

O. & C. GRANT SALES HALTED.

Supreme Court Reverses Forfeiture Decree.

Washington, June 21.—By a unanimous decision rendered by Justice McKenna the United States Supreme Court today rejected the contention of the Government and of cross-complainants and of intervenors in the Oregon & California land grant suit; declined to decree forfeiture; held the actual settlers clause to be an enforceable "covenant" and not a condition subsequent; and in reversing the decree of Judge Wolverton enjoined the railroad company against further violation of the covenants. Going, further, however, the court says:

"In view of such disregard of the covenants to gain illegal emolument, and in view of the Government's interest in exact observance of them, it might seem that restriction upon the further conduct of the railroad company and its various agencies is an imperfect relief; but the Government has not asked for more.

No Lands to be Sold.

"We think, therefore, that the railroad company should not only be enjoined from sales in violation of the covenants, but enjoined from any disposition of the lands whatever or of the timber thereon and from cutting or authorizing the cutting or removal of any of the timber thereon until Congress shall have a reasonable opportunity to provide by legislation for their disposition in accordance with such policy as it may deem fitting under the circumstances and at the same time secure of the defendants all the value the granting acts conferred upon the railroads.

"If Congress does not make such provision the defendants may apply to the District Court within a reasonable time, not less than six months, from the entry of the decree herein, for a modification of so much of the injunction herein ordered as enjoins any disposition of the lands and timber until Congress shall act, and the court in its discretion may modify the decree accordingly."

Memorial Exercises of the Knights of Pythias.

On next Sunday evening, 27th of June, the memorial exercises of the Alarathon Lodge, No. 89 K. of P., will be held in the Christian Church, the Rev. Mr. Van Winkle delivering the address of the evening.

He will cover the cause of Pythianism from its earliest conception up to the present day, dwelling especially upon the story of the friendship of Damon and Pythias so dear to every Pythian.

This story which has been taken as the foundation of the order of Knights of Pythias has been told countless thousands of times, but at each new hearing we find something new to wonder at and ponder over as it has the ring of truth in its every word.

The service will begin at eight sharp, and to all visiting brethren as well as to those of the home Castle Hall a hand of welcome is extended. It is desirable to meet at the Castle Hall at seven thirty and go to the church in a body so as to avoid the confusion of finding the space reserved for us at the church during this address.

Annual School Meeting.

There was a fairly good attendance at the school meeting on Monday afternoon and considerable interest was taken.

Attorney H. T. Botts was re-elected director and attorney E. J. Claussen was re-elected clerk.

After the election Mr. Claussen gave his annual report after which other matters were discussed.

Thus Coates, one of the custodians of the Stillwell Park fund asked for an appropriation for the improvement of the park. This park of 5 acres was given to the children of the city by George Stillwell six years ago with the understanding that a reasonable amount of improvement should be made on the property each year. While some improvements have been made, nothing has been made to beautify the grounds or make much of a showing. This phase of the matter was discussed and it was pointed out that in appreciation of Mr. Stillwell's splendid gift something substantial should be done for the improvement of the grounds, and accordingly \$500 was voted for that purpose.

A motion was made and seconded, asking that the board appropriate enough to try out the Montessori system for the instruction of the little folks between the ages of 3 and 6 years of age. It was thought by many present that as the system was as yet an experiment and somewhat expensive it would not be wise to try it out at this time. The motion was voted down.

The matter of erecting a play shed or gymnasium for the children on the play grounds was also discussed and it was finally decided to appropriate the sum of \$600 for the erection of a play shed where the children could play in rainy weather and be kept out of the wet.

Sale of Bonds.

Tillamook City offers for sale City Hall Bonds issue of \$21,000.00 in denominations of \$1,000.00. Interest 6 per cent payable semi-annually. Due 20 years. Redeemable after 5 years.

Bids will be received up to July 5, 1915. Certified check for 2 per cent to accompany bid to insure taking of bonds by successful bidder. Right to reject all bids reserved.

Address all communications to John Aschim, City Recorder, Tillamook, Oregon.

Call for Bids for Bridge.

TILLAMOOK CITY, OREGON, will receive bids up to June 25th, 1915, for the construction of steel arch bridge and approaches across Hoquarton Slough in Tillamook City, in accordance with plans and specifications therefor prepared by City Engineer and on file with City Recorder.

Certified check for 5 per cent is required with bid to insure successful bidder entering into construction of bridge, with approved bond.

Right to reject any and all bids is reserved. Bids should be addressed to John Aschim, City Recorder, Tillamook, Oregon.

Call For Bids.

Bids will be received by Tillamook City, Oregon for the improvement of Second Avenue East from the North side of Ninth Street and connecting streets South to the South boundary of Tillamook City.

Streets to be paved with concrete, with curbs and gutters and sheet asphalt wearing surface.

All in accordance with plans and specifications on file with the City Recorder.

Bids will be received up to 8 o'clock p.m. on Wednesday, July 14th, 1915.

All bids must be accompanied by a certified check for 5 per cent of the amount of the bid as a guarantee that the successful bidder will enter into contract for the making of the improvement, and give approved bond to secure the performance of the same.

The right is reserved to reject any and all bids. Bids to be addressed to City Recorder, Tillamook City, Oregon.

Dated June 22nd, 1915.

John Aschim, City Recorder.

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RESOLVED THAT WE WILL BE PLEASED TO HAVE YOU COME IN AND SEE OUR GOOD GROCERIES AND OUR COMPLETE STOCK. WE ARE JUSTLY PROUD, FOR WE'VE GOT THE GOODS

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Wheat	\$2.50 cwt.
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Leave orders with us for land plaster.

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GROCERIES, SMOKED MEATS, FRUITS, VEGETABLES, HAY, GRAIN, FEED.

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Furnished Housekeeping Tents

Only One Dollar a Day.




Electric lights and water in every tent; golf surf bathing or hunt for crabs and clams; tent city is under direction of Bar View hotel; many entertaining features; no liquors allowed sold. Rates by week, \$5 and up; sleeping tents and board at hotel, \$2 per day and up. Write W. A. Wise, Bar View, Tillamook County, Ore., or 210 Failing Bldg., Portland, Ore.

BAR VIEW DANCE HALL

IS OPEN FOR THE SEASON.

Dance Saturday Night.

Printing Point Does Not Bob Up and Down



In an L. C. Smith & Bros. Typewriter the point on the paper which is to receive the type impression is stationary at the instant the type hits. The carriage does not bob up and down when the shift is made to write capitals.

Why?

Because the *type* is shifted—not the carriage.

The only movement of the carriage is back and forth on its closely adjusted ball bearing runways—and this does not take place while the print is being made. There is no lifting of the carriage.

This is one reason why L. C. Smith & Bros. typewriting is free from blurs and every letter in the right place.

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L. C. Smith & Bros. Typewriter Co.
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Chautauqua News.

Colonel William Hamilton Miller says: "I'm strong for you folks that are cutting out the strong, square, clear timbers of constructive living, out of which real world while communities are builded." Colonel Miller is known as a community development lecturer and he is going to speak at the Chautauqua to be held here from July 12 to 17. His purpose is to help us to make our district both bigger and better.

Other able lecturers will also appear and the musical numbers scheduled to be heard in the two programs of the week will be far above the average. Season tickets cost \$2.50 until the opening day. Let's come out to the Chautauqua and boost for the better things that help everybody to "get their feet off the ground." That's what a Chautauqua is for.

Buckner's Jubilee Singers are a company of refined cultured colored people who have made a life work of music and entertainment of the jubilee character. They offer a program of wide range—possibly no organization on the week's program will offer such a variety. They sing plantation melodies, jubilees, dialect songs, sacred music and even grand opera. Single admission tickets to the grand jubilee concert to be given on the last night of the Chautauqua will cost 50c.

Theodore Roosevelt says: The Chautauqua is the most American thing in America.

Arthur A. Franke traveled on foot, covering most of the eastern part of the United States in gathering data for his famous lectures.

Penalty is Provided.

This last and unexpected feature of the decision, again throwing the land grant case into Congress, simply means that the court did not feel that the railroad company should go unpunished for its deliberate and repeated violations of the granting act. While the court holds the railroad company is still entitled to receive \$2.50 for each unsold acre of its grant Congress, having displayed its concern over violations of the granting act, is given opportunity to say how unsold lands shall be disposed of.

There is no restraint on Congress, other than that it must guarantee the railroad company \$2.50 an acre for every acre sold hereafter. Congress can make appropriation to pay the railroad this amount and assume full title to and do with the lands as it pleases; it can order the sale of the lands under any terms and conditions it deems proper, or it can authorize the railroad company to dispose of them in any way it may prescribe, just so long as the railroad company in the end gets its \$2.50 an acre.

Intervenor and cross-complainants; those who have squatted on railroad lands and those who have offered to buy, are held to have no standing in this case, which the court recognizes. Their relief, if any, must come from Congress. Congress can give these so called settlers and these intended purchasers preference rights to buy, if it so elects, or it can disregard them altogether. But until Congress gives them a statute, they have none, for the Supreme Court holds that they have no proper place in the proceedings which ended with today's decision.

If within six months after the District Court at Portland renders its amended decree, in conformity with the Supreme Court decision of today, Congress has not, by legislation, provided for the disposition of the 2,300,000 acres of unsold land within the grant, the railroad company may then apply to the District Court at Portland for permission to sell its unsold lands in strict conformity with the actual settler's clause, and the District Court may in its discretion grant that authority, which will run until such time as Congress does provide some other means of disposing of the lands.

Fire Sweeps Timber.

Hillsboro, Ore., June 19.—The town of Timber in the Coast range, between here and Tillamook on the railroad was entirely swept away by fire at 2:30 o'clock this morning, the origin of which is a mystery. The town consisted of two stores, a hotel and a half a dozen residents, and the value of the property destroyed is variously estimated at from \$20,000 to \$30,000, with no insurance. No lives were lost.

The fire was discovered by the train crew of extra train No. 2931 which arrived at Timber last night and stopped for the night. The crew headed by conductor Fisher and Engineer Clow, was awakened at 2:30 o'clock this morning by the fire and found that the flames were burning under the houses of the town, all located on a side hill. The roof of the depot was also burning. By the efforts of the train crew the occupants of the whole town were aroused and some of the groceries and provisions in the stores were saved. There were no facilities for fighting fire available and the little village was swept away. The depot lost its roof, but the rest of the building was saved and this is practically all there is left of Timber today.

Mrs. M. S. Jensen is Dead.

(From Courier.)

The Courier is again called upon to chronicle the death of an old and respected pioneer. It will be remembered that two weeks ago Mrs. Jensen, while engaged at her household washing accidentally scalded herself with a boiler of water. Dr. Shearer was at once called and did all that medical skill could do. The feeble life seemed to tremble in the balance for several days, her family and friends hoping against hope. She succumbed to the shock on Tuesday morning. The funeral took place from the home, Rev. F. S. Ford, pastor of the Presbyterian church, officiating. Friends from all over the south part of the county were present and filled the house, scores had to remain outside. The service was simple and brief. Many contributions of beautiful floral emblems were placed on her grave in the Odd Fellow's cemetery by her neighbors and friends of years of acquaintance. A long procession of friends followed the remains to their last resting place.

Marew Sophia Hansen was born in Denmark May 26, 1842; in November 1866 she was joined in marriage to Mr. Lars Jensen, and to this union six children were born, two of whom died in infancy. Mrs. Jensen was a member of the Lutheran church, also a member of the Grange, where she was faithful in the discharge of her duties as an officer of the lodge. For a short time she lived in New Jersey moving to California and 35 years ago moved to Hebo, Oregon, where she died at the age of 73 years one month and nine days. She is survived by her husband, two sons and two daughters. She was a woman much respected at this end of the county where she was so well known.

Philadelphia woman is suing for divorce on the ground of "literary cruelty." Was she trying to live on the proceeds of her husband's manuscripts or did he read poetry to her 'onights?

Notice of Foreclosure Sale.

Notice is hereby given that in pursuance of a judgment and decree entered in the Circuit Court of the State of Oregon, for Tillamook County, in the cause pending wherein Tillamook County Bank, a corporation is plaintiff, and Francis D. Mitchell, Ida J. Mitchell, G. W. Rice and Jane Doe Rice, his wife are defendants, which decree was entered on the 21st day of June, 1915, and in pursuance of an execution and order of sale issued upon said decree by the clerk of said Court bearing date June 19, 1915, I have levied upon, and will, on Monday the 19th day of July, 1915, at the Court House door in Tillamook City, Oregon, at the hour of 10 o'clock a. m., sell at public auction to the highest bidder for cash in hand all of the right, title and interest of the defendants, held on February 8th, 1913, or since acquired by them and in to the following described real property situated in Tillamook County, Oregon, to-wit: Lot 44 of Block 54, Bayocean, for the purpose of satisfying a judgment rendered in said cause together with the costs and expenses of the sale. The judgment is for the sum of \$1,263.71, with interest at 8 per cent per annum from June 21st, 1915, \$125 as attorney's fees, and \$39.99 costs and disbursements.

Dated this June 24th, 1915.

H. Crenshaw, Sheriff of Tillamook County Ore.

When the wets organize as thoroughly as the dries they may be able to regain some of the rights the loss of which they continue to lament.

Mississippi bottom lands are the richest on this none too rich earth but the river is year by year carrying down to the sea enough material to duplicate them.

Jonah has been cast overboard, and there floats the whale anxious to swallow him—for three days more or less.

Wine is made of dandelions also of parsnips. But neither can be any worse than elderberry wine, which, when swallowed, has been known to return and run out of nose and ears.

Other Suits Not Barred.

Today's decision, it is pointed out by the Supreme Court, does not bar other suits against the railroad company on account of the sales heretofore made in tracts of more than 160 acres, and at prices in excess of \$2.50 per acre. Such suits, if instituted, will not affect those sales to innocent purchasers, which have been settled in court, under the act of August 20, 1912.

"This suit was brought," says the Supreme Court, "to determine the right and remedies as to unsold lands and it is alleged that subsequently other suits will be instituted as to sold lands, rights and remedies as to them being in effect reserved. Therefore, the decree in this suit shall be without prejudice to any other suits, rights or remedies which the government may have by law or under the joint resolution of April 30, 1908, or under the act of August 20, 1912."

Tillamook Still on Top.

Sid Blanchard won his fifth straight victory Sunday when he defeated Beaver to the tune of 16 to 5. Blanchard not only pitched a fine game but to make sure of the game he walloped out five hits out of five times up. Alderman also played a good game on third base, fielding in old time form, and making four hits. The game on the whole was a fair exhibition of base ball with the exception of the sixth and seventh inning when Tillamook developed a batting streak and bunched hits on King.

Tillamook has developed a first class team and Mr. Callahan has promised the fans a good game with a fast probable team in the near future. It is probable at this time that the Harri-man Club of Portland will play here the 4th of July.