

Tillamook Headlight

VOL. XXXIII, NO. 22

TILLAMOOK, OREGON, FRIDAY, MARCH 17, 1922

PRICE \$2.00 A YEAR

STILL IS FOUND ON MIAMI RIVER BY THE SHERIFF

OUTFIT SAID TO BE COMPLETE
AND IN OPERATION WHEN
LAW ENFORCERS ARRIVE ON
THE SPOT. OPERATORS HAVE
NOT BEEN FOUND

Deputy Lucas Spends Cold Night At
Rendezvous But Failed To Get
Hold Of The Originators Of Moun-
tain Dew. Liquor Brought To
Town.

Sheriff Aschm and deputies Lucas
and Holden made a raid upon the
Zuercher place at Miami, last Mon-
day night, and brought back a com-
plete distilling outfit and a quan-
tity of the liquor. The officers made
the raid after dark and saw two
figures seek shelter in the woods
under the cover of darkness. The
outfit was sent to the courthouse
and the remainder of the night was
spent in a search for the moonshin-
ers. So far they are still at large.

The still was in operation when
seized, and the officers waited until
the quantity of liquor was distilled
before bringing the outfit to the
city. A large two burner coal oil
stove, a twenty gallon copper tank,
several coils, funnels, and other
paraphernalia including a few tools
are now in the possession of the
sheriff. A gallon of the white li-
quor was also captured.

Deputy Lucas spent the night in
an effort to apprehend the lawbreak-
ers scouring the woods for miles
around. Deputy Holden was also
out the greater part of the night.
Although no arrests have as yet
been made it is expected that re-
sults will be forthcoming in a few
days. It is probable that both the
state and federal laws will be en-
forced against the violators.

GEORGE BAILEY PAYS HIS FINE

George Bailey who was fined in
the justice court two months ago for
having intoxicating liquor in his
possession, was today released from
custody on his paying the remain-
der of his fine. He has served 61
days, and today paid into the coffers
of the county \$243.35, having re-
ceived credit for \$62 for the time
served.

Bailey, together with Chapin, was
arrested two months ago for the pos-
session of intoxicating liquor. Ba-
iley was tried in the justice
court and fined \$300 and costs.
Chapin was turned over to the fed-
eral authorities for the transporta-
tion of liquor.

POSTOFFICE DEPARTMENT IS DECLARED TO BE SPEEDING UP

Orval Wilkes foreman at the Til-
lamook garage shops, some time ago
received a postcard that had been
mailed him from Portland on De-
cember 16, 1916. The card was re-
ceived here on the 30th of January
of this year. Mr. Wilkes' explana-
tion of the incident is that the post-
card was probably lost at the Hills-
boro postoffice and when the office
was moved a few weeks ago the card
came to light. Mr. Wilkes resided
in Hillsboro at the time the card
was mailed.

NEW CITY TREASURER NOW IN CHARGE OF SITUATION

Yesterday the books of the city
treasurer were officially turned
over to E. J. Claussen, who has been
appointed by the council to fill the
vacancy caused by the resignation
of Leslie Harrison. Mr. Claussen
will establish his office for the
treasurer work in the offices of the
Creamery association.

YOUTHFUL MARRIAGES IN COUNTY ARE PREVALENT

A streak of youthful marriages
has been passing over the county.
On March 13, a license was issued to
W. B. Johnson 22, and Geraldine
Carlile 16, both of Tillamook. The
couple was married by Rev. Dark
on the 14th. Hugo G. Stelzig, 29,
and Lavell I. Owens, 15, were mar-
ried by the Rev. Allen McRea on the
15th. R. J. Eriandson, 29, and
Helen Eadens, 17, were married by
Justice Stanley on the 9th.

David H. Kennedy, 27, and Rose-
mary Pechen, 26, were united in
marriage by the Rev. Allen McRea
on the 11th.

KING AWARDED \$200 DAMAGES

The case of King vs. Atkinson, an
action for money over the killing of
a dog was decided. King was award-
ed \$200 damages, and the defend-
ant has to pay costs. This trial has
created considerable interest in the
county and we are herewith print-
ing the judge's instructions to the
jury.

"The Court instructs you that a
dog is property and is declared to be
property by law of the state and
any person who kills or destroys a
dog, the property of another, with-
out legal right or lawful authority
must answer to the owner in dam-
ages if such owner invokes his rem-
edy against the wrongdoer for the
recovery of compensation.

The fact if you find it to be a
fact that the dog was not listed for
assessment and was not assessed for
taxation upon the tax rolls of Tilla-
mook County would not deprive the
owner of his remedy against one
who without lawful right destroys
his property in a dog, nor does a
dog cease to be property because it
is not assessed for taxation nor be-
cause it is not listed by the owner
with the Assessor for that purpose.

You are further instructed that
the allegations of new matter in the
defendants answer do not constitute
a justification of the act of
killing a dog. No private citizen
has any right or authority to kill a
dog because he is not licensed and
does not wear collar as is prescribed
by law and the defendant as a pri-
vate citizen had no right to kill the
dog he admits he killed because it
was not licensed and wore no col-
lar prescribed by law.

No private citizen has any right
or authority to kill a dog because
he finds such dog in the act of run-
ning pursuing or even killing a
deer and the defendant cannot just-
ify killing the dog upon that
ground. Neither can he justify
killing the dog because it was tres-
passing upon his premises. Simple
trespass upon his premises, stand-
ing alone, or in connection with
running and pursuing a deer or
simple trespass in connection with
the absence of a license and lawful
collar would not justify the killing
of a dog.

I instruct you however, that the
statute has disclosed that a dog that
is not licensed and does not wear a
collar as prescribed in the dog li-
cense law may be killed, but the law
has committed that authority to
officers of the law and only officers of
the law to whom the authority is
delegated may exercise that right
lawfully.

I further instruct you that any
dog running deer in any woodland,
brushland, field or other territory
inhabited by deer, or following upon
the track of deer and such dog is not
wearing a collar with a license
number thereon as prescribed by
law is a public nuisance and may be
killed at such time, (the time of
the running or tracking of deer by
the dog) by any Game Warden or
his deputy or a constable but by no
other person."

Judge Bagley stated: "There are
instances in which a private citizen
has the right to kill a dog, but such
were not involved in this case."

MANY ATTEND ASS'N MEETING

The Parent-Teacher Association
held its regular monthly meeting at
the high school auditorium last
Wednesday night. The school audi-
torium was well filled and many
good speakers were on the program.

Among the subjects discussed
were: "Ideal Playground and Equip-
ment," by Miss LaBare and Mrs.
Elizabeth McGrath; "Supervised
Play," by Mr. J. S. Goin and Mrs.
Stanley Coates. The Annual Report
of the Portland Parent Teachers
Association was read by Mrs. E. G.
Anderson.

A number of committees were ap-
pointed. Prof. Turnbull was ap-
pointed as a committee of one to
procure speakers of the various in-
stitutions for learning. Prof. J. S.
Goin was appointed chairman of the
program committee. Carl Haber-
sch, Rev. McRae and F. F. Con-
over, were appointed a committee to
confer with school board to fix the
playground and add additional
equipment. A Committee of the Wo-
men's Clubs, consisting of Mrs. R.
B. Hays, A. J. Anerson, and W. S.
Coates were appointed to beautify
the school grounds.

The flag was awarded to Prof.
Goin's room for having the largest
number of parents present at the
meeting.

BONDS MAY COME TO GRIEF UPON DAY OF ELECTION

TAXPAYERS OF OPINION THAT
THERE IS NO NECESSITY FOR
BOND ELECTION AT THIS TIME
AND MAY KILL THE MEASURE

Banks of City Are Accused of Hav-
ing Forced The Issue Upon The
Taxpayers Who Are Up In Arms
To Combat The Money Raising
Movement.

An unofficial canvass reveals quite
a considerable opposition to the city
bond election that is to be held to-
morrow.

Many of the taxpayers seem to
think that there is no necessity for
the election and according to the
words of some of the business men
"The council has got themselves in-
to this hole, now let them get them-
selves out." This feeling seems to
be very widespread throughout the
city. One other taxpayer expressed
his fear that should the city be re-
lieved from its dilemma by forcing a
bond election to cover the past in-
debtedness, the same conditions will
occur in the future that have in the
past; in other words that the coun-
cil will again bite off more than
they can chew.

Still others express the opinion
that if the council would force the
county to refund some of the road
taxes that are said to have been il-
legally imposed on the city, that
there would be no necessity for bond
elections. That the banks are prin-
cipally behind the movement for the
bond election is also being whis-
pered about. Some of the street talk
goes so far as to say that the banks
are hard up for money and that this
is the main reason for the effort to
force the bond issue.

"There has been a bunch of slick
politicians putting stuff over on
that council for years," exploded one
irate citizen, "Now let them settle
this thing by themselves. I can't
see that we should be called upon
to do it."

At any rate the future for the
bond election looks gloomy.

HEADLIGHT FAMILY IS ENLARGED, EUGENE CROSBY

The latest addition to the Head-
light staff is Eugene Crosby, former-
ly of Baker, Oregon, where he was
interested in a printing enterprise.
Mr. Crosby moved his family here
this week and will have charge of
the mechanical end of the Headlight
plant.

L. U. ALBERT DIES OF PNEUMONIA LAST EVENING

L. U. Albert, who resided in the
south part of the city died of pneu-
monia yesterday about 5 p. m. Mr.
Albert has been confined to his bed
with illness for several days and in
trying to care for himself was ex-
posed and died shortly afterward, it
is said.

COUNTY WILL HOLD RECORD

Tillamook county has another
prospective world's record breaker.
Janis of Sequoia owned by the Cot-
tonwood farm of this county will
complete her record in 57 days. This
will give Tillamook county two of
the eight world's records and Ore-
gon seven of the eight world's rec-
ords.

S. A. Pinkerton, of the University
of California, was sent here to con-
duct a four day special test on Janis
of Sequoia, 104,315, for the Ameri-



Janis of Sequoia No. 104,315

can Guernsey Cattle Club of New
Hampshire. Mr. Pinkerton has just
completed the test and states that
Janis will be a world's record hold-
er. The complete four day test re-
sults are 133.2 pounds of milk, an av-
erage per cent test of 5.91. If she
continues at this rate she will hold
the record of the AA division of the
world.

Janis of Sequoia is owned by H.
R. Edmunds and Paul Fitzpatrick of
the Cottonwood Farm. Her sire is
Almos Glen of Mound City, owned
by Burns brothers, and her dam is
Galaway, of the Cottonwood farm.

PIONEER PASSES TO GREAT BEYOND

Charles Abram Elliott, a pioneer
of Oregon and Tillamook county
passed to the Great Beyond last
Thursday at the age of 53 years. He
was born at East Portland, March
31, 1868, and was brought to Tilla-
mook county at the age of two and
one-half years. He has lived here
with the exception of the time he
spent in Portland acquiring an edu-
cation.

He has been engaged in ranching
the greater part of his life taking
up the occupation of his father,
Jacob S. Elliott. A man of enter-
prise, industry and thrift he has
not only been successful in his
chosen occupation, but his personal
character has been such that he has
enjoyed the esteem and confidence
of the community in which he lived.
Trained in agricultural pursuits by
his father, he had become a system-
atic, skillful and thorough-going
farmer and a capable business man.
He had one hundred and eight acres
of the old homestead, subject to his
mother's life dowry, and had carried

TILLAMOOK WOMAN HAS DISAPPEARED

Mrs. Dan Goodspeed, who
has resided on 4th street for
some time disappeared during
the night and up to 10:30 this
morning no trace of her has
been found in spite of per-
sistent search about the city
and vicinity.

Mrs. Goodspeed has been
suffering from a nervous dis-
order for some time and the
fear is felt by many that she
might have ended her life.
The Hoquarton slough has
been dragged and searching
parties have covered the roads
in all directions from the city.

According to information re-
ceived this morning, Mrs.
Goodspeed was in bed at 11
o'clock last night when mem-
bers of the family returned
home, but that sometime be-
tween then and this morning
she has been lost track of. On
account of her weakened con-
dition it is thought that the
missing woman could not have
walked far from home.

AMERICAN LEGION TO GIVE BENEFIT DANCE

The American Legion Auxiliary
will give a benefit dance on Satur-
day, April 1st, at the K. P. hall.
Music will be furnished by Wilkin's
orchestra. This event is looked for-
ward to as one of the biggest events
of the season. All ex-service men
are talking about the big time that
the Auxiliary has promised. On
all sides one still hears stories of the
good time the boys had at Beaver
the last time that the Auxiliary took
charge of things.

The proceeds of the dance will go
toward a fund to help the wounded
and disabled ex-service men. This
is one of the things the Legion is
launching for the benefit of its
wounded buddies.

N. P. Hansen and Miss Lizzie
Churchill, of Hebo were city visitors
Thursday.

on general farming making a spe-
cialty of dairying. In this line of in-
dustry, Mr. Elliott has been quite
successful, his dairy containing cows
of mixed breed.

In 1981 Mr. Elliott married Mable
Brown, who was born in Yamhill
county, Oregon, November 15, 1878.
Politically Mr. Elliott has been a
sound Republican in his views, and
though not an office seeker has
served as school director. Frater-
nally he was one of the leading
Oddfellows of this section, belonging
to the Bay City lodge, in which he
has passed through all the chairs,
and having, in 1901 served as a
representative to the Grand Lodge;
and was a member of the Tillamook
lodge of the Woodmen of the World.
Religiously he belonged to the Bay
City Presbyterian church, and Mrs.
Elliott is a member of the Methodist
Episcopal church of Tillamook.

He leaves a wife and three chil-
dren. Funeral arrangements are for
Sunday at 2:00 p. m. from the Pres-
byterian church. The Oddfellows
and Woodmen will have charge of
services at the cemetery.

SEDERBERG TRIAL DECIDED IN FAVOR OF DEFENDANT

AFTER OVER SIX HOURS DELIB-
ERATION JURY BRINGS IN
VERDICT FOR COMPLETE AC-
QUITTAL OF MAN HELD FOR
MURDER AT ROCKAWAY

Broken Door Is Center Of Interest
In One Of Most Expensive Trials
Ever Held By The Tillamook
County Court. Twenty-Five Wit-
nesses Called In To Get Evidence

William Sederberg was acquitted
of the charge of murder in the
second degree by a jury in the cir-
cuit court at 11:15 p. m. Wednes-
day night. The jury deliberated
six hours and fifteen minutes. They
were retired at 5:05 p. m.; returned
for additional instructions at 10:30
p. m. and returned a verdict at
11:15 p. m. Sederberg shook hands
and thanked the jurymen after the
jury had been dismissed.

William Sederberg, of Rockaway,
was placed on trial for the murder
of James Spencer at 9 a. m. Tuesday
the 14th, and acquitted at 11:15 p.
m. Wednesday the 15th. He was
represented by Webb Holmes.
The whole trial seemed to center
upon what transpired at the door,
and the door itself played a promi-
nent part in the case.

Two hours of the first day were
occupied in picking the jury. Twen-
ty-three tallsmen were summoned to
appear. Of those actually called
two were dismissed by the defense,
one by the state and one by the
court. The jury finally drawn was
made up of Edwin Boquist, Ernest
Haig, A. H. Harris, Amos Fuqua,
Thomas Shillinglaw, O. E. Gulstrom,
Charles Wells Thomas Kellow,
Frank Devero, Alfred Reynolds,
T. B. Lucas, and B. J. McCowell,
foreman.

The taking of testimony com-
menced at 11 a. m. on the 14th,
and was concluded at 2:05 p. m. of
the 15th. The state commenced its
first argument at 2:10 p. m. and
concluded at 2:30 p. m. The closing
argument of the state was com-
menced at 3:35 p. m. and concluded
at 4:16 p. m. Judge Bagley com-
menced his instructions to the jury
at 4:20 p. m. and finished at 5:04
p. m. The jury retired at 5:05 p. m.
and returned for additional instruc-
tions regarding a man's right to de-
fend his home at 10:30 p. m., an
returned a verdict of not guilty at
11:15 p. m. The jurymen were dis-
missed immediately after the ver-
dict was read.

Twenty-five witnesses were cal-
led. Thirteen of these were called
by the state and twelve by the de-
fense. The state called seven wit-
nesses in rebuttal and the defense
recalled six.

The Court requested that no one
be allowed to leave or enter the
court room during the progress of
the instructions to the jury. The
actual time required to try this
case was about 24 hours. According
to the statement of County Clerk
Brimhall, the trial was one of the
most expensive trials ever held in
Tillamook County. The exact fig-
ures are not available, but will be
published at a later date.

KU KLUX KLAN LECTURE TO BE GIVEN MARCH 20

The city hall auditorium will be
the scene of a lecture on the Ku
Klux Klan next Monday night ac-
cording to an announcement made
yesterday from Portland. The lec-
turer's title for his address is "The
Truth About the Ku Klux Klan."
Admission will be free.

LANTZ OIL BURNER PLANT LANDS LARGE CONTRACT

A net return of \$500,000 is to be
the result of a contract recently se-
cured by the Lantz Oil Burner com-
pany of this city, according to a
statement Wednesday by B. L.
Beals, Sr., who is interested in the
company.

The deal has been on for several
days and was finally closed in Port-
land. This return is said to give
the stockholders a five to one return
on their money.

The plant here is to be placed in
operation as quickly as possible and
machinery is now on the way to
complete the equipment. A portion
of the Lantz burners will be manu-
factured in the east to expedite de-
livery to eastern and middle western
points.

Bert Stevens returned home last
Tuesday.

