

BLOCKS THE WAY O. R. & N. Opposes the Portage Road.

WILL SELL NO RIGHT OF WAY

Governor Says State Will Condemn the Land.

BUT IT MAY COST TOO MUCH

Conference Between State and Railroad Officials Results in Flat Refusal to Give Up Land—May Get Around O. R. & N. Line.

The O. R. & N. will not grant right of way to the state portage railroad below Celilo. This was the upshot of a conference yesterday between officials of the company and the State Commissioners.

President Mohler declared that the O. R. & N. had no more land along the Columbia for the growth of traffic, and that the concessions asked for by the state would constitute the expansion of the track facilities of the company.

Governor Chamberlain announced last evening that the state would at once proceed to acquire right of way by condemnation.

Will Try to Condemn

"It looks pretty blue for the portage railroad," said the Governor. "But we need not give up. We can at least try to get the road, and nobody knows what we can do until we try. We shall ascertain just where the line of the portage survey infringes on the O. R. & N. Then, if we cannot secure right of way from the company, we can bring action to condemn. By this procedure we shall ascertain whether we must build over or under a mountain, in order to get around the O. R. & N. Perhaps the portage road could be built outside of the O. R. & N. holdings, by expenditure of sufficient money, but if it should cost, say, \$1,000,000 to do this, the project is entirely impracticable, in view of the funds available. If we should have to pay the O. R. & N. a sum which was suggested at today's conference, as possibly sufficient to make good what the company would give up, I do not see how we could go ahead with the enterprise. I shall insist that before we begin construction we shall be absolutely certain that the cost can be held down to the amount of the appropriation, that is, \$18,000."

Consistency in Session.

The conference was held behind closed doors, and no reporters were admitted. The parties to the interview were: Governor Chamberlain, Secretary of State F. M. Moore, President A. L. Mohler, his secretary, Colonel William Crook, W. H. Kennedy, chief engineer, and Charles Wanser, right of way agent of the O. R. & N., and A. E. Hammond, State Engineer. The conference took up at 10 o'clock P. M. in President Mohler's office. The gentlemen were there on time. They dusted their shoes at the door, took off their hats, shook hands, smiled and sat themselves down. About an hour later they emerged from the room. Mr. Mohler then gave out the following statement for publication:

Mohler's View of the Case.

As you know, the old portage road between Celilo and the Dalles was found to be inadequate to handle the business (and will be found so again), the result was the building of a railroad line along the Columbia River to the Dalles.

As the business of a country increases, the railroad finds it necessary to double-track their property and increase the sidetrack facilities, and we have such improvement in view.

We have many miles of railroad in Washington and Oregon, and a through line for passenger and freight traffic, and the line of the United States mails, and after having developed the business, why should we relinquish our holdings and prevent future development of our track facilities and business?

This third portage road can be constructed without encroaching on our right of way. Our own line cost far in excess of the third portage road estimate. Construction of the proposed road would increase our sand removal expenses and increase the cost of the portage road estimate. It should not be expected that we should donate the right of way and our constructed embankment, which we have created at large expense.

We have no objection, so far as we are concerned, to the construction of this third portage road, but we have a very decided objection to surrendering any of our holdings, upon which we have expended large sums of money, and which furnish the line of transportation to the interior cities, which also have rights to protect, for what might be called a large portion of the cost of the whole business of this city.

Do not lose sight of the most important consideration in this connection, which should be considered. As it appears to me, the construction of the Government canal will occupy a considerable portion of the ground outside of our right of way to be required by this third portage road. How will we be able for both of them to occupy the same ground?

We are expending millions of dollars to improve our roadbed and equipment, certainly not for the purpose of impairing our facilities, but on the contrary to increase traffic. We have maintained a heavy line of traffic, with the bar and river difficulties against the establishment of such a line by outside interests, at least every time it was undertaken it proved a failure.

Many apocryphal interviews have been published in the press and many sensational promises without known merit proposed, and all kinds of investment activity has been offered. The company represents the largest business interests in the state, and it is absurd to imagine that it will impair its own investments regardless of the enlargement of its system. Get some of the newspaper articles strongly tend in that direction.

"Have you anything to add to this statement," Mr. Mohler was asked.

"Nothing," replied Mr. Mohler, and then said that his company would not oppose construction of the portage. "It was brought out in the meeting," he went on, "that the portage could be built outside of land owned by the O. R. & N."

Engineer's View of Case.

The portage road, according to the present survey, can be built for \$18,000. This is what A. E. Hammond, engineer for the state, has estimated. The line of the survey encroaches upon the O. R. & N. at half a dozen places; between two and three miles in all. If the survey should be moved toward the river at these places, the cost of the road would be very much increased. Mr. Hammond did not know yesterday what the increased cost would be, because he had surveyed only the one route.

The total length of the road by the present survey is to be eight and a half miles. The Government holds a strip of land about four miles long, only one mile of which could be used. Between four and five miles of right of way will have to be acquired from Seufert Bros., William Mitchell, The Dalles Packing Company and J. H. Taffe. All these owners are willing to give land for the portage at little or no expense to the state. On

the Seufert property the road will run between a farmhouse and a building of the property-owners. The state will agree to build a bridge of some sort so that Seufert Bros. will have ready access to their property on the river side.

Objections by O. R. & N.

Mr. Mohler said that the strip of land in which the O. R. & N. track ran varied from 100 to 300 feet wide along the route of the portage. Judging from the history of railroad development, this width was little enough for the needs of the road. The company soon or late would desire to lay another track perhaps. Furthermore, the portage road would be damaging to the roadbed of the O. R. & N. if pressed up close upon it. The wooden ties of the portage would be a menace and the cost of keeping the O. R. & N.'s track free from sand would be increased. Already the annual estimate of the cost of keeping the track clear of sand was \$30,000. The company had expended \$10,000 in regrading its roadbed where it would be touched by the portage. Mr. Mohler said that the driving of piles for the portage ties would be damaging to his road.

"Now supposing," remarked Mr. Mohler to State Treasurer Moore, "that you and I own adjoining farms," Mr. Moore blinched suspiciously and Mr. Mohler went on: "Now, I take it into my head that I want a strip of your farm to add to mine."

Mr. Moore smiled approvingly but Mr. Mohler asked seriously: "Perhaps you don't see any good reason why you should give up the strip just because I want it, but are you willing to let me have it anyway?"

"Well, if I could see that it would do me any good—"

"That's just it," interjected Mr. Mohler triumphantly. "Now here's the O. R. & N. which owns land for its track along the Columbia. The company has paid taxes on that land for years and has improved it at high expense. Instead of having

ALL SENT TO JAIL Four Suspected Highwaymen Put Under Bail.

SHERIFF SURE OF HIS CASE

Police Say His Evidence Is Not Conclusive, and Accused Deny Charge and Threaten Damage Suit—Search for Evidence.

Yesterday morning Earl McIntosh, Ira Landers, Arthur Hicks and David Simmons were arraigned before Judge Hogue in the Municipal Police Court, charged with having held up a Sellwood street-car some two weeks ago. In three of the cases bail was set at \$200, while Simon was held in bonds of \$200.

Otherwise the case of the four men whom Sheriff Storey arrested with much mystery and secrecy seems to be at a standstill.

Mr. Storey says: "They are the highwaymen. I know it."

The suspects say: "We are not the highwaymen. We can prove it easily. We will sue the county for false imprisonment when we get out."

The police say: "We investigated the matter before Sheriff Storey did. We

will be 'Down Mobile,' on October 4. Then will follow in perfect rotation Eastern attractions, every week in the season being practically filled.

While in San Francisco, I annexed the Dewey Theater, in Oakland, and the Garden Theater, in San Jose, to the Star & Havlin circuit, and the attractions appearing at Corday's Theater and our other theaters on the Sound and in Oregon will all be seen at these theaters. We already have the Grand Opera-House in San Francisco, in which the Star & Havlin attractions appear after the 'Ben Hur' engagement, beginning December 1. The Orpheum Theater in Los Angeles plays the Star & Havlin attractions after September 1, so we have a complete chain of popular-priced theaters all along the Pacific Coast, from Seattle to Los Angeles, as our attractions play with the Hall & Barton circuit in California.

"No, there is no war," said Manager Russell, "between the Kiaw & Bringer people and Star & Havlin. There were some startling rumors last Spring, and war was expected, but like the Russian occupation of Manchuria, a storm blew over. Where the independents have no theaters Star & Havlin take care of the independent attractions, and that is why Mrs. Fiske, Isabel Irving and other high-priced attractions will be seen at Corday's Theater this season."

"What did I see in San Francisco?" Everything that was being played there. I even went over to Oakland to see ex-Russell, 'between the Kiaw & Bringer.' I did not think much of the actor or the play, and it is quite evident that the public did not, but it was fairly well patronized, probably owing to the fact that Mr. Davis formerly occupied the pulpit of one of the most prominent churches in Oakland. One thing sure, Mr. Davis, nor his play, will never elevate the stage; it was very Frenchy, and a very poor attempt to copy 'David Garrick' or Lawrence Hanly's 'Player,' only it was not half as good as either of

all kinds that we never dreamed of in my 'branded days, and they have facilities for turning out every part of a boat in their own establishment without being compelled to buy anything but the raw materials.

The idea that some of our citizens have that we should build a Chinese wall around Portland and refrain from trading with our neighbors appears to me to be narrow and un-American. The more we trade with Seattle the more Seattle will trade with us; the rule works both ways. Large amounts of Portland capital are invested in that city and whatever tends to build up Seattle measurably helps to advance the interests of Portland. For these reasons I sincerely trust that the Board of Public Works will have no hesitation in letting the contract where it properly belongs. BENJ. I. COHEN.

SOUVENIR OF THE FAIR.

Bureau of Publicity Will Send First Publication Over the World.

The Bureau of Publicity of the Lewis and Clark Exposition Company is ready to issue its first publication—a souvenir of the cornerstone dedication of the monument to Lewis and Clark, in the City Park. Within the next two weeks the work of distribution will be commenced under the direction of Leo Fricke, Paul Westinger and L. N. Fleischer, who compose the bureau committee. The printing is being done by Bushong & Co., of Front street.

The feature of the publication is the artistic and striking illustrations, the half-tone work being especially clear and effective. Among the illustrations are such views as Mount Hood, from Sandy River; moonlight on the Exposition Lake; Multnomah Falls, by A. F. Ellis; herd of elk in the City Park; by Weister; a Sylvan glade in Balch Canyon, near the Ex-

FOUR MEN UNDER ARREST AT COUNTY JAIL AND ACCUSED OF SELLWOOD CAR HOLD-UP



Arthur Hicks. Ira Landers. David Simmons. Earl McIntosh.

a surplus of land, the company rather than a little. Along comes the state and wants a part of that land. If you were the company, you might give it and if there was anything in the transaction for you. Can you point out how the O. R. & N. would be benefited in the present case?"

"Hot Air," Says Mohler.

The question was answered by one of the state representatives, who argued that the opening of the Columbia river would profit the O. R. & N. by developing the country and increasing the traffic.

The consistory took up at 10 o'clock P. M. in President Mohler's office. The gentlemen were there on time. They dusted their shoes at the door, took off their hats, shook hands, smiled and sat themselves down. About an hour later they emerged from the room. Mr. Mohler then gave out the following statement for publication:

Some Alternative Suggestions.

At one time in the conference a suggestion was made indirectly that the O. R. & N. might grant the use of its land temporarily for the portage. This matter was not brought to issue, but Mr. Mohler stated that when his company should need its property back again, it would want the land without delay. Lease of a right of way from the O. R. & N. was not regarded as practicable by the state.

When the Boat Railway Project was Under Consideration.

Under contemplation the Government agreed, in exchange for concessions from the company, to build the company's road further back from the river, and to sustain all the expense of the change. This removal was to give the portage road room next the river. It would have cost the Government something like \$80,000. Mr. Mohler did not say that the company would not entertain such a proposition from the state. However, if he should successfully oppose the building of the agreement, he could block the portage railway. Chief Engineer Kennedy said that removal of the tracks would cost between \$100,000 and \$120,000. Inasmuch as the Government would only pay \$80,000, it would not be enough money left to build the portage.

Boy Burglar Bound Over

Joe LeBerger, Age 16, With Answer to the Grand Jury.

Joe LeBerger, 16 years old and well known to the police despite his tender years, was held to answer to the grand jury on watch across the street while the morning for attempting to break into the Markell & Co. dry goods store on Grand avenue. He is one of the two boys caught by Patrolman Wandorf Thursday night in the act of forcing an entrance to the store. The judge said, in dealing with the lads, that there seems to be no effective method of reforming young LeBerger, although he thought the penitentiary might bring about that result.

George Sealey, the other youthful culprit arrested with LeBerger, pleaded that the offense was his first one. He said he stood on watch across the street while his holder accomplice went about the task of breaking into the store. He said he did not sound an alarm for the reason that he might have an opportunity to reform, the judge turned him over to the custody of the Boys' and Girls' Aid Society.

Young LeBerger shed tears profusely, but did not ask for another chance. He silently listened to the court's views of his case. It is thought he will get a term in the penitentiary.

Have you friends coming from the East? If so, send their names to the Portland, Ore. office, 124 Third street, Portland, Ore.

questioned McIntosh and searched his room and found no evidence whatever on which to base an arrest. But we will be glad if Sheriff Storey has got these robbers or any robbers."

The situation, therefore, seems to be that if the suspects are guilty, the police have let a good case slip through their hands, while, if they are innocent, Sheriff Storey did wrong to arrest them. The detectives have the description of the prisoners in making no arrest. The Sheriff is satisfied that his action in placing the four men in jail will be sustained by the fact that they could be used as evidence against the continuing a vigorous search for incriminating evidence.

While several watches have been pawned by the prisoners in Portland, none of them answered the description of the watches taken by the street-car robbers, and although the Sheriff has searched the rooms of several women who are supposed to be friendly to the prisoners, none of the missing jewelry has been recovered.

No Evidence at Oregon City.

OREGON CITY, Or., July 31.—(Special.)—Sheriff Storey, of Multnomah County, was in the city last night in search of evidence against the four men who are under arrest in Portland for the hold-up of the Sellwood car on July 14. It was thought by the officers that the highwaymen might have disposed of some of their booty in this city, and accordingly all of the second-hand stores were visited, but nothing was found that could be used as evidence against the suspects. They are not believed to have bartered any of the stolen jewelry here.

SHOWS FOR NEXT SEASON

Manager Russell Announces Attractions for Corday's Theater.

Manager W. M. Russell, of Corday's Theater, has returned home, after a two weeks' absence. When asked by a reporter what the opening attraction at Corday's Theater would be, he said: "The Prisoner of Zenda," presented by the Morant-Humphries Company for one week, commencing August 2. The Prisoner of Zenda will be followed by Frank Bacon, the well-known comedian, on August 3. In the play 'Hills of California,' and the Morant-Humphries Company will return the week of September 6. 'Buried at Sea' will be the next attraction, and following that the Morant-Humphries Company will again return and fill out the last two weeks of September, presenting new Eastern dramatic successes. The first Eastern attraction to reach the Coast this season

them, Raymond & Caverly, with Rogers Bros., productions are doing well at the Grand. The productions are not even average, and just as good have been seen here at popular prices. The Orpheum is doing its usual tremendous business, and the Alcazar, where 'The Prisoner of Zenda' is being played, was enjoying a second week of crowded houses. White Whitley is the star at the Alcazar, by concessionaires to start one. This is the way in which San Francisco got her 'Chutes' or, rather, the original one.

"Yes, we are making numerous alterations to the theater, and we think that our patrons will have no trouble in recognizing them when the theater opens August 22."

Build Boat in Seattle

Benjamin I. Cohen Against Chinese Wall Policy.

PORTLAND, July 31.—(To the Editor.)—Dear Sir: I noticed this morning an item in regard to the proposed fireboat for the City of Portland, which stated that the Moran Bros. Company, of Seattle, was the lowest bidder and that they would build the boat of steel, while our home bidders not only asked a higher price but had only the facilities to build the boat of wood. Under these circumstances I sincerely hope that the contract will be given to the Moran Bros. Company. As a matter of course I prefer to have the work done at home, other things being equal; but if the Seattle corporation can give us a better boat for less money, then in all justice the order should go to them. I have just returned from that city where I had the pleasure of going through the plant of the Moran Bros. Company. Having been for four years engaged in a mechanical occupation myself, I was doubly interested in what I saw. The plant covers some 28 acres of ground, and is first-class in every respect. They have tools and machines

position grounds: a panoramic view of the grounds and the North Portland waterfront near Gault's Lake, by Tolman; a scene on dedication day, showing the President returning a salute, and views of City Park, where the corner-stone ceremonies were held.

Aside from the illustrations the book contains a short chapter by the late H. W. Corbett, bearing on the pioneers and explorers; the Mayor's welcoming address to the President, and a chapter on the purpose of the Exposition, written by H. W. Scott, president of the Lewis and Clark Fair.

The edition is to be large and will be distributed to clubs in all parts of the world. The title page is adorned with the symbol of the 1906 Exposition. The arrangement of the contents of the booklet was perfected by Secretary Henry E. Reed, L. N. Fleischer, chairman of the publicity committee, is the originator of the idea of the publication.

New Missouri Pacific Superintendent.

ATCHISON, Kan., July 31.—James Russell, Kallapell, Mont., has been appointed superintendent of the Kansas City, Omaha & Central branch of the Missouri Pacific Railway in Northern Kansas, to succeed H. J. Clark, resigned. Russell was formerly superintendent on the Great Northern.

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