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ALL ARGUMENTS AGAINST STATE POSTAGE FADING

(Continued from first page.)

Oregonian, Dec. 9th: Whether to amend the portage road law so as to secure right of way for the government canal, or let the law stand, and appropriate an additional sum for that purpose, or to put off further legislation in the matter until the next regular legislative session in 1905, are problems that are vexing the law makers.

Commercial parties of Portland insist that the portage be built as soon as possible, canal or no canal. They will no doubt advise that the matter of securing right of way for the canal be deferred until the next regular session.

"If an additional appropriation should come up at the special session," remarked Henry Hahn yesterday. "It might force such a compromise as would divert part or all of the \$165,000 appropriation and delay the portage. The persons who are trying to work up the amendment hope to retard the portage—that is the formers of the movement do. No doubt if the portage were indefinitely postponed, enough delays would happen to the canal to put it off until the millennium. We need the portage, no matter how soon or late we get the canal, and no matter if the portage should be no better than a 'one-hoss shay.'"

"If one delegation at Washington can't get a resolution adopted at this session of congress directing the secretary of war to acquire land for the canal, then our legislature can provide means for securing the land at its regular session one year from now.

"Does anybody remember how long the canal at Cascades was delayed? Was it 20 years? Then let's have the portage immediately."

No Serious Interference. Major Langfitt said that the portage and the canal "need not seriously interfere with each other." The only place where the portage will be in the way of the canal is at the upper end of the waterway. Major Langfitt conceded that construction of that part of the waterway could be put off until toward the end of the work so that operation of the portage would not be obstructed.

Acquisition of ground for the canal will not be expensive nor is there room to believe that it will cost \$100,000. That sum was named by the government engineers in a rough estimate, sufficient to cover the most outside contingencies. F. A. Soufert, of The Dalles, who owns most of the land through which the portage and the canal will be built, said that right of way for the waterway can be obtained for \$50,000 at most.

The canal will not approach the O. R. & N. so closely as will the portage. Damages to the O. R. & N. from the canal, Major Langfitt said, would not be heavy. At some places the canal will encroach upon the alleged right of way of the railroad, but not injuriously to the latter.

Mr. Soufert declared last night that right of way can be readily secured for both projects. He said that land for the portage will cost little or nothing, and for the canal not more than \$50,000. He urged prompt construction of the portage, and advised a further appropriation by the Oregon legislature for the canal right of way.

"It's hot," he remarked, "that within three years after the portage is finished the Northern Pacific will have a line down the north bank of the Columbia. The portage will put down rates nearer the water level and the Northern Pacific, unable to haul freight over high mountains to Puget Sound, in competition with water level rates, will have to use the water level route.

"The Northern Pacific is getting ready to build down the north bank already. It has an agent at The Dalles all the time who is securing right of way. Three months ago he bought a nine-mile stretch from Leon Curtis, for \$9000, just opposite The Dalles. The Northern Pacific secured the Paul Mohr road some time ago.

Will Permit State to Use Land. The persons who own land that will be traversed by the portage will permit the state to use the land just as long as the state needs it. We (meaning the Soufert Bros.) own about five miles of the 8 1/2-mile stretch, and we shall ask in return from the state only for certain trackage accommodations, and for certain cheap improvements, which are necessary to protect our business from interference by the portage. Chief of these improvements is an elevated tramway, which will cost the state a trifling sum of money.

"Everding & Farrell, I. H. Taffe and William Mitchell are the other owners besides the O. R. & N. They will readily allow the state to use their property, at little or no expense.

"Heavy damages to the O. R. & N.?"

Not at all. Would it damage the O. R. & N. if the state should undertake to straighten one of the curves so as to make room for the portage? I think not. And courts will take the same view of the matter—at least the court in Wasco county.

"But the portage will not displace the O. R. & N. track anywhere on the route. To be sure, it will encroach upon what the O. R. & N. claims as the exclusive right of way of the company. But what of it? All the right the O. R. & N. has is by virtue of a permit granted to the old O. S. N. Company for a railroad through the public domain. That's all there was to it—permission to run a railroad through the public domain. The permit didn't specify a right of way 25 feet wide nor 100 feet wide, and it's just as reasonable for the O. R. & N. to lay claim to all Oregon and Washington on both sides of its track as to the 100 or 200-foot width it contends for."

Mr. Soufert added that the courts would determine what was reasonable width, and that they would not permit the O. R. & N. to block the way of the portage or the canal. Then he suggested as a means of hastening the portage that the legislature pass an act authorizing the state to build the portage right away, and permitting such persons as would be damaged thereby to sue the state.

Railroad Doesn't Delay. "That's the way a railroad goes ahead," he remarked. "If I have a fine field all fenced in, the O. R. & N., for example, doesn't stop for that fence; it puts its tracks through my field, and I have to go to the courts for redress.

"The interior country needs the portage immediately. Oregon should build the road at once. Why have farmers in Wasco and Klickitat counties paid their mortgages in the past 10 years? Is it not a good part because the portage at Cascades cut freight rates, and opened the canal there?"

"Only two arguments put forth against the Celilo portage: first, that it can't be built for \$165,000, the amount appropriated; second, that it will be an obstruction to the canal. Both are false assertions.

"That portage can be built for less than \$100,000 and can be equipped for less than \$65,000. No cuts and no fills are needed. Half the 8 1/2-mile distance can be constructed for \$3500 or less a mile. Three or three and a half miles will be trestles, which should not cost more than \$11,000 or \$12,000 a mile.

"The assertion the portage would hamper the canal is not true. The two projects will occupy the same ground only at a few places. At those places the portage can be shifted to the side, and the canal go ahead without obstruction. Furthermore, the portage will be of service to the national government in transporting freight for the canal."

See G. W. Johnson & Co's big reductions on clothing ad in this paper.

The Latest Varr.

A Pittsburg drummer tells this new yarn: I always carry a bottle of Kemp's Balsam in my grip. I take cold easily, and a few doses of the Balsam always makes me a well man. Everywhere I go I speak a good word for Kemp. I take hold of my customers—I take old men and young men, and tell them confidentially what I do, when I take cold. At druggists, 25 and 50 cents.

H. C. Watson, of Albany.

H. C. Watson, a prominent Albany citizen, died at his home in that city Wednesday night, after a lingering illness.

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Why use gelatine and spend hours cooking, sweetening, flavoring and coloring when



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produces better results in two minutes! Everything in the package. Simply add hot water and set to cool. It's perfection. A surprise to the housewife. No trouble, less expense. Try it to-day. In Four Fruit Flavors: Lemon, Orange, Strawberry, Raspberry. At grocers, 10c

JO. MILLER. JO. BECK.

PETER HOCH.

German Market

Just opened, next door to Harritt & Lawrence's grocery store, a clean, new market, where all kinds of meat can be had. Low prices and prompt delivery our motto. We make a specialty of fine German sausage of all kinds. Give us a call.

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People used to take plain cod liver oil for coughs, colds, throat and lung troubles after other remedies had failed. Scott's Emulsion is the modern idea of cod liver oil—the first instead of the last resort when such ailments appear.

The taste of the oil is not apparent and the oil itself is partly digested—makes it easy for the stomach. Scott's Emulsion is a quick, reliable help at all ages.

We'll send you a sample free upon request. SCOTT & BOWNE, 409 Pearl Street, New York.

Summons. In the Circuit Court of the State of Oregon, for the County of Marion, Department No. 2:

Amanda A. Johnson, plaintiff, vs. Charles E. Johnson, defendant.

To Charles E. Johnson, the above named defendant: In the name of the State of Oregon, you are hereby required to appear herein and answer the complaint of plaintiff on file herein against you within six weeks from the date of the first publication hereof.

And you are further notified that if you fail to so appear within said time said plaintiff will apply to the court for the relief prayed for in her complaint, to-wit:

For a decree forever dissolving the bonds of matrimony now existing between plaintiff and defendant, and for the custody of Carl Johnson, a minor, and for her costs and disbursements, and for such other relief as may seem most with equity to the court.

And you are further notified that this summons is served upon you by publication in the Daily Capital Journal, a daily newspaper of general circulation in Marion county, Oregon, for six consecutive weeks pursuant to an order of the Honorable R. P. Boise, Judge of the above entitled court duly made, rendered and entered of record herein on the 30th day of October, 1903.

And you are further hereby notified that the date of the first publication herein is the 30th day of October, 1903, and the date of the last publication will be on the 11th day of December, 1903.

FRANK HOLMES, 10-30-76-Fri Attorney for Plaintiff.

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Bought Several Roads. Topeka, Kan., Dec. 11.—The annual meeting of the stockholders of the Santa Fe Thursday confirmed the purchases of the Randburg Railway, San Francisco & Northwestern, and Eastern and Oakland & St. Side.

He May Have Repented. Atlanta, Ga., Dec. 11.—Hal Lewis, aged 52, former supreme justice of Georgia, died yesterday at Greensborough. He leaped into national fame in 1896 by making the speech nominating Bryan.

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We have purchased of Jacob Vogt must be sold at a sacrifice. Come early and get the bargains.

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"Heavy damages to the O. R. & N.?"