

Tillamook Headlight

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TILLAMOOK, OREGON, FRIDAY MARCH 7, 1924

PRICE \$2.00 THE YEAR

BEACH LITIGATION IS ENDED IN COURT

Damages of \$2200 Allowed Portland Woman by Jury

BAYOCEAN IS INVOLVED

Facts Presented in Case Extend Back To Purchase of Beach Resort in 1913

The star case before the circuit court this week was the suit of Mrs. Ida S. Harvey against Mrs. Frances Potter-Thomas, a prominent society woman of Los Angeles, California, whose husband, since dead, with another capitalist promoter named Chapin, bought the Bayocean peninsula and built a fine hotel and a large and well appointed natorium and numerous other buildings with a view to making it the premier beach resort of the Oregon coast.

The crash that followed an expenditure of from \$50,000 to \$60,000 on the above improvements, and the endless litigation that has followed between Mrs. Potter-Thomas, widow of the man actor in the investment and the lot owners, is local history.

Later, Mrs. Thomas made a compromise with the trustees of the lot owners and others, which ended the litigation and practically passed all of her interest to other owners. In this matter, it was contended by the attorneys for Mrs. Ida S. Harvey, a lot owner in Bayocean, and a hard-working but practical business woman, that she materially assisted to bring about a compromise settlement between Mrs. Potter-Thomas and the lot owners, and that Mrs. Thomas promised the plaintiff \$25,000 for her good offices in her behalf. This was denied by Mrs. Thomas and her attorneys; and many witnesses were examined for and against, some of them being prominent attorneys and business men of Portland.

The suit filed in circuit court at this place by Mrs. Harvey was for \$2,000 for services rendered the defendant in the above settlement, Mrs. Harvey claiming an oral agreement to that effect. The jury after a trial which lasted the greater part of two days this week, rendered a verdict in favor of Mrs. Harvey in the sum of \$2,200 and the costs of the action. The trial was largely attended, and was concluded Wednesday afternoon, the jury rendering a verdict soon after its retirement.

Mrs. Harvey is said to be a hard-working woman, but also is a practical business woman. She resides in Portland. Mrs. Thomas is a resident of California, and is a society woman.

A number of Bayocean witnesses were examined on both sides of the controversy. The Bayocean litigation has been before both U. S. circuit court judges in Portland, and this case is an outgrowth or aftermath of the former litigation.

Mrs. Harvey was represented by attorneys Chester Shepherd and O. Peckham of Portland. H. T. Botta appeared for the defendant.

HIGHWAY OFFICER CATCHES MOTORISTS

Lack of Lights and Wrong Parking Cause of Many People Bro't to Court

W. Bealey, representing the Public Service commission arrived in Tillamook Tuesday night, and began a whirlwind campaign of law enforcement in Tillamook and other parts of the county that has resulted in a number of arrests of auto owners and drivers for various infractions of the state highway law. Several persons were cited here for a lack of lights at night, parking on the wrong side of the street, and for failing to get 1924 licenses, and for operating cars on a 1923 license. He was assisted by city police and county officers whom he requisitioned. In fact Mr. Bealey was a busy man all day Tuesday and until late Tuesday night. Four cases were reported waiting at the city recorder's office Wednesday morning; and truck drivers will be required to secure the necessary insurance and bonds to operate under authority of the state. Mr. Bealey said the state was determined upon a rigid enforcement of state laws and regulations this year as they applied to highway traffic and otherwise. He claims there has been too much carelessness in that regard in the past. He further stated that there was nothing in the state laws to prevent a municipality from making any local laws regarding city traffic it saw fit. He urged upon both county and city officials to most rigidly enforce the provisions of the state law regarding illegal traffic and other highway violations.

LOCAL MERCHANT TO VISIT GERMANY

F. C. Esch, the well known manager of the Penny store in this city, left Wednesday last for a trip to Trier, Germany, to see his mother, who is quite ill. Mr. Esch expects to be gone for about two months on his European trip, and in the meantime the store will be in charge of C. M. Hadley, one of the Penny staff of clerks in this city, and the present assistant manager. Mrs. Esch and family will remain in the city while Mr. Esch is gone.

INDIAN FIGHTERS MEET HEAP TROUBLE

Two armed forces met out in the southern part of the city one day this week, and agreed to stage an Indian fight. The Indians took to the buckbrush adjacent to town, and the whites under command of a brave officer, undertook to dislodge the hostiles from the pussy willow flats where they lay concealed, armed with bean-shooters, air rifles and other deadly juvenile arms, including bows and arrows. The arrows were blunted, so as to come within the rules of the Hague tribunal. The Caucasian trumpeter blew the charge on a tin-whistle, and the whites rushed out to exterminate the Apaches, firing fiercely and yelling horribly, thus hoping to stampede the Indians, who under chief No-Whiskers, refused to be stampeded. It was a bitter fight. While there was no smoke to cloud the battle field, BB shot and small pebbles flew carelessly. It was when the fight was fiercest, that a 12-year old son of Bert Hudson, was wounded while stooping to scalp one of the dismounted and disabled whites. The BB shot struck just above the right ear, entered the flesh and followed the skull for about an inch, and lodged. The wounded warrior was assisted from the field and taken to the office of Dr. Shearer, who dislodged the BB spheroid, and bound up the wound. This ended the battle for the day, but it is said that further warfare of a terrible character will break out again, so soon as the boys can sneak out the air-guns which parents have locked up, since the battle.

Mrs. E. W. Stark left last Saturday for a ten days visit with her daughter, Mrs. L. M. Nelson of Montesano, Wa.

MANY ENTERTAINED AT ARMORY OPENING

Legion and Guardsmen out in Mass for Ceremony Monday

LEGION AIMS EXPLAINED

Special Entertainers Supply Interest for Evening to Tillamook People

The opening of the new armory building to the public, occurred last Monday night, and was the occasion of the presentation of the Oregonian cup trophy to Company K as a result of the best record for attendance at drill made by any company in the ranks of the O. N. G. in the state.

The building began to fill up early, until, when the time came for the exercises, it was estimated that more than a thousand people were comfortably seated in the drill room and in the balconies.

The company formed with a 100 per cent attendance, in response to the bugle, and General George A. White, commander of the O. N. G., made a very pleasing presentation speech, which it is to be regretted cannot be given verbatim in these columns. He said that Company K should feel especially proud of the fact that the youngest company in the matter of organization in the state, should win this cup. It was also the farthest west company in the United States, its headquarters being in close proximity to the Pacific ocean. It was a winner of the trophy in competition with thirty-five other companies in the state. He said, however, that the local company would have to (Continued on page 2)

REPORT ON COUNTY PROMISED IN APRIL

From A. O. Davidson, the accountant here in charge of the work of G. Ed. Ross, who has the contract to expert the records of the county, it was learned that the work is going ahead as rapidly as possible, under the circumstances. Recently an accountant was sent in by Mr. Ross, but was recalled within two days to go somewhere else. Mr. Davidson believes, from a present survey of the work, that a report of the condition of the county can be made about the middle of April. No intimation was given of any startling items that might occur in the forthcoming report.

MANY CHEESE PRESSES MADE BY LOCAL SHOP

Tillamook Cheese Factories Require New Kind of Press With Advent of Loaf Cheese

The inauguration of the new form of Tillamook cheese now being made by the factories of the Tillamook Creamery association, has resulted in the creation of considerable new equipment in the matter of loaf cheese presses. The new loaf style is responsible, and practically all the factories of the association, we are informed, will put in new loaf presses.

A visit to the wood-working shop of F. J. Pye, of this city, formerly the Hyde shop, but now solely operated by Mr. Pye, resulted in the information that among the first to put in the new style cheese press, was the Holstein factory east of town. (Continued on page 4)

GOVERNMENT RANGE IS OPEN TO CLUB

Capt. J. E. Shearer has been authorized to permit the Tillamook Rifle club to use the rifle range east of town, when not in use by the O. N. G. company. The permission comes from Brigadier General White of the Oregon National Guard, and is pleasing to the Rifle club boys, who have no place of their own.

DANCING PRODIGY IS DISCOVERED HERE

Miss Helen Leonard, daughter of Mr. and Mrs. Robert Leonard of this city, bids fair with proper instruction and study, to rival some of the great dancers of the period. The little miss is but thirteen years of age, and up to the present has developed a wonderful grace of movement and skill in dancing. Her appearance at the Guild hall entertainment and at the Armory opening within the past few days, has aroused local pride to a high pitch, and she is now a real favorite with Tillamook audiences. It is understood, that her Portland teacher has induced Palova, the great Russian dancer, to take the American prodigy with her on a European tour this year, during which time Miss Leonard will receive special instruction in her chosen art.

It is also understood that she will be accompanied by her parents on the tour. That she will climb the heights in her future profession goes without saying, as she is not only pretty, but is also possessed of a rare charm of manner, and is piquant and bright mentally.

JETTY CREEK ROAD HAS BRIGHT FUTURE

Highway Commission and Railroad Reported to Have Settled

MAY GRADE THIS YEAR

People of County Long Suffering, in Need of Important Link of Roosevelt Highway

Ever since early last year the county and state have been tied up on the completion of a strip of road about a mile in length between Brighton and Jetty creek. The gap question is on the beach part of the Roosevelt highway; and for some months past negotiations have been pending between the State highway commission and the S. P. company for a settlement as to the right of way around a bluff that barely gives enough room for the railroad, and not enough for the highway. At last, so it is related, an agreement has been reached under whose provisions the road can be completed this year. The state and county will have to build a right of way for the railroad company around the big bluff, and in turn will be given a right of way taken from the company right of way for the highway. The extension grade to be made by the state and county, will have to be allowed to settle for at least six months after completion, before it will be safe for railroad traffic, and it is believed that the road will not be ready for auto travel and general travel before 1925.

But there is a strong probability that the road will be completed this (Continued on page 5)

GARIBALDI YOUTH IS ALLEGED THIEF

Milton McKnight, a youth of twenty years, whose home is in Garibaldi, was arrested this week by Sheriff Aschim, charged with the theft of a watch estimated to be worth \$7.50. McKnight was arraigned in circuit court Tuesday, and pleaded guilty to the charge, and was fined \$100 by the Judge together with the costs of the action. Upon payment of \$25 cash to the clerk of the court it was adjudged that McKnight should be pardoned pending good behavior. At last accounts he was in jail. It is understood that the prisoner is an I. W. W.

LIBRARY BENEFIT WAS GIVEN FRIDAY

Musical Program Given for Benefit Friday Was Well Attended and Enjoyed

The library benefit entertainment given at Guild hall last Friday night was not only well attended, but proved to be an entertainment of merit, and one that pleased. A very substantial amount was realized, which will go to the city library fund. The amount secured above expense, was \$78.71.

The program included a repertoire of old songs that found instant cordial reception in the hearts and minds of the audience. The singer was Mrs. Dai Steele-Ross, of Seattle, who was accompanied by Mrs. R. N. Henkle on the piano. The other leading entertainment was that furnished by the little daughters of Mr. and Mrs. Robert Leonard of this city, who, costumed as George and Martha Washington, opened the stately minutes of Colonial times to piano accompaniment by Mrs. Koch. Both are good, but the elder daughter, Miss Helen Leonard, has all the grace of movement and skill one would find in the average professional stage dancer. Miss Leonard in response to an encore, gave a Russian dance. Mrs. Ross was roundly applauded for her singing, which showed both culture and heart.

The entertainment was greatly enjoyed, and proves the oft repeated statement that Tillamook has within its environment many people of culture and musical accomplishment.

ELKS BAND CONCERTS PLANNED FOR FUTURE

The newly organized Elks band, which is to have a total band membership of twenty-five musicians, is planning for a series of concerts in this city, to arouse public interest in a band which the members believe will be made a credit to the town in point of appearance and performance. L. D. Rayl is the leader, and the musicians comprise some of the best musical talent in the city, and it is hoped to have the band available for the two important public occurrences scheduled for this city during the coming summer—the Elks annual state convention, and the coming State Press association meeting.

It is understood that the Elks band probably will appear soon at the Coliseum theatre in this city, and there demonstrate its fitness to be championed as the "home town band." B. C. Lamb, Jr., is the business manager of the new organization.

BEAUTIFUL FIR WOOD FOUND BY WORKMAN

Oregon Fir is noted for the beauty of its finish, and occasionally a piece of surpassing natural beauty on account of the variety of its imprinted geometrical designs, the voluntary work of dame nature. M. L. Olson, a cabinet maker and wood-worker in the shop of F. J. Pye of this city, recently picked up a piece of yellow fir that contained many such natural designs, and he has converted the board into a top for a library table, and further embellished it with scroll-saw work and French mirror effects, the latter on two sides of the table. Mr. Larson calls the figures on the top of the table "rosette work." All he did was to smooth and varnish it. The table must be seen to get a real impression of its beauty. So varied are the natural effects that description is impossible, except by an artist versed in technical description of such things. It is understood that Mr. Larson will later place the table on exhibition. The timber was found near this city.

Walter Stark, who has been working for the Bell Telephone company as an engineer, has severed his connection with that company, and returned to this city, where he will hereafter be. He now has a place in the Sunset garage, and is glad to get back to Tillamook to stay.

MORE TRAFFIC LAWS PASSED BY COUNCIL

Better Street Urged When Committees Meet With Aldermen

LICENSES ARE REVISED

Dogs and Smoke Also Aired for the Council's Information by Taxpayers

City council met in adjourned session last Wednesday night, with all members present.

Bills for the month of February were allowed.

On motion the council bought the Catlin paving outfit for \$375. This outfit will assist the street commission to repair and patch the street, and was looked upon as an investment that would pay for its cost in a short time. The machine can be operated by the commissioner and his assistant.

Mr. Hammond presented a petition for a street light near Front street and Fourth avenue. It was referred to the street committee.

F. W. Talbot of the local soda works complained that \$50 a year was too much for grocers and others who do not operate a soda fountain or sell ice cream, to pay. He said that it discriminated against his business. It cost a grocer \$50 per year to sell bottled pop. His contention was that the license should be lowered. He paid a license for making pop, while outside people sold their output here without license. He couldn't see why?

The city attorney was asked to draw a blanket ordinance governing licenses for retailing carbonated waters, etc.

Councilman Brimhall said that complaints had come to him from citizens about the shutting off of city water on Sunday. The mayor said the complaint was up to the water commission, not the council.

Dr. Robinson, one of a committee from the Kiwanis club, made an excellent talk on the subject of an improved lighting system for the city. He stated that a meeting had been held recently when committees from the Elks and Kiwanis club had formulated a plan by which the city could be better lighted generally, and Second avenue in particular. There has been no improvement in city lighting for seven years past. The city has now the worst lighted town of its size in the state, perhaps. The city had outgrown the present system. By a better system the safety of the city would be enhanced. Light is always a center of attraction. The "great white way," or illuminated Broadway, N. Y. was an illustration. Its splendid lights had made it the most attractive street of that city.

The plan worked out by the two committees jointly, was to put in six lights to the block on the main business street, which would mean six times as much light. The idea was to give additional light to Second avenue from the Lamar corner to the city (Continued on page 5)

DAMAGE SUIT FILED OVER LOCAL THEATER

Oliver D. Davis, whose stage name is Toby Oliver, formerly proprietor of the Tinshop theatre in this city, on March 3rd filed a suit in circuit court for \$15,000 damages against C. L. Lewis, Geo. Burckard, et als, of this city. Of the whole amount sued for, \$10,000 is for general damages, and \$5,000 is for special damages.

The complaint set forth that: "On about the 15th day of February 1924, aid defendants entered into a conspiracy for the purpose and with the object of depriving this plaintiff of his said business, and securing said business for themselves, etc."

As yet no answer has been filed, but it is understood that the defendants will defend the suit, which promises to be a matter of some considerable local interest.

