

CIRCUIT COURT.

McKinley Committed to Penitentiary--Eberman to be Sentenced Friday.

Judge Galloway will adjourn the April term of the Circuit Court tomorrow (Friday) as he has to hold court in Salem on Monday. The cases disposed of since last week are given below:

The case of Henry McKinley, who was convicted of rape at the circuit court twelve months ago, and which has been pending since that time quibbling over technicalities and several mistakes in not disposing of the case in the prompt manner it should have been, was disposed of at this term of Court, Judge Galloway signing the commitment papers and McKinley will be taken to the State penitentiary at Salem to serve the sentence of three years which was imposed upon him.

Lynn Eberman, who was indicted on a charge of rape, pleaded guilty to attempted rape on Tuesday. The court was cleared to take some testimony, and Eberman's attorney, S. S. Johnson, asked for three days' grace to be given before sentence be passed. He will come up for sentence on Friday morning.

There being no more jury cases Judge Galloway discharged the jury on Tuesday.

Pacific Railway and Navigation Co. vs. Blazer Packing Co. Mandate.

Pacific Railway & Navigation Co. vs. Wible G. DeBois and John E. DuBois. Contention. Continued. Dismissed upon motion of plaintiff.

United Railways Company vs. William B. Smith. Contention. Motion for conditional allowed.

United Railways Company vs. Sarah McMillan and N. McMillan. Contention. State of Oregon, vs. J. H. Beach. Embroilment. Continued.

Tillamook County Bank, a corporation vs. Bruce W. Ross. Action for money. Dismissed.

State of Oregon vs. Henry McKinley. Rape. District Attorney moved for writ of commitment which was granted. Clerk instructed to issue commitment.

Thomas N. Kennedy vs. Z. T. Bogard. Foreclosure.

Macdonald Potts vs. Rollie W. Watson. Action for money.

Lawrence Olds vs. Hattie Olds. Divorce. Default entered. Default entered. Decree granted as prayed for.

T. B. Potter Realty Co. vs. L. H. Field, L. C. Eldred, A. C. Bloomfield and C. C. Bloomfield. Contention.

DeLaval Dairy supply Company, a corporation, vs. Jos. Von Rots. Action for money. Judgment and order for sale attached property.

Fred Maroff, et al vs. Anna Metzger, et al. Partition.

Otto W. Nelson vs. Margaret E. Vessey, et al. Confirmation.

Bess Pangborn vs. Quincy J. Pangborn, Divorce. As the parties had not resided in the state 12 months a divorce could not be granted. Mother given charge of the children, and defendant to pay \$20 per month for their support.

J. R. Harter vs. G. W. Wilks and Julius Heilman. Action for money. Settled and dismissed.

In the matter of the petition of John Oberkumer to become a citizen of the United States of America. Petition granted.

Will M. Ray vs. A. F. Garrison. To set aside deed.

Bonitha Byron vs. The Garibaldi Beach Co. Foreclosure. Demurrer withdrawn and defendant given until Tuesday in which to answer. Reply withdrawn that other parties may be brought in as party defendants.

Peter Byron vs. The Garibaldi Beach Co. Foreclosure. Motion of defendant to bring in other parties as defendants denied.

John Krebs vs. William O. Willett, et al. Foreclosure. Foreclosure ordered.

P. D. Stafford vs. James Walton, Jr. et al. Injunction. Argued and taken under advisement. Stipulated that testimony be extended.

Hay City Land Co. vs. Claude Thayer, et al. Registration of title.

Hay City Land Company vs. Henry H. Aljerman, et al. Registration of land title.

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S. W. Thompson and Floyd A. Swan vs. Allen H. Wilson, et al. Foreclosure.

A. L. Johnson and E. P. Johnson vs. Tillamook County. Appeal from County Court.

A. B. Saling vs. Chas. Chaffer. Action for money. Plaintiff moved for non suit, which was allowed.

H. R. Edmunds vs. Josephine P. Edmunds. Divorce. Default entered. Decree granted.

Mary L. Berger vs. F. R. Beale. Action for money. Motion for non suit allowed.

Ottelia Hadley vs. C. E. Hadley, D. J. Hadley, Mand Sharp and C. W. Talmage, administrator of estate of C. B. Hadley. Injunction. Defendant given until May 31st in which to file answer.

State of Oregon, upon the relation of Edward Blum, et al vs. The Port of Bayoccan, a pretended Quasi Municipal corporation. Quo Warranto. Case set for trial this Thursday.

W. G. Dwight vs. Mary J. Martin. Foreclosure of mortgage. Dismissed upon motion of plaintiff.

R. C. Magarelli vs. Edwin Hooker, Trustee, Robert T. Fowler, and Annie Fowler, J. L. Hartman, and E. L. Thompson. Foreclosure.

Ottelia Hadley vs. C. E. Hadley. Damages. Further proceedings ordered stayed pending final proceedings in other case.

Jennie Cone vs. Marvin J. Cone. Divorce. Default entered and decree granted.

Harry Mitchell vs. C. W. Pike, D. A. Simmons, Chris Hansen and W. W. Kidehaigh. Action for money. Motion to bring in other parties granted. Motion to make more specific and certain overruled.

Louis G. Freeman vs. Lars Johnson. Foreclosure. Motion for appointment of receiver withdrawn.

Hiram W. Smith vs. James Hughey and Wesley Bush, as administrator of the estate of Myra Hughey, deceased. Damages. Jury trial. Verdict for plaintiff in the sum of \$3500.

Defendant gave notice of appeal to the supreme court.

M. W. Harrison vs. Pacific Railway & Navigation Company. Damages.

Theodore Senn vs. W. G. Dwight, Rose Sidler, the unknown heirs of Albert Sidler, deceased, and all other persons or parties unknown. To quiet title.

In the matter of the petition of Matthe Anderson Sanden to become a citizen of the United States of America.

In the matter of the petition of Louis Larsen to become a citizen of the United States of America. Petition granted.

In the matter of the petition of Erik Glad to become a citizen of the United States of America. Petition granted.

James Hughey and Wesley Bush vs. Hiram W. Smith. Demurrer to cross bill sustained. Plaintiff gives notice of appeal in open court.

C. G. Hadley vs. C. W. Talmage, administrator, C. B. Hadley, et al. Argued and writ sustained.

C. B. Reynolds vs. A. Robert and H. Wahlen. Settled and dismissed.

Referendum Cases Put Up To The People.

SALEM, Or., April 23.—Reversing Judge Galloway, of the Circuit Court of Marion County, the Supreme Court, in an opinion by Justice Burnett, today dismissed the University of Oregon referendum cases and by so doing practically ruled that the referendum petitions must go on the ballot to be voted on by the people at the next general election.

The Court ruled entirely on the question of procedure in bringing the suit and ignored the issue as to whether there was fraud in the petitions or as to the correct method of determining the validity of the petitions. The ruling is, in effect, that S. H. Friendly, a private individual, who appears as plaintiff, had no right to bring the suit. The action is therefore dismissed. Nor does the court indicate how the suit or any proceeding against a referendum should have been brought.

The present case involves more than \$328,000, but by stipulation the full import of the opinion involves more than \$500,000 of appropriations made by the last Legislature for the university.

The main question arose under the main demurrer. The question there was whether the plaintiff, by his bill in equity, stated facts sufficient to support his prayer for relief.

The Supreme Court holds that S. H. Friendly, as plaintiff, does not show that he will be injured in any property or civil right by the contemplated action of Secretary of State Olcott in certifying the ballot title to the County Clerks.

Beaver News.

Charley McDonald, wife and child, from Blaine, was in Beaver Monday. He informs us his little boy had a close call of being killed a few days ago. The child climbed into the farm wagon and loosened the brake. The wagon started down hill going over a high bank and upsetting, but fortunately the child escaped unhurt.

Bert Downs, of Blaine, was in Beaver Monday.

Forest Ayers is down in the south end of the county this week on a surveying expedition pertaining to the county roads.

Miss Lena Bunn has returned home after spending a few weeks in Tillamook.

Ed Gilbert after spending the week end at home, returned to Tillamook to serve on the jury.

Miss Cecil Wallace, of Hemlock, has returned home after spending a few days in Beaver.

Roy and John Saling had what might have been a very serious accident Friday evening. They were driving a horse and buggy from their home to Beaver, while crossing the bridge over Westa Creek, the horse shied at some wood near the end of the bridge, backing the buggy over the side of the bridge, smashing up the buggy and giving Roy a bad shaking up.

Several people from Beaver attended the Rebecca Convention at Hay City, Saturday, April 20: Will Gilbert, Mrs. E. K. Gilbert, Mrs. Ed Trobough, Miss Bessie Buys, Mr. and Mrs. Herman Farmer, Miss Rhoda Farmer, Mr. and Mrs. A. W. Blum went over by auto, returning in the wee small hours of Sunday morning. All report a good time.

The base ball game, Beaver vs. Cloverdale, played Sunday at Cloverdale, was carried off by the Beavers. The score was 10 to 13 in favor of Beaver. Cloverdale had a strong line up and played good ball the first few innings and the way they piled up ball looked bad for Beaver; but when the home team got warmed up and began to take notice, there was something doing and the first two innings Cloverdale was completing shut out. Collier did some good work on 3rd base. Farmer and Davis played good ball, making one grand stand play in the last inning.

ROYAL BAKING-POWDER Absolutely Pure Makes Home Baking Easy No other aid to the housewife is so great, no other agent so useful and certain in making delicious, wholesome foods The only Baking Powder made from Royal Grape Cream of Tartar No Alum No Lime Phosphates

BITULITHIC ENDORSED.

After Years of Heavy Traffic Bitulithic Paving Still Satisfactory.

The following testimonial to the merits of Bitulithic paving is from a man in a position to know whereof he speaks, and cannot fail to be of special interest to the readers of this paper at the present time:

"J. W. Morris, Consulting Engineer, 'Yeon Building, Portland, Oregon. April 1, 1912. 'Warren Brothers Company, Olympia, Washington.

I have your favor of March 30th, requesting my opinion of Bitulithic pavement with special reference as to its adaptability for heavy traffic streets.

This pavement has been in use since 1903 on some of the principal thoroughfares of Portland, notably 5th Street and Yamhill Street. Fifth Street leads past the city hall where the traffic came under my observation for two years. The pavement is eight years old and has had little work in the way of maintenance since it was laid—in fact, I do not recall any maintenance work being done on it while I was city engineer. The street is in excellent condition today and the same can be said of Yamhill Street. These are living testimonials of the worth of Bitulithic and are stronger argument than technical reasons. Both streets have a very heavy traffic.

Yours truly, J. W. MORRIS."

Prices for Hogs.

Light hogs 150 lbs 84c. 150 lbs. to 200 lbs. 8c. 200 lbs. to 250 lbs. 7 1/2c. 300 lbs. and over, 7c. Tillamook Meat Company.

Two Thousand Mile Books, And Clergy Permits Good on P.R. & N.

The 2000 mile (\$50.00) books issued by the Southern Pacific and O.W. R. & N. Lines; also Clergy Trans-Continental permits will be honored by the P.R. & N. between all stations.

Stallion SICKLE BILL,

No. 48,989 A.T.R. No. 5,748 A.M.R.

Will make the season of 1912, at Rogers-McNamer's barn.

Terms of service \$30.00, to insure a colt \$15.00 of which is to be paid to Rogers-McNamer as soon as colt is foaled, and \$5.00 to be paid at First National bank for each and every colt foaled in 1913, to make a purse for, get of said horse to complete for prizes. 50 per cent to first colt, 30 per cent to second, 20 per cent to 3rd, some in July, August or Sept. 1915.

Sickle Bill is very handsome, has size good gait and action, and will be a show horse bred for a race horse or sire.

Sickle Bill is a son of Spokane. Record, 2:15 1/4 and sire Freddie C, 2:12 1/4. Starlight, 2:13 1/4. Kane, 2:17 1/4. Gee Gee, 2:19 1/4. Revel Kan, 2:24 1/4. Joe Cane, 2:22 1/4. Contestor, 3 yr., 2:24 1/4. Creole Kane, 2:25 1/4. Paul Kane, 2:27 1/4, and Nettie Spokane, 2:30.

First Dam, Crez Crez, by Comodore Belmont, 4:30. Second Dam, Hellen, 2:32, by Daniel Lambert, 102. Third Dam, Kate, Dam of Velox, 2:30 1/4. Fourth Dam by Vermont Hambletonian.

Card of Thanks.

It is with a sense of grateful appreciation that I express my sincere thanks to the many kind friends who showed so much sympathy towards me on account of the sickness and death of my beloved wife; and I also want to express my thanks to the ladies of the fraternal orders for their many tokens of kindness and sympathy.

FRANK SEVERANCE.

Why He Was Late.

"What made you so late?" "I met Smithson." "Well, that is no reason why you should be an hour late getting home to supper." "I know, but I asked him how he was feeling, and he insisted on telling me about his stomach trouble." "Did you tell him to take Chamberlain's Tablets?" "Sure, that is what he needs." Sold by all dealers.

Wanted.

A Tillamook Dairy Ranch with improvements and stock that \$1000 to \$1500 cash first payment will buy. Place not to cost over \$4000, and not over 5 miles from Tillamook City. Address Post-office Box 227. Tillamook, Oregon.

"My little son had a very severe cold. I was recommended to try Chamberlain's Cough Remedy, and before a small bottle had been finished he was as well as ever" writes Mrs. H. Silks, 29 Downing Street, Sydney, Australia. This remedy is for sale by all dealers.

Don't be surprised if you have an attack of rheumatism this spring. Just rub the affected parts freely with Chamberlain's Liniment and it will soon disappear. Sold by all dealers.



R. A. WAHLEN, D.O. Eye Sight Specialist.

E. REEDY, D.V.M., VETERINARY (Both Phones). Tillamook Oregon.

MOTHER-OF-PEARL WORK.

Method by Which the Designs Are Built Up Bit by Bit.

Wonderful is the work of the designer in mother-of-pearl. With tiny segments of this iridescent material he builds up a beautiful design bit by bit, section by section.

First, from the cabinetmaker he receives the woodwork upon which his design will be formed. It may be the top of a carved chest, a portion of a stool or table, or some dainty neck-nack to delight a lady's heart.

Then upon the wood he roughly draws the design and gathers together the crude pieces with which to form the mosaic in the wood. Selecting a piece of mother-of-pearl, he fits it in a vise, and then with a tiny file he shapes it to occupy the required space. Deftly he sets the section in the wood, fixing it with warm paste to fill the crevices.

Another piece is then selected, fashioned and secured, and so day after day till the piece is complete. The design is then rubbed with pumice stone to give enhanced color, varnish is applied, and the finishing touches are given.

Tonquin, a division of French Indochina, furnishes the finest native layers of mother-of-pearl.—Pearson's Weekly.

A MUSICAL RIOT.

One of the Attractions at an Old Time Virginia Celebration.

Here is a program observed in the celebration of St. Andrew's day in an old Virginia town in 1737.

That a fiddle be played for by twenty fiddlers, every person to bring his own fiddle. After the prize is won they are all to play together and each one a different tune and then be treated by the company.

That twelve boys of twelve years of age do run for 112 yards for a hat at the cost of 12 shillings.

That a flag be flying on said day thirty feet high.

That after dinner the royal health, his honor the governor's, is to be drunk.

That a pair of silver buckles be wrestled for by a number of brisk young men.

That a pair of handsome shoes be danced for.

That a pair of handsome silk stockings of one pistole value be given to the handsomest young maid that appears in the field.

It is probable, says the Ohio State Journal, our tastes are too much changed to enjoy such a list of attractions, but one may imagine what fun they must have caused.

Ocean Cannibals.

Such fierce carnivorous fishes as exist in the depths of the ocean are unknown at the surface. There is a "black swallower" which devours other fishy creatures ten times as big as itself, literally climbing over its victim, first with one jaw and then with the other. Another species is nearly all mouth and, having no power of locomotion, it lies buried in the soft ooze at the bottom, its head alone protruding, ready to engulf any prey that may wander into its cavernous jaws. There is a ferocious kind of shark resembling a huge eel. All of these monsters are black as ink. Some of them are perfectly blind, while others have enormous, goggling eyes. No ray of sunlight ever pierces the dark, unfathomed caves in which they dwell. Each species is gobbled by the species next bigger, for there is no vegetable life to feed on.—Spare Moments.

As Others See It.

Every two or three weeks I approach my house from the unusual side and make a note of the effect of porch, windows and the curtains. Then I try to go into the house as a stranger. Pictures which have become so familiar that they were a part of the wall I see the need of changing, and so I see things all through the house. I think more than anything else I find the rooms overcrowded and fussy and something can be banished. Of course I can't always do these things at the time, but I make a note of them. This has worked so well with my house that I am trying it for myself. When dressed for the street or house I step to the glass and say, "Let me present you to Mrs. —," and try to look at myself as a stranger, and I see many things to improve. It is a good thing to "see ourselves as others see us."—Harper's Bazar.

The Lobster's Color.

The shell of the lobster is imbued with a black or bluish pigment secreted by the true skin, which also gives to the calcareous matter after each molt, so that lime and pigment are blended together. This pigment becomes red, pale and intense in water at a temperature of 212 degrees Fahrenheit, and the same effect is produced by the action of alcohol, ether and various acids.

A Sad Discovery.

"How does Brown like the high position he was recently promoted to?" "Not very well." "But I thought it was paying him \$10,000 a year?" "So it is. But he's discovered that his employers expect him to earn it."—Detroit Free Press.

With Variations.

Smithers—He who courts and runs away may come to court another day. Jenkins—But he who courts and does not wed may find himself in court instead.

Time mispent is not lived, but lost.—Fuller.

THE AMERICAN DISEASE.

Indigestion, Chronic and Acute, and the Digestive Organs.

Indigestion, a phase of dyspepsia which has been called the American disease, is very common, and its disagreeable symptoms are but too well known. Chronic indigestion, or dyspepsia, is very prevalent, and in medical phrase an acute disease is opposed to chronic in the sense that while a chronic disease runs a long time the acute form is attended with severe symptoms and is likely to come speedily to a crisis.

Acute indigestion, therefore, is a condition in which the digestive organs, because they are either naturally weak or are worn out, overworked or temporarily abused, fail to perform their functions and the whole system is thrown "out of gear." This may be due primarily and directly to overeating or to eating improper food, to gorging the stomach with inadequately masticated food, to retarding its normal action with too much liquid or to other local influences.

In cases of acute indigestion or dyspepsia there generally is intense pain, often followed by sickness and vomiting of the surplus or offensive matter by which the stomach seeks to correct the effects of abuse and regain a normal condition. But it does not always succeed. Other measures of relief also fail, the machinery breaks down, and death ensues.

The main difference between chronic dyspepsia and acute indigestion is that one is slow death and the other quick. The moral as to dietetic habits, eating and drinking, is too obvious to need pointing out.—Indianapolis News.

AWED BY NAPOLEON.

Queer Impression the Emperor Made Upon Countess Potocka.

We waited rather long, and it must be acknowledged our curiosity was not unmingled with fright. Of a sudden the silence was broken by a swift rumor, the wings of the door opened noisily, and M. de Talleyrand advanced, with a loud and intelligible voice uttering the magic word that made the world tremble, "The emperor." Immediately Napoleon made his appearance and halted for a minute as if to be admired.

So many portraits exist of this astonishing man, his history has been so much written about, all the stories told by the children of his old soldiers will live so long, that the generations to come will know him almost as well as ourselves. But what will be difficult to grasp is how deep and unexpected the impression was which those few who saw him for the first time.

As for me, I experienced a sort of stupor, a mute surprise, like that which seizes one at the aspect of a prodigy. It seemed to me that he wore an aureole. The only thought I could frame when I recovered from this first shock was that such a being could not possibly die; that such a mighty organization, such a stupendous genius, should never perish. I inwardly awarded him double immortality.—From the Memoirs of the Countess Potocka.

The Pulse Watch.

Among the ingenious devices for the physician may be mentioned a watch constructed on the "stop" principle whereby the number of pulse beats per minute may be indicated. A push button is pressed at the beginning of the count and again at the twentieth pulsation, when the number of beats per minute is shown on a dial without the necessity for calculation. Still another push on the button brings the counter back to the starting point. In the ordinary method of taking the pulse the observer is obliged to do two things at the same time—count the beats and keep his eye on the second hand of his watch. With the pulse watch only one operation is necessary, the counting of the pulsation up to twenty, when the push button is pressed.—New York Press.

English Earthquakes.

English earthquakes are not uncommon, but we can rejoice that they have decreased in severity, for the damage done nowadays is as nothing compared with the ravages wrought by early English earthquakes. In 1550, for instance, part of St. Paul's cathedral was wrecked by an earthquake shock, and at an earlier date Glastonbury abbey had been completely destroyed. Staffordshire, where the latest shock was felt, would appear to be the earthquake area of England, for shocks were also felt there in 1908. Even as recently as 1884, however, an English earthquake was severe enough to require a mansion house fund to repair its ravages in the eastern counties.—London Chronicle.

London Street Beggars.

Speaking of the swarms of beggars and "pushandlers" in the English metropolis, the London Times says: "The streets of London never fail to attract the professional beggar and never disappoint him. The Mendicity society tells us that a beggar can earn more than the wages of the average working-man and that 'it is probably no exaggeration to say that well over \$500,000 is given away haphazard to beggars in the streets of London every year.'"

Her Discovery.

"I have made a discovery," declared the bride. "So?" "Yes. I find one can cook as well of a stove as on a chafing dish. Really, I was surprised."—Louisville Courier-Journal.

He never wrought a good day's work who went grumbling about it.—German.