CITIZENS START INJUNCTION SUIT.

Warren Construction Co. Sues for 80 Per Cent for Street and Sewer Improvements in City.

F. R. Beals et al vs. Warren Construction Co. is a suit filed in the Circuit Court to restrain the Common Council of the City of Tillamork from passing any resolution whatever assessing upon the property of the plaintiffs any sum or amount whatever for street improvements constructed adjacent or abutting upon the property of the plaintiffs, and that the defendants be restrained and enjoined, pending final decree herein, or until the further order of the court, from in any manner entering in the docket of city liens of the City of Tillamook any assessment upon the property of the plaintiffs, for any street improvements made upon the streets and avenues adjacent and abutting upon the real property of the plaintiffs.

For a decree that an unlawful monopoly, contrary to public policy, existed at the inception of the proceeding in this complaint, and existed through the entire time of all of said proceedings up to the actual signing of said contract and has ever since existed.

That it be adjudged and decreed that an unlawful combination exists between the Warren Brothers Co., Warren Construction Co., Clark-Henry Co. and Elwood Wiles, in reference to the bids submitted for the improvemens in this complaint and that said bids and contract based thereon are void and in restraint of competition and constitutes a monopoly.

That it be decreed that the proceedings will cast a cloud upon the title of the plaintiffs in and to the real property.

That upon final hearing the defendants be enjoined and restrained from in any manner assessing or levying the cost of any improvements upon the streets and avenues of the City of Tillamook adjacent and abutting upon the real property of the plaintiffs hereinbefore described, and for ever enjoined and restrained from in any manner docketing any liens against the property of the plaintiffs.

The complaint contained 91 pages of closely written matter. Some of the main points are as follows:

That on the——day of April, 1912, the defendant, Warren Construction Co., through its officers, agents and attorneys, for the purposes hereinafter set forth, by and through some artful, subtle or secret means, the exact character of which is unknown to the plaintiffs, but which the plaintiffs believe secured to the members of said Council and the Mayor of the City of Tillamook some benefit other than the benefit accruing to other citizens and property owners of the City of Tillamook, induced and persuaded and procured the said City Council of the City of Tillamook to adopt a resolution selecting and requiring the use of bitulithic paving upon the streets and avenues of the City of Tillamook to further and in pursuance of the conspiracy confederacy and monoply hereinafter set forth and alleged

That the said defendant, Warren Construction Co., a corporation wilfully knowing and intentionally failed and neglected to construct said streets and avenues abutting upon and adjacent to the real property of the plaintiffs and wrongfully and wholly departed from the specifications and provisions of the contract entered into between the Warren Construction Co. and the City of Tillamook in a number of particulars: That it neglected to eliminate all soft and spongy places; neglected to lay three inch drain tile; neglected to use gravel and rock, or suitable material; used an inferior and low grade of asphalt; not complying with contract as to thickness of the pavement; failed to provide proper extension joints; omitted placing in the curb rings with proper bolts, used inferior iron and workmanship for rings and manholes, used only from 7 to 13 per cent of asphalt, or bituman; that the pavement is soft and the wearing surface is crumbling and disintergrating and does not contain any hard flinty crushed stone to the base and does not comply with the specifications.

Warren Construction Co. vs. Tillamook City, is a suit filed in the Circuit Court to recover $103,524.30, being 80 per cent on account of grading, paving, curves and bitulithic headers and for $37,749.72, being 80 per cent for the sanitary sewer system, making in all that the company demands $141,274.31. The document embraces 45 pages.

Ducklings.—I will now take orders for five day old English penciled Indian Runner Ducklings, 25c. each. Miss Anna Roenicke, Woods, Ore.

PAVEMENT RUCTION.

Offer Made to Guarantee Pavement for 10 Years--The Roy Report.

On Monday morning a special meeting of the City Council was held for the purpose of hearing a statement from Mr. A. J. Hill, of the Warren Construction Co., who was wanting the council to make an assessment. To show his faith in the street pavement, he agreed to enter into an agreement with the city council to the effect that after the five years maintenance bond had expired to enter into a contract to maintain it for another five years at a cost of 2c. per yard per annum for five years and at the end of the 10 years turn the pavement over to the city in good condition.

Another stormy meeting was held on Monday night at the city hall, when the matter of making an assessment came up. A motion was made by Councilman Sappington that the assessment be made, which brought forth protests from citizens who were present, when another wordy warfare ensued, so much so that Mayor Harter was called a liar. Another ruction ensued when the city council endeavored to go into executive session, and it was nearly midnight when it was decided not to make an assessment at that time.

The Roy report was submitted and read, as follows:

March 15, 1913.

Mr. Wm. R. Roy,
Tillamook, Ore.

Dear Sir.—

We have subjected the samples of paving you left with us to a very thorough examination and analysis, the details of which we attach hereto. In general we would say that samples Five and Seven were good specimens of the wearing surface of what is known under specifications as "Bitulithic" pavement. The other samples were all in the same class, showing slight variations among themselves in minor details, but none of which could be said to be Standard Bitulithic, nor were any of them nearly as good pavements as the standard. Most of them showed signs of improperly prepared base, in fact both number one and number two looked as though the upper of "Sand" course had been put on sometime after that part which we refer to as the "Concrete" course (which in a properly laid Bitulithic should be the only wearing surface course) possibly to endeavor to overcome faults of the concrete course.

As to the probabilities of these pavings proving satisfactory and of reasonably long life, this is controlled by so many other factors that it is difficult to say, although the absorption of water by all of them might not be harmful in a warm dry climate, it might tend to early destruction in a very wet climate or one subject to frosts and severe weather. The conditions of the sub-base and of the base itself; the conditions of traffic and the care taken of the pavement are all such major factors in the life of any pavement that we cannot hope to prophesy as to the length of life of any of those submitted, but we can say that samples five and six will probably outlast the others by many years.

Respectfully submitted,
The C. M. Fassett Co.

Sample Number One. Taken from near Feed Co. Store.

Size of Sample—about 19x11 inches.

The sample was first broken as nearly as possible through the center line, the fresh fractured faces photographed and carefully examined. The samples were then tested for voids, density, absorption, and a granular metric analysis made both of the entire wearing surface and of the sand course alone, the results of which are given below.

The wearing surface appeared to be composed of two distinct courses; first, a bitumenous concrete course which was overlaid with a bitumenous sand course, thus resembling a sheet of asphalt wearing surface more clearly than a bitulithic. There appeared to be no flush coat of stone chips. The average thickness of the concrete course was 1¾ inches, but it was of very uneven thickness, due evidently to the uneven character of the surface of the base which in places protruded nearly into the sand course. The entire sample appeared free from cracks and laminations and each course appeared to have been evenly mixed.

The rock used was crushed basalt of proper quality.

The mineral aggregate in the sand course proved to be composed of basalt rock screenings and sand.

An analysis of the asphalt content proved it to be of good grade and consistency.

A mechanical analysis of the pavement as given below, showed it to have the proper proportion of asphalt, but to be deficient in the finer materials without which a dense, impervious pavement cannot be made.

On the whole, while this should prove to be a fair pavement and should give fair satisfaction under light traffic conditions, it is not a bitulithic pavement according to the standard specifications, nor is it as good as a standard bitulithic, as it is deficient in sand and fine material, lacks density, is laid in two courses instead of one properly mixed one, and is not uniform in thickness, thereby indicating a poorly laid base.

Absorption of Water in 48 hours 1.11 per cent.

Sample Number Two. Taken from near Jope's residence.

Size of sample—19x11 inches.

Treatment:—This sample was treated in a manner identical with that of number one. The differences between it and number one were so slight as to be negligable. It had a slightly lighter density and a consequently higher water absorbtion.

Conclusions:—Everything that was said about number one applies exactly to this sample. It is not a standard Litulithic pavement.

Absorbtion 1.29 per cent.

Sample Number Three. Taken from Park Street.

Size of sample—19x11 inches.

Treatment:—This sample was treated in a manner identical with that of the preceding numbers.

Observations:—The only detectible differences between this sample and the preceding samples were:—

One:—The density was decidedly lighter than either, and the absorption consequently higher.

Two:—The concrete layer was of more uniform thickness.

Conclusions:—This sample, like the preceding, lacks density, is not a "Bitulithic" pavement according to standard specifications, and shows deficiency in fine material.

Absorption 1.66 per cent.

Sample Number Four. From near livery barn.

Size of sample—19x11 inches.

Treatment:—Same as preceding.

Observations:—Except for the slight differences in voids, density and absorbtion, this sample is difficult to differentiate from samples, one, two and three.

Conclusions:—Everything that has been said about numbers one, two and three applies to this sample. It is not a "Bitulithic" pavement according to standard specifications.

Absorption 1.46

Sample Number Five. Taken from Portland.

Size of Sample:—12x10 inches.

Treatment:—This sample was treated in a manner identical with the foregoing, except that as it was one solid piece of bitumenous concrete, no separate analysis of the "Sand Course" was made.

Observations:—This sample appeared to consist of one solid course of bitumenous concrete, well mixed and uniformly laid, and of an average thickness of 3½ inches coated on the top with a "flush coat" of basalt chips. The sample was free from cracks and laminations, and had every appearance of being a well-laid "Standard Bitulithic" pavement.

The rock used was crushed basalt of proper quality.

Analysis showed a proper amount of asphalt of good quality and consistency.

The proportions of rock, chips, sand and asphalt seem to be proper for a good pavement.

On the whole this is a good pavement and should give good satisfaction wherever such a pavement is proper.

Absorption 0.23 per cent

Sample Number Six. Taken from Stillwell Avenue.

Size of sample 19x11 inches.

Treatment:—This sample was subjected to the same treatment as number one.

Observations:—This sample appeared to consist of two distinct courses:—a bitumenous sand course of an average depth of 2½ inches, overlaid a bitumenous sand course of an average thickness of ½ inch. The concrete course showed some signs of segregation, and the sample showed a number of what were evidently oil cracks, inasmuch as the dirt has percolated down into them almost to the base. It looked somewhat as though the concrete had been laid too cold.

Conclusions:—This is the poorest sample submitted, showing the greatest absorbing power, the lowest density, and the least careful work.

Sample Number Seven. Taken from Corvallis.

Size of sample 11x11 inches.

Treatment:—This sample was treated in the same manner as the preceding ones.

Observations:— This sample appeared to be one solid course of bitumenous concrete, well mixed, properly proportioned and uniformly laid. No cracks, laminations, or segregation was in evidence. The average thickness was 3½ inches. The rock used was crushed basalt of proper quality, and the sample seemed properly proportioned and dense.

Conclusions:—The analysis as given showed the sample to be properly proportioned mixture of rocks, chips, sand and asphalt, to be of far density and non-absorbant. This is a true "Bitulithic" pavement according to the standard specifications.

Absorption 0.47 per cent.

Standing of the Contestants.

Standing of contestants at Mason, Pennington & Co. up to Wednesday, March 19, for the upright parlor grand piano:

1	821,070	76	63,000
2	308,710	77	68,310
3	283,905	80	349,480
4	166,200	83	65,000
5	178,480	84	70,440
6	192,000	85	450,765
7	139,675	87	43,700
8	195,940	88	359,875
9	215,150	91	171,875
10	139,635	94	2,385
12	122,060	95	451,810
15	41,295	98	188,475
16	177,340	99	410,620
17	191,360	101	407,505
18	231,645	105	368,790
19	100,705	108	302,775
20	164,780	111	187,740
22	214,870	114	177,530
23	76,830	116	154,160
25	2,940	118	402,770
26	156,880	120	169,435
27	2,025	123	33,135
28	1,049,940	127	406,040
29	1,669,315	129	439,760
30	226,000	130	2,000
31	190,405	131	121,360
34	200,370	134	264,370
35	155,435	137	202,050
36	903,875	139	134,680
37	188,940	142	207,000
38	213,680	145	125,765
39	186,000	147	207,500
41	216,000	151	322,120
43	374,760	152	122,120
46	132,000	154	165,880
47	987,385	159	249,635
48	91,675	162	142,300
49	179,745	165	1,079,595
51	106,410	169	199,380
52	188,945	171	138,360
54	194,870	173	99,285
58	213,760	178	187,760
62	301,225	180	217,050
64	369,170	182	218,800
67	2,505	185	198,340
68	178,400	189	182,705
69	391,350	191	250,500
70	368,015	193	184,790
71	471,810	195	137,950
72	98,875	198	67,975
74	2,325	199	231,045
75	998,650		

Contestants are allowed 10,000 for every subscription they or their friends obtain for the Headlight. Rustling for subscribers is now in order.

Hides Wanted.

Will pay 16c. for Hides, Stephen Michaud, Hide Dealer. Leave your hides at Honey & Pelz.

Special Bargain.

For 30 days, will offer for sale best 92½ acre Dairy farm in Alsea Valley. Improvements up to date. Price, $65 per acre. G. T. Vernon, Alsea, Oregon.

Notice To Water Consumers.

NOTICE IS HEREBY GIVEN.—That water rents must be paid by the 10th of each month at the office of the Water Commission, and if not paid by that date water will be shut off.

E. D. HOAG, Supt

BRIGANDS IN SKIRTS.

Robbers In Europe Who Dress Like Grand Opera Ballet Girls.

There are places in the world where women dress in men's clothing and men don women's apparel.

Even in Paris there are women dressed in cheap, coarse, masculine attire, working as teamsters and day laborers. While it is against the law, the police wink at the fact and allow them to earn peaceably their daily wages.

In Persia in some of the interior parts the women wear the strangest, oddest trouser garments. They seem to like them, too, from the fact that they cling to them in spite of all efforts to make them don feminine attire.

Then there are the Alpine dairy maids, who dress as men when they go about their work and look pretty, if we are inclined to take evidence from the numbers of men who yearly persuade them to cast off their masculine dress and put on more clinging costumes. But then their eyes are so bright and their cheeks so red that they couldn't really look homely in anything they might choose to wear.

Again, far in the north, where it is freezing cold most of the time and people dress to be comfortable and not to look pretty, the women are actually forced into trousers to keep warm.

The ancient women warriors always wore trousers. But their reasons were purely military. Besides, they were half masculine in manner and appearance and dressed to accentuate their qualities. They had to make themselves into fierce looking creatures to terrify the men on the opposing side, and from all accounts they succeeded admirably.

As for the stronger sex, there still seem to be men in existence who wear women's garb and enjoy it. In certain parts of Greece, Spain and Albania there are bands of desperate brigands who, when they are decked out for attacks on strangers or neighbors, look for all the world like grand opera ballet girls in their short, brightly colored skirts, which are made very full and sometimes even ruffled a bit. They seem tremendously proud of their attire, and rival bands strive to surpass each other in vividness of patterns and newness of styles.—Exchange.

DISAPPEARING GUNS.

Ease With Which These Coast Defense Monsters Are Operated.

Three kinds of big guns are used on the coasts to defend us from hostile invaders. When a gun is fired over an embankment or parapet it is called a barbette. The earliest guns were of this order. The parapets were notched so that the firing could be done over their top. When the gun is discharged through a port or hole in the embankment it is called a casemate. The newest kind of heavy artillery is the disappearing gun, which drops back behind its wall as soon as it is discharged.

The man who aims the gun has a little platform, to one side of the machine. Things are arranged so that he can control all operations of the gun from where he stands. Electricity is used for bringing the gun up and getting it into position, and all the mechanism can be regulated by the gunner. So wonderfully is the big machine under control that it cannot be fired by any person whomsoever unless it is raised up and in firing position. When it is not in firing position it is called "out of battery."

So nicely is the gun mounted that all its great mass can be handled by two men. From the time they start loading it until the gun is mounted and ready to fire only six seconds intervene. One of the big guns can discharge a thousand pound projectile every fifty-two seconds and put a battleship out of commission six miles away.—Exchange.

The Fastest Growing Tree.

Hard, fine grained, durable wood usually grows slowly. A most remarkable exception is the eucalyptus, and this it is that gives the tree its great value as a means of reforestation. It is said that the eucalyptus grows five times as rapidly as any other tree. Seedlings have been observed to make an average growth of six inches in height a day, and one tree in California attained a height of 125 feet and a diameter of thirty-six inches in nine years. The eucalyptus will not thrive where there are frosts, but in the south it promises to go a long way toward filling the place once occupied by other hardwoods, which have been greatly reduced by demands for furniture, carriage and cooperage stock.—Harper's.

Gave Himself Away.

During a football match in the north of England a spectator persisted in making loud remarks about the conduct of the referee. At last the official went up to him and said, "Look here, my man; I've been watching you for about the last fifteen minutes!" "Aw thort so!" came the scathing reply. "Aw thort so! Aw knew very weel thou wasn't watching t' game!"—London Tatler.

Equal to the Emergency.

Indignant Wife—I wonder what you would have done if you had lived when men were first compelled to earn their bread by the sweat of their brows! Indolent Husband—I should have started a little notion store and sold handkerchiefs.—Chicago Tribune.

Light and Speed.

Many a young man today burns the midnight gasoline that his old dad burned the midnight oil to pay for.—Florida Times Union.