

**Editorial Snap Shots.**

The Sunday closing law was declared unconstitutional by Judge Gastenbein on Monday, so no more Sunday lids can be put on.

Now that Bro. Turner has his nose in the space box again, it will either keep him out of mischief or get him into mischief.

The dairymen who want butter fat at 12c a pound, the price paid under the Cleveland administration, will vote for Bryan next month. And the dairymen who want the price to remain the same as the last few years will vote for Taft.

Hemlock has a bright little newspaper, and the Sage of Hemlock will be kept busy from now on—toting his own horn and infusing a little life into that way-side location. Who knows but what Hemlock may be bidding for the county seat one of these days.

The wet season started in again on Monday after a beautiful summer and fall. True it is that Tillamook from now on will have plenty of rain, but there is this satisfaction in knowing that there will be no blizzards, heavy snow storms or zero weather in this county the coming winter.

Bay City will be a splendid location for a salmon cannery and cold storage plant as soon as the railroad is finished, but in the meantime those who are interested in that business should be approached and induced to invest in what will be a profitable business as soon as the railroad solves the transportation question.

The presidential election is now only a few weeks off and it appears to be conceded, and by some democratic newspapers, that Taft will be elected. That will be a good thing for the prosperity and industrial interests of the country, and Tillamook County especially, for it will soon emerge from its "bottled up" condition.

True it is that the business men of this city should have owned and operated its own steamer, but now that the railroad will be completed within a year, it is not surprising to know that but few persons care to invest in a new boat, although, should the Pacific Navigation Company continue to pile on the agony there is no telling what might happen yet.

The voters in Tillamook, Hoquarten, Fairview and South Prairie will vote at the November election, applying local option to prevent cattle running at large in these precincts, and owing to numerous complaints it will not be a surprise if all four precincts vote to keep stock up. This will not prevent anyone from herding cattle in these precincts when grass grows up, and, no doubt, this will soon be resorted to by owners of cattle sending their children to herd cattle on the public highways. So in abating one nuisance it is liable to create another.

As is usual with Tillamook County, a large majority of the people will remain loyal to the Republican party next, as can be judged from previous elections and the registration. In the election of 1900 McKinley polled 618 votes to 296 cast for Bryan, and in the presidential election of four years ago Roosevelt had 725 votes to 136 cast for Parker. Up to the present time 773 republicans and 175 democrats have registered. Assuming a number of democrats registered as republicans, with the fact that at the last June election Hawley, for congressman, had a plurality of 500 votes, goes to prove that Tillamook County is still strongly republican, with no indications that the people have switch over to the democratic party. It is safe to say that Taft will carry the county by over two to one. Taft, out of the 773 republicans who have registered will surely receive 700 votes, and although the registration gives but 175 democrats, it may be that Bryan will poll about the same number of votes cast for him eight years ago, which will give Taft a plurality of 400. The prohibition vote will fall off, but the socialists will increase theirs to 125 or 150. The Independent League will cut no figure in Tillamook. There are quite a number of men working on the railroad who have not registered, but they are not liable to go to the polls, as they are mostly foreigners.

Business men have been called upon to subscribed for so many things this year that they have gone deeper into their pockets than they felt like doing. This will become worse year after year if some plan is not devised to check it. Business men for the most part are more liberal than any other class, but there is no reason why they should be rode to death. Yet it is somewhat their own fault that they are, and pestered almost to death with scores of individuals who go from town to town making a living grafting the business men and the public. Tillamook City had its share of grafters—the advertising grafters, the show grafters, the prize grafters—none of which have helped the city nor helped business in the least. In fact, because some of the business men refused to have anything to do with these affairs they were abused by the parties who were pushing them. As to the future, we want again to make a suggestion, and that is for the business men to concentrate their efforts upon a good county fair year, giving cash prizes

to those who exhibit stock, farm and dairy products. A thousand dollars distributed in that way amongst the home people, instead of giving it to outside bands and fakirs' shows, would, in our estimation, be the proper thing to do. And we would also suggest, so as to put a stop to the continual demand for money, that the business men appoint a committee, to which all matters pertaining to contributing to this or that scheme could be referred. This is some what after the plan adopted in other cities, where business men have been pestered so much with fakes of all kinds that they have had to adopt some plan to prevent being imposed upon, as quite a number of the business men of Tillamook City were this year. Whenever a Business Men's or a Commercial Club is organized here, the fakers will not be able to gather in such a rich harvest. A liberal contribution from the business men for a county fair is as much as they should be called upon to give away, so give them a rest for a while and let them concentrate their efforts on a genuine, annual county fair.

**Engine for Sale.**

One 6 horse power Pierce Engine, in first class running order. For price see F. N. Elliott.

**Houses for Sale.**

Three Houses for Sale, cheap, on your own terms. Apply to John Harter, Tillamook, Oregon.

**Separator for Sale.**

For Sale, a new No. 4 Sharples Tubular Separator. Price \$70. Address: Frank Bester, Tillamook.

**Wanted, to Rent, a Dairy Farm.**

Wanted to rent by an experienced dairyman, a dairy ranch with 18 to 25 cows, after 1st November. Address Box 44, Tillamook, Ore.

**Notice, for Sale.**

One span of heavy young horses, also five good colts from sucking colt up to 2½ years old.—Inquire, John Abraham, North Yamhill, Ore.

**Girl Wanted.**

Wanted, a Girl to work for board and attend East Side High School, Portland. Particulars write Mrs. E. H. Whitney, 1160 Detroit street, or inquire of Mrs. W. H. Cooper.

**To Creditors.**

Those knowing themselves indebted to C. F. Stuart call upon D. L. Shrode and settle same and some expense.

R. L. SABIN, Secretary Merchants' Protective Association.

**Siletz River Bottom Land.**

I now have several tracts of rich river bottom land along the Siletz river which I can offer at \$20 per acre. I have one 72 acre allotment near the mouth of the river for \$1600, another 80 acre allotment about 5 miles up the river, and still another 58½ acres a few miles below the agency with improvements for \$2600. These pieces are exceptionally good buys and as good as any bottom land in Tillamook. For particulars write Ralph Ackley, 603 Corbett Bldg., Portland, Ore.

**For Sale.**

I have the following, which I will sell cheap for cash, or will give a reasonable time.  
1—2½ in. Rushford wagon, with box, woodrack and springs.  
1—Set team harness, with leather housing.  
1—Set leather fly-nets.  
1—Set water proof storm blankets.  
1—Pr. heavy logging-bars or stretchers.  
2—14 ft. log chains.  
1—10 inch Chilled plow. (New)  
G. H. WARD, (at Beal's office.)

**The Library Contest.**

The third count of votes in the Library Contest is as follows:  
Public and High School ..... 40,392  
Public Library ..... 484  
Alphonsus Academy ..... 38,703  
Old Fellows Lodge ..... 1  
Rebekah Lodge ..... 1,330  
Masonic Lodge ..... 1  
Eastern Star ..... 4  
Wendens Woodmen of America ..... 12  
Catholic Church ..... 10  
Christian Church ..... 2  
Methodist Church ..... 306  
U. B. Church ..... 65  
Adventist Church ..... 6  
Conner Club ..... 8

Votes can be obtained by trading with Homer Mason, J. S. Lamar, R. L. Wade, Eugene Jenkins, W. M. Mills, Jones and Knudson, Catterlin & McKinley and the Tillamook Headlight.

**For Chronic Diarrhoea.**

"While in the army in 1863 I was taken with chronic diarrhoea," says George M. Felton, of South Gibson, Pa. "I have since tried many remedies but without any permanent relief until Mr. A. W. Miles of this place persuaded me to try Chamberlain's Colic, Cholera and Diarrhoea Remedy, one bottle of which stopped it at once." For sale by all Druggists.

**A Healthy Family.**

"Our whole family has enjoyed good health since we began using Dr. King's New Life Pills, three years ago," says L. A. Bartlet, of Rural Route 1, Guilford, Maine. They cleanse and tone the system in a gentle way that does you good. 25c, at Chas. I. Clough's drug store.

**ELLIOTT LOOSE SAND-SPIT PROPERTY.**

**Supreme Court Reverses the Decision of Judge Galloway.**

The Supreme Court of Oregon rendered a decision in the case of Geo. W. Elliott vs. Scott Bozorth and John Waterman, in which respondent sought to recover property on the sandspit, known now as part of Bayocean park. This was an appeal from the Circuit Court of Tillamook County and the decision of Judge Wm. Galloway, who decided in favor of Elliott. The Supreme Court reversed this and entered a decree dismissing the complaint, the court contending because land may have raised in value and at tained some importance in that neighborhood, since Bozorth bought, by reason of an anticipated construction of a railroad into that vicinity, can furnish no sound basis for adjudging the deed in question to be a mortgage.

Briefly stated the case was as follows: Plaintiff and his father, Frances N. Elliott, were joint equal owners and tenants in common of 145 3/2 acres of land, situate in Tillamook County, about 3 or 10 miles west of the City of Tillamook. On October 20th, 1898, they jointly mortgaged this land to defendant Waterman to secure the payment of a loan of \$475, made by him to plaintiff, which was evidenced by their joint and several notes of the same date, payable two years after date with interest at the rate of ten per cent per annum, payable annually. About the time or shortly after the maturity of the debt Frances Elliott, sr., died intestate, his interest in the land devolving upon his three sons, including plaintiff, and two daughters. In December, 1900, nothing having been paid on the debt, Waterman directed foreclosure proceedings to be brought if the debt were not paid. But by a mutual arrangement between Waterman and plaintiff such proceedings were deferred to give the latter an opportunity to procure from his brothers and sisters a conveyance of their interests to him, so that he might sell the place and save something for himself, or on his failure to sell, convey the same to Waterman in settlement of the debt. By July 2nd, 1902, plaintiff had procured conveyances from all of his brothers and their wives and from his two sisters and the husband of one, but not from one Henry Ruhl, husband of the other. Plaintiff, however, had failed to consummate any sale and on July 21st, 1902, he executed and delivered to Waterman's attorney at Tillamook City a general warranty deed purporting to convey the land to Waterman for the consideration of \$563, expressed therein, that sum being the amount of the debt on October 20th, of that year. On July 28th, Waterman, at Baker City, executed and forwarded to his attorney at Tillamook, for delivery to plaintiff, together with plaintiff's note, an option to repurchase the same within one year from October 1st, 1902, for the sum of \$665, and interest on that sum from that date at ten per cent, together with the sum of \$24.70 taxes paid by Waterman and any taxes that he might pay thereafter. Whether the option and notes were delivered to plaintiff by Waterman's attorney is a disputed question, and is to be determined, but on August 1st, the deed was placed on record by Eddy. Plaintiff failed to exercise any right to repurchase under the option, and on May 21, 1906, Waterman sold and conveyed the premises to Scott Bozorth for the sum of \$900 net to him, receiving \$300 at the time and taking a mortgage for \$600.

On Nov. 18, 1906, plaintiff brought this suit to enforce a redemption of the premises, alleging that he is the owner thereof and has at all times been in possession; that his deed to Waterman was intended as a mortgage to secure an indebtedness of the plaintiff to the defendant Waterman in the sum of \$665, and interest at ten per cent per annum from October 1, 1902, together with any sum which Waterman had paid or should thereafter pay as taxes upon said real property; that this debt was due and payable October 1, 1903, but that Waterman, on May 21, 1906, conveyed the land to Scott Bozorth; that Bozorth bought with notice of plaintiff's alleged rights. The defendant's answer separately. Waterman by general denial traversed the entire complaint, excepting that he had conveyed the land to Bozorth, and, as an affirmative defense, sets forth a detailed history of his transactions with plaintiff respecting the making of the original loan, the taking of the mortgage, and in substance that, to avoid the expense and delay of foreclosing the mortgage, plaintiff offered to convey the land to him in settlement and payment of the debt, which he did, and that defendant accepted of the title to the land in payment of the notes which he surrendered and delivered to plaintiff; that plaintiff thereafter never had any possession or right of possession, except as given him by defendant subsequent to the execution of the deed. Defendant Bozorth denied all the material averments of the complaint, excepting the conveyance to him of the land, and affirmatively alleged that he had no notice, actual or constructive, of plaintiff's alleged equitable rights and that he was purchaser in good faith and for valuable consideration. The cause being at issue on plaintiff's reply, a trial was had and findings made in plaintiff's favor on

Report of the condition of  
**Tillamook County Bank,**  
Tillamook, Oregon.  
Report of the condition of the Tillamook County Bank, at Tillamook City, in the State of Oregon, at the close of business, September 23rd, 1908.

RESOURCES.		LIABILITIES.	
Loans and discounts.....	\$134,982 38	Capital stock paid in .....	\$200,000 00
Overdrafts, secured and unsecured..	320 53	Undivided profits, less expenses and taxes paid .....	5,400 00
Bonds, securities, etc.....	29,241 31	Individual deposits subject to check .....	177,000 00
Banking house, furniture and fixtures .....	4,919 83	Demand certificates of deposit ..	5,000 00
Other real estate owned .....	2,604 68	Time certificates of deposit.....	47,000 00
Due from banks.....	51,890 34	State deposits .....	15,000 00
Checks and other cash items .....	674 23	Savings deposits.....	15,000 00
Cash on hand.....	14,591 09	Liabilities other than those above stated .....	1,000 00
<b>Total.....</b>	<b>\$239,224 39</b>	<b>Total .....</b>	<b>\$239,224 39</b>

State of Oregon, County of Tillamook, SS: I, M. W. Harrison, Cashier of the above-named bank, do solemnly swear that the above statement is true to the best of my knowledge and belief.  
M. W. HARRISON, Cashier  
Subscribed and sworn to before me this 8th day of October, 1908.  
MYRTLE MILLS, Notary Public  
Correct—Attest: CARL HABERLACH, M. W. HARRISON, H. T. BOTTS, Directors

which a decree was entered from which both defendants have appealed.  
Attorney H. T. Botts represented Scott Bozorth in this case.

**HOTEL ARRIVALS.**

**Allen House.**  
Thursday.—G. F. Young, C. F. Wiegand, C. R. Nicholson, W. O. Stett, N. S. Lover and family, Portland; F. L. Parker, P. A. Stokes, C. Haddix, Astoria; Charles Coron, Humbolt, Cal.  
Saturday.—Janet Nelson, Etty E. Snider, Wm. Dieting, B. L. Kaysdale, B. E. Van Voorhes, Portland; H. H. Rees, steamer Brandon; Hubert Royom, E. J. Schelling, W. N. Lytle, Bay City.  
Sunday.—E. F. Cowels, Bertha Dunn, W. M. Bell, Portland; G. W. Wallace, Beaver.  
Monday.—J. D. Edwards, Fred Kundorph, Portland; J. H. Finigan, Woods; L. C. and L. E. Thompson, Carlton; Jacob Nicklaus and wife, Blaine; Joe Effenberger, Nehalem.  
Tuesday.—L. A. Smith, Fred Young, Bay City; Thos. Holgers, J. L. Demsey, Portland.  
Wednesday.—Ed. H. Neely, Portland; John Johnson, Hobsonville; Con Desmond, Hemlock.  
**The Larsen House.**  
Thursday.—R. E. Bozarth, John Bylen, C. S. Smith, Henry Morrison.  
Friday.—Frank W. Monroe, W. W. Allingham, Chas. Champlin, W. D. Clark, Portland; C. J. Schuldt, Amity; H. F. Perry, Hobsonville; C. Desmond, Pleasant Valley; Mrs. D. H. Vedder, Ralm.  
Saturday.—Arthur Holden, Oregon City; W. L. Arant and wife, Rudolf Meyers, Nehalem; L. Johnson, Missoula Mountain; P. Gumbert, F. Dorris, Mrs. Phelps, John Ducich, Portland.  
Sunday.—C. C. Harris, Clackamas; H. Lawyer and wife, Mrs. Guston.  
Monday.—E. Mallory, P. Goldenberg, Portland; M. Tudzwer, Nestucca; C. A. Saling, Beaver.  
Tuesday.—J. R. O'Brien, Sacramento, Cal.; Frank King, Lorne, King, J. G. Stratford, jr., Portland; Ed Lafferty, S.F.; Wm. Black, Forest Grove; A. Anderson, Olga Anderson, Hebo; Chas. Ray, Cloverdale; Frank Gaston, Sandidago; James Eldrige, Los Angeles; F. D. Luskey, Reno, Nev.  
Wednesday.—D. C. Bogart, Tom Colean, Portland; Gust Jansen, Cape Meares; J. T. and N. R. Moon, Blaine; Tom Morris, Cloverdale.

**BOULDER CREEK.**

Mr. and Mrs. James Hughey came out last week from Fairview to see how things are getting along on their Nestucca ranch.  
Work has been commenced on the new road near Blaine, some heavy blasting was done last week, which fairly jarred the country side.  
Mrs. H. A. Chopard visited her mother, Mrs. A. J. Getchell at Hebo one day last week.  
E. P. Mills sold three of his cows to G. W. Bodylett last week. He is preparing to go to Seaside we are informed. Evidently the joys of a bachelor's life don't appeal to him.  
W. N. Bays and party came home the first of the week from Philomath, after a two week's absence visiting relatives at that place and Dallas.  
Manuel Borba writes from Sebastopol California, that he arrived there safely and likes the country very much. They have had no rain since last February he says. Tillamookers would look wild to experience a dry spell like that.  
Mrs. Roza Borba and son John, Mr. and Mrs. H. A. Chopard and Norman, spent a very enjoyable day at the home of Mrs. N. Smith last Sunday. An excellent dinner, music and conversation all contributed to the pleasure of the occasion.  
Last Spring Jao Borba Sr. got a potato of the variety called "Mill's 20th Anniversary" from H. A. Chopard who sent to New York for the seed last year. Mr. Borba planted the seven eyes in good soil and cultivated them well. Recently

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The Modern RAINCOAT  
A long, light overcoat covers you from top to toe waterproof too, that is why call it a raincoat. Brant Kincaid & Co. made it weather as well as stormy.  
MODERN CLOTHES  
to be really modern, must be little ahead of the times. It is true of the Modern Raincoat the material is as handsome before it was waterproofed. prices are modest.  
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"THE SCHOOL OF QUALITY"  
Tenth and Morrison, Portland, Oregon A. P. Armstrong, LL.B., President  
We occupy two floors 65 by 100 feet, have a \$20,000 equipment employ a large faculty, give individual instruction, receive more for office help than we can meet. Our school admittedly has others in quality of instruction. It pays to attend such an institution.  
Said a Business Man: "Keep hammering away everlastingly on the work. It will win out in the end." Said an Educator: "The quality of instruction given in your school makes it the standard of its kind in the Northwest." Open all the year. Students admitted at any time. Catalogue.  
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the Best Home Newspaper.  
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Oregonian and Headlight, \$2.25

he harvested his crop and from the one potato he got thirty-six pounds of fine, large, smooth potatoes which certainly justified Mr. Borba's pride in them. He says if any one can beat this record he would like to hear of it.  
Mrs. H. A. Chopard picked up a small piece of board on the beach at Ocean Park last month, which bore the inscription in led pencil, "D. D. Hostetter, on board steamer Rose City." Now Mrs. Chopard is vainly wondering where the Rose City belongs, to what port; was she making her way, and how far that little board had been carried the ways, as well as a score of other queries never likely to be answered.  
WANTED—Success MAGAZINE requires the services of a man in Tillamook to look after expiring subscriptions (to secure new business by special methods unusually effective) in permanent; prefer one with experience, but would consider any applicant with good natural qualifications salary \$1.50 per day, with commensurate expenses. Address, with references, Peacock, Room 102, Success Magazine, New York.