

**Advertising Rates.**

**LEGAL ADVERTISEMENTS:**  
 First insertion, per line.....\$ 10  
 Each subsequent insertion, line..... 5  
 Business and professional cards,  
 1 month..... 1 00  
 Homestead Notices..... 5 00  
 Timber Claims..... 10 00  
 Locals per line each insertion..... 5  
 Display advertisement, an inch,  
 1 month..... 50  
 All Resolutions of Concurrence and  
 Lodge Notices, 5c. per line.  
 Cards of Thanks, 5c. per line.  
 Notices, Lost, Strayed or Stolen, etc.,  
 minimum rate, 25c. not exceeding five  
 lines.

**RATES OF SUBSCRIPTION.**  
 (STRICTLY IN ADVANCE.)

One year..... 1.50  
 Six months..... 75  
 Three months..... 50

**The Tillamook Headlight.**  
 Fred C. Baker, Publisher.

**HILL, LOSES FIGHT.**

**Herriman Gets Right to Use Garibaldi Pass -- Must Occupy in 3 Years.**

SALEM, Or., March 2.—Prior right to use of the Garibaldi Pass between Astoria and Tillamook has been awarded to the Pacific Railway & Navigation Company by the Oregon Supreme Court. That company must build its road within three years, however, or forfeit its priority.

The decision was handed down by the Supreme Court this morning, the opinion of the Court being by Justice Bean. The other claimant for the Garibaldi route was the Astoria & Columbia River Railroad, a Hill line. The decision is a victory for the Herriman line. The decision was based upon priority of location of the line.

The opinion recites that, while the P. R. & N. Company was surveying its line around Garibaldi Point, at the north end of Tillamook Bay, in September, 1906, the A. & C. Railroad put a force of surveyors in the field to locate its route from Seaside south to Tillamook Bay. The lines of the two companies conflict at Garibaldi Point in such a way that it was impracticable to build both of them, and the P. R. & N. Co. brought this suit to enjoin the A. & C. Railroad from interfering with its use of the pass.

Circuit Judge George H. Burnett tried the case and decided that the P. R. & N. was prior in time, but as there were only two practicable routes for a railroad from the Tillamook country north, one by way of Garibaldi and the other over Foley Creek Pass, that it was inequitable and unjust to award the P. R. & N. a prior right to both, and entered a decree in favor of the A. & C., as to the Garibaldi Pass. On appeal Justice Bean says:

"There is no statute in this state governing the matter of a conflict between rival railroad companies over a proposed route, but the general rule is that since such a corporation is performing a public function, equity will intervene to protect rights acquired by prior location against trespasses thereover by another road which seeks to locate its line over the same route. The doctrine that priority of location confers priority of right to occupy and use the ground covered by such location is a protection against longitudinal construction alone, and not against crossing rights. Nor does it confer a perpetual right, but is a protection for a reasonable time only, and any decree giving one company a prior right over another by reason of a prior location should be limited to what may be deemed, under the circumstances a reasonable time in which to construct the proposed road.

As to questions of fact, the opinion holds that the P. R. & N. Co. has sufficiently described its route; that there is no evidence that the P. R. & N. intended to reach Nehalem Bay by way of Miami River and Foley Pass; that it does not appear that the road intends to reach the same terminal by two different routes and that there is nothing to indicate that the P. R. & N. was not acting in good faith.

**No Use To Die.**  
 "I have found out that there is no cure of lung trouble as long as you can get Dr. King's New Discovery," says Mrs. J. P. White, of Rushboro, Pa. "I would not be alive to-day only for that wonderful medicine. It loosens up a cough quicker than anything else, and cures lung disease even after the case is pronounced hopeless." This most reliable remedy for coughs and colds, influenza, pneumonia, bronchitis and hoarseness is sold under guarantee at Chas. I. Clough's drug store, 50c. and \$1.00. Trial bottle free.

**Best Healer in the World.**  
 Rev. F. Starbird, of East Raymond, Maine, says: "I have used Bucklen's Arnica Salve for several years on my old army wound, and other obstinate sores, and find it the best healer in the world. I use it too with great success in my veterinary business." Price 25c. at Chas. I. Clough's drug store.

**Simple Remedy for La Grippe.**  
 La grippe coughs are dangerous as they frequently develop into pneumonia. Foley's Honey and Tar not only stops the cough but heals and strengthens the lungs so that no serious results need be feared. The genuine Foley's Honey and Tar contains no harmful drugs and is in a yellow package. Refuse substitutes. — L. Lamar, Tillamook; Hawk & Miller, Bay City.

**FOLEY'S HONEY AND TAR**  
 for children; safe, sure. No opiates.

**Commissioners' Court.**

The March term of the Commissioners' court convened last week, with County Judge F. H. Goodspeed and Commissioners Geo. Bodyfelt and H. V. Alley present, when the following business was transacted:

In the matter of the petition of P. H. M. Smith for a side walk to extend from the city to Daugherty slough, the same was continued until the April term.

In the matter of the construction of a bridge across the south fork of Nehalem river, at the lands of William Tohl and Alex McDonald, County Commissioner Alley was ordered to take to his assistance the county surveyor and prepare the necessary information and plans to be submitted to the secretary of war.

In the matter of a petition for the construction of a bridge across the south fork of the Nehalem river, on the O. A. Lommen road, which is known as the F. Zaddach bridge, the same order was made as in the above petition.

In the matter of the petition of Chas. Johnson for road, same was continued.

In the matter of the petition of Eugene Atkinson for county road, it was ordered that Otto Schrader, James Christenson and I. H. Moore be appointed road viewers.

In the matter of the petition of A. C. Finlayson for change in county road, the same was continued.

In the matter of the petition of J. D. Jones for cancellation of tax sale, the same was continued.

In the matter of the petition for vacation of Laurel street in Bay Ocean Park, the same was dismissed.

In the matter of the petition of J. R. Harter for road, Otto Schrader, John Hickey and A. Benschidt were appointed road viewers.

In the matter of the demand of Tillamook City for all the road money and poll tax collected in the corporate limits the court granted half that amount.

The clerk was instructed to call for bids for the construction of a septic tank for the court house.

In the matter of the petition of Charles Pike and others for the location and establishment of a road to be known as the "New Bay City road," Otto Schrader, John Hickey and A. Benschidt were appointed a board of road viewers.

In the matter of the taxes upon block 29 of Thayer's addition to Tillamook City, the same was ordered cancelled.

In the matter of a petition of John O. Bozorth to set off and establish a new justice district, composed of Bay City and Garibaldi, and asking that Miles Warren be appointed Justice of the Peace of that district, the same was granted to be known as the Fourth Justice district.

In the matter of the claim of damages by Samuel Tomlinson in the building of a bridge across Tillamook river, it appearing that the county court had granted Tomlinson a franchise to operate a ferry for 15 years and it being eight years before the franchise expires, it was agreed to pay Tomlinson \$500 for what rights he might have there.

In the matter of the construction of a bridge across Tillamook river at the Tomlinson place it was ordered that the county surveyor take the necessary steps to determine and prepare the necessary information and plans for submission to the Chief of Engineers and the Secretary of War for their approval.

In the matter of the dedication of the town of Necarney City it was ordered that the same be approved.

In the matter of the appointment of a road supervisor for road district No. 3 to fill a vacancy caused by the failure of Cyrus Randall to qualify, Ed Donaldson was appointed road supervisor.

In the matter of the dedication of Sea-bright addition to the town of Necarney City the same was approved.

Tillamook Water Works	\$16 25
P. W. Todd, salary	91 67
J. S. Lamar, merchandise	7 00
Portland & Till. Tras. Co.	60
Portland Machinery Co.	56 00
Tillamook Herald, printing	19 50
W. M. Mills, merchandise	5 50
O. P. Mattoon, witness	5 70
C. Randall, supervisor	9 30
Fred Zaddach, supervisor	27 00
W. H. Hoskins, supervisor	34 50
C. E. Reynolds, coffin and box	35 00
for Wm. Hart	13 10
J. C. Bewley, truant officer	19 57
Pacific Tel. & Teleg. Co.	35 00
H. T. Botts, premium on bond	2 20
Frank Dye, witness	4 00
H. S. Hobson, witness	7 50
C. T. Campbell, county poor	29 50
W. D. Bodyfelt, board of prisoners	10 02
D. H. Fleming, county poor	23 41
Headlight, printing	26 95
B. C. Lamb, fees for county poor	7 30
A. A. Inlath, supervisor	20 00
J. B. Caples, county poor, room	3 00
rent for Swabs	3 00
Dawson Bros, team	13 50
Lillie M. Buel, board of examiners	174 95
Glass & Prudhomme, merch.	20 00
Ralph Moore, examiner	15 30
Mrs. H. C. Hansen, grading 8th	13 50
grade papers	20 00
Mrs. N. M. P. Dawson, board of examiners	20 00
J. C. Holden, salary	206 60
H. Crenshaw, salary	266 00
John Aschim, salary	100 00
K. Mills, salary	100 00
A. M. Hare, salary	200 00
W. S. Buel, salary	166 67
J. H. Johnson, salary	100 00
Krebs Bros, lumber	5 32
W. D. Bodyfelt, salary	78 00

R. T. Boals, examining insane	5 00
J. F. Ramsey, board county poor	37 50
A. G. Wright, for county poor	10 00
M. E. Phelps, board of county poor	16 50
A. W. Severance, stationery	31 24
J. C. Holden, expenses	2 35
Bushong & Co., merch	17 50
H. M. Farmer, supervisor	19 50
R. Batzner, blacksmithing	6 50
Alfred Olofson, partial payment on Necarney contract	500 00
S. Tomlinson, work on bridge	4 60
H. F. Holden, damages hauling gravel	10 00
R. L. Wade, merch.	1 50
Edward Davis, work	27 00
Wm. Thum, lumber	4 60
Peter Newberg, 43 1/2 rods corduroy	97 85
Miami Lumber Co., lumber	26 19
Cloverdale Courier, printing	1 75
Wheeler Lumber Co., lumber	79 63
J. B. Caples, lumber	7 50
J. B. Caples, lumber	10 68
Ira Dimond, lumber	366 13
Report on Change of Trask River Road.	
Roy Trout	1 00
Fred Bush	1 00
O. H. Schrader	22 00
Report on Johnson Road.	
Chas. Jensen	4 00
J. J. McGinnis	4 00
O. H. Schrader	10 00
Report on Squires Road.	
Ed Fishbocker	7 00
Victor Stewart	3 00
Ross Clements	7 00
Carl Bush	7 00
Henry Rogers	14 00
Sam Dailey	14 00
Work in R. D. No. 1.	
Chas. Eason	2 70
James Lommen	1 80
Clarence Doughney	75 37
C. V. Preston	13 50
Wm. Reddaway	7 87
W. S. Linkhart	9 00
Jacob Kamm	9 00
Kay Thompson	2 25
Frank Steinhauer	9 00
Elmer Wilson	6 75
Dick Smith	9 00
Wm. Schollmeyer	3 15
Julius Tohl	7 20
J. W. Thompson	10 00
Sam Thompson	4 50
Dan Hickey	4 50
P. Horner	41 17
S. Barber	12 60
S. M. Batterson	10 80
H. Angello	32 62
Elvin Lutman	4 50
Work in R. D. No. 2	
E. M. Bales	3 37
Andy Hayden	15 63
Sam Johnson	3 37
Tom Johnson	3 37
Warren Hoskins and team	11 25
D. Owens	2 25
Bob Kennedy	9 00
R. Turk's team	4 00
Frank Hobson and team	10 80
Frank Crane	3 75
Blake Thompson	6 75
George Hobson	6 75
Work in R. D. No. 3	
L. L. Stillwell	1 80
E. W. Stanley	1 80
Fred Davidson	1 80
Mason Clark	1 08
Albert Olds and team	3 15
Erick Erickson, sr.	67
Erick Erickson, jr.	67
George Davis and team	5 10
Geo. Olds	2 70
M. C. Trowbridge	67
Jaques Williams	45
Claf Gulstrom	3 80
J. C. Gove, hauling gravel	145 70
Work in R. D. No. 4	
G. C. Vaughn	4 50
Lew Eklof	2 25
Less Barber	28 80
A. M. Austin	5 72
G. W. Phelps	2 25
A. A. Yager	1 35
Jack Peterfield	1 00
Work in R. D. No. 5	
John Heilmeyer and team	9 67
Geo. Heilmeyer, jr. and team	7 65
Geo. Heilmeyer, sr.	2 92
Fritz Drebert	6 52
P. Newberg	9 00
H. J. Tohl	3 82
E. E. Webb	18 90
Clyde Webb and team	10 35
Ira Dimond	2 02
E. L. Berg	1 57
U. S. Edwards	6 52
E. R. Hayes	1 35
H. L. Jensen	13 27
E. P. Mills	1 35
F. J. Ayer	13 05
G. H. Foland	90
H. A. Chopard	3 60
A. Davison	3 60
John Barba	2 92
Oscar Johnson	2 92
Work in R. D. No. 6	
Ole Redberg and team	3 75
D. H. Fletcher and team	7 35
Dave Werschkul	1 57
J. A. Inlath	5 40
J. W. Inlath and team	9 45
Work in R. D. No. 6	
Orley Kellow	20 70
Oswar Bodyfelt	4 50
Eiva Henderson	3 60
Dave Inlath	2 25
Dave McKinny	2 25
M. C. Kellow	3 60
A. L. Miller	67
Cost Bill, State vs. J. Pentroff	
G. W. Sappington, justice	4 40
N. Olson, constable	3 00
Cost Bill, State vs. Theo Deunster	
G. W. Sappington, justice	5 40
John Longcore	1 40
W. H. Moon	1 40

N. Olson, constable	4 00
Cost Bill, State vs. E. Kinnaman and Frank Dye	
G. W. Sappington justice	4 80
N. Olson	2 40
Cost Bill, State vs. Geo. Dod.	
G. W. Sappington, justice	5 30
John Olson	1 70
N. Olson	8 90
Cost Bill, State vs. C. V. Atterbury	
G. W. Sappington, justice	8 70
Will Goeres	2 70
Gus Goeres	10 50
W. Stalford	10 50
James Walton	1 70
W. H. Easter	1 70
William Hill	1 70
N. Olson	16 30
Cost Bill, State vs. John Simmons	
G. W. Sappington	9 15
Frank Severance	1 20
Alex Watt	1 20
Carl Patzla	1 20
C. P. Kundson	1 20
Gus Kunze	1 20
J. S. Diehl	1 20
Mrs. Henry Simmons	3 90
Mrs. John Simmons	3 10
George Simmons	3 10
Ellen Bewley	2 90
Gertrude Schlappi	2 90
N. Olson	11 00
Cost Bill, State vs. W. O. Chase	
G. W. Sappington, justice	12 35
Morrison Mills	1 40
Dan Goodspeed	1 60
Harrison Booth	1 40
D. Fitzpatrick	1 40
Gus Wicklund	1 40
Carl Kundson	1 20
Drew Dawson	1 70
George Edmunds	1 70
Gozman Munson	1 70
Mrs. W. O. Chase	1 70
N. Olson	10 00
Cost Bill, State vs. J. Haag and M. Haag	
G. W. Sappington, justice	9 00
Erick Erickson	2 10
Erick Wilson	2 10
Swen Olsen	2 10
I. Gillan	2 10
N. Olson	8 50
Geo. W. Bodyfelt, salary	25 00
H. V. Alley	38 60
L. M. Smith, health officer	82 50
H. Crenshaw, extra help in office	64 00
T. H. Goyno, attorney fee in W. C. Wolfe case	15 00
John Albenheimer, county poor	10 00
District Attorney obtaining evidence	150 00
A. E. Nicholes, road work	32 17
J. W. McKinley, road work	18 90
H. C. Fleming, road work	3 37
M. A. Wells, road work	15 07
H. F. Goodspeed, salary	100 00
W. H. Moon, county poor	18 55
E. Svenson, registering voters	1 20

I have just opened up the most complete line of

## STAPLE & FANCY GROCERIES

in Tillamook, all new and Fresh. The prices are no higher than others.

We most cordially invite you to come and look at what we have and get our prices, whether you buy or not.

### W. M. MILLS,

Opposite the Post Office.

The Best Hotel.

## THE ALLEN HOUSE,

J. P. ALLEN, Proprietor.

Headquarters for Travelling Men.

Special Attention paid to Tourists.

A First Class Table. Comfortable Beds and Accommodation.

## PURITY

above everything distinguished

### WEINHARD'S BEER

From the Common

Used on the family table it turns a dry lunch into an enjoyable sustaining meal, makes home cheerful, keep the men at home and offers effective aid to real temperance.

Orders should be Sent to the

## Columbia Bottling Co.,

Astoria, Oregon.

Agents for the H. Weinhard Brewery, Manufacturers of the Tillamook Rock Brand Carbonated Beverages.

Agents for the Bartlett Spring Mineral water.

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.

Centrally Located. First Class Rooms.

## HOTEL RAMSEY,

Tillamook, Oregon.

The Only First Class Hotel in Tillamook, Ore.

A Modern Hotel. Traveling Men's Home. Tourists' Headquarters.

J. F. RAMSEY, Prop.

## HARNES, COLLARS, etc.

You Use Them. We Sell Them.

### W. A. WILLIAMS & CO.,

Next Door to Tillamook County Bank.

Did You Ever Try

## HARRIS'S NEW FEED AND LIVERY BARN,

If not, give him a call.

Everything first-class. Second block South of P.O.

W. G. HARRIS, Prop.

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.