

SOUTHERN PACIFIC LEVEE PROBLEMS NOW DEADLOCKED

Failure to Agree as to Relinquishment of Waterfront Rights Puts Issue Up to the Legislature.

Because of a deadlock between two members of a council committee appointed by Mayor Rushlight to confer with members of the dock commission and representatives of the Southern Pacific Railroad company on a proposition made by the company to relinquish its waterfront rights on the Jefferson street levee, the committee today adjourned without having made any recommendations whatever in the matter.

Superintendent Campbell of the Southern Pacific, who appeared at the joint conference this morning, maintained that the company has not forfeited any of its rights to the levee tract.

Dan Kullback and W. B. Moore of the levee dock commission and Attorney A. A. Jayne, representing the governor, opposed this contention, all three flatly declaring that the failure of the company to maintain on the waterfront a public dock adequate to accommodate seagoing vessels constituted a diversion of the use for which the levee tract was originally dedicated to the company.

This view was concurred in by Councilman F. S. Whitson of the committee. Councilman Daly was absent from the committee meeting. This left only Chairman Tom N. Monks and Councilman Wilhelm present. Councilman Wilhelm made a motion that the committee endorse Governor West's recommendation that the company be permitted to continue to operate its tracks over the rest of the property.

The company further offered to grant to the dock commission a common user over all the tracks on the levee and to the city a reasonable regulation that might be imposed by the commission should a municipal belt line around the waterfront ever be put into use by the commission.

"Of the company will," said Mr. Campbell, "providing the company is a public dock subject to the demands of the dock commission. We contend that the reason the present dock has been allowed to fall into disuse is that there has not been any demand for it in recent years. We have always stood ready, however, to maintain any dock that the water traffic might demand. We are still ready to do so. We maintain that we have not forfeited any of our rights heretofore and that the legislature cannot repeal the grant made to us in 1888."

Special Representative A. A. Jayne told the committee that though there might never have been any need for a dock the railroad company had never been relieved from the obligation to maintain one even if no ship had ever sought to land at the levee.

As the matter now stands, the question is left entirely in the hands of the legislature, which will be asked to repeal the levee grant. Governor West, in a communication to the legislature, dated January 1, made the following report:

"I beg leave to report that I have made a thorough investigation of the status of the 'public levee' receiving able assistance from City Attorney Grant of Portland, Deputy City Attorney L. E. Tourtelotte, Attorney A. A. Jayne and State Senator C. C. McCulloch. The results of this investigation are herewith submitted in the following report:

"Dedicated to Public." "I am of the opinion that the levee was originally dedicated to the public use; that the legislature has power to regulate the use, but is without power to permit its being diverted to uses not consistent with the provision of the dedication.

"That the legislature might have made the railroad company its agent and authorized use of the premises in keeping with the conditions under which the dedication was made but could go no further.

"That the Southern Pacific can hold under no other right than as licensee of the state and the legislature may revoke this license at any time.

LEGISLATURE OF IDAHO CONVENES; BIG JOBS AHEAD

Two Senators Must Be Picked; Borah Will Be One, Six Are Candidates for Other; Four Important Bills Coming.

(Special to The Journal.) Boise, Idaho, Jan. 6.—Following the inauguration of Governor John M. Haines and other state officials elected at the November election, the twelfth Idaho legislature convened at noon today for what promises to be a most important session. In addition to the election of two United States senators, the legislature is expected to enact a number of important laws.

The house organized today by the election of C. S. French of Canyon county as Progressive speaker. In the senate John Hart of Fremont county was elected president pro tem.

Re-election of Senator Borah will take place January 14 and the legislature will then proceed to the task of electing a short term senator. Avoiced candidates for the seat made vacant by Senator W. B. Heyburn and now filled by K. L. Perky, Governor Hawley's appointee, are ex-Governor James H. Brann, Governor P. E. Gooden, Supreme Court Justice James F. Allshie, ex-Congressman Thomas R. Hamer, C. W. Beall of Wallace and James M. Habb of Lewiston.

Among the bills to be introduced will be one providing for a public utilities commission, a state tax commission and recall of judges. Effort will also be made to secure submission of a statewide prohibition amendment to the constitution.

GOMPERS BLAMES MEN'S EMPLOYERS

Says Dynamiters Were Driven to Crime by Hours, Wages and Working Conditions.

(United Press Leased Wire.) Washington, Jan. 6.—Shifting responsibility for alleged dynamitings from the shoulders of the convicted dynamiters to those of the employers, Samuel Gompers, president of the American Federation of Labor, made a passionate plea today for the enactment of the Clayton bill regulating the issuance of injunctions in labor disputes. Gompers was witness before the senate judiciary committee, which is conducting hearings on the proposed injunction bill.

"The conscientious tyranny of those who control the hours, wages and conditions of work, and who are in control of legislative and judicial power drove the ironworkers to dynamiting. For six years this tyranny continued. All the forces of organized society were used against these men, while subtle minds were scheming and plotting, that legal authority and practice might aid in their breakdown."

"The grand jury is already in session, a District Attorney Evans wished to bring before the body some evidence in cases which have been brought out by the juvenile court."

ASSOCIATED CHARITIES WILL MOVE OFFICES

The offices of the Associated Charities will be moved Wednesday, Jan. 8, from the quarters at 505 Jefferson street, where they have been for the last seven years, to suite 411 Commercial building, Second and Washington streets.

The change is made to bring the office closer to the downtown and loop districts, and to provide greater privacy for persons who hesitate about entering and asking for help when the office is on the street floor, open to the view of passers-by, as at present.

"I have seen people walk back and forth across the street for half an hour trying to pluck up courage to come in," said Secretary V. R. Manning. "In the new quarters the entrance can be much more private."

JAIL DEPUTIES SING PRISONERS FAREWELL

Pathetic and touching ditties floated through the corridors and between the bars of the county jail this morning as a quartet, led by retiring Matron Cameron, and composed of Deputy Jailers Ed Kennedy, Perle Casey and George Yeaton, warbled farewell. With the change in administration of the sheriff's office these singers have been replaced with followers of Sheriff Word. Applause from the men and women over whom they have been in charge was hearty, and genuine sorrow at their departure was expressed by all. Tears from the women prisoners marked the farewells said to Matron Cameron. At the close of the concert the singers announced that they had positively made their last appearance within the walls of the Multnomah county jail.

Man Crushed in Sewer Ditch. Caught between a number of heavy timbers when they became dislodged at the bottom of the big sewer ditch under construction at East Twenty-second and Tolman streets at 10 o'clock this morning, John Ackman, 40 years old, employed by the Pacific Bridge company, sustained several fractured ribs and probable internal injuries. He was taken to the Good Samaritan hospital in a Red Cross ambulance. Ackman lives at 324 Gilbert road, Lents.

SPEAKERS LAUD OLD HICKORY

Democrats Have Plans Complete for Jackson Club Rally, Wednesday.



Judge Thomas C. Burke of Baker, who will be one of speakers at Jackson club banquet.

Some of the best talkers in Oregon will tell of the Democratic faith and Democratic purposes when Toastmaster John H. Stevenson opens the valve at the banquet of the Jackson club Wednesday night.

That will be the anniversary of Andrew Jackson's victory over the Britishers at New Orleans, and in honor of Old Hickory the first speaker, Governor West, will tell "What Jackson Would Do" if he were dealing with such problems as Woodrow Wilson has in front of him.

Eastern Oregon will have several places on the program, including Thomas Carriek Burke of Baker, who is to make "Casual Comments on Things Political," Walter M. Pierce of Hot Lake and Will M. Peterson of Pendleton. Burke was one of the delegates to Baltimore. Pierce was a candidate for the United States senatorship last year, and Peterson is one of the five men who will cast Oregon's electoral vote for Wilson next month.

There is a good demand for seats, and Secretary Phelan is uncertain how long they will hold out. There are many applicants from outside, for whom reservations are being made. It will be Democracy's first rally since the November verdict made the Oregon Democrats smiling and jolly.

This time the Democratic women are to be honored. Edith Tozier Wethered is to speak for the new voters, and will say how it looks "from a Woman's Point of View." Other speakers are John H. Smith of Astoria, Joseph N. Teal and Will R. King.

The feast will be spread at the Commercial club, where one year ago the club, at a similar event, looked forward to the visit of the first speaker, tickets for the affair can be had from Secretary Phelan, telephone Woodlawn 1678, or from the city editor of The Journal.

IT'S MOVING DAY AMONG THEATRES

Changes According to Recent Agreement of Owners Made.

Today is moving day for two Portland theatres. Bright and early this morning Manager "Billy" Pangle of the Hellig theatre, Seventh and Taylor, bearing under his arms a bundle of umbrellas, he hastened to the Baker, at Eleventh and Morrison, told Milton Seaman, the Baker's business manager, to "beat it" and took possession.

WOMEN AND CHILDREN ORDERED FROM MEXICO

(United Press Leased Wire.) El Paso, Tex., Jan. 6.—Representatives of two Mexican mining companies are today in receipt of advice from Washington to send out all American women and children, according to report here. The cause of the apprehension is not explained.

PREPARES BILLS FOR PERFECTING OREGON SYSTEM

Five Measures by Stephen A. Lowell Intended to End Menace of Hostile Criticism, Says Judge.

Five bills dealing with the Oregon system of election have been prepared by Stephen A. Lowell of Pendleton. In letters to members of the new legislature Judge Lowell declares the bills he presents are intended to end the menace of hostile criticism and to make the Oregon system "as near perfect as it can be made under existing conditions."

"In my judgment," he says, "unless the legislature finds some remedy for existing faults in the operation of the initiative, referendum and corrupt practices act, there is danger that the tide of public sentiment will turn against these laws, and those of us who believe in their value ought to be courageous enough to correct them in accordance with the demands of reason. I know that hitherto the legislature has hesitated to touch any of the measures adopted by the people, but surely the legislature has its place in the economy of government, and the people have a right to demand that the legislative assembly shall amend any law which manifestly requires amendment."

Number of Measures Restricted. One of the bills limits the number of measures that may be placed upon the ballot by initiative petition at any one election to not more than two constitutional amendments and not more than five general laws. This would prevent the submission of more than seven measures in addition to those that might be submitted by the legislature or arise under the referendum.

Measures are to be given place on the ballot in the order of filing, and the first to come would be the first served. Others would have to wait two years before gaining a place on the ticket.

Another bill proposes to permit candi-

dates for office to enter their names upon payment of a filing fee, without circulating petitions. The petition provisions are not repealed, however, and that method of nomination will yet be open.

Judge Lowell proposes in another bill to extend the present law regarding rotation of names on the ballot to general elections, and to all candidates where three or more persons are candidates. At present the law applies only to primary elections and to offices where five or more are in the running.

The other amendments suggested by the Pendleton man are to the corrupt practices act, seeking to further limit the expenditures of candidates for office. He plans to limit expenses incurred by a candidate or to be paid by him to 15 per cent of the first year's salary of the office to which he aspires in a primary campaign, and to 10 per cent in the campaign preceding the general election. These are made the maximum sums that may be expended by a candidate or in his behalf by a relative or business associate, or by others with his knowledge or consent, or by committees acting in his interest. Traveling expenses and hotel bills expended by a candidate in his campaign are not to be counted, and no candidate, whatever the salary, is to be restricted to less than \$100.

Second Choice Vote Urged. Judge Lowell wants these amendments supplemented by the passage of the second choice vote bill for primary elections, and in his letter says: "I assume that the legislature will pass over the governor's veto the meritorious Hesk bill, providing for second choice voting. In my judgment the veto by the governor of that bill was without justification."

"With a second choice ballot law, and the amendments which I have suggested, it seems to me that the Oregon system of government, so called, will be made so reasonable and fair, that all criticism will cease, and that behind it thereforward there will be a sustaining public sentiment."

DENY ALLEGATIONS OF RAILROAD COMPANIES

Denial of practically every allegation, general and specific, made by the railroad companies of the state in their bill of complaint against the enforcement of the so-called "Medford Rate Bill," is contained in the answers to the bill filed this morning by Attorney General Crawford, state officials, and members of the state railroad commission.

U. S. CONSUL LOOKS UP TURTLE SERUM

Makes Preliminary Report Advising State Department to Send Expert.

Berlin, Jan. 6.—Following a superficial examination of the turtle serum tuberculosis cure said to have been discovered by Dr. Friederich Frans Friedmann of Berlin, United States Consul Alexander M. Thackara published today a brief report on his inquiry, which was not conclusive.

He said the state department had instructed him to investigate Dr. Friedmann's living bacilli. Thackara said he had not investigated the merits of the treatment itself, as he was not qualified to act as an expert, but he recommended that the state department send a medical expert to make further investigation of the Friedmann cure. Patients from the United States are beginning to arrive in Berlin to take the "cure."

In the United States district court. Judge Bean set next Monday, January 13, as date of hearing in the case.

The Medford rate bill, which has to do with a readjustment of freight rates on common carriers of the state, was an initiative measure passed at the November general election. In asking for a temporary injunction against the operation of the bill by the state officials, railroad companies claim that the measure is arbitrary and unreasonable in its requirements and in violation of constitutional rights and federal statutes.

BATTERED SHIPS CRAWL TO PORT

Worst Storm in Years on California Coast Causes Shipping to Avoid the Sea.

(United Press Leased Wire.) San Pedro, Cal., Jan. 6.—Badly damaged but safe in port, several coasting vessels are waiting for what veteran water front men declare was the worst storm on the Pacific coast in years, to pass.

The steamer Fairhaven, with lumber from Port Gamble, was compelled to jettison a portion of her deck load before she made port. Sand, according to Captain Paulsen, blew in such clouds over the vessel that it was impossible to see across the bridge. This was in spite of the fact that the ship was six miles at sea when struck by the full force of the storm.

The steamer Phoenix, from Eureka, arrived badly battered, with her crew exhausted and her 11 passengers terrified after their long battle with the storm. Captain Kokarta declared the sea to have been the severest he has experienced in 20 years on the Pacific coast. Government lights, usually seen 20 miles at sea, were invisible 500 feet away.

Fishing Boats Lost. (United Press Leased Wire.) Redondo Beach, Cal., Jan. 6.—Several small fishing vessels are lost, having pulled their moorings during the storm. No lives are reported lost. The severest wind in the history of Redondo Beach swept the water front for 12 hours, reaching at times a velocity of 60 miles an hour.

Gale at Long Beach. (United Press Leased Wire.) Long Beach, Cal., Jan. 6.—Shipping is safe here according to latest reports from the water front. The gale reached a velocity of 34 miles an hour.

The invention of a process for ripening peaches by high tension electricity, discharged directly upon the fruit, is claimed by an Englishman.

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