

GERMANS TRY MISS CAVELL IN SECRET

Effort of American Minister to Have Huns Give Chance to Brave Nurse Fails.

GIRL'S BLOOD DEMANDED

Public Prosecutor, According to Hugh Gibson, Strains Provision of Military Law in Order to Kill English Woman.

BY HUGH GIBSON.
Secretary of the American Legation in Brussels at the outbreak of the war, Miss Cavell, 1917, Doolittle, Page & Co., by Otto F. Wood.

(Continued.)
At the risk of appearing disconnected it has been decided to publish as the facts in regard to the case of Miss Edith Cavell.

On August 5, 1915, Miss Edith Cavell, an Englishwoman, directress of a large nursing home at Brussels, was quietly arrested by the German authorities and confined in the prison of St. Gilles on the charge that she had aided stragglers from the Allied armies to escape across the frontier from Belgium to Holland, furnishing them with money, clothing and information concerning the route to be followed. It was some time before news of Miss Cavell's arrest was received by the American Legation, which was entrusted with the protection of British interests in the occupied portion of Belgium. When the Minister of Brussels received a communication from the Ambassador at London transmitting a note from the Foreign Office stating that Miss Cavell was reported to have been arrested and asking that steps be taken to render her assistance, Mr. Whitlock immediately addressed a note to the German authorities asking whether there was any truth in the report of Miss Cavell's arrest and requesting authorities to release her and to return her to the Legation, to consult with Miss Cavell and, if desirable, entrust some one with her defense.

Request is ignored.
No reply was received to this communication, and on September 19 the Legation addressed a further note to Baron von der Lancken, chief of the political department, calling his attention to the matter and asking that he enable the Legation to take such steps as might be necessary for Miss Cavell's defense.

On September 12 a reply was received from Baron von der Lancken in which it was stated that Miss Cavell had been arrested on August 5 and was still in the military prison of St. Gilles. The note continued:
She has herself admitted that she aided stragglers from the Allied armies to escape across the frontier from Belgium to Holland, furnishing them with money, clothing and information concerning the route to be followed. It was some time before news of Miss Cavell's arrest was received by the American Legation, which was entrusted with the protection of British interests in the occupied portion of Belgium. When the Minister of Brussels received a communication from the Ambassador at London transmitting a note from the Foreign Office stating that Miss Cavell was reported to have been arrested and asking that steps be taken to render her assistance, Mr. Whitlock immediately addressed a note to the German authorities asking whether there was any truth in the report of Miss Cavell's arrest and requesting authorities to release her and to return her to the Legation, to consult with Miss Cavell and, if desirable, entrust some one with her defense.

In view of the fact that the Department of the Governor-General, as a matter of course, does not allow any person to have an interview with a prisoner, I much regret that I am unable to visit Miss Cavell in person, but I am in touch with the competent German authorities.

Action is stayed.
Under the provisions of international law the American Minister could take no action while the case was before the courts. All that he could do while the case was before the courts was to watch the proceedings carefully and be prepared with a full knowledge of the facts to see that a fair trial was granted.

Maitre de Leval communicated with Mr. Braun, who said that he had been prevented from pleading before the court on behalf of Miss Cavell, but had asked his friend and colleague, Mr. Kirschner, to take up the case. Maitre de Leval then communicated with Mr. Kirschner and learned from him that lawyers defending prisoners before German military courts were not allowed to see their clients before trial and were shown none of the documents of the prosecution. It was manifestly impossible to prepare any defense save in the presence of the court and during the progress of the trial. Maitre de Leval, who from the beginning to the end of the case showed a most serious and chivalrous concern for the welfare of the accused, then told Mr. Kirschner that he would endeavor to be present at the trial in order to watch the case. Mr. Kirschner dissuaded him from attending the trial on the ground that it would only serve to harm Miss Cavell rather than help her; that the judges would resent the presence of a representative of the American Legation.

Trial Quickly Over.
Although it seems unbelievable that any man of judicial mind would resent the presence of another bent solely on watching the course of justice, Mr. Kirschner's advice was contrary to what Belgian lawyers who had defended prisoners before the German military courts and spoke with the authority of experience. Mr. Kirschner promised, however, to keep Maitre de Leval fully posted as to all the developments of the case and the facts brought out in the course of the trial.

The trial began on Thursday, October 7, and ended the following day. On Sunday afternoon the legation learned from persons who had been present at the trial some of the facts. It seems that Miss Cavell was prosecuted for having helped English and French soldiers, as well as Belgian young men, to cross the frontier into Holland in order that they might get over to England. She had made a signed statement admitting the truth of these charges and had further made public acknowledgment in court. She frankly admitted that not only had she helped the soldiers to cross the frontier, but that some of them had written her from England thanking her for her assistance.

Law Falsely Interpreted.
This last admission made the case more serious for her, because it had been proved only that she had helped men to cross the frontier into Holland, she could have been sentenced only for a violation of the passport regulations and not for the "crime" of aiding soldiers to reach a country at war with Germany.

Miss Cavell was tried under para-

graph 58 of the German military code, which says:

Any person who, with the intention of aiding the hostile power or causing harm to German or allied troops, is guilty of one of the crimes of paragraph 50 of the German penal code, will be sentenced to death for treason.

The "crime" referred to by paragraph 50 was that of "conducting soldiers to the enemy" (Viel dem Feinde Mannschaften zufuhren).

It is manifest that this was a strained reading of the provisions of military law; that a false interpretation was wilfully put upon these provisions in order to secure a conviction. This law was obviously framed to cover the case of those who assist stragglers or lost soldiers to get back to their own lines and join their units. It is doubtful whether the framers of the military law had foreseen anything so indirect and unprecedented as that of helping soldiers cross into a neutral country in the hope that they might find their way back through two other countries to their own army. Miss Cavell assisted these soldiers to escape into a neutral country which was bound, if possible, to apprehend and intern them. If these soldiers succeeded in outwitting the Dutch authorities and making their way to England, their success would not, to any fair-minded person, increase the offense committed by Miss Cavell.

Miss Cavell is brave.

Miss Cavell's conduct before the court was marked by the greatest courage and firmness. She stated that she had assisted these men to escape to Holland because she thought that if she had not done so they would have been seized and shot by the Germans; that she felt that she had only done her duty in helping to save their lives.

The military prosecutor replied that while this argument might be made concerning English soldiers, it could not apply to Belgians, who were free to remain in the country without danger. The subsequent behavior of the German authorities to the Belgian young men who remained in the country does not lend any considerable weight to the remarks of the public prosecutor.

In concluding his plea the public prosecutor asked that the court pass sentence of death upon Miss Cavell and eight other prisoners among the 35 brought to trial.

(To Be Continued Tomorrow.)

TESTONS ADVANCE ON CAMBRAI FRONT

German War Office Reports Further Gains of French Territory.

BRITISH PARTY IS ROUTED

Paris Reports Spirited Artillery Fighting in Champagne—Run Raid on Small Posts Near Beaumont Is Without Result.

BERLIN, via London, Jan. 1.—Further German gains on the Cambrai front south of Maroing were reported today. The War Office announcement follows:

"Army Group of Prince Rupprecht—At midnight the artillery fire increased at Houtholst wood and in the neighborhood of Paschendale. A strong British reconnoitering attack southwest of Monchy broke down. South of Maroing the territory won on Sunday was extended as a result of minor operations. The number of prisoners was increased by a few officers and 10 men."

"Army Groups of the German Crown Prince and Duke Albrecht—The artillery fire was spirited at times north of Frosnes on both sides of Ornes and north and east of St. Mihiel. On the Eastern and Macedonian fronts there is nothing new."

PARIS, Jan. 1.—Spirited artillery fighting occurred in the Champagne near the Butte du Meunier, says today's official communication. "A German raid on our small posts southeast of Beaumont was without result. We took prisoners."

"Elsewhere the night was calm."

WITH THE AMERICAN ARMY IN FRANCE, Jan. 1.—New Year's day passed quietly with the American troops in France. There were boxing bouts, special dinner and officers' clubs and the messes, and celebrations at the Young Men's Christian Association quarters.

LONDON, Jan. 1.—Except for considerable artillery activity on both sides in the neighborhood of Arras, the night was quiet. The British statement regarding operations in France, "there is nothing of special interest to report."

RAILROAD CHANGE HELPS
(Continued From First Page.)
Northwest. The Great Northern and Northern Pacific lines are connected by the Puget Sound, as contrasted with the O.W.R. & N. Company and the Spokane, Portland & Seattle roads coming through the Columbia River gateway to Portland. The advantage is all with the two latter routes.

These profiles show that the Cascade Mountain Range is a barrier that fences off traffic from Puget Sound and that this wall is overcome only by dint of expensive operation that requires the lifting of heavy trains high over the range. Freight bound in either direction, east or west, must pay this toll of delay, tax on motive power and added cost of fuel.

Contrasted with this situation is the water-grade route to Portland. Grades are nil, operation is easy at all times, long trains are hauled quickly in both directions and snow and storm trouble that often tie up the trans-Washington routes in the north are almost entirely eliminated. A case in point is the recent tie-up of the northern lines by water trouble in the Cascades and the routing of trains to Puget Sound by the Columbia River gateway.

Weak Link in Chain Cited.
Figures of Engineer Brandon show that Great Northern trains across the Cascade Mountains, westbound, must be lifted 2777 feet in 70 miles and in the opposite direction the Great Northern line rises 3375 feet in 75 miles. The Northern Pacific line to Puget Sound is little better. The tracks climb

2427 feet, westbound, in 170 miles and 2777 feet in 75 miles, eastbound. A sharp contrast is offered by the rail lines operating through the Columbia River gateway. The O.W.R. & N. Company's rails follow a down grade westward, dropping 280 feet in 186 miles. The Spokane, Portland & Seattle Railway line, following the north bank of the Columbia River, falls 317 feet in 220 miles. These figures in basic loss both routes apply between the crossings of the Columbia River and Portland.

Contrasted with the water-grade route the Columbia River has bored through the mighty Cascade Range, with easy gradients everywhere, the Great Northern line climbs to a summit of 3375 feet at Cascade Tunnel and the Northern Pacific mounts to a peak of 2777 feet at Martin.

The profile map shows these two lines surmounting the peaks over which they climb, while the two Columbia River routes are shown as easy, flowing traffic lines, along which trains operate with the least possible resistance.

So tremendous are these advantages in favor of traffic handled via the river that it is believed they will not be overlooked by the Government in carrying on the railroad work of the country in time of war, when every possible loss in time, economy and efficiency is to be eliminated and the slack and lost motion taken up at every point.

Government control is said to mean the "hooverizing" of the whole railroad fabric that extends over the country, and Portland is certain to profit. It is declared, to a tremendous extent.

QUEEN SENDS MESSAGE

WOMEN OF BRITAIN APPRECIATE AMERICAN SYMPATHY.

"HORRORS OF WAR HAVE TAUGHT US TO KNOW ONE ANOTHER BETTER," SAYS HER MAJESTY.

LONDON, Jan. 1.—Queen Mary sent a telegram from Sandringham today to Dr. Anna Howard Shaw, of New York, says the official press bureau, reading as follows:

"I received with much satisfaction and pleasure the friendly message you addressed to me on the women's committee of the Council of National Defense of America."

"Please convey to the sisterhood of your great country the warm thanks of the women of the British Empire for their inspiring words of encouragement and assurance."

"The horrors of war have taught us to know one another better and they have strengthened the ties of the kinship and mutual sympathy by uniting the women of the English-speaking races heart and soul in the struggle for liberty and civilization."

"Confident of the valuable help we women can give our gallant sailors and soldiers, I pray for God's richest blessings on our efforts."

"MARY R."

MRS. KASTNER KEPT BUSY
Federation Head Has Three Speaking Dates This Week.

HOOD RIVER, Or., Jan. 1.—(Special.)—This will be a busy week for Mrs. Charles H. Kastner, president of the Oregon State Federation of Women's Clubs and chairman of the women's committee of the Oregon Council of National Defense.

Tomorrow Mrs. Kastner will deliver an address at the Oregon Agricultural College. Homecoming week programs on "The Club Woman in War Work."

On Thursday she will preside at a conference of the women's organizations of the state and on Friday she will preside at a meeting of the women's committee of the Oregon National Defense Council at Waldo Hall.

Airmen Use Light Wireless.
One of the wireless sets colored by our airman and with which the United States Signal Corps succeeded in communicating over a distance of 119 miles, from an aeroplane, was only 60 pounds. Another set, developed at the North Island, San Diego, Cal., weighs about 45 pounds, and it has covered a distance of more than 140 miles while flying at an elevation of 7000 feet.

Phone your want ads to The Oregonian. Main 7070, A 6095.

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WE GIVE YOU A CASH DISCOUNT THRU S. & H. STAMPS—ALWAYS TAKE THEM

The Way to Better Light

The Way to Better Light Is Through NATIONAL MAZDA LAMPS

which give triple the light of old carbon lamps for the same light bills. MAZDA lamps are an economical necessity, not a luxury. You can no longer afford to burn carbon lamps

which give only one-third the light you pay for. Come in today and let us supply you with efficient MAZDA lamps for all your sockets. We sell them singly or five in an easy-to-carry carton.

"DENTOX" WE HAVE A NEW SHIPMENT OF JUST RECEIVED

Tooth Wash
Aromantic, slightly astringent and antiseptic, it leaves a pleasing sense of coolness and cleanness in the mouth. Dentox is sold in full pint bottles at FIFTY CENTS. Also in half and one-gallon packages.

TOILET SUPPLIES

50c Java Riz Powder .39c
50c Lablache Powder .39c
50c Pozzoni's Powder .39c
50c Cameline Powder .40c
25c Woodbury's Pwdr .22c
25c Wisdom Violet C'm 20c

Woodard & Clark
ALSO STREET AT WEST REX MARSHALL 4700—HOME A 6171
Always "S. & H." Stamps First Three Floors

DANCE BIG SUCCESS
Thousands of Soldiers Share in Portland's Hospitality.

ALBERT JOHNSON SPEAKS
Theaters Are Crowded and Many Private and Public Parties Help to Make New Year's Day Enjoyable—Meat Is Banned.

Speaking of successful New Year's entertainments, were you over at the auditorium yesterday to see the soldiers and sailor visitors try the trots and the waltzes with Portland Misses?

It will be a tired lot of young men in olive drab and Navy blue who report for drill at 5:30 o'clock this morning in the various posts tributary to Portland. The entertainment eclipsed the big event of Christmas day and has been the talk of the camps ever since.

The big building was turned over to the soldiers and sailors and the young women of the city by Mayor Baker and a large orchestra was put on the stage to furnish the dancing where-withal. Dancing started at 3 P. M. and continued until about midnight. At 8 P. M. the floor was cleared and the soldiers and hundreds of others listened to an interesting war lecture by Congressman Albert Johnson, of Washington state, who was a member of the Congressional party that visited the Western front last summer.

The fame of the Christmas dance for soldiers apparently had spread quickly about Portland, for yesterday there was no shortage of young women, as there was during the first part of the Christmas doings.

Many of the soldiers who came down from Camp Lewis Monday night for the New Year's eve celebration selected the 4:15 train yesterday afternoon to return. This was because of the reduction of fares on account of flood conditions in Washington and the fear that later trains might not get the soldiers back to camp in time for the revels this morning. The visitors from other posts, however, remained until the end of the affair. A large number of men were on hand from Vancouver, Port Stevens, Fort Columbia and Fort Canby.

The Auditorium dance was the principal local New Year's day feature. Dances were held at practically all of the dance halls in the city and at the leading hotels. Special New Year's parties also were held at some of the halls.

Theaters did a rushing business all day and all evening. At some of the playhouses the crowds were lined up outside waiting turns to get in. Hotels and restaurants observed meekness day in spite of the holiday and the fact that many dinner parties were held at which ordinarily meat is an important dish.

For the benefit of the soldier and sailor visitors the Army and Navy auxiliaries held open house at 411 Morrison street during the day.

BURKE BOOMED FOR POST
Portland Friends Want Him for Coast Director of Railroads.

Thomas Carrick Burke, former Collector of Customs for the Oregon district, is being boomed for the post of Pacific coast director of railroads by William G. McAdoo, director-general.

A telegram has been sent Mr. McAdoo, signed by influential Portland men. Urging his appointment to such a position in the event that it is the policy of the director-general to divide the country into districts, with a director for each district. The message was signed by the following:

T. J. Armstrong, R. B. Bain, Jr., W. D. Allard, George W. Lawrence, Jr., Albert B. Milling Company, A. E. Benson, Balfour Guthrie Company, John H. Burgard, James H. Murphy, Wilber E. Coiman, L. B. Menefee, Emory Olmstead, H. L. Pitcock, William A. MacRae, B. M.

H. L. Lightfoot, of Greensburg, Pa., who was unable to get sufficient help during the day to do his thrashing, obtained a force of men from the shops and did the work by electric light.

HOTEL PERKINS
FIFTH AND WASHINGTON STREETS, PORTLAND, OREGON.
HANDY FOR HOLIDAY SHOPPERS.
Rates to Suit You
Special Low Rates to Permanent Guests.

ARE YOU RUPTURED?

A poor fitting truss by not properly holding rupture is dangerous and worse than the rupture itself. Anyone can tell you, but it takes an expert truss fitter to fit one. We specialize in fitting trusses, guaranteeing satisfaction in every instance. We carry all kinds of trusses, but the Seeley Spermatic Shield truss is the best, usually closing the opening in ten days. Send for illustrated circular and measuring blank.

LAUE-DAVIS DRUG CO.
TRUSS EXPERTS.
Third and Yamhill Sts., Portland, Oregon

STILL FOUND IN CANYON

Federal Officers Confiscate Whisky Plant Near Lewiston.

LEWISTON, Idaho, Jan. 1.—(Special.)

Deputy United States Special Officer J. P. Rice uncovered a complete distilling plant in a canyon on the upper north fork of the Clearwater. The still has been delivered to the Government officials at the Lewiston Indian agency. A quantity of corn, cornmeal, wheat, bran, corn mash in process of fermentation, and paraphernalia, including the cabin, were burned by Officer Rice.

The officers learned of the illicit still a week ago, but had been unable to locate it or apprehend the "moonshiners" until a few days ago. Two Indians reporting from a hunting trip reported the discovery of the plant.

BIG WATER MAIN BREAKS
Feed Line for Oregon City and West Linn Suffers Damage.

OREGON CITY, Or., Jan. 1.—(Special.)—A second break in the big main that feeds Oregon City and West Linn with water from the south fork of the Clackamas River was reported yesterday and Commissioner Hal A. Rands and Water Superintendent Fred McCausland took a crew of men out on the line to repair the break, located within two miles of the intake.

The municipal elevator has been out of commission owing to the shortage of water for more than a week, and there is no immediate likelihood of its being placed in operation again, as the local authorities have announced that until the reservoirs are full there will be no water to spare for the operation of the lift.

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