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Gillamook Beadlight. Fred C. Baker, Publisher

TRIBUTE TO JUDGE BOISE. Bench and Bar of Tillamook County Praise the Life and Character of the Late Jurist.

There was a meeting of the Bench and Bar of Tillamook County at the court Railway & Navigation against the Ashouse on Friday evening, which took toria & Columbia River Railroad to re. the nature of a public meeting, in token strain the latter company from constructof respect and admiration of the late ing its tracks across the right of way Hon.R. P. Boise, which was presided over of the former. Testimony is being taken by Judge W. Galloway, who, in calling before Circuit Judge G. H. Burnett, of the meeting to order, briefly spoke of the Salem, in the law offices of Snow & Mclong public service and esteem in which Camant. Only two witnesses were exthe late Judge Boise was held. He said amined for the plaintiff company yesterhe had appointed a committee to draw day. It is expected the case will be conup suitable resolutions and the time had cluded and submitted today. arrived to hear from the committee.

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In the absence of Attorney C. Thaver, chairman of the committee, who was not feeling well,

Attorney H. T. Botts read the following resolutions and then moved that they

Tillamook, Ore., April 19, 1907. We, the Bench and Bar of Tillamook County, in solemn session assembled, do hereby adopted the following resolutions:
Resolved, that by the death of Hou.
Reuben Patrick Boise, this body, in common with the judiciary and legal frater-

Resolved, that this loss is accentuated to all members present by the sense of personal sorrow, and is bitter to us as the taking away of a friend and asso.

1. 1906. When cross-examined, they ciate and a mentor of grave and honor-

Resolved, that the memory of his vir-

It is asked that these resolutions be spread upon the records of this Court, that copies be transmitted to his family, and the same be duly published Respectfully submitted,

H. T. BOTTS, C. W. TALMAGE.

expressed the sentiment of the members are identical. of the Bar and the people of this community in saving that they deplored his the ocean, there is a precipitous wall, would cost \$3,000,000, and, when com, death, who had been a consciencious and which is the great obstacle to railroad pleted, would be one of the most practi upright judge. He had known him only construction by either of the proposed cal and substantial railroad systems in a few years, but admired him as a man routes that have been surveyed. The the state, with practically no grade, and and a judge. Having lived in the state lines of the P. R. & N. extend around a minimum curvature. He further for 55 years. Judge Boise as a public ser- the point and involve cutting down the declared that the freight charges alone vant had worked for the whole interest | wall so as to provide a ledge about 50 feet | for moving the | 32,000,000,000 feet of of the people. It was with regret that in width, with a 15 degree curvature. timber in the Counties of Tillamook and they lost such an upright and honored for the construction of its track. The Clatsop, through which his company citizen, who had dispensed justice with A. & C. surveyors did not consider such line would pass, would more than pay equity. This district had been very for a route feasible for practical railroading for building the entire line, This tunate in having Judge Boise on the and extended their lines over the ridge, bench, consequently they felt more deep. through which the 750-foot tunnel would A. & G. people have confidence in the ly touched than any other part of the have to be constructed. In order to fol- project as a business proposition and state on account of his death.

Attorney C. W. Talmaye said he had made the acquaintance of Judge Boise cross the opposing company's right of maintained in his testimony that the P. 25 years ago, and as one of his close, personal friend, held him in high esteem. In Smith's Point. his 50 years of service, he was called upon to decide all kinds of cases, and the day afternoon, Attorney Fulton, for the that territory, judge decided ably and impartially. At A & C., offered to compromise the the time of his death, Mr. Talmage said difference of the two companies by that he did not think that anyone harbored any animosity against him He the point, thereby avoiding the necessity was an upright, honest judge and consci. of either company crossing the other's entious gentleman.

Attorney T. H. Goyne said the judge had done the best he could and no reflec tions could be made upon his decisions, which, for the most part, had been up held by the supreme court. He had a great respect for the judge.

Attorney W. H. Cooper had heard of Judge Boise from a boy and became first N., expect to conclude the introduction acquainted with him in Tillamook. To meet him was to respect him, to love him and to honor him. Those who hap pened to be on the losing side of a case when the judge was on the bench had the satisfaction of knowing that they had been given a square deal, for Judge Boise He thinks it will be possible to end the knew no friendship or animosity when hearing today. Among the officials of on the bench, where he held the scales of justice impartially in his hand.

Rev. P. H. Burnett, pastor of the Christian church, said he was glad to honor Judge Boise, who had many early recollections of him, being personally acquainted for years, and he looked back with pleasure to that acquaintance. The rev. gentleman then spoke of the pioneers of this country, who were men of extraordinary ability, strength of character. Universe.

Attorney C. B. Sternberg, of Portland, had heard Judge Boise spoken of in the a sad thing to him as he was entering

from the audience.

in Tillamook liked Judge Boise, who were the first survey to be completed. sorry to hear of his death.

Judge Galloway having spoken a few the resolutions upon the court journal.

HINGES ON SURVEY. A. & C. and P. R. & N. Dispute Right of Way.

From the Oregonian.

Priority to survey is the real issue in the injunction suit brought by the Pacific

The witnesses examined yesterday were C. M. Thomas and T. A. McDougall. division superintendent and locating enasking for the injunction. These engineers testified on direct examination that they had completed the final location of their survey before the A. & C. engineers had finished preliminary work over the course of the proposed roads which is the point in controversy. They also swore that certain maps of the P. denies the right of the A. & C. to in nity of the State of Oregon, has suffered a great and deplorable loss;

R. & N. survey had been made, showing the station numbering, and that the said the permanent locations, from which the proper numbering of stations was determined, had not been completed tues, his nobility is high character, will be for ever graven upon memories until until November 7, or about five weeks we in our turn answer the call of Him after they had testified the maps had who doeth all things well. been delivered to the head officers of the

company. The A. & C. engineers claim they completed their survey in the meantime. Their contention will be that the surveys for the two roads were completed over the same territory at practically the In doing so, Mr. Botts said he knew he same time so that the interests of each

the tunnel, the A. & C. would have to that section. Mr. McGuire further

When the hearing was begun Wednesdividing equally the 50-foot ledge around right of way. This offer was rejected by the directors of the P. R. & N., who decided to contest in the courts the rights of the A. & C., which they consider an invader of the Tillamook sale by Clough's Drug Store. country, into which the P. R. & N. is constructing a railroad via Hillsboro.

Attorneys Snow and McCamant, who are conducting the case for the P. R. & of testimony early this morning in sup port of their application for a permanent injunction against the rival company. Attorney Fulton, representing the A & C., said last night that he would the Astoria road who are attending the hearing and may be called as witnesses are J. McGuire, general manager and superintendent; C. W. Root, chiefengineer; L. S. Miller, assistant engineer, and F. G Eby, of the right of way de-

town of Tillamook, is the natural gateway for railroad construction into Till Maurice F. Leach. an I men of strong minds. Amongst them was ludge R. P. Boise, who had gone to appear before the ludge of the being waged between the Pacific Railway & Navigation Company and the Astoria & Columbia River Railroad, practicable, in order that I may balance my books, and that the old business may highest praise, and he was a source of cuit Judge G. H. Burnett, in this city, great inspiration to him. Oregon has under injunction proceedings brought lost one of its greatest invists, and it was against the A. & C. by the P. R. & N. to restrain the former from construct. upon the profession, and it was a sad duty they were performing in saving a last word of praise of Judge Boise.

Attorney S. S. Johnson also spoke in a similar strain.

Attorney S. S. Johnson also spoke in a similar strain.

Attorney R. Duniway said that the Following yesterday's adjournment, a judge deserved words of praise, and no further hearing of the case was conoccasion did more good than to get to- tinued indefinitely, pending the congether and review the life of a man like venience of Judge Burnett and the re-Judge Boise, who had been honored covery of George L. Davis, one of the through a long and useful life-a grand, witnesses, who was too ill to appear at noble and inspiring life. Nature caused the trial this week. Davis had been him to be born and it was nature which subpensed by the P. R. & N., by which caused him to pass on, and Mr. Duniway he is employed as an engineer His closed by praising Judge Boise in glow. testimony is regarded as material by the ing terms, which brought forth applause company seeking the injunction, for by him it is expected to add proof to the Mr. Geo. Cohn said that all the people claim that the P. R. & N. survey was

The outcome of the pending suit means much to the people of Tillamook and words, ordered Clerk Lamb to spread Clatsop Counties. But no matter which way it may he decided the people of those two coast counties are reasonably certain of a railroad. The P. R. & N. is already constructing its line from Hillsboro to the town of Tillamook and desires the outlet at Smith's Point in order to complete its system into the Nehalem district. The same point is being contended for by the A. & C. which has completed a survey for an extension of its system southerly from Seaside, through the Nehalem Valley to Tillamook and Bay City.

Testimony at the hearing discloses that both companies completed their surveys over the disputed ground practically at the same time, although the P. R. & N. offered evidence in support of its claim that it was first to complete its survey and make final location. The principal contention urged by the A. & C. sgainst the company asking for the injunction is that the articles of incorporation of the P. R. & N. do not authorize building its line north of the Miami River. Smith's gineer, respectively, of the company Point is located north of this stream. On the other hand, the P. R. & N charges the A. & C. with being insincere in its promises to build the line from S-aside that is proposed. As evidence of its good faith in the premises, the P. R & N. points to the fact that it is build around Smith's Point, near Tillamook, ing its line on which \$400,000 has been expended already. This company any way block its work of construction.

Officers of the P. R. & N, yesterday closed that company's case and pre sented further proof of having completed its survey before the A. & C. had located its lines. For the latter company, C. W. Root, chief engineer ; L. S. Miller, locating engineer, and J. Mc-Guire, operating head of the line in Oregon, took the stand and testified, Articles of incorporation of the A. & C. and the company's books approving and adopting the surveys which had been made were submitted as proof of the regularity and evidence of the good faith in which the company professes to be operating.

General Manager McGuire testified At Smith's l'oint, which projects into that the line projected by the A. & C. testimony was offered to show that the low the course of its survey, including that they intend constructing a line into way twice in the immediate vicinity of R. & N. had seized all of the practical routes into Tillamook County in order to defeat other companies from invading

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he merged into into MAURICE F. LEACH.

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12 quarts Old Port Wine		2.75
12 quarts Old Sherry Wine	3.50	1.25
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12 quarts Sweet Catawba Wine	4.50	1.75
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12 quarts French Cognac	9.00	3.50
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