

RAPS SUMNER AS PROMOTER

(Continued from page 1.)

the North Bank and the Hill system in Oregon, has repeatedly declared that he knows nothing of this road. The Southern Pacific men themselves don't believe that the Hills have anything to do with it.

"In the records of the Harriman offices the Pacific Great Western is set down as a 'promoters' scheme'. It is placed on about the same basis as a score of other roads started within the last few years for the announced purpose of building to the coast, none of which roads ever materialized. Whether these enterprises are great or small, the Harriman interests are almost sure of learning exactly what the standing of each is. That the identity of the Pacific Great Western has been traced far enough to satisfy the Harriman officials that it is not likely to develop into a rival enterprise or that its possibilities are insignificant is almost certain. The activities of the 'road' do not seem to worry the Southern Pacific a great deal.

"Twohy Bros., who have the contract for constructing the first 23 miles of the Southern Pacific's Eugene-Coos Bay road, have a force of men at work and expect to rush their work to completion. Neither they nor Southern Pacific officials have the least apprehension that the maneuvers of the other road will hinder them."

TALKS OF LINE

Engineer Hunt of Sumner Lines Tells of Line to Coos Bay

The Eugene Register in its story of the awarding of the contract for construction of the Sumner line from Eugene to Coos Bay quotes Engineer Hunt as follows:

"We have worked against great odds, made an uphill fight, and won out. The reason we have been reticent in giving our reports was because we want a railway line and our every movement would have been checkmated by those allied to other interests. The objects to be attained fully justified us in pursuing the course mentioned. At all times, we have acted in good faith, with no motive in view other than that of the construction of a railway from Eugene to the coast."—Statement of Messrs. Hunt & Bingham, in charge of the Pacific Great Western Railway company's affairs at Eugene.

The Register also says: "D. L. Hutchison construction engineer who represents the contract to S. McArthur & Perks (Limited) of Chicago and New York, has been in charge of tunnel construction. He is now establishing a camp at the summit.

"The sub contractors, Messrs. Roylance, Messinger, and Dye, leave this morning for the scene with several wagonloads of camp equipage and implements. The contract of this latter firm includes tunnel construction and the first stretch of grading from the summit to Coos Bay.

"A gang of over 60 men will be put to work at once and additional men and equipment will be added as fast as weather will permit. The length of the proposed tunnel will approximate 2,400 feet. Completion of the road will entail an expenditure of \$5,000,000.

"It is also announced from headquarters that the surveying crew will complete its final location to the coast by the latter part of December. J. C. Ayers, assistant engineer who has been locating a line from Mapleton west, reports splendid progress. Early in January the survey from Elmira to Eugene will be started and pushed rapidly toward completion with a view to putting the Pacific Great Western railway on the map at the earliest possible moment."

Gets Other Pass.

The Eugene Register says: "Right-of-way Agent Buell had a meeting with a number of the principal stockholders and officers of the Asset company Tuesday evening to arrange some sort of a deal with them for their equity in the 30 acres of Noah

Christner's place through what is known as Powell's pass and it was consummated recently. Mr. Buell has had a deed for the 30 acres in controversy for some time. He also has an assignment of the mortgage on the same tract from George O. Yoran. The individual stockholders of the Asset company who held a contract for the sale of the land as well as the officers of the company have transferred the contract to the Southern Pacific company and they have a clear right-of-way now through the pass. It is high land and the work of making a deep cut through the hill can be prosecuted whether the weather is wet or dry, as the soil is not sticky when wet. This clears up every obstacle in the way of the S. P. Co.'s line clear through to the tunnel, a distance of 23 miles and work will be prosecuted vigorously probably all winter."

ROW OVER TRANSFER

Lively Litigation Over Sale of Lane County Asset Co.

The Eugene Guard says: The rank and file of stockholders in the Asset company, so it is alleged, knew nothing of the transfer of that corporation's holdings to the Southern Pacific Company until that fact

was announced through the medium of the daily papers. The deal was put through by the "inner circle" without the customary formality of giving other members interested a voice in the proceedings. In view of this high-handed procedure, the "exterie" is coming in for a good share of censure and threats to sue are freely made by members who were in nowise consulted in the matter. It is felt on this account by those who have a right to know what is going on within the councils of their own corporation that no further subscriptions should be paid to the company whose funds should be expended to satisfy creditors who have furnished labor and provisions.

In connection with the above embargo, George Perry, railroad contractor, has filed suit in the circuit court against the Lane County Asset company, a corporation, the Willamette Pacific Railroad company, a corporation, and James L. Buell in which plaintiff Perry prays a decree of the court enjoining and restraining said defendants from destroying the grade and construction work of the Lane County Asset company and from taking possession of its said right-of-way and setting aside the proposed transfer to said Buell, and that the same be held for naught and enjoined.

ing and restraining said Willamette Pacific Railroad company and the officers and agents of said Lane County Asset company from destroying the value of said line of railway and that a receiver be appointed by this court to take possession of said line of railway and of the books and accounts and stock subscriptions of said Lane County Asset company and to proceed to collect the same under direction and order of the court.

The plaintiff alleges in his complaint that he was hired by the Asset company to do grading work for the defendant's railway line and constructed a cut near what is known as Christner's Pass. That he brought action against the company to recover the reasonable value of his services performed and that he was duly awarded judgment in the sum of \$6,500. It is further alleged by Perry that in order to avoid payment of the judgment and that the Willamette Pacific company might acquire the right-of-way in Christner Pass and destroy the line of the Asset company, all of the defendants entered into a conspiracy to defeat and defraud creditors of the Lane County Asset company.

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