

# LEVEE INVESTMENT OF S. P. CO. SHOWN AS BEING \$62,947

### Figures Compiled by State Railroad Commission in Reference to Plan to Eject the Road From Premises.

Figures compiled by the Oregon State Railroad commission show that the total investment in physical properties, including repairs and renewals, by the Southern Pacific company in the public levee property at the foot of Jefferson street in Portland is \$62,947.

The figures were compiled by the commission as the estimated cost of reproducing all the physical properties of the railroad on the levee property, and are especially interesting in view of the recommendation of the State Railroad Commission, which is to prevent possible injuries, would cost \$50,113 to build anew, the commission shows. There are 1400 feet of piles, 7000 lineal feet in place, which would cost \$14,000; 1,254,000 feet of lumber, costing \$29,783; 18,000 pounds of wrought iron, costing \$900, and 1400 cubic yards of filling, estimated at \$4500.

**Estimate of Cost.**

The cost to reproduce the two warehouses, one in poor condition containing 3896 square feet area, and the other in fair condition, containing 4290 square feet, is placed at \$3617 and \$3910 respectively. The value of the turntable is placed at \$1219.

There are 797 feet of track on the dock, valued by the commission at \$433, and the value of the passenger depot, according to its actual cost in 1912, is named as \$3415.

In addition to the railroad company, says the commission, in repairs and renewals from June 30, 1908, to June 30, 1912, has expended \$15,204.20.

After a thorough investigation of the rights of the Southern Pacific on the public levee, in which he himself took a part, Governor West has recommended in a letter to the coming legislature, under date of January 1, that all rights claimed by the company be revoked and that the levee be turned over to the city.

Following the governor's recommendations would place the administration of the property entirely in the hands of the city. The city would be left free to conduct negotiations and make such arrangements with the railroad in future as it sees fit.

The governor has declined to consider the proposal of the Southern Pacific to vacate the river front of the property but to be permitted to retain its terminal and trackage rights. He declares that the railroad holds no rights to the property except as a licensee of the state, and that this license may be revoked at any time.

**Urged to Expedite.**

In recommending this action, he specifically urges the legislature to repeal the act of 1885 by which an attempt was made to grant the property to a predecessor of the present railroad company.

Among the governor's letter are briefs submitted by Senator C. C. McCulloch, of Baker, and A. A. Jayne of Portland, who made exhaustive investigations. The governor's letter follows:

"By Senate Concurrent Resolution No. 19, passed at the last session of the legislature, this office was authorized and empowered to investigate the facts and examine the law in reference to the claim of the Southern Pacific company to the 'Public Levee' on the Willamette river between Jefferson and Clay streets, in the city of Portland, and to take such steps as it might deem advisable to best protect the rights and the interest of the state therein.

"Agreeable to these instructions, I beg to report that I have not only made a personal investigation of the matter but have received able assistance from City Attorney Grant and Deputy City Attorney Latourette, Hon. A. A. Jayne and State Senator C. C. McCulloch. The results of this investigation are embodied in certain reports which are submitted herewith for your consideration.

"I am of the opinion—

First.—That the property was originally dedicated to the use of the public;

Second.—That the legislature has power to regulate the use but is without power to permit its being diverted to uses not consistent with the terms of the dedication;

Third.—That the legislature might have made the railroad company its agent and authorized a use of the premises in keeping with the conditions under

which the dedication was made but could not go further.

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

City of Portland to Control.

"Fifth.—That the act through which it was attempted to grant this property to the railroad company should be repealed, thus revoking the license.

"Sixth.—That the property should be turned over to the city of Portland to be devoted to the uses intended by the donors.

"If these recommendations are followed it will place the authorities of the city of Portland in position to adjust the matter in such a way as will be consistent with the uses to which the property was dedicated and at the same time do justice to the city, the railroad and all others concerned."

Respectfully,  
OSWALD WEST,  
Governor.

In the investigation, the Governor was guided to great extent by a plan of action outlined by Senator McCulloch. In this plan, which accompanies the data turned over by the Governor, Senator McCulloch says:

"The best procedure, in my opinion, would be to gather all the facts pertaining to the premises, their history, use, etc., take these before the legislature, with a carefully drawn bill, repealing the act of 1885 and expressly revoking the right of the Southern Pacific further to occupy the premises, selecting the Southern Pacific therefrom, repossessing the state thereof, giving the Southern Pacific a reasonable time to make its connections elsewhere, and authorizing the executive department of the state to pay the reasonable value of the railroad's improvements, making an appropriation therefor, and authorizing the legal department of the state to institute the necessary proceedings for the recovery of possession to the state.

**History is Interesting.**

"Why this procedure?" McCulloch continues. "If the state can only put the professor in interest of the Southern Pacific in its license and agency act it can revoke its license and agency at will and resume possession in its own right. This it can only do through the same power that created the license and agency—the legislative power.

"When the legislature properly drawn act, the only defense of the Southern Pacific is that the act of 1885 was more than a license."

The history of the public levee property, which is bounded by the Willamette river, Water, Jefferson and Clay streets, is interesting.

The property is part of the old Stephen Coffin donation land claim. In 1865, for the consideration of one dollar, Stephen Coffin and his wife granted and sold to the city this property "to have and to hold the same to said city of Portland forever as use for a public landing or levee." This deed, however, reserved to Coffin the rights for a ferry on the premises. Afterward, in 1871, in consideration of \$2500, Coffin executed another deed to the city which contained no such reservation.

In 1885, the legislature passed an act giving to the Portland & Willamette Railway company "whatever title the state of Oregon has herein and may legally convey and grant to the rights, easements, privileges and property."

It is on this act, the validity of which is denied by the Governor and the able attorneys who have investigated the case, that the Southern Pacific, the successor of the old Portland & Willamette Railway company, bases its claim.

**DENIES EVIDENCE INDICATIVE OF FRAUD**

Declaring that evidence at hand does not lead him to believe C. A. Smith, millionaire lumberman of Minneapolis and San Francisco, is scheming to defraud investors in his \$4,500,000 bond issue, United States District Attorney McCourt has replied to Attorney Horace Stevens, who made the charge.

Stevens recently charged Smith with criminal misuse of the United States mail in connection with advertising the bond issue, which is secured by approximately 181,811 acres of timber lands in Oregon and California. Thousands of acres of the land claimed by Smith in Oregon, Stevens asserts, does not belong to Smith or any of his subsidiary companies, and on this ground he charges fraud.

In a written reply, Mr. McCourt reviews the charges and concludes that there is not, in his opinion, any necessity for Smith to devise a scheme to defraud, and that the security offered is sufficient to protect the bondholders.

Even if evidence of fraud were ample enough to warrant proceedings, continues Mr. McCourt's letter, the case would be out of the jurisdiction of federal officers of this district, because the circular on which the charge is based was mailed to San Francisco from Chicago and was not received in Oregon.

Commenting on the communication, Attorney Stevens said today that he probably would take the matter up with the United States district attorney of California, in the view of seeing whether he could have proceedings started against Smith there.

**EXCESS CONDEMNATION PROVISION IS READ**

The first draft of the excess condemnation act providing that the city can take charge of street extensions and widenings and acquirement of park areas without respect to private property in the majority of cases, was read by Arthur Langguth, chairman of the legislative committee, Saturday, before the committee of the Greater Portland Plans association in joint session at the Commercial club.

V. Vincent Jones, chairman of the committee on parks, was instructed to have audience with the park board and ascertain how nearly the programs of the board and association for park extension harmonize before the organization is committed to support of the plan announced by Park Superintendent E. T. Mische to resubmit the proposal for park bonds.

Various committee reports anticipatory of the association's regular meeting next Wednesday evening in the auditorium of The Journal building were made.

**MEDFORD LADS WILL SEE PANAMA CANAL**

(Special to The Journal.)

San Francisco, Cal., Jan. 13.—Fred and William Hopkins are two youthful mechanical geniuses, whose dreams of seeing vast works of construction are about to be realized. They are in San Francisco with their parents, en route to the Panama canal zone, where they will be taken over the entire scheme of operations by army engineers.

The father, Fred, Hopkins, is a land operator of Medford, Ore., and is making the Panama trip solely because of his great interest in the work which his sons have manifested. Since they have been able to read, blue prints and specifications, they occupied the time of Fred, who is 13 years of age, and his brother William, aged 10.

The family are guests at the Palace. They will sail for the canal zone Wednesday.

## The Domestic Sewing Machine

—Is the best machine made and is sold with a 25-year guarantee.

**\$1 Down, \$1 Week**

—Puts a Domestic machine in your home. Prices range from \$32.50 to \$85.00.

One-Quarter Off on All Picture Framing

## Beautiful Linens at Clearance Prices

### ODD TABLE CLOTHS

—These cloths are of Irish manufacture, are made of satin finish double damask, and were entered in the Custom-House as over-weight. They are woven into exquisite flower patterns, and there are cloths suitable for round, oblong and square tables.

- \$ 6.00 Cloths, 2x2 yards, Clearance.....\$4.25
- \$ 8.50 Cloths, 2 1/2x2 yards, Clearance.....\$5.50
- \$10.00 Cloth, 2 1/4x2 1/4 yards, Clearance.....\$7.00
- \$11.00 Cloths, 2 1/2x2 1/2 yards, Clearance.....\$7.50
- \$12.00 Cloths, 3 1/2x2 yards, Clearance.....\$7.75

### NAPKINS

—Grass bleached pure Irish linen napkins of heavy weight. Many beautiful patterns from which to select.

- \$4.50 Napkins, 24x24-inch, Clearance.....\$2.98
- \$5.00 Napkins, 24x24-inch, Clearance.....\$3.69

**\$1.00 TABLE DAMASK, CLEARANCE 69¢ YARD**

—Table damask 70 inches wide in a large variety of patterns. Beautiful designs in scroll, dot and conventional patterns. Of heavy weight and very firmly woven.

### ART LINENS 43¢ EACH

—In this lot are 18-in. round doilies with linen centers and wide lace border; hemstitched eyelet embroidered centerpieces 30x30 inches, and 18x50-in. lace edge scarfs with drawn linen centers.

### CLEARANCE OF LINEN PIECES

—Fine quality Irish linen pieces with scalloped edges and neat embroidery designs.

- 12 inches, round, Clearance, each.....\$ .22
- 24 inches, round, Clearance, each.....\$ .85
- 36 inches, round, Clearance, each.....\$1.53
- 45 inches, round, Clearance, each.....\$2.10
- 18x27-inch Trays, Clearance, each.....\$ .67

—Basement



## She Who Hesitates Is Lost So Decide at Once

To come to our millinery department and select one of these ideal midseason untrimmed hats, which were formerly sold at \$4.00 and \$5.00, but for clearance have been marked at

**CLEARANCE \$1.25 EACH**

—There are both dress and street hats for misses and women in a variety of sizes and shapes. Black and blue velvet and a combination of black and white—black velvet shapes with narrow white grosgrain ribbon all around edge of brim, band of white ribbon around crown and bow on side.

—A number have satin or plush crowns, and there is the popular Tam O'Shanter shape in red, brown, blue and black velvet, as well as small turban shapes.

—Second Floor

## The White Sale for Infants Has Many Reductions to Offer

**\$1.25 AND \$1.35 DRESSES, CLEARANCE 95¢**

—Infants' short dresses made of lawn or nainsook, with high or low necks and long or short sleeves. Skirts prettily trimmed with fine Swiss embroidery and tucks, or embroidery insertion and lace edging. Made square or high necks and with or without yokes. Sizes for six months, one and two-year infants.

**\$1.00 AND \$1.25 DRESSES, CLEARANCE 50¢**

—A special lot of children's French dresses, made of lawn in long waisted style, with square necks. Daintily trimmed with cluster tucks or embroidery and lace insertion. All have short sleeves, and skirts are finished with tucked ruffles, plain hems or deep tucks.

**75¢ AND 85¢ DRESSES, CLEARANCE 59¢**

—Short dresses for six months, one and two-year-old infants.

—These have square neck with yokes of dainty Swiss embroidery, lace insertion and edgings, and short sleeves. A few have high neck and long sleeves with yoke of fine embroidery, and are finished with lace insertion and edgings. Materials of fine longcloth.

**50¢ DRESSES, CLEARANCE 29¢**

—Dainty little dresses of longcloth with yoke of hemstitched tucks or tucks, lace insertion and edging. Also embroidery, tucks and lace edging. Skirt finished with plain deep hem.

—Fourth Floor

—White, gray and fancy Plaid Wool Blankets—full weight and size—at greatly reduced prices. Have pretty fancy striped borders of blue, pink, yellow or brown. All made of selected quality long, fine, wool.

- 11-4 Size Wool Blankets, Clearance.....\$2.95
- 11-4 Size Wool Blankets, Clearance.....\$3.45
- 11-4 Size Wool Blankets, Clearance.....\$3.95
- 11-4 Size Wool Blankets, Clearance.....\$4.45
- 11-4 Size Wool Blankets, Clearance.....\$4.75
- 11-4 Size Wool Blankets, Clearance.....\$4.95
- 11-4 Size Wool Blankets, Clearance.....\$5.45
- 11-4 Size Wool Blankets, Clearance.....\$5.95
- 11-4 Size Wool Blankets, Clearance.....\$6.95
- 11-4 Size Wool Blankets, Clearance.....\$7.45
- 11-4 Size Wool Blankets, Clearance.....\$8.95
- 11-4 Size Wool Blankets, Clearance.....\$9.45
- 11-4 Size Wool Blankets, Clearance.....\$12.85

### COTTON FLEECE BLANKETS REDUCED

- 10-4 Size Cotton Fleece Blankets, Clearance.....57¢
- 10-4 Size Cotton Fleece Blankets, Clearance.....69¢
- 11-4 Size Cotton Fleece Blankets, Clearance.....89¢
- 11-4 Size Cotton Fleece Blankets, Clearance.....\$1.12
- 11-4 Size Cotton Fleece Blankets, Clearance.....\$1.29
- 11-4 Size Cotton Fleece Blankets, Clearance.....\$1.47

## Annual White & Clearance Sales

All merchandise absolutely New-Bear this in mind.

# Sipman Wolfe & Co

"Merchandise of Merit Only"

Doll Hospital Mezzanine Floor

January Sale of Marble and Bronze Statuary and Bric-a-Brac All to Be Sold at Very Low Prices. 6th Floor

## If You Want to See Lively Selling Tuesday Attend This Sale of Finished Needlework Pieces

# Prices One-Quarter Off Regular

## Beautiful Pillows, Centerpieces, Scarfs, Waists, Cushions

**OVALS, CENTERPIECES AND SCARFS** \$5.00 AND \$5.50 FINISHED PILLOW TOPS

**Tuesday, Clearance \$2.95** **Tuesday, Clearance \$2.45**

SELLING REGULARLY AT \$10 TO \$17.50

—Pillow covers of linens, crashes and mercerized materials worked in Grayona and D. M. C. cottons. Purchased in the regular way these finished cushions would sell as high as \$12.50 each.

—These handsome pieces are worked in Royal Society cotton on linen and crash. The designs are unusually attractive and effective.

**\$1.75 JAPANESE PILLOW TOPS** **\$5.00 AND \$10.00 CENTERPIECES**

**Tuesday, Clearance 95¢** **Tuesday, Clearance \$2.45**

—Gold embroidered Japanese mandarin pillow tops on colored satins. In the dragon, eagle and beetle designs.

**\$3.25 ELK PILLOW TOPS.** **Tuesday, Clearance \$1.65**

—Pillow tops of heavy satin in the official purple Elk shade embroidered in gold, showing the elk head and the clock and "B. P. O. E." in gold letters.

**CRETONNE PIN TRAYS** **Tuesday, Clearance 10¢**

—These dainty little trays for the dressing table are of a deep blue and white cretonne with glass covered bottom, finished on the edge with dainty braid.

**From Liberty Co. London**

—We are exclusive representatives of this famous English retail store for all their departments. New arrivals in London Spring fashions will shortly be on exhibition.

**TAPESTRY CUSHION TOPS THAT SELL REGULARLY, 50¢ TO \$5.00 TUESDAY CLEARANCE One-Quarter Off**

—For Xmas selling a delayed shipment of exquisite cushion tops from this famous house are now being shown. These tops are of tapestry in Herldick and conventional patterns. Of materials that are made to Liberty's special order.

**IMPORTED ENGLISH PILLOW TOPS** **Tuesday, Clearance 39¢**

—Made of light tan tapestry material, executed in a most attractive floral and conventional design, with border to match.

**ROYAL SOCIETY CENTERPIECES** **Clearance, Tuesday \$1.75**

—If purchased in the regular way these centerpieces would cost up to \$6.50 each.

—Of fine white linen, hand embroidered in white mercerized cotton in all white designs, in deep blue and white with dainty colors, offering a very extensive choice.

**ROYAL SOCIETY FINISHED WAISTS** **Tuesday, Clearance \$1.45**

**REGULARLY PRICED AS HIGH AS \$5.00**

—Waists in white voile, batiste and mulls exquisitely hand embroidered in white, deep blue and the new and fashionable Bulgarian designs.

**\$2.75 AND \$3 FINISHED PIN CUSHIONS** **Tuesday, Clearance \$1.39**

—Attractive hand embroidered pin cushions of white linen, worked in white mercerized cotton in most effective design. Some are strung with white ribbons, others with pastel colored ribbons. These cushions come complete with filling, ready for use.

**65¢ TO \$1.75 SILK REPP CENTERPIECES** **Tuesday, Clearance 48¢**

—Centerpieces, scarfs and pillow tops of a heavy quality repp silk in attractive colors.

**FILET LACE TRIMMED CENTERPIECES** **Clearance One-Fourth Off**

—Scarfs and squares and oval shapes in centerpieces of a fine, soft, pure white linen edged and trimmed with handsome filet lace.

—Second Floor



## Exclusive Agents for the Hartman Trunks

### First Showing of 1913 Hartman Trunks

—We have just received our first shipment of the 1913 models in Hartman's wardrobe trunks, a trunk that fills a long-felt want. These famous trunks are now on sale and exhibition in our trunk section in the basement.

—The Hartman trunk is the one trunk that will carry clothing without creasing or wrinkling the garments. Their capacity in small space is astounding, and the convenience of every arrangement makes traveling a real pleasure.

**FOR \$16.50** —"Berth-high," with square corners, made of three-ply veneer. Canvas-covered, with brown fiber binding, 5 1/2-inch slats on top. Three cleats on bottom. Flat brass trimmings. Single trolley, new style hangers and compressor. Has one removable partition in body of trunk. Cloth lined.

**FOR \$32.50** —Round-cornered, reinforced, slatless, berth-high, 43-in. trunks, with three-ply basswood veneer. Canvas-covered, in maroon color, with black fiber binding. The interior has a double trolley and fancy striped lined throughout. The trimmings are all riveted.

**FOR \$75.00** —Rite-hits style trunk, caratol covered in a maroon shade, with brown fiber binding. Heavy brass-plated, round-corner trimmings. Has swing box in hat compartment, with one sliding partition, and hat carrier plate. Box to be made so that same can be used for ladies' hats by leaving lid open. Three drawers below, with lock on top drawer. Gentleman's tie tapes in lower drawer. Lined with linen.

**FOR \$90.00** —A 45-inch Gibraltarized Rite-hits trunk, covered with blue-black caratol and rawhide binding. New interchangeable drawers and hat compartment. Three drawers below and lock on top drawer. Men's hat tapes in bottom drawer. One large box in bottom of wardrobe section. Has tan striped lining, faced with blue shade of moire caratol and purple pad on lined end.

**FOR \$22.50** —A 45-inch closed top wardrobe trunk with square corners. Made of three-ply veneer with dops. Cloth-lined, all riveted. Has a single trolley and simplified hangers. Canvas-covered, with white fiber binding and simple trimmings. Canvas-covered, with white fiber binding and simple trimmings. Canvas-covered, with white fiber binding and simple trimmings. Canvas-covered, with white fiber binding and simple trimmings.

## 50 CENTS Ends Stomach DISTRESS

## Mi-o-na Stomach Tablets the Real Remedy for Indigestion Gastritis or Dyspepsia

Take them and all stomach misery will surely go in five minutes, and after using MI-O-NA for just one day you will rejoice and be sincerely thankful that at last you have found a prescription that acts quickly and makes the stomach feel so comfortable.

Just as soon as you start to take MI-O-NA stomach tablets fermentation of food will be a thing of the past. Water-brash, pain in the stomach, belching of gas and heartburn will disappear, and in a few days danger of dizziness, biliousness, nervousness and sick headache will vanish.

For sea or car sickness, vomiting during pregnancy, or the morning after a night of sociability, MI-O-NA is a better than any remedy you can find. Large box 50 cents at druggists everywhere.

MI-O-NA stomach tablets are rigidly guaranteed to do just as advertised by money back.

For Stomach trouble or indigestion MI-O-NA can't be beaten. MI-O-NA has done a world of good for me when doctors failed.—Mrs. Cordella B. Mann, 107 E. 11th St., Junction City, Kans.