SHERIFF IS IN FULL CONTROL

Both Railroad Armies Enjoined · From Fighting at Maegly's Junction.

O. R. & N. CO. GETS ORDER

Counter Injunction Prevents Portland & Seattle From Disturbing Crossing Laid by Its Rival During the Night.

The forces of the O. R. & N. Co., and of the Portland & Seattle Railroad Company are resting at Maegly's Junction like two impatient hounds, restrained by like two impatient hounds, restrained by
the enjoining hand of the law. The O. R.
& N. is enjoined by the Portland & Seattic from further work at the crossing,
while late yesterday afternoon the O. R.
& N. secured an injunction against the
Portland & Seattle prohibiling the latter
company from interfering in any manner with the grades of the O. R. & N.
As an extra inducement offered by the
O. R. & N. to procure an injunction it O. R. & N. to procure an injunction it O. R. & N. to procure an injunction it was alleged that men armed with revalvers and shotguns were assembling under the directions of the Portland & Scattle Company to deprive the Harriman army, armed with shovels and picks, of the advantage seized Tuesday night. Judge Frazer issued a writ of injunction after 4 o'clock yesterday against the Portland & Scattle Company, which was served upon Contractor Dessault by Deputy Sheriff Downey later in the eve-

As the matter now stands the O. R. & It has possession of the field with its grade established and has its track laid across the disputed right of way. It was siter 12 o'clock Tuesday night before the any of Williams, Wood & Linthieum completed its results. has the better of the argument since pleted its application for an injunction against the O. R. & N., which was hard at work establishing its grade across the land recently purchased at Maegly's Junction by the Portland & Scattle com-

Deputy Sheriff Cordano hired a rig and by hard driving was able to reach the scene of action about 4 o'clock, which however, was not soon enough to prevent the O. R. & N. workers from gaining their

Order Came Too Late.

When the injunction was served up the O. R. & N. the entire cut 200 yards long had been completed, and 150 feet of track had been laid, the rails spiked into place and the roadbed surfaced ready for traffic. The main effort had been made at the place where the O. R. & N. track crossed the survey of the Portland & Seattle Company's.

In retaliation, Arthur C. Spencer, on & Seattle Company late yesterday after-noon, alleging that armed men were threatening to tear up the track laid by the complainant company. The service of this writ by Deputy Sheriff Downey effectually put a stop to any warfare at the crossing, and will keep matters quiet aside or some compromise effected. in the meantime the construction gangs

both companies will be employed in ading along those portions of the right way which are not in dispute. The O. R. & N. Co. secured possession

the crossing in dispute after cor nation proceedings in its suit against the by Judge Frazer authorizing the O. R. & N. Co. to enter into possession of the lands and construct its railroad thereon. Armed with this order, O. R. & N. Co. officials dispossessed the Portland & Scattle Company's force of men, and put graders, trackinyers and others to work to tear down the trestle, and build ac-cording to the O. R. & N. Co's grade.

The College Endowment Association, of which A. H. Maegly is the principal owner, on January 6 filed an answer to the condemnation suit of the O. R. & N. Co., stating that the condemnation of the and now belonging to the College Endowment Association and sought to be condemned by the O. R. & N. Co., was worth \$626. The word "now" was used so as to exclude the crossing in dispute deeded by the College Endowment Association to the Portland & Seattle Company on December 22.

Made a Shrewd Move.

The O. R. & N. Company, on Tuesday. confessed to this answer and had R Aldrich, as a juror, sign a verdict in favor of the College Endowment for \$8250, and condemning land sought by the O. R. & N. Company for right-of-way purposes. The verdict, however, reads that the land is conveyed as owned by the College Endowment As-sociation prior to December 22, 1995, and as the title to the same existed prior to December 2, 1965. The date December 22 was included to get ahead of the deed given by the association to the Portland & Seattle Company on December 23 covering the disputed ground, and also to counteract the statement of the answer of the College Association that it would allow con

demned for right-of-way land it now owned, to the O. R. & N. Company. It was on the verdict that the O. R. & N. Company secured the order signed by Index Forestern by Judge Frazer placing it in possession, and enabled it to knock down the treatle of the opposition, and place its own track and grade.

The complaint in the injunction suit filed by the Portland & Scattle Company recites that the College Endowment Association agreed in writing to sell it the grounds, and the agreement was recorded. It was accepted by the company on December 31, and possession of the property was obtained on that date. The deed was recorded on that date. The deed was recorded on December 22. The condemnation suit was filed by the O. R. & N. Comon December 22, and the Portland & Seattle Company says it had full possession on December 21,

DOUBLE TRACK ON NORTH BANK

Unconfirmed Rumor That Project Is Now Being Considered by Hill.

Does James J. Hill intend to build a double-track road along the north bank to Portland? This is a question which is being discussed among the railroad men of the Northwest, and there are many persons who believe that such is the in-tention of the railroad magnate.

The information has been elicited from a trustworthy source of information that Hill is seriously considering the advisability of laying two tracks as soon as the grading has been made and the tunnels ored. The story lacks confirmation, how-

From the same source it was learned that the roadbed which is being con-structed will be wide enough to accom-modate two tracks, and that if only one





BATTLEGROUND OF MAEGLY JUNCTION, SHOWING THE FIELD AFTER THE WORK OF THE O. R. & N. GRAD-ERS, AND THE TRESTLE OF THE PORTLAND & SEATTLE, WHICH WAS DESTROYED.

AT THE THEATERS

What the Press Agents Say. MODJESKA TONIGHT.

Celebrated Actress. Begins Engage-

ment at Marquam in "Macbeth."

The celebrated actress, Madame Helens Modjeska, supported by her own supable company of players, will begin an engage-ment of three performances at the Marquam Grand Theater tonight, presenting Shakes-peare's dramatic tragedy, "Marbeth," To-morrow night Shakespeare's delightful com-edy, "Much Ado About Nothing," will be the offering; Saturday matines, Schiller's historical drama, "Mary Stuart." This will be Modjeska's farewell tour. Other actresses In retaliation, Arthur C. Spencer, on behalf of the O. R. & N., applied for a ment would be deplored; but it is doubtful writ of injunction against the Portland & Seattle Company late yesterday afterwould give a sense of deep personal bereascement to the majority of playgoers such as is the case here and in other cities over the withdrawal of Modjeska from public life. Her visits in classic repertoire have been among the most delightful events in our theatrical history. She has endeared there until such a time as the case is herself to the public by her personal quali-heard in court and the injunction set ties as well as by her art. Her aim always ties as well as by her art. Her alm always has been to present great dramas as they should be given, and she has never ascri-ficed her ideals to commercialism. When positibly acceptable performances might have been given cheaply. Modjeska would never spare expense in order to give them perfectly. On this farewell tour she is ather-ing to this high standard inexorably. Seats are now selling for every performance.

"Innocent Maids" at the Baker.

This work "The Innocent Maids" at the tractions and throughout give a strong bur-lesque performance. The last performance will be given Saturday matinee, and tonight and tomorrow night the curtain will rise at 8:15.

"At Cripple Creek."

Everyone who has seen "At Cripple Creek" at the Empire this week is enthusiastic over life given by the author and Mr. Carpenter's ciever company of players. Little Millicent Evans is a tspical little girl of the Golden West. Business at the Empire this week is simply rushing. The play deserves it. Go and see for yourself. Last time Saturday night. Matinee Saturday.

COMING ATTRACTIONS.

At the Baker Next Week.

At the Baker next week "maids, mirth an melody" will reign supreme when that aplen-did organisation. "The Alexaar Beauties" Company, under the personal election of T. W. Dinkins, hold away. Commencing Sunday company will be the offering at that popular playhouse. matinee and continuing for six nights this

"Her Marriage Vow."

"Her Marriage Vow," a highly sur sensational comedy-drama, will open at the Empire Sunday afternoon and the popular leading woman, Alleen May, will be seen in the principal part. The scenic effects are new and startling, with many powerful melo

WILL FEAST BRITISH TARS

Americans at Manila to Entertain Noel's Squadron.

MANILA, Jan. 10 .- The British cruiser squadron, commanded by Admiral Sir Gerald Henry Noel, consisting of the flag-ship Diadem and the first-class cruisers Hogue and Sutlef, is due here tomorrow morning. Elistorate morning. Elaborate preparations have been made for their reception. On Thurs-day Rear-Admiral Train, of the United been made for their reception. On Thursday Rear-Admiral Train, of the United States Navy, will give a banquet to Admiral Noel, the captains of the British grades were established for the conficet and civil and army officials on the fleet and civil and army officials on the flagship Ohio. A ball will follow the banquet. The junior officers of the battieship will be entertained at a similar dinner in the wardroom of the Ohio, On Friday night Acting Governor Ide

entertain the British and American

give a reception on the Diadem. On Saturday afternoon, the British residents will entertain the officers at a garden will entertain the officers at a garden party, and on Saturday night the Elks will give a banquet and ball. The British squadron will sail on Sunday.

The American fiest, consisting of the battleships Ohio, Wisconsin and Oregon, and the cruisers Cincinnati and Raieigh, is anchored off Manila.

Rumor He Is Backing Chicago & Northwestern Disbelieved.

NOTHING TO BE GAINED

Local Railroad Men Fail to See Why He Should Go Over Cascade Mountains to Senttle.

Reports from Chicago to the effect that the Harriman interests are back of the construction of the various Chicago & Northwestern projects now under con-struction or in contempiation between Caspar, Wyo., and Seattle, are not cred-ited by Portland railroad men, who see no reason why Harriman and his people should build such a line or enter into such an agreement.

Recently several separate corporations have been organized in Washington, Idaho and Wyoming, known as the Scattle & Northwestern, the Idaho & Northwestern and the Wyoming & Northwestern. The work of constructing the Wyoming & Northwestern line is now under way, and from Caspar, the present terminus of the Chicago & Northwestern, towards Lander and the mountains separating Wyoming

from Idaho. Surveys and right-of-way locations are at the same time being attended to by the other two companies. It is the theory. therefore, that the Chicago & Northwest-ern intends, through these three compa-nies, to enter Seattle via Pocatello, Idaho, and Wallula, Wash.

The theory advanced in Chicago is that Harriman is back of the construction of

these three roads, and especially of the Scattle & Northwestern, or North Coast road. According to the Chicago story, Harriman will get into Scattle over the tracks of this new line from Wallula in return for granting the Chicago & Northwestern the right to enter Portland over the O. R. & N. tracks from Wallula. Railroad people do not credit this theich as they can see no reason why Mr. Harriman should wish to hauf his Eastern business over the very mountains which are forcing the Northern Pa-cific to construct the North-Bank road into Portland at a cost of \$10,000,000. The Harriman system now has the Columbia River route over the O. R. & N. tracks, and is considering, and in all probability will construct, the Central Oregon line will construct, the Central Oregon line within a year, in order to have a more direct route to the East. With these two lines there will be but one thing lacking to make the system complete, and that is a local line from Portland to Seattle to take care of the local business, give the Harriman lines a direct route for their California traffic to Seattle, and also for their Eastern business bound for Puget their Eastern business bound for Puget

This one lack will be probably overcome within a short time, perhaps even before the north-bank Hill road is completed into Portland, by the construction of a road from Portland to Seattle, to form the last link needed in the Oregon-Washington division.

times and financial depression com-pelied the abandonment of the scheme, and today the rights of way have lapsed and been purchased by the Northern Pacific and the grades have been destroyed.

will entertain the British and American officers at dinner; the officers of the American Marine Corps will dine the British Marine Corps officers. The chief petty officers of the American fleet will give a banquet to the British officers of the same rank at the Metropole Hotel, which both Admirais Train and Noei will attend, and the "jackies" of the American fleet will entertain the visiting "jackies" at a minstrei-show.

On Friday afternoon, Admiral Noel will give a reception on the Diadem. On Central Oregon line via Portland, than is now possessed by the Northern Pacific with its heavy grades across the mountains.

The construction of this road will also place Scattle in direct communica-tion with San Francisco, besides forc-ing the Northern Pacific to share the immense and growing local business immense and growing local business existing between Portland and Puget

that the roadbed which is being constructed will be wide enough to accommodule two tracks, and that if only one
Murine Ere Remedy Cures Eyes; Makes Weak
this railroad man on the ground can see

Murine Ere Strong Soothes Eye Pain: Doesn't Smart.

The Strong Soothes Eye Pain: Doesn't Smart.

oads to enter into any agreement with the Calcago & Northwestern. The idea of such a combination is scouted by Portland railroad men and no creience is given to the story

STRAHORN KEEPS HIS SECRET

Harriman Officials Will Not Admit or Deny Their Interest.

BROOKLYN, N. Y., Jan. 10.—(Special.)—Mr. Strahorn, of the Nerth Coast Railroad, is in New York and in daily conference with railroad, contracting and banking interests. Announcements in regard to the project are expected at any time. He says that his plans are proceeding satisfactorily, but he will not affirm or deny rumors

Harriman officials and interests will not deny that the North Coast is a Harriman undertaking and it is generally believed here that it is Report received here today of heavy pur-chases of tideiands at Seattle by Heilen and a trust company in which Ja-coh Schiff is interested are taken to in-dicate that the Harriman road will build to Seattle, but Kuhn, Loeb & Co., and Harrimon officials, including Co., and Harrimon officials, include Hellen, are simply noncommittal.

WANTS A FRANCHISE FIRST

Company With Scattle.

SEATTLE, Wash., Jan. 10 .- (Special.) The Seattle City Council has given up the idea of forcing the railways to form a terminal company. The St. Paul has refused point blank to ask such an organ-ization of the old lines and the Hill companies will not take the initiative. The St. Paul insists it will not talk terminal consolidation until it has something to throw in the pot and without a franchise and a Seattle line of their own the company cannot acquire anything here,

The committee of business men which has been working for the terminal con-solidation told the Council committee on corporations today that the terminal company could not be formed at present and the scheme was laid away. It will be taken up after the St. Paul gets its fran-chise, with the presidents of the lines. It is probable the St. Paul franchise will ommended at Friday's meeting of the corporation committee.

The St. Paul has arranged with the Pacific Coast Company for trackage rights on the Columbia & Paget Sound Railroad in the event Snoqualmie Pass is adopted as the route across the Cas-cades. The new line would ship materials over the Columbia & Puget Sound Into the Cedar River Valley, Between Maple Valley and Scattle the St. Paul will parallel the Columbia & Puget Sound if the Snoqualmic route is adopted. Engineering corps are now making final surveys in all passes under consideration, working, their reports show, in very heavy snows and against big odds.

PARALLELS THE INTERURBAN

St. Paul Crews Working on New Right of Way Toward Tacoma.

TACOMA, Wash., Jan. 16.—(Special.)— Operations have been commenced by a Chicago, Milwaukee & St. Paul construction crew on the right of way between Bluffs and Stuck, on the Interurban, working toward Tacoma. New work is being done parallel with and about 200 feet from the Interurban right of way. Railroad men and others who have closely watched the situation are confi-dent that this move on the part of the St. Paul means that the Earling road is to parallel the Interurban between Ta-coma and Seattle. Another route was contemplated, but because of the fact that some of the property-owners put the price on the right of way too high, arrangements were quietly made for the change of route. Although the new route will require a

tunnel through a hill near Bluffs, it is much shorter than the first one proposed and will be without steep grades. It also provides easier entrance to the city than the former route.

Pacific Railway Changes Name.

OLYMPIA, Wash., Jan. 10.—(Special.)
—The Pacific Railway Company of
Scattle, heretofore announced as the
Pacific Coast extension of the St. Paul.

DELIGHTFUL NEWPORT.

id Weather at This Popular Pacific in every particular is the Newport, and the Southern the Corvaills & Eastern rail-resumed their cheap rates to for the Winter. Particulars by Third and Washington streets.

Wayward Boy Who Robbed Mother Gets Six Months.

HE REFUSES TO REFORM

Crime Committed Immediately After His Release on Embezzlement Charge---Case Against Tom Russell Is Dropped.

Hiram Gumbert, at the age of 17, is so broughly criminal that Municipal Judge Cameron declared him to be the worst culprit of his years ever coming before his court. At the special request of the boy's father, the Judge sentenced him to say months in the Courty left for the courts. ing \$15 from his own mother.

Last week the young fellow was before Judge Cameron, charged with embezzle-ment from a local firm, and admitted his guilt. The father said at that time that his son was absolutely unmanageable, but when it was suggested that it would be a good idea to send him on a sea voyage, the elder Gumbert seemed unwilling to permit this to be done, and begged that one more chance be given the wayward youth. He said he would be willing to have the boy return home, and this was arranged for, a promise being exacted from the prisoner that he would keep On the aftern

Gumbert went to his parent's home, stole \$15 belonging to his mother, and fled. He was not found by his relatives, who searched high and low for him, but was picked up on the street by the police Tuesday afternoon. He was held for examinatin by Judge Cameron and was brought before the court yesterday morn-

"When you stood here before you were released because your father wished it, and you promised to lead a better life."

said Judge Cameron to Gumbert. Gum-bert made no reply.
"After I gave you a chance to reform "After I gave you a chance to reform and warned you what you must do to avoid trouble, you went directly home and stole \$15 from your mother," continued Judge Cameron. "Your father now admits he cannot do anything with you, and he has asked that you be sent to the County Jall. Have you any reason to offer why you should not be imprisoned?"

"No," replied Gumbert.
"The sentence of the court is that you be imprisoned in the County Jall for six months," said Judge Cameron.

As predicted last week, the charge of highway robbery against Thomas Rus-sell, Jr., had to be dismissed yesterday because of the fallure of Thomas C. Ayles-worth to appear and prosecute. The lat-ter caused the arrest of Russell, alleging that he was sandbagged and robbed by the young man. Aylesworth went to California on a business trip, and said he would return to appear against Russell, but he falled to keep his promise and could not be found by the police. It is upposed the case was adjusted satisfactorily to Aylesworth.

Charged with burglary, John Williams,

burglar was found hiding under the bed occupied by Mr. and Mrs. Atwood. When discovered, the intruder fled, and on a description furnished the police, Williams was picked up and charged with burglary. He denies his guilt. He is an ex-convict.

I. C. Wilcox, a man with I. C. Wilcox, a man with insufficient energy to stand without the support of a table, admitted his guilt when arraigned

One Hundred Witnesses Will Be Called in Richards' Case.

MANY PEOPLE SUBPENAED

Detectives Kay and Jones Have Been Watching the Establishment for Many Weeks, Gathering Evidence.

Every person who has entered the establishment of Thomas I. Richards, Park and Alder streets, within the past two months, is apt to be subpensed to appear in the Municipal Court to give testimons in the three cases now pending against Richards, Deputy City Attorney Fitzgerald, who

has charge of the cases for the prosecu tion, yesterday issued orders to Acting Detectives Kay and Jones to call upon Clerk of the Municipal Court Frank Hennessey for subpenss for every man, wom an and child known by them to have been in Richards' establishment.

This means that, unless Richards should come into court and plead guilty, men and women high in the social, professional and business life of the city and surrounding country will be compelled to come into the open and tell secrets, if they know any

they know any.

Acting Detectives Kay and Jones watched the establishment of Richards for many weeks, securing evidence for just such an emergency as now exists, and while they refuse point blank to give the names of persons numbering at least 100, who may be subpensed in the cases, it is said by them that the dis-closure of the list they carry in their pockets would create a tremendous sen-

Regula: patrons of Richards' establish ment, as they entered and emerged from the place, little dreamed that Kay and Jones were lurking in the shadbws, keep-ing tab on proceedings, but such was the case. The result is, the officers have a long list of names to use.

Kay and Jones have been on the police

force so long that they know practically all of the prominent business and profes, sional men in Portland, and they also know numerous society women by sight. In this manner they have been able to make out their lists without taking the trouble to step up to any of the persons interested and ask any questions. This morning was the date originally

set for the hearings in the Richards cases, but counsel for the defense will be absent from the city, and it is probable another date will be set. There was some talk to the effect that a plea of guilty

peared and moved for the dismissal of the charges against J. W. Gardner and W. H. McCrossen, and Judge Cameron on a charge of embezziement of \$68.75 from his sister-in-law, Mrs. Laura Wilcox. As Judge Cameron had no jurisdiction to pass sentence, the defendant witness against them was M. C. Larsen. was held to the grand jury.

For lashing W. H. Carson across the face with a whip on the east end of the Steel bridge. John Repp, a buttermilk peddler, was fined \$10.

who claimed they beat him out of \$125 on a timber land deal. Mr. Haney, when asked regarding the dismissals said that he had been unable to secure evidence dler, was fined \$10.

MCKIBBIN HATS

One reason why so many men are buying McKibbin hats this year, is that they have found out that many other men are brushing up their old McKibbins and making them do again. Qualities last even if styles be changed.

New style McKibbins comprise every late effect

Pick out the best dealer in your town and sak him about the McKibbins.



