TY COURT IS UPHELD.

Improvements May be Paid Out of General Fund.

ENE, Ore., Oct. 12.—The State me Court yesterday handed a decision in the case of the s of Cottage Grove vs. Lane y, in which it holds that the y Court is not compelled to tax, the proceeds of which be used exclusively for roads, lf the amount to be distrib among the different road dis- of the county, and that the may pay for highway im ents out of the general

citizens of Cottage Grove in riginal suit in the Circuit maintained that the only way for the county to raise for road work was to levy a tax for the purpose. In this t least half the amount would een expended in the district it was raised. The Circuit ruled against the county, appealed to the Supreme securing a reversal.

result of the suit which has ending in the courts all Sum- l road work in the county en held up. Many of the re in very bad condition, as ir work whatever has been

Burnett, who makes the de- recites the causes for action were made by the attorneys: hat the county has been do- road work with money from eral funds of the county, to ry of the plaintiffs; sec- that the county court failed a tax, not to exceed ten or road purposes, and divide e so that at least half the raised from any road dis- ould be spent within that ; thirdly, that, inasmuch as Grove is a separate road in which the county has t to levy road taxes the rsued by the county has effect double taxation on ple of Cottage Grove.

dge, in his decision, first that since the only issue ed is that of law, it is use- o to the trouble of making of facts and thus cumber- record. He quotes the pro- of Lord's Oregon Laws as ghts and duties in regard tablishment and mainten- highways and bridges, and ls attention to the law that he county to levy a special of not to exceed ten mills. nainder of the section in is law is embodied pro- t road districts, by certain ings, may levy special road

aintiffs in the case contend is mandatory upon the ourt to levy a special road r this law. The court ad- t in certain cases, where nt of the legislative was where the public interest d it, the courts have that neans "must," but in this levying of a road tax is e discretion of the court. t goes on to point out that ere to be interpreted must st part of the section (re- the levying of a tax not to n mills) then it would also ust" in the second sec- relating to the special road districts, which, in the t of the court, would be an able construction of the decision concludes:

ot apparent that the legis- ended to confine the county he levy of a tax for a spec- und in futherance of its improve the highway or it of the power of apply- funds to the betterment blic thoroughfares. Act- does in this respect, in a ental capacity, we could mandamus compel the urt to make the levy au- n L. O. L. paragraph 6320; n we accomplish the same irectly by injunction. For ons the court erred in up- he contention of the plain- y.

cree of the circuit court d and one here entered g the suit."

INE MAY OPERATE.

West Coast is Working rth to Tillamook.

N, Ore., Oct. 13.—The West Coast Railroad & n Company, which ap- ntly to the Sheridan City or a franchise up Yam- , is now applying for way between Pacific City nook, and Right-of-Way tzgerald says that Tilla- soon be sought for a through that city.

Minnville through Sheri- amina, Pacific City and illamook, thence to Port- Portland, West Coast seeking to operate a loop thought.

Bayocean Items.

The former difficult fuel problem has been entirely overcome by installing oil burners and the use of oil as fuel in the different plants now in operation here. The several engines are worked to their full capacity without the slightest delay for want of power.

Grading and paving on the different streets is progressing rapidly. All streets south of the rock crushing plant to Second Ave. are graded and ready for pavement. Bay Street, Twelveth Avenue and High Street are ready for the final surface finish. Cement sidewalks are laid on High Terrace and also on Twelveth Avenue. A double track counterweight has been constructed on High Terrace. This will greatly facilitate the routing of material to the northern portion of the property. Grading on High and Sixteenth Avenues is being pushed and will soon be completed.

The gasoline Schooner Tillamook arrived in port Sunday with a cargo of fuel oil. Hereafter she will call at this port every ten days with oil and general freight.

Mr. A. A. Russell left for Portland recently where he expects to remain for a short time and intends making California his future home.

Captain Hirsch of the Yacht Bayocean returned on the Str. Elmore from Portland Wednesday.

Chief Engineer Lockwood and Mrs. Dicke were visitors at Tillamook Thursday. Mr. Lockwood attended a meeting of the County Court reporting on the new proposed county road between Tillamook and Bayoceon.

Mrs. T. B. Potter has moved into her modern new bungalow and intends remaining here through the winter.

Easy Way to Dehorn Calves.

When the calf is two or three days old examine its head and as soon as the horns can be detected proceed as follows: Rub a little lard or other grease into the hair around the horn. Have ready a can of concentrated lye that has been opened long enough to become softened by absorbing moisture from the air, roll a bit of muslin into a roll the size of a lead pencil, dip the end of it into the softened lye and rub the top of the starting horn until the skin looks red. A couple of days later examine the horns. If a scab has formed over the top of the horn the job is successful; if there is not a good scab, repeat the operation. One application is usually sufficient. This method is easy and safe, avoids the unpleasant task of cutting and sawing off grown horns and gives a better shaped head.—Missouri Ruralist.

Notice.

Beginning with the 1st of September, the following prices will be charged by the physicians of Tillamook.

Confinement, $20 and mileage (normal case).

City visit, $2.00.

Visit out of town, $2.50.

Visit out of town, three miles, $3.00; one dollar for each mile over three miles as usual.

R. T. BOALS.
I. M. SMITH.
S. M. KEPPON.

A Good Position.

Can be had by ambitious young men and ladies in the field of "Wireless" or Railway telegraphy. Since the 8-hour law became effective, and since the wireless companies are establishing stations throughout the country there is a great shortage of telegraphers. Positions pay beginners from $70 to $90 per month, with good chance of advancement. The National Telegraph Institute oberates under supervision of R. R. and wireless officials and places all graduates into positions. It will pay you to write them for full details at Davenport, Ia., Cincinnati, O., Portland, Ore., or Memphis, Tenn.

The best plaster. A piece of flannel dampened with Chamberlain's Liniment and bound on over the affected parts is superior to a plaster and costs only one tenth as much. For sale by Lamar's Drug Store.

A Medicine That Gives Confidence

Is Foley's Honey and Tar Compound. Mrs. T. J. Adams, 522 No. Kansas Ave., Columbus, Kas., writes: "For a number of years my children have been subject to coughs and colds. I used Foley's Honey and Tar Compound and found that it cured their coughs and colds, so I keep it in the house all the time." Refuse substistute. ahas. I. Clough.

Gives Aid to Strikers.

Sometimes liver, kidneys and bowels seem to go on a strike and refuse to work right. Then you need those pleasant little strike breakers—Dr. King's New Life Pills—to give them natural aid and gently compel proper action. Excellent health soon follows. Try them. 25c at Chas. I. Clough's.

BAKER SHERIFF AFRAID OF PLAIN.

Will Make Oregon Rendezvous for Criminals.

Oregonian.

That the prison policy of Governor West will make Oregon the rendezvous for criminals from all parts of America and will also impose an additional burden of thousands of dollars on the taxpayers of the state, is the opinion of E. Rand, sheriff of Baker county, who has just returned home after taking 19 prisoners to the state penitentiary.

"Lawbreakers from all parts of the United States will flock to Oregon," said Sheriff Rand, "as they figure that they have better opportunities for their work here than in any other state. The criminal in Oregon has an advantage that he cannot get any place else, and that is the great probability that he will be pardoned, or that at least executive clemency will be extended to him.

"The lawbreakers here consider three things: First, after committing a crime they have a chance to make a get away and escape the penaly; second, they have a crack at the courts and may be able to beat it out there and gain their freedom; third, if they are caught and convicted they can go to the governor and seek a pardon or parole with a good chance of gaining executive clemency.

"I do not know of another state where so many criminals have been turned loose as in Oregon since Governor West began his policy of prison reform. Of late I have been spending about four-fifths of my time taking criminals from Baker county to the state penitentiary, and I do not see where the number of transgressors is going to be lessened. In my part of the state the fellows are going to take a chance and they are going to take bigger chances than ever now because they believe they can play on the sympathy of the governor if they are convicted. Most of them think they will be put on their honor at outdoor work, and as this lessons the severity of the punishment, most of them will take a bigger chance than they would under the old plan.

"I think the policy of leniecy will make more criminals of the men in the state, as the penalty has kept many men from breaking the laws. But now they figure that if they are caught and convicted, they will be given easy work and good food with a chance of beating their sentence, so they do not hesitate at taking a big risk. It is placing a temptation before weak men which some will not be able to resist.

"I do not believe that it is fair to the people of the state to subject them to greater risks at the hands of criminals than they have already had, but this is what Governor West is doing. House robbers, holdup men and other criminals will come to Oregon because of the easy time Governor West is giving the fellows in the penitentiary. It looks to me like there would be more robberies and cases of personal violence than we have had before.

"This thing of having the governor turn loose men after the officers have had a hard time catching and convicting them is going to make some of the officers disgusted and they will not try so hard to catch criminals, as they say it is no use to work so hard if West is going to turn the men loose again. This is anotner incentive for men to turn criminals.

"I am not complaining because of the additional work that the governor's policy throws upon me and my force of men, for we will go ahead and perform our duty the same as always. I do not know how the people of Baker county will take it because of the extra expense the governor is causing the taxpayers."

Sheriff Rand has served several years in Baker county and has dealt with many dangerous men. Many rough men are employed in the lumber and mining camps and they cause considerable work for the sheriff's force. It is the sheriff's opinion that his work among this class will be increased.

A prisoner from Baker county who has just been released told Sheriff Rand that the convicts at Salem are laughing at the governor because of his prison policy. "Of course," he said, "when the governor sits down to the table with the men and calls them his boys, they smile and say that the governor is all right, but when he is gone they refer to him and his pet plan as a joke."

This ex convict believes that many of the prisoners will take advantage of the governor the first time they have an opportunity.

After exposure, and when you feel a cold coming on, take Foley's Honey and Tar Compound. It checks and relieves. Use no substitute. The genuine in a yellow package always. Chas. I. Clough.

Notice of Application for License to Sell Spiritous, Malt and Vinous Liquors, Etc.

NOTICE IS HEREBY GIVEN,—That a petition has been filed in the County Court of the State of Oregon, for the County of Tillamook, a true copy and transcript thereof and of the whole thereof, is in words, letters and figures as follows to wit:

To the Honorable County Court of the State of Oregon, for the County of Tillamook.

WE, THE UNDERSIGNED, hereby allege and show to you the following facts and petition you as follows:

That we, and each of us are residents and legal voters within Garibaldi Precinct, in Tillamook County, Oregon, and have been such for more than thirty days next preceeding the date of this petition, having been and now are actual residents within said precinct for more than thirty days next preceeding September 22nd, 1911.

That we are an actual majority of the whole number of the legal voters within said precinct.

That we hereby petition you to grant a license to sell, in less quantities than one gallon, spiritous, malt and vinous liquors for the period of one year from the date of said license, within said Garibaldi Precinct, and at Garibaldi, therein, to J. J. McCormick.

Peter Byrom, Garibaldi.
C. R. Sutton, Garibaldi.
W. H. Derby, Garibaldi.
Frank K. Strueby, Garibaldi.
William Dowd, Garibaldi.
Roy Dunham, Garibaldi.
Ben Tillofson, Garibaldi.
C. V. Stoker, Garibaldi.
Axel Nelson, Garibaldi.
Ben Center, Garibaldi.
H. Champhe, Garibaldi.
N. W. Smith, Garibaldi.
A. N. Bolfing, Garibaldi.
A. Aubrey, Garibaldi.
J. S. McDonald, Garibaldi.
Sam Johnson, Garibaldi.
Ben Johnson, Garibaldi.
H. Mitchell, Garibaldi.
Wm. Renick, Garibaldi.
J. B. Mather, Garibaldi.
G. G. Luddock, Garibaldi.
John Miller, Garibaldi.
Wm. H. Franklin, Garibaldi.
M. F. Bowman, Garibaldi.
H. I. Sheldon, Garibaldi.
A. F. Goff, Garibaldi.
Geo. Meshle, Garibaldi.
Chas. Morgan, Garibaldi.
John Matsou, Garibaldi.
H. Thiessen, Garibaldi.
D. W. Johnston, Garibaldi.
Thomas Quinn, Garibaldi.
Carl Loll, Garibaldi.
J. J. McCormick, Garibaldi.
B. S Thompson, Garibaldi.
Joseph Hauxhurst, Garibaldi,
Lloyd C. Smith, Garibaldi.
Frank Hadley, Garibaldi.
F. L. Sappington, Garibaldi.
Ora Miller, Garibaldi.
Wm. Keys, Garibaldi.
O. Perdue, Garibaldi.
M. Morony, Garibaldi.
Peter Schrantz, Garibaldi.
Alfred Johnson, Garibaldi.
Joe. Snetsinger, Garibaldi.
Fred Hart, Garibaldi.
Martin Hart, Garibaldi.
G. M. Gunderson, Garibaldi.
S. C. Frost, Garibaldi.
H. Lindsay, Garibaldi.
M. M. Mead, Garibaldi.
P. L. Frost, Garibaldi.
John Kostner, Garibaldi.
J. N. Kateisar, Garibaldi.
Lee Mead, Garibaldi.
Joseph M. Brandenburg, Garibaldi.
J. Haverman, Garibaldi.
A. Logenbaker, Garibaldi.
James S. Walters, Garibaldi.
R. Smith, Garibaldi.
J. H. Thompson, Garibaldi.
H. M. Davis, Garibaldi.
Chas. Fonger, Garibaldi.
A. Davis, Garibaldi.
C. W. Best, Garibaldi.
George Perry, Garibaldi.
Wm. Campbell, Garibaldi.
G. Marshall, Garibaldi.
Joseph Mitchell, Garibaldi.
P. W. Jacob, Garibaldi.
C. F. Alexander, Garibaldi.
J. A. Johnson, Garibaldi.

State of Oregon, County of Tillamook, SS.

I, the undersighed, being first duly sworn, say:—That I am one of the petitioners within named, and that I circulated the same, and that each and all of the foregoing named petitioners signed the same with his own hand in my presence; that each stated his name, postoffice address and residence correctly, and that each one is a legal voter within Garibaldi Precinct, and has actually resided therein for more than thirty days next proceeding Sept. 22, 1911, and that all of the facts set forth in said petition are true as I verily believe.

J. J. MCCORMICK.

Address, Garibaldi, Tillamook County, Oregon. Subscribed and sworn to before me this 27th day of September, 1911.

(Seal) WEBSTER HOLMES,
Notary Public for Oregon.

NOTICE IS FURTHER HEREBY GIVEN,—That said petition will be presented to the County Court of the State of Oregon, for Tillamook County, on the 1st day of November, 1911, and based thereon said J. J. McCormick will at said time and date, apply to said County Court for a license to be granted to said J. J. McCormick to sell within said Garibaldi Precinct, and at Garibaldi therein, in less quantities than one gallon, spiritous, malt and vinous liquors, for a period of one year from the date of said license

Dated this 28th day of September, 1911.

J. J. MCCORMICK.

Notice.

NOTICE IS HEREBY GIVEN,—That on Monday, October 16, 1911, the County Board of Equalization will meet at the Court House, of Tillamook County, Oregon, and publicly examine the assessment roll for said year, and correct all errors in valuations, descriptions of lands and other property. Said board will continue in session from day to day, until the examination, correction and equalization of the assessment roll for said county shall be completed.

Dated at Tillamook, Oregon, September 18, 1911.

A. M. HARE,
County Assessor.

Summons

In the Circuit Court of the State of Oregon, for the County of Tillamook.

Louis Sondheim,
Plaintiff,
vs.
Srethna S. Phelps,
Defendant.

In the Name of the State of Oregon:

You are hereby required to appear and answer the complaint filed herein against you in the above entitled Court and cause, within six weeks from the 31st day of Aug. D. A. 1911, said date being the first date of publication of this summons, and if you fail so to appear or answer, for want thereof, the plaintiff will apply to the Court for the relief demanded and prayed for in the complaint filed herein, to-wit:

For a decree and judgment against the defendant for the sum of three hundred and sixteen and 25--100 ($316.25) Dollars the balance due on the principal of said note, and for the further sum of seven ($7.00) Dollars as interest due on said note and for the further sum of one hundred ($100.00) dollars as attorney's fees for the institution of this suit to collect said note, together with plaintiff's costs and disbursements incurred herein.

And for a further decree herein that the mortgage on all of Blocks 4 and 17, in the town of Netarts Bay Park, situate in the County of Tillamook, State of Oregon, according to the plat thereof on file in the office of the County Clerk of said county, said mortgage having been given to secure payment of said promissory note, as set out in plaintiff's complaint, be foreclosed and said property be sold, as upon execution, to satisfy any judgment which may be secured by the plaintiff in the above entitled suite, and for a deficiency judgment against said defendant in said cause, in case proceeds of said sale do not cover the amount of said judgment

This summons is served upon you by virtue of an order made by Honorable Homer Mason, Judge of the County Court of the State of Oregon, for the County of Tillamook, dated the 29th day of August A.D., 1911, and which order prescribes that summons in this suit should be served upon you by publication once a week for six consecutive and successive weeks in the Tillamook Headlight, a newspaper of general circulation, printed and published in the County of Tillamook, State of Oregon.

G. G. SCHMITT & F. R. MILLER,
Attorneys for Plaintiff.

Administrator's Notice of Sale.

NOTICE IS HEREBY GIVEN to all whom it may concern that the undersigned as the Adminstrator of the estate of Mary E. Phelps, deceased, was by an order of the County Court of Tillamook County, Oregon, ordered, directed and licensed to sell, at private sale, which said order was duly made and entered of record in said county court on the 19th day of September, 1911, the real property of said estate which is hereinafter described, upon the following terms, to-wit: At least one-third of the sale price of the property sold in cash on the date of sale, and the remaining two-thirds to be secured by a first mortgage on the premises sold, due in not to exceed three years from the date of sale, bearing interest at the rate of not less than six per cent per annum.

Notice is hereby given therefore that I will, as said Administrator, from and after the 19th day of October, 1911, proceed to sell said real property of said estate, which said real property is described as follows, to-wit:

The east half of the southeast quarter of section thirty-one, and the west half of the southwest quarter of section thirty-two, in township three south of range ten west of the Willamette Meridian, situate in Tillamook County, Oregon.

Also, beginning sixty feet south of the southeast corner of Block No. thirteen, in Park Addition to Tillamook City, Oregon, as the same appears of record at pages 624 and 625 of Book J., records of deeds of said county and state, thence west to the center of Delmonte street in said Park Addition, thence south to the south line of the sub-division known as Goodspeed's Park, thence north to the place of beginning, containing four (4) acres, more or less, all situated in Tillamook County, Oregon, at private sale, upon the following terms as fixed by the said County Court, to-wit: At least one-third of the purchase price in cash on the date of sale, and the remaining two-thirds of the purchase price to be secured by a first mortgage on the premises sold, to become due in not to exceed three years from the date of sale, bearing interest at not less than six per cent per annum from the date of sale until paid.

Dated this 21st day of September, 1911.

W. C. KING,
As Administrator of the Estate of Mary E. Phelps, deceased.

Notice of Hearing of Final Account.

NOTICE IS HEREBY GIVEN,—That the undersigned has filed his final account as administrator of the estate of Louis Blattlar, deceased, and that the County Court of the State of Oregon, for the County of Tillamook, has appointed Monday, the 6th day of November, 1911, at 10 o'clock a.m. of said day, at the courtroom of said court in Tillamook City, Oregon, as the time and place for hearing of objections, if any there are, to the said account, and any and all persons interested in said estate are hereby required to be present at such time and place to present their objections to such account, if any they have.

Dated at Tillamook, Oregon, this 5th day of October, 1911.

M. ABPLANALP,
Administrator of the above named Estate.

Pasture to Rent.

Pasture for rent. Inquire of Peter Newberg, Hemlock, Oregon. *

Summons.

In the Circuit Court of the State of Oregon for Tillamook County.

T. B. Potter Realty Company, a Corporation,
Plaintiff,
vs.
L. H. Field and Jane Field his wife, Z. C. Eldred and Jane Doe Eldred, his wife, A. C. Bloomfield and Jane Doe Bloomfield, his wife, and C. C. Bloomfield and Jane Doe Bloomfield, his wife,
Defendants.

To L. H. Field and Jane Doe Field, his wife, Z. C Eldred and Jane Doe Eldred his wife, A. C. Bloomfield and Jane Doe Bloomfield, his wife, and C. C. Bloomfield and Jane Doe Bloomfield, his wife.

You and each of you, the above named defendants:

In the name of the State of Oregon: You and each of you are hereby required to appear and answer the complaint filed against you in the above entitled court and action on or before the last day of the time prescribed in the order of publication of summons herein which said order was made and dated on the 25th day of September, 1911, and if you fail so to answer, for want thereof the plaintiff will take judgment against you and each of you for the appropriation and condemnation and the assessment of your damages in the above entitled court of the following described real property belonging to you, to-wit:

Beginning at the quarter section corner common to sections 17 and and 18, in township 1 south of range 10 west of Willamette Meridian in Tillamook County, Oregon, and running thence north 104.75 feet; thence north 42 deg. and 40' west 728 feet; thence south 47 degrees 38' west 599.42 feet; thence south 163.9 feet; thence east 1019.9 feet to the place of beginning, containing 9.06 acres, more or less, all of this described tract being in the S.E. quarter of the N.E. quarter of said section 18.

This summons is served upon you by order of the Honorable Homer Mason, Judge of the County Court, of Tillamook County, Oregon, dated the 25th day of September 1911, ordering that summons be served upon you by publication in the Tillamook Headlight, a weekly newspaper of general circulation in Tillamook County, Oregon, for at least once a week for six consecutive weeks.

The date of the first publication hereof is the 28th day of September, 1911, and the date of the last publication, and the last date upon which you are required to answer on or before, is, and will expire on the 9th day of November, 1911.

WEBSTER HOLMES,
Attorney for Plaintiff.

Averts Awful Tragedy.

Timely advice given Mrs. C. Wiloughby, of Marengo, Wis., (R. No. 1) prevented a dreadful tragedy and saved two lives. Doctors had said her frightful cough was a "consumption" cough and could do little to help her. After many remedies failed, her aunt urged her to take Dr. King's New Discovery. "I have been using it for some time," she wrote "and the awful cough has almost gone. It also saved my little boy when taken with a severe bronchial trouble." This matchless medicine has no equal for throat and lung troubles. Price 50c and $1.00. Trial bottle free. Guaranteed by Chas. I. Clougn.

Lame back is one of the most common forms of muscular rheumatism. A few applications of Chamberlain's Liniment will give relief. For sale by Lamar's Drug Store.

Don't trifle with a cold is good advice for imprudent men and women. It may be vital in case of a child. There is nothing better than Chamberlain's Cough Remedy for coughs and colds in children. It is safe and sure. For sale by Lamar's Drug Store.

Foley Kidney Pills

Supply just the ingredients needed to build up, strengthen and restore the natural action of the kidneys and bladder. Specially prepared for backache, headache, nervousness, rheumatism and all kidney, bladder and urinary irregularities. Chas. I. Clough.

Foley's Kidney Remedy vs. a Hopeless Case.

Hon., Ark., J. E. Freeman says: "I had a severe case of kidney trouble and could not work and my case seemed hopeless. One large bottle of Foley's Kidney Remedy cured me and I have never been bothered since. I always recommend it.' Chas. I. Clough.

Is the World Growing Better?

Many things go to prove that it is. The way thousands are trying to help others is proof. Among them is Mrs. W. W. Gould, of Pitisfield, N. H. Finding good health by taking Electric Bitters, she now advises other sufferers, everywhere, to take them. 'For years I suffered with stomach and kidney trouble," she writes. "Every medicine I used failed till I took Electric Bitters. But this great remedy helped me wonderfully." They'll help any woman. They're the best tonic and finest liver and kidney remedy that's made. Try them. You'll see. 50c at Chas. I. Clough's.

You are not experimenting on yourself when you take Chamberlain's Cough Remedy for a cold as that preparation has won its great reputation and extensive sale by its remarkable cures of colds, and can always be depended upon. It is equally valuable for adults and children and may be given young children with implicit confidence as it contains no harmful drug. Sold by Lamar's Drug Store.