

B. H. Hathaway is Dead.

We are sorry to announce the death of B. H. Hathaway, which took place suddenly at his home at Aloha, Ore., on Monday morning. He was one of Tillamook's highly respected citizens and successful dairyman. He came to Tillamook county in 1870, where he resided until a few years ago, when he moved to Aloha, where he died.

The remains were brought to Tillamook on Wednesday, and the funeral held today, the religious services being in the M. E. church, the Masons of this city having charge of the funeral and attended the services in a body.

Benjamin Henry Hathaway was a soldier in the Civil war, and for many years one of the most industrious and thorough farmers of Tillamook County. He had a long and busy career. A self-made man in the latest sense implied by the term, his life record well illustrates the virtue of patriotism, and shows the success to be attained by honest industry and prudent thrift. A native of Lewis county, N. Y., he was born May 5, 1831, a son of Isaac Hathaway. His paternal grandfather, Henry Hathaway, a native of England, emigrated to the United States in colonial days with two of his brothers, and all three served in the Revolutionary war.

Henry subsequently settled in Herkimer county, N. Y., where he became an extensive land holder, and a successful speculator. While in Albany, N. Y., on business, he died at the home of one of his brothers.

Born and reared in Herkimer county, N. Y., Isaac Hathaway selected farming as his life occupation. Removing to Lewis County, N. Y., he bought land, and was there engaged in tilling the soil until his death. He was a man of unquestioned integrity, and a Quaker in his religion. He married Rebecca Higby, a life long resident of Lewis county, N. Y., a daughter of Benjamin Higby. Mr. Higby was born in Connecticut, and served in the war of 1812. Becoming a pioneer of Lewis county, he cleared and improved a good homestead, and there spent his remaining years, an honored and prosperous farmer.

The oldest of a family consisting of three boys and five girls. Benjamin Henry Hathaway received an exceedingly limited education in the district school. At the age of seven years he was put to work on the farm, driving oxen, and at the age of nine years was doing a man's labor. He was exceptionally dexterous with the hoe, and won a great reputation as a cultivator of potatoes. At the age of eighteen years, he began farming on his own account, buying a small tract of land. Hoping to materially improve his condition in a newer country, he migrated to Wisconsin, locating at Oshkosh, where he worked for a year to pay for a piece of land in Waupaca county. Removing to Minnesota in 1854, he pre-empted land in Freeborn county, and there improved a homestead. With true patriotic zeal he enlisted in 1861 in the fourth Minnesota Volunteer Infantry, and served for three years or more, his regiment forming part of the first brigade of the Seventeenth Division. He took an active part in thirty-two engagements, including battles and skirmishes, assisting in driving the enemy from Champion Hills, being present at the siege of Vicksburg, and following Sherman on his march to the sea.

At Savannah, Ga., in 1864, he received his honorable discharge, and immediately returned to his home in Minnesota. Again following the path of civilization westward, he removed to California in 1868, and resided there two years. Coming to Oregon in 1870, Mr. Hathaway took up one hundred and sixty acres of land lying three miles north of the city of Tillamook, and by dint of untiring labor and skill improved a fine and productive farm, where he lived for three decades. Renting his ranch in 1900, he resided in Tillamook, and then went to Washington county. During his life in Tillamook county, Mr. Hathaway had a varied experience, and surmounted many difficulties. Coming here with \$5 dollars in his pocket, his wife ill, and but one hundred pounds of flour to last until spring, he had seemingly sufficient reason for being discouraged. With characteristic bravery and enterprise, however, he cheerfully set to work to remedy matters, and before many years had passed fortune smiled upon him.

Mr. Hathaway married first in Lewis county, N. Y., who died in Tillamook Oregon. Of the two children born of their union, one, a daughter, died in infancy, and the other child John Henry survives him. Mr. Hathaway married his second wife, in Tillamook, Mrs. Rowena (Trobridge) Wilson, who was born in Ohio, the daughter of David Trobridge, a native of Vermont, and one of the pioneer farmers of Ohio. Mrs. Hathaway's first husband, John C. Wilson, a native of Pennsylvania, was killed in the Union army, in 1862, near Corinth, Miss., and she subsequently came to Oregon with her son John C. Wilson. Politically Mr. Hathaway was a zealous advocate of the principles of the Republican party, and served as school director and as road supervisor. He was a member of the Masonic order, belonging to the Blue Lodge, No. 57, of Tillamook, and was a member of the Grand Army of the Republic. He belonged to the Methodist Episcopal church.

Notice of Completed Contract.

Notice is hereby given, that the County Road Master for Tillamook County, Oregon, has filed in this office his certificate for completion of the contract of Sandberg & Logus Co., on Bayocean County Road from Station 48 plus 00 to Station 69 plus 52.3, in accordance with the plans and specifications, and any person, firm or corporation, having objections to file to the completion of said work, may do so within two weeks from the date of the first publication. Dated this 13th, day of September 1915.

I. C. Hilden, County Clerk.
First publication, Sept. 16th, 1915.
Last publication, Sept. 30th, 1915.

Homesteaders Fair Saturday.

On Saturday, September 18th, the Nestucca Grange, the membership of which resides in the vicinity of Beaver and along the Nestucca River leading back into the hills among the homesteaders, will convene a homesteaders fair. While the fair is called the Homesteaders Fair, and the homesteaders in that locality are taking an active part in its management, others have been invited to put products on exhibition and it is anticipated that a very good showing will be made.

Following is the program of the day: Parade at 9:30 a. m. Prize of \$3.50 will be given for the best family float.

A good ball game at 10 a. m. sharp. An interesting address at 11 a. m. by Wm. S. U'Ren of Portland. The subject will be Single-tax and its advantages, and the speaker will answer any and all questions handed in on paper so don't fail to be there with your question, and then grunt around and say he can't prove it. Give him a chance.

At 12 sharp the big feed to which all are invited—To Bring Their Baskets and enjoy the hour. Hot coffee will be served with sandwiches for the benefit of those who may not care to bother with a basket.

At 1 p. m. starts the big hour of songs and speaking.

At 2 p. m. the glad hour of races and frolic such as the potato race, the sack race, the fatman race the boys barefooted race and many other interesting races followed by a tug of war by the married men and the single men.

Come out and laugh and grow fat, and bring your best girl and if you can't get her, bring George's. Ah! Ha! Ah! Chicken.

In addition to the premiums as published last week, D. W. Gilbert and Sons, of Beaver, will give a pair of shoes for the best boy's exhibit under 15 years, and a \$1.00 watch for the next best exhibit.

Red Men Appreciate Kindness.

Common Era, September, 1915.
Hon. S. A. Broadhead, Mayor, Tillamook, Oregon.

Dear Chief and Brother:

At the last Great Council Session of the Great Council of Oregon, Improved Order of Redmen, a resolution was unanimously passed, expressing the appreciation and thanks of the Great Council of Oregon to the citizens of Tillamook, the Independent Order of Odd Fellows, the Newspapers and Katata Tribe for their hospitality and royal entertainment during the Great Council Session.

The Tillamook Session will always be remembered by those in attendance as one of the best in our history. We shall always bear pleasant recollections of the many courtesies extended to us while in your midst, and have a good word for your wonderful country. May your community continue to grow and prosper.

With best wishes, and again many thanks, we remain

Yours in Freedom, Friendship and Charity,
Great Council of Oregon, Improved Order of Redmen.

By L. H. Hamig, G. C. of R.

Report of British Casualties Tell of Awful Slaughter.

London, Sept. 14.—Official announcement was made today in the house of commons that the total of British war casualties up to August 21 was 381,983 officers and men killed, wounded or missing.

Leave Mexico is Warning.

Washington, Sept. 14.—Instructions issued months ago urging American citizens in Mexico to leave the country have been renewed to Americans in Sonora, Chihuahua and other northern states, where military moves and hoarder disturbances now make conditions extra hazardous.

State department officials denied reports that the order had reference to this government's future course toward Mexico.

Call for Bids.

Bids will be received by Tillamook City, Oregon, for the improvement of Second Avenue East and connecting streets to the South boundary of Tillamook City, extending South from the North side of Ninth Street. The improvement consists of paving with concrete, with the curbs and gutters, and all to be in accordance with plans and specifications therefor on file with the City Recorder. Bids will be received up to 8 o'clock p. m., on Thursday, September 23rd, 1915. All bids must be accompanied by certified check for 5 per cent of the amount of the bid, to be forfeited if the successful bidder shall not enter into contract for the making of the improvement and give approved bond for the performance thereof within 10 days from the date of the awarding of the contract. The right is reserved to reject any and all bids. Address: City Recorder, Tillamook City, Oregon.

Dated this second day of Sept, 1915.
John Aschm.
City Recorder of Tillamook City Ore.

First publication Sept. 23, 1915.
Last publication Sept. 23, 1915.

California is spoiling her horticultural reputation by picking too much of her fruit green and shipping it East to ripen. We warn her that her oranges are already under suspicion.

SUNDAY CLOSING LAW

HELD VALID.

Opinion of Justice Burnett, of Supreme Court, Reverses Lower Tribunal.

Salem, Ore., Sept. 14.—Constitutionality of the Sunday closing law was upheld today by Justice Burnett of the Supreme Court, when he reversed the decision of Circuit Judge Morrow in the case of the State against Leigh E. Nichols, appealed from Lane County. Nichols was charged of keeping his cigar store open Sunday.

That the decision may result in a more stringent enforcement of the state law prohibiting the keeping open on Sunday of any "store, shop, grocery, bowling alley, billiard room, or tipping house, or any place of amusement" is believed probable by attorneys and others who have studied it. The law exempts from its provisions theaters, drug stores, doctors' offices, undertakers, livery stables, butchers and bakers.

In the attack upon the constitutionality of the statute, attorney for Nichols contended that it was violating section 20 of article 1 of the state constitution, which declares that "no law shall be passed granting to any citizen or class of citizens, privileges or immunities which, upon the same terms, shall not equally belong to all citizens." That the measure was also contrary to the 14th amendment to the Federal Constitution was alleged.

Police Right Cited.
Pointing out that it is by virtue of the police power that the legislative branch of the state government assumes to control its citizens in their daily affairs, Justice Burnett continues:

"It finds its sanction in the right of the state to provide for the public health, peace, welfare and safety. The only restriction which affects the question is that the legislation must have some reasonable relation to those elements of public concern and must be uniform in its operations upon all persons similarly situated. The principle rendering it lawful to forbid the pursuit of an occupation on Sunday is settled in this state. . . . The underlying reason for the rule is the propriety of providing a day of rest and relaxation for those who are engaged in certain employment."

Exemptions are Justified.
Justice Burnett justifies the statutory exemption of certain businesses in the following language:

"A good reason for this may be found in the fact that the drug stores, doctor shops, undertakers, butchers, bakers and livery stable keepers minister to wants that are more imperative, as a rule, than those supplied by the general run of business in the occupations named, while theaters afford mental diversion conducive to rest and relaxation, the emergency involved gives color and sanction to the exception. The law applies to all persons coming within the class described and limited in the statute. We are convinced that the classification set out in the statute is reasonable and that the legislation is a proper exercise of the police power."

The Greatest of All Crops.

Never in the history of our country was there such a crop as that which has just been harvested, or is now ripening for the harvest. Never, we think, in all the history of the world was any nation so blest with bountiful yields, with bursting plenty.

How eloquent these items are, as taken from the latest government estimates: Corn, 2,920,000,000, against 2,672,804,000 last year, an increase of about 250,000,000 bushels; wheat, 966,000,000 bushels, an increase of 75,000,000 over last year's banner crop; oats 1,400,000,000 bushels, an increase of 260,000,000 bushels.

We will have 4,000,000 tons of hay above the 1914 mowing and there will be 25,000,000 more bushels of potatoes in the great American bin. All down the line the story is the same, with perhaps the single exception of apples.

With a prospect for fair prices for most products, if America does not have a record-breaking prosperity during the next twelve months, we will have to abandon the theory that "good crops mean good times."—Farm Life.

Missouri Hens Laid Eggs Worth \$29,025,584 in 1913.

Missouri hens laid \$29,025,584 worth of eggs in 1913, or a sum equal to the taxable valuation of four average Missouri Counties, according to figures obtained from the Bureau of Labor Statistics. These have just been compiled.

Eggs numbering 3,222,126,720, or enough to give every man, woman and child in Missouri 663, or about two a day each, were laid by Missouri hens in 1913. The number of dozens was 195,510,560.

The total value of the poultry output of Missouri in 1913 was \$43,381,594, being over one third of the total taxable valuation of Missouri railroads.

St. Louis County hens were alert and on the job, and turned out 60,000,000 eggs in 1913, or 5,000,000 dozen.

Threats Sent to Financial Envoys.

New York, Sept. 14.—That threatening letters had been sent to members of the Anglo-French financial commission, now in New York to negotiate a \$1,000,000,000 loan, became known today when extra guards were hired to protect the foreign financiers at the Baltimore Hotel.

At the same time it became known that a thoroughly organized move was being made by German sympathizers to work in American banks to prevent the loan to the entente allies. Directors of Germanic extraction have threatened to resign and depositors of Teutonic sympathies have threatened to withdraw their deposits if the banks enter the loan.

Six Pinkerton detectives were put on guard today at the Baltimore as the result of threats received through the mails, although none of the men connected with the commission would admit it.

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Two Prison Policies.

Governor Withycombe, too, is granting a goodly number of paroles to inmates of the Oregon State Prison. The parole board, as before, makes recommendations to the chief executive.—McMinnville News-Reporter.

The implication is that the prison policy of the present state executive follows the erratic practices of his predecessor in turning loose upon the state many convicts who had no deserts from either the law or society. It is far from the truth. The West policy and the Withycombe policy are not the same. Governor Withycombe does not conceive it to be his duty to empty the penitentiary of its felons without sound reason.

The Salem Statesman gives the record of the former Governor, summarized it is:

Two hundred and twenty-nine pardons and commutations in four years. This list includes pardons, complete or conditional, to thirty-nine murderers, thirty highwaymen and thirty forgers. Irrespective of their minimum sentence, often contrary to the express recommendations of Judge, District Attorney and citizens of the community affected, they left the penitentiary at the whim of West.

It is a startling shower. It was the method of the former Governor to pardon, or to commute, whenever the nation took him, or his too quick sympathies overpowered him, whether the Parole Board had acted or not. That is not the way of the incumbent. There have been few pardons not recommended by the parole board.

The Withycombe prison policy is in accord with the humanitarian principles of the parole law. The West policy included an extraordinary "honor system" which was fashioned after the former Governor's own special notions.—Oregonian.

Break With Berlin put off When Near

Washington, Sept. 14.—Prospects for a favorable adjustment of the controversies between the United States and Germany depend entirely on the attitude the Berlin foreign office shall take toward the recommendations made to day by Count von Bernstorff the German Ambassador, following his conference yesterday with Secretary Lansing.

Details of the conference became known today, throwing light on the critical point that had been reached in the relations between the countries. The Washington Government was almost ready to sever diplomatic relations, but decided to delay taking any step until Germany be put in possession on the Arabic case.

Friendliness and candor are understood to have characterized the conversation between Mr. Lansing and

the Ambassador. An opportunity has been given the Ambassador to communicate freely with his government, so that it may be clearly understood in Berlin why officials here are convinced that the torpedoing of the Arabic could not have been a mistake justified or unjustified.

Scraps.

If you see it in a Petrograd dispatch it isn't so—sometimes.

Two spondees are indeed lucky. Germany yielded at the psychological moment.

Sherlock Holmes himself couldn't find out much on a visit to Marietta, Ga.

Constantinople never was any easy mark, and seems as much an object of adventure as the North Pole was.

By waiting, you will see that somebody else will do the indignating for the day and save you the trouble.

Prodigal daughter in Wathena Kan. is a woman who spent \$8 and a whole afternoon in a 10-cent store.

When we needed a place in the sun we annexed most of the upper end of Mexico; so we can't be too severe.

Germany is pushing on with the sole purpose of getting St. Petersburg's name on straight once more.

Too bad, Secretary Garrison, the gentleman at Plattsburg can't take back their practically unanimous cheers.

Georgia newspapers warn anybody from trying to ride into office on the lynching issue. A lot of quiet voters will settle that.

Lay up treasures in heaven and Palm Beach suits on the top shelf, for they shall return after many days and flock together.

After the style of the New York Herald: "Oh, for one year of Theodore Roosevelt in the presidential chair"—of Mexico.

It is reported that the cranberry— but wait, let us not sour these faultless days with something that will do just as well in cold weather.

An Association for Self-Reform isn't to be heard of anywhere; but goodness, how diligent many are in getting after the other fellow.

A learned judge down East decided that the tomato was a fruit because it could be eaten raw. At once somebody cited the onion; and don't overlook the turnip and the radish.

That husky, hairy German farmer undoubtedly kissed Bro. Bryan because he said Americans had no business to be on the Arabic. All must pay the penalty for their opinions.

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