

# For Ladies of Taste

## Advance Fall Notes

- New Suits ..... \$15.00 to \$50.00
- New Coats ..... 12.50 to 40.00
- New Skirts ..... 7.50 to 25.00
- New Waists ..... 3.50 to 15.00
- New Millinery ..... 2.00 to 40.00

A full line of furnishings.

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defendant done or threatened against the rights of the plaintiff, it does not constitute the basis of any relief for the plaintiff in this suit.

"The plaintiff is not entitled to any relief against the defendant in this suit and its original and supplemental complaints should both be dismissed.

"The defendant is entitled to a decree of this court perpetually enjoining the plaintiff, its agents and servants, all persons acting by, through or under it, from interfering with or obstructing the defendant in any way in the location, construction or operation of the defendant's railway upon the defendant's permanently located line, as surveyed by the defendant's engineers and mentioned and described in the eighth finding of fact, and from obtaining or attempting to obtain any rights of way for a railway in any manner affecting defendant's said permanently located line and for costs and disbursements of this suit.

"It is ordered and decreed that the plaintiff take nothing by its complaint or supplemental complaint in this suit, that plaintiff's complaint and supplemental complaint be hereby dismissed, that the plaintiff, its agents and servants and all persons acting by, through or under it be and they and each of them are hereby perpetually enjoined and restrained from interfering with or obstructing the defendant in any way in the location, construction or operation of the defendant's railway upon the defendant's permanently located line as surveyed by defendant's engineers from the land of L. C. Smith southerly to and through the town of Garibaldi and thence easterly to the Mima River, all in Tillamook County.

"It is further ordered and decreed by this court that each party to this suit shall have until and including October 1, 1907, to file its motions for new trial of this suit or for modification of the findings or decree of the court."

It is reported that the A. & C. will have dirt flying in less than six months and will be the first road to give Tillamook railroad connections. The A. & C. has made a survey through the county. The decision appears to meet with general favor, for having established its survey down the Foley Valley, the Pacific Railway & Navigation Company sought to prevent the Astoria road from building down the Nehalem beach, the point at Garibaldi being the bone of contention.

### "Everybody Should Know"

says C. G. Hays, a prominent business man of Bluff, Mo., that Bucklen's Arnica Salve is the quickest and surest healing salve ever applied to a sore, burn or wound, or to a case of piles. I've used it and know what I'm talking about." Charles Rogers, druggist, 25c.



# HART SCHAFFNER & MARX CLOTHES

For short stocky men, fat men, big chested men, big girted men, slim men, short and tall men

- \$15.00
- \$20.00
- \$25.00
- \$30.00

- Camel's Hair Undersuits ..... \$2.50
- Sterling Hats ..... 3.00
- Puritan Socks per pair ..... 25c
- Sambo Shirts ..... 1.50

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PRESSED  
FREE



CLOTHES  
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Leader in Nobby Clothes

## DECISION RENDERED AT TILLAMOOK

### JUDGE BURNETT DECIDES THAT ASTORIA & COLUMBIA RIVER RAILROAD HAS RIGHT THROUGH GARIBALDI PASS.

Judge Burnett in court at Tillamook has rendered a decision in the case in which the Pacific Railway & Navigation Company brought injunction proceedings against the Astoria & Columbia River Railway Company to restrain the latter from building a railroad at a strategic point at Garibaldi. The decision is adverse to the Pacific Railway & Navigation Company. This is of considerable interest to Tillamook county, for it gives the Astoria & Columbia River Railroad the right to proceed with its long-promised extension of its road from Seaside.

In his findings Judge Burnett says: "While it is possible that plaintiff might have the right, under its articles of incorporation as quoted in the first

finding of fact, to occupy the Foley Creek pass or the Garibaldi pass with its railroad it cannot lawfully or equitably, as against the defendant, occupy both said passes to the exclusion of the defendant.

"It is inequitable as a matter of public policy for plaintiff to occupy both of said passes to the exclusion of defendant, and the plaintiff having permanently located its line of railway over and upon the Foley Creek pass, upon the description in the particular words of its articles of incorporation, it should be held in equity, for the purpose of this suit, to have elected to locate its road upon that pass and to have waived its right to occupy the Garibaldi pass under the more general and alternative clause of its articles of incorporation.

"It being impracticable to operate two independent railways over the two permanently located lines through Garibaldi pass as described in the seventh and eighth findings of fact, it would exclude the defendant from that pass if plaintiff were decreed to be prior in right there by reason of being merely prior in time there with the survey of its line.

"The construction and operation of a railway along and upon the Garibaldi pass upon the permanently located line described in the eighth finding of fact is within the scope of the corporate powers of the defendant, as set forth in its articles of incorporation.

"Inasmuch as the supplemental complaint does not allege any act of the

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Chiffoiers, in golden oak, top drawers with swell front. Extraordinary value. Our special price.... **\$10.00**



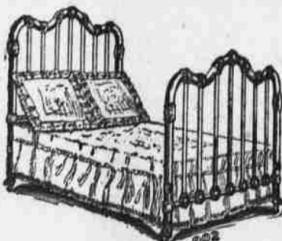
Our special sale on Go Carts has brought us better results than we expected. We have a few bargains left. Prices \$1.90 and range from..... **\$1.90** up.



Golden Oak Dining Chairs, cane or wood seat. Prices up-wards from..... **90c**



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