

### MERRY WAR BEAR AMUSING TREATERS

#### Shuberts Reach Parting of Ways With Klaw & Erlanger Syndicate.

#### SAY THEY ARE PREPARED

Backed by Millions With Plenty of Theaters and Attractions—Syndicate Says War Will Be Short and Decisive.

BY LLOYD F. LONGERAN.  
NEW YORK, April 19.—(Special.)—Everything points to a very lively theatrical war which will affect the amusements of the entire United States by the time the bills for the Fall are ready for presentation. Klaw & Erlanger and the Shuberts have come to the parting of the ways, and both big corporations are breathing defiance, and telling what they mean to do to "the other fellow." And the general impression along the Great White Way is that no quarter will be asked or given. For each party interested is convinced that it has the other one beaten to a finish.

When the "Portland war" was settled, Klaw & Erlanger agreed to take care of the Shuberts by booking certain of their big attractions in the syndicate houses throughout the United States, and also not to interfere with their theaters, providing that they kept the prices at one dollar scale. An exception was made in the case of houses in New York, Chicago, Philadelphia and a few other cities, where the Shuberts already had a legitimate high-class foothold. But the terms of the agreement always galled the Shuberts, although they were the ones they could expect at that time. And ever since they have only been waiting for the moment when they could go out for themselves without sustaining any financial damage.

#### Shuberts Have Sinews of War.

Now the Shuberts have withdrawn from the local association of managers, and announce that they will be prepared to play a lone hand at the conclusion of the present season. They profess to have a backing of \$10,000,000, unlimited theaters, plenty of attractions, and are in an excellent position to give the "syndicate" a run for its money.

"We have 14 theaters," says a man who is closely identified with the new movement, "and that is more than any interest in New York can control. In addition to our local houses, we have gradually obtained a foothold in every big city in the United States. At the present moment we are in as good a position to give high-class bookings as are Klaw & Erlanger. But under our present arrangement, we are unable to take advantage of our opportunities. Outside of a few cities, what we are doing is charging first-class seats, and are barred from the cream of most of our successes. The previous 'war' failed, because we did not have the houses and were not in a position to furnish proper bookings. Because of that we lost the support of producing managers who were naturally in sympathy with us but could not afford the financial sacrifice. For this reason, we had to knock down and accept a proposition that was very distasteful to us, but which was really the best we could expect under the circumstances." Although the lines of battle have not yet been clearly defined, it is an open secret that the Shuberts count on the support of David Belasco, Harry Gray, Elske, Walter N. Lawrence and Frederic Thompson, who comprise the leading independent managers and producers in the East.

#### Syndicate Sure of Victory.

On the other hand, the Klaw & Erlanger forces declare that the "insurrection" will be brief, sharp and decisive, and that victory will rest on their standard. In fact, they profess to believe that it is only a "summer" campaign, and that when the time rolls around for traveling companies to take the road, the rebels will be lined up at the captain's office, earnestly begging for peace at any price.

"The Shuberts are working their annual Spring bluff" is the way one of the trust magnates puts it. "They claim to have \$10,000,000 behind them. If they had that much money, they would take to the woods." "I see that they are making the claim privately that the men interested in the New Theater will back them up in their fight. If they really count on that support, I venture to predict that they will be most woefully disappointed. It is safe to say that they are only making the claim in the hope that it will strengthen their position, which is much weaker than they are willing to admit." "The Shuberts have made a couple of attempts in the past to be independent, but have always given up the fight and accepted any terms that were offered. You will find that they will follow their usual tactics once more, and as the other so-called independents know that as well as I do, they are not going to take a chance of getting the worst of it just to oblige the Shuberts."

#### Poor Business Causes War.

The real reason why the two big forces in the amusement world have decided to tread separate paths in the future is that the season just closing has broken all records for poor business, and each faction is inclined to place the blame on the other. With one or two notable exceptions, the theaters of Manhattan have hardly paid expenses, and in many cases the managements have lost heavily. Two big theaters have been closed at several periods during the season, and the indications are that the "Closed for a Summer" signs will be displayed along the Great White Way much earlier than usual.

One attraction, labeled as a Broadway success, played in a house which has a box office capacity of 2000 a week. I happen to know that the weekly receipts of this show were as follows:

First week, \$6745; second week, \$5849; third week, \$4674; fourth week, \$4674; and fifth and last week, \$4654.

"And at that," said the manager, whom I happen to see quite well, "we were howling successes compared with some other attractions that I could tell you about if I felt like it."

The attraction referred to above was a supposedly successful musical comedy. Out of the income 50 per cent was taken by the owners of the theater, and the remainder did not come anywhere near paying the salaries of a highly expensive company.

#### Hammerstein Hates Shuberts.

As one result of the theatrical war, Oscar Hammerstein now declines to speak for the syndicate. Some months ago, when the New York Press had a quarrel with Mr. Hammerstein and two press reporters attacked him on the street, all the theaters as a mark of sympathy, withdrew their ads. from the offending newspaper. But on the day that the Shuberts withdrew from the Managers' Association, the Shuberts returned to the Press fold, and in consequence Mr. Hammerstein vows that he

will never, never forgive them. And Mr. Hammerstein has proven in the past that he is a mighty good hater when he gets aroused.

#### SHUBERTS WILL SHOW HERE

#### Willing to Lease Theater if Built by Local Capital.

The Shubert Brothers will have a theater in Portland. J. J. Shubert is in the city and said yesterday that, while it was not the intention of his firm to build a theater either here or elsewhere, he and his brothers were in the market to lease a suitable building. He added it was a matter of great surprise to him that Portland had made such great strides forward in almost every direction except that of providing modern theater buildings. Said he:

"There is really only one theater building in the city worthy of the name, but now that leases are here ready to take a modern building. I have no doubt capitalists will be willing to provide suitable buildings for us and other firms in the business of providing first-class attractions for the people of Portland." "I have looked over the city since my arrival, and from the best information I have been able to get, I think the trend of growth is southward from, say, the Portland Hotel. There are two or three propositions in that part of the city that have been brought to my attention. I must say, however, I have no definite idea as to the future, except that we shall include Portland in our string of theaters, and that when we are offered a modern building in a desirable location, we shall start at once to give this city our bookings."

Mr. Shubert said that for business reasons he could not give any information concerning the location that had been proposed to him, as the preliminary plans had not been submitted. He had strongly recommended the improvement, he said, and if the theater were built it would find a tenant before the building could be completed.

Of one thing there seems to be no doubt, and that is the company represented by the realty man is abundantly able to put up one of the best buildings in Portland, and if a suitable tenant comes forward with an offer, a big modern building will be constructed at once.

J. J. Shubert was sent to the Coast by his brothers, who compose the well-known Shubert theatrical firm, as their agent to spy out the land. He condescended to say that the Shuberts would play their attractions here next season, but as no theater is available for them, it is not clear where they are to house their shows. "The Army or one of the exposition buildings might be available."

#### "KNOCKERS" ARE ENJOINED

#### Court Forbids Interference With Railroad's Business or Standing.

DENVER, April 19.—The formal order temporarily enjoining Nees Olsen, Wilson J. Davenny and others from interfering with the business of the Denver, Laramie & Northwestern Railway and the Northwestern Land & Iron Company, an allied corporation, of applying in any court for a receiver or in any other manner seeking to injure the companies, was signed today by Judge H. C. Riddle in the District Court.

Charges of conspiracy to wreck the road are made against the defendants by the railroad, it being alleged that the movement for a receiver was part of a plan to secure control of the road by other railroads. The Denver, Laramie & Northwestern has many Kansas, Nebraska and Iowa stockholders.

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### CALHOUN LAWYERS CHARGE COERCION

#### Say Prosecution Holds Whip Over Nicholas' Head to Get Testimony.

#### HENEY REPLIES IN FURY

#### Tells Rogers He Dare Not Produce Single Witness to Maintain Charge of Perjury Under Terror.

SAN FRANCISCO, April 19.—With every new issue bitterly contested, the attorneys engaged in the trial of Patrick Calhoun, president of the United Railroads, devoted the entire session today to a minute scrutiny of the testimony of Ferdinand P. Nicholas, the ex-Supervisor, who is alleged to have received a bribe offered by the United Railroads. Nicholas spent half the day testifying on re-direct examination by the prosecution, and the remainder of the session was devoted to argument upon the admission of his testimony.

Assistant District Attorney Francis J. Heney, reviewing a portion of the cross-examination by Earl Rogers, declared that the defense had attempted to demonstrate to the jury that Nicholas had changed his testimony given in former trials because of fear that he would be indicted and convicted, as was Michael W. Coffey, another member of the board.

#### Insinuation of Perjury.

To support his adverse contention Mr. Heney called as a witness a stenographer who recorded the first confession of Nicholas. For two hours the attorneys argued over the admission of this record, and at the end of this period Judge William P. Lawlor made an order admitting the testimony for purposes of comparison only.

Mr. Heney made a somewhat heated argument in support of his contentions. He said:

"Mr. Rogers not only insinuates that the witness Nicholas has committed perjury, but he adds to his half-concealed representations an idea that some person connected with the prosecution has induced him to change his testimony to suit a base purpose."

#### Whip Over Nicholas' Head.

"The case of Coffey was only an incident," replied Mr. Rogers. It was merely an illustration—vividly put, it is true—J. Davenny and others from interfering with the business of the Denver, Laramie & Northwestern Railway and the Northwestern Land & Iron Company, an allied corporation, of applying in any court for a receiver or in any other manner seeking to injure the companies, was signed today by Judge H. C. Riddle in the District Court.

"Yes, the red welt is shining in the eyes of Nicholas," said Mr. Heney, "but the defense dares not call a single witness to support its dirty insinuation that some one has suborned this witness to commit perjury." Just before adjournment, Earl Rogers



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## THE LION CLOTHIERS

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began the second cross-examination of Nicholas with a prospect that he will occupy the stand during the greater part of tomorrow's session.

#### Bribery Did Not Change Vote.

In telling the history of the bribery under direct examination, Nicholas said: "I never heard any mention of bribery or money matters before the Supervisors took office. We had our first caucus the night before we were installed, and Mayor Schmitt designated the committee."

"It was two or three weeks later that we received the first intimation of money to be paid the Supervisors. This was in the matter of the permit for prize-fights. Gallagher told us that there would be something in it and we were paid the money after the ordinance had been passed."

Nicholas declared that he would have voted for the measure if his action had not been influenced in any manner, and he made the same declaration with respect to the fixing of gas rates, in which affair the Supervisors violated a pledge in their platform whereby they were to favor a low rate.

#### Murphy, Court Stenographer.

BAKER CITY, Or., April 19.—(Special.)—After serving four years in the capacity of court stenographer for the Eighth Judicial District, Mrs. Charles H. Breck has tendered her resignation. Judge William Smith today appointed Charles P. Murphy as official court reporter for a term of four years.

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