

WATERFRONT ACT IS CALLED VICIOUS

E. E. Covert Assails Jackson-Mulkey Amendment, Which Is to Be on Ballot.

CONFISCATION IS SEEN

Attacker Denies Interest as Lawyer in Case and Puts Questions to Proponents About Effect on Owners, Farmers and Others.

That the so-called waterfront amendment to be voted on by the people in November is confiscatory in purpose and therefore pernicious; that it is unconstitutional; is freak legislation and should not be on the ballot are charges made against the measure by E. E. Covert, who has long studied the legal aspect of tidal lands and water and riparian rights.

Title Query Asked.

He also asks those behind the bill to set forth what will become of the title to unimproved lots on the waterfront of Portland and Astoria, and also if the clause in the act which purports that the state can never be divested of ownership by decree of any court is not an attempt to place the title to the waterfront in the hands of the state, and if so, what jurisdiction of the courts.

He also asks detailed information as to the removal of waterfront property, as having been left to the state after the grant of 1874-76. Mr. Covert said: "I dislike to be drawn into a newspaper controversy. I have no idea of starting something when I sent to the editor of The Oregonian my humble views on the Jackson-Mulkey waterfront amendment. The Journal startled me with an editorial, under the caption 'Covert vs. Covert,' which made me realize how it would seem to be sued for a divorce. Friday's Journal brought forth from Mr. Mulkey a long assignment of errors—mine, based mostly on a failure on my part to observe a punctuation mark in my letter.

Interest as Attorney Denied.

"I said that the proposed measure would have no effect whatever on the rights of shore owners on the Willamette River, down to low-water mark, as being contrary to the Federal Constitution. The unimproved waterfront, as far as the measure passes—what right would the state or city have to construct a dock between a shore owner's low-water line and a navigation line, without compensation, even though the shore owner had never erected a dock? Will Mr. Mulkey answer?"

Act Is Quoted.

"Here it is: 'The beds of the navigable waters of the State of Oregon, at bank-full stage, are hereby declared subject to public use for water commerce, navigation and improvement in aid thereof. The state's title thereto is in trust, for the benefit of the people, and is hereby declared to be perpetual and forever inalienable. Nor shall the state by any claim based upon the filling or reclamation of submerged lands, or by any grant, license, franchise, permit, equitable estoppel, adverse possession, judgment or decree of any court, act of omission, or commission of any Government agency, or otherwise, ever be divested or absolved of its trust to maintain said beds for said stream at bank-full stage, subject to public use for the benefit of said water commerce, navigation or improvements in aid thereof.'

Title Deemed Valid.

"The shore line of Portland and extending to the mouth of the Willamette, amounting in value to more than \$20,000,000, was granted in 1874-6 to the upland owners, under the grant of 1874-6. The only compensation provided for, being where docks are taken within city limits, erected on submerged lands, under the franchise act of 1862.

Confiscation Is Interpreted.

"This, if effective, will confiscate all shore lands, up to bank-full stage, Willamette River, under the grant of 1874-6. The only compensation provided for, being where docks are taken within city limits, erected on submerged lands, under the franchise act of 1862.

Astoria Case Referred to.

"Also, what will become of the title to thousands of dollars' worth of water lots in the waterfront of Portland and harbor line, upon which no structures have ever been built? What about the many valuable unimproved lots in Scow Bay, in Astoria, platted between the low water line and harbor line? Will these be confiscated?"

Will Mr. Mulkey Answer?

"If the state is prohibited from disposing of any more lands below bank-full stage, what will become of all the unsold, undeveloped tidelands on our navigable streams near the coast? The state will never go into the diking

business, and no one will get to that expense unless he gets title. Let Mr. Mulkey answer.

"If a manufacturing concern desires to locate on the waterfront of the Columbia River for mill or other purposes requiring large waterfront area, if this measure passes, on which side will he go—on the Oregon or Washington?"

Farmers' Right Argued.

"Will the farmers along the Willamette who for 50 years have shipped their produce from docks and mud flats to the banks of this stage, be compelled hereafter to lease this privilege from the state?"

"What about the seining grounds in the Columbia, heretofore purchased from the state, that change every year by accretions—will they be deprived of their accretions, and be compelled to lease from the state in order to operate their seines? Will Mr. Mulkey answer?"

"What is the meaning of the clause

HEALTHY SPECIMEN FOURTH GENERATION ON TRIP.



Little Harold Judd Fish, whose mother, grandmother and great-grandmother are all living, has just left Oregon with his mother for a visit in Idaho, where he is to spend the summer. The boy is the son of Harold Judd Fish, of The Dalles, his grandfather being Judd Fish, ex-Mayor of that city. He is a nephew of Mrs. John D. Twamy, Jr., formerly of Portland, and now of Spokane.

in the measure to the effect that no judgment or decree of any court will ever divest the state of its ownership in trust? Is it not an attempt to place the vicious effect of the measure beyond the aid of the law of the land as administered in our courts of justice?"

"Will Mr. Mulkey answer?"

"And finally, will the Journal man kindly explain what the remnant of waterfront consists of, which was left to the state after the grant of 1874-6—unimproved shore land down to low water on the Willamette, unimproved submerged land between low water and navigation line on the Willamette, or unsold shore land outside the Willamette?"

HIGH SHRINERS COMING

ROYALTY OF ORDER DUE TO ARRIVE HERE TUESDAY.

Portland Lodges of Al Kader Temple Plan Rousing Welcome for Nobles—Eight in Party.

Fred Smith, of Rochester, N. Y., imperial potentate of the Shrine, accompanied by several of the "Shrine royalty," is due to arrive in Portland next Tuesday at 2 P. M. Advice to that effect have been received in Portland.

Arrangements for the reception of the imperial officers have been in charge of Illustrious Potentate Harvey Heckwith, of Al Kader Temple, and a committee of the local Shrine.

The distinguished visitors will be conducted to the Multnomah Hotel by the Arab patrol and later will be guests of eight-day tours in automobiles. At 6 o'clock the scene of festivity will be transferred to the Army, where a class of initiates will be "put through" a banquet with unusual and unusual embellishments will follow.

To perfect plans for the entertainment of the Shrine of Portland, a business meeting was held Tuesday morning at 11 o'clock. The committee, consisting of a 60 days' tour of the United States during which he will visit 33 temples. When he arrives in Portland Tuesday he will be accompanied by the following: William S. Putnam, Stevens, imperial deputy potentate, of Portland, Me.; Henry F. Niedringhaus, Jr., imperial chief rabbi, of St. Louis, Mo.; William S. Brown, imperial treasurer, of Pittsburgh, Pa.; J. T. Jones, imperial captain of the guard, from Oklahoma; Ellis L. Garrison, imperial first advisor, from Tacoma; J. Henry Lewis, honorary member and representative of Osman Temple, St. Paul, and W. O. Washburn, potentate of Osman Temple, of St. Paul.

CITY MILK OFF FOR TEST

With 200 pints of milk in bottles carefully sealed and packed in ice, Dr. D. W. Mack, chief of the city milk inspection bureau, left last night for North Yakima, Wash., to enter the contest to be held there under the direction of the Federal Government in conjunction with an agricultural fair, to ascertain what city of British Columbia, Washington, Idaho and Oregon has the purest and best milk supply. Four pints were taken from each of 50 dairymen.

The milk will be tested for flavor, color, butter fat and general purity for the highest average score. The samples in the contest must represent 80 percent of the city's entire supply. The contest will be held under the direction of E. H. Bothell, of the United States Bureau of Animal Industry.

BABY BUFFALO IS BORN

Martha Washington and Joe Wheeler Present Youngster to City.

A wobbly little baby buffalo, the first to be seen in the Washington Park zoo in several years, was born there early yesterday. The creature, with a big head and a small body, was born to "Martha" Washington, one of the old zoo buffaloes. The father is "Joe Wheeler," one of the late arrivals at the zoo.

This is the fifth buffalo born in the zoo and increases the number of buffalo in the herd to eight.

A new tack hammer for home use has a container for tacks on its handle.



The Wind-Up at Hand

Everything Comes to an End, Even a Fire Sale

To those who need what we have to sell and who have delayed buying until now, we give warning to delay no longer. Our stock of smoke-damaged

Furniture, Carpets, Stoves, Ranges, Etc.

is being rapidly depleted. It is only a question of days when this splendid buying opportunity will be gone. Any sane, thinking person who reads the list below knows that great bargains are to be had. Shop all over town if you will, but reserve your purchase until you come here and see prices that withstand all competition.

If Economy Is a Consideration, Be Guided by These and Hundreds of Other Such Bargains at

The Morgan-Atchley Furniture Co.

Grand Avenue and East Stark

\$20 full-size Brass Bed, with continuous post, now... \$13.35	\$35 Mahogany \$17.50	\$35 Chiffonier, of finest quarter - sawed golden oak, now... \$17.50	\$25 Solid Oak Dining Chairs, fumed oak, golden finish, now... \$1.68
\$27.50 full-size Pine Art Brass Bed, now... \$31.50	\$31 Dresser of quarter-sawed golden oak, now... \$16.00	\$25.50 Dresser, of quarter-sawed golden oak, now... \$16.25	\$4.50 Baby High Chair, in golden oak, now on sale for... \$2.95
\$42.50 full-size Colonial Style Bed, in mahogany, now... \$28.50	\$40 Mahogany Chiffonier, scroll Colonial design, now... \$23.65	\$35 Dresser, of birdseye maple, now on sale for... \$21.00	Three-piece Upholstered Parlor Suite, mahogany finished frames, now on sale for... \$11.00
\$37.50 full-size Bed in birch, mahogany finish, now on sale for... \$25.25	\$15 Dressers in mahogany finish or golden ash, now... \$9.75	\$36 Princess Dresser, of quarter - sawed golden oak, now... \$18.50	\$39 Buck's Double-Oven Sanitary Base, Platform Gas Range, five-burner, now... \$25.00
\$25 full-size Bed in quarter-sawed golden oak, now... \$10.75	\$25 Chiffonier, in mahogany, now... \$15.00	\$18.50 Solid Oak Princess Dresser, now... \$11.75	\$117.50 Buck's Honey Moon Cookstove on sale for... \$7.85
\$4.00 Center Table, in mahogany finish, now... \$2.65	\$27.50 Dresser, for the mahogany, for... \$26.50	\$27.50 Solid Oak Dining Table, fumed oak, now... \$11.35	\$22.50 Buck's Four-Burner Gas Range on sale for... \$16.00
\$12.50 Fine Mahogany Center Table now... \$7.50	\$30 Hall Tree, of quarter-sawed golden oak, now... \$11.35	\$42.50 Dining Chairs, of quarter-sawed golden oak, with leather-slip seats, now for... \$3.00	\$41.50 Buck's Victoria Steel Range on sale for... \$29.85
\$8 Mahogany Center Table now... \$4.85	\$27.50 Hall Tree, in fumed oak, now... \$16.00	\$4.25 Dining Chairs, of quarter-sawed golden oak, with leather-slip seats, now for... \$2.79	\$35 Buck's Star Range, duplex grate, sand, iron base, now... \$24.65
\$3 Center Table, in quarter-sawed golden oak, now... \$3.95	\$7 Bedroom Rocker, of California walnut, now for... \$4.10	\$45 Large Buffet, in the fumed oak, now... \$21.25	\$22.50 Buck's Air-tight Heater now at... \$12.85
\$12 Pedestal-Base Dining Table in the royal oak, six feet extension, now on sale for... \$6.75	\$22.50 slightly damaged Buffet in quarter-sawed golden oak, now on sale for... \$12.65	\$45 Baby High Chair, in golden oak, now on sale for... \$2.95	\$12.50 Buck's Air-tight Heater now at... \$7.65
\$27.50 Pedestal-Base Dining Table, eight-foot extension, of all quarter-sawed golden oak, now on sale for... \$15.65	\$45 Large China Cabinet, in the fumed oak, now... \$18.75	Three-piece Upholstered Parlor Suite, mahogany finished frames, now on sale for... \$11.00	
\$35 China Cabinet in quarter-sawed golden oak, now... \$19.55	\$25 Pedestal Dining Table, (fumed oak, six-foot extension, slightly damaged, now... \$8.95	\$39 Buck's Double-Oven Sanitary Base, Platform Gas Range, five-burner, now... \$25.00	
\$45 Fine Buffet, of quarter-sawed oak, golden or fumed, now... \$24.00	\$27.50 Massive Pedestal Dining Table of quarter-sawed golden oak, ten-foot extension oak, now on sale for... \$31.65	\$117.50 Buck's Honey Moon Cookstove on sale for... \$7.85	
\$135 set of Mrs. Potts' Sad Irons, now on sale at... 65c	\$23.50 Golden Oak Morris Chairs of the push-button type, now... \$16.00	\$22.50 Buck's Four-Burner Gas Range on sale for... \$16.00	
\$12 Combination Hall Tree and Umbrella Stand, with mirror, now... \$1.98	\$1.50 White Nottingham Lace Curtains, now the pair... 95c	\$41.50 Buck's Victoria Steel Range on sale for... \$29.85	
\$25 Oak - Framed Hall Mirror now on sale for... \$1.35	\$50 Fine Large Bookcase, of quarter-sawed golden oak, now... \$31.90	\$35 Buck's Star Range, duplex grate, sand, iron base, now... \$24.65	
\$75 Davenport, with frame of quarter-sawed golden oak, seat cushion and three back cushions, covered in leather, now... \$48.75	\$125 yard Tapestry Brussels Carpet, now for... 39c	\$22.50 Buck's Air-tight Heater now at... \$12.85	
	\$1.75 yard Axminster Carpet, now... \$1.05		

Fire Sale Bargains in Crockery and Utensils Free Delivery to Any Part of the City or Suburbs

Morgan-Atchley Furniture Co.

Grand Avenue and East Stark

PLAN STILL FOUGHT

More Trouble Due Tomorrow Over Vaccination Order.

PARENTS MAKE STATEMENT

Committee Says Dr. Marcellus' Assertion Most People in Mount Scott Favor Immunizing Is Not Accurate.

More trouble over the order issued by the City Health Department that all children under the age of 15 years be vaccinated tomorrow morning at 10 o'clock, was expected tomorrow morning when the schools open for their second week.

A number of parents of the district still are up in arms against the proposition despite the fact that City Health Officer Marcellus has announced that he intends to carry out his original plan.

School medical inspectors will be at the schools in the morning to conduct a further investigation of the conditions. So that the health department will be within the law, Dr. Marcellus says a personal investigation of the parents of the children will be made, if demanded. Children living anywhere near a place where there has been smallpox will be excluded.

A statement, signed by V. E. Williams, W. O. Powell, L. C. Little and C. W. Wells, purporting to be a committee representing the parents of Mount Scott opposed to the vaccination order, was issued yesterday. It reads:

"The parents opposed to vaccination will not 'back up' on the stand they have taken, that our children are being excluded unjustly and without regard to the law in the case; that the order is arbitrary and was so admitted by the Mayor, the City Attorney and Dr. Marcellus when met by the committee; that we insist on our right of schooling for our children, regardless of their being vaccinated or not; that it was agreed that the children were to return to school this coming Monday, September 21; that we insist on this promise being fulfilled; that the contention of Dr. Marcellus, as stated in the press that the majority are opposed to vaccination is untrue, the

fact that less than one-third of the pupils are attending showing that a large majority are opposed to the infection of their children by vaccination in the face of these facts Dr. Marcellus says that 'I consider it my duty to do what I think necessary for the preservation of the public health,' thus placing himself individually opposed to the wishes of parents in the district.

"In view of this we desire to maintain our right and liberty, and that our children be permitted to return to their classes."

GIRLS TOLD TO STAY AWAY

Washington Jobs Are All Filled, Says Labor Commissioner.

WATER USERS WILL MEET

First Unit of Klamath Project to Determine Policy.

KLAMATH FALLS, Or., Sept. 19.

(Special.)—The waterusers of the first unit of the Klamath project will hold a meeting at Merrill, Or., October 10, to determine on the policy their representatives shall take before the board of commissioners, to decide on questions arising under the new law which extends the time of payments 20 years.

It is understood that this board will probably consist of three persons, an engineer, a representative of the water-users and an accountant. Their recommendations will be made to the Secretary of the interior, who will then issue a public notice covering his decision in the matter.

\$350 Value

\$118

Head Page Five, This Section.

PENSION SEEKER ACCUSED

Tacoma Woman Arrested on Perjury Charge but Later Freed.

TACOMA, Wash., Sept. 19.—(Special.)—Mrs. Ora G. Staples, charged with perjury by swearing in Superior Judge Clifford's court February 6 that she was destitute in order to get a mother's pension of \$20, was arrested today by Chief Probation Officer Healey on a warrant sworn out in Justice Evans' court. She was placed in the County Jail, but the case was dismissed tonight.

The County has paid her \$140 thus far. This is the first case of its kind under the mother's pension law so far as known.

The law provides no pension shall be allowed a mother receiving other aid. Healey alleges he obtained documents

ACID STOMACHS ARE DANGEROUS

Nine-tenths of All Stomach Trouble Said to Be Due to Acidity.

A Physician's Advice on Cause and Cure.

A famous physician whose successful researches into the cause and cure of stomach and intestinal diseases have earned for him an international reputation, said in the course of a recent lecture that nearly all intestinal troubles, as well as many diseases of the vital organs, were directly traceable to a deformed condition of the stomach which in turn was repeated nine times out of ten in the course of a recent lecture to excessive acidity, commonly termed sour stomach or heartburn, which not only irritated and inflamed the delicate lining of the stomach, but also set up retching and vomiting. He contends that it is as foolish to treat the stomach itself as it would be for a man who stutters to take a back to rub himself on the foot without first removing the cause of the trouble. He contends that it is as foolish to treat the stomach itself as it would be for a man who stutters to take a back to rub himself on the foot without first removing the cause of the trouble. He contends that it is as foolish to treat the stomach itself as it would be for a man who stutters to take a back to rub himself on the foot without first removing the cause of the trouble.

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THE DOCTOR'S ADVICE

By Dr. Lewis Baker

The questions answered below are general in character, the symptoms or diseases mentioned are those which will apply in any case of similar nature.

Those wishing further advice, free, may address Dr. Lewis Baker, The College Bldg., College Hill, Dayton, O., enclosing self-addressed stamped envelope for reply. Full name and address must be given, but only initials of the inquirer will be used in my answers. The prescriptions can be filled at any well-stocked drug store. Any druggist can order of wholesaler.

John C. L. writes: "I find my stomach strength and nervous system falling. I do not recuperate as of yore. My food and rest seem not to benefit as they should. Am weak, dependent and unable to perform the duties which were assumed earlier in life, while my anxiety for work and pleasure is slowly going."

Answer: I think a powerful, harmless tonic and nerve medicine will rejuvenate and restore the functions of digestion, assimilation and elimination by invigorating the nervous system. Obtain three-grain cadomene tablets, packed in sealed tubes, and take as per directions accompanying.

Miss Bertie L. asks: "What remedy can you recommend to reduce obesity safely?" I want to reduce about thirty pounds.

Answer: I rely on five-grain arbolomene tablets as being the most effective and convenient treatment to reduce abnormal fat. Druggists supply this in sealed tubes with complete directions. After the first few days a pound a day is not too much reduction.

Mrs. E. D. D. asks: "Do you think it is possible for me to increase my weight from 97 pounds to about 125 pounds?"

Answer: Yes, I believe that the regular use of a special tonic tablets will do this for you as it has for thousands of others. Ask your druggist for three-grain arbolomene tablets in sealed package with full directions. Take them for several months to get the full benefit.

Answer: Your eliminating organs, such as liver and kidneys, as in need of treatment. Begin taking balsamwort tablets at once. Get them in sealed tubes with full directions of any well-stocked druggist.

C. M. C. asks: "Please relieve me of a coated tongue, foul breath, headache, constipation and general ill health."

Answer: If habitually constipated, you should take three-grain sulphur tablets (not sulphur) and arouse the organs which eliminate waste material from your body. These tablets purify the blood and improve the health by acting