

The Best Hotel in the city. No Chinese Employed.

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 ATTORNEY-AT-LAW.
 Complete set of Abstract Books in office. Taxes paid for non-Residents.
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 Office across the street and north from the Post Office.

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 Cleaning, Pressing and Repairing a Specialty.
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