

3 PERILS FOUND IN WATERFRONT ACT

E. E. Covert Says It Is Confiscatory, Halts Industry and Scares Investors.

FLAW PICKED IN MEASURE

Opponent Declares Proposed Law Conflicts With Federal Statute. Oregon Civic League Hears Debate on Bill.

"Owners of waterfront land will be deprived of their property without due process of law, industries will be driven from the state and intending investors will turn their backs upon Oregon if the initiative measure known as 'public docks and water frontage amendment' becomes a law through an affirmative vote of the people at the coming election."

This, in substance, was the declaration of E. E. Covert before the Oregon Civic League at luncheon at the Multnomah Hotel yesterday. Mr. Covert spoke in opposition to the measure, while F. W. Mulkey, one of the legislators, defended it. A. H. Dyers presided.

Mr. Covert declared that, so far as protecting the interests of the state is concerned, which is the purported object of the bill, it has been demonstrated that the state is amply protected under present conditions. The state has a right to deed the land adjoining navigable streams—between the high-water and the low-water mark—to the adjoining property owners and derive a revenue therefrom.

Right to Condemn Held. "Now what right has the state in addition?" he asked, and then explained that the state has a right to condemn for public purposes any waterfront property that it desires.

"But it must pay the owner a reasonable price," he asserted. "Under the proposed law the state will take away a man's right to build a dock extending beyond the low-water mark. It will erect a wall in front of your property at low-water mark."

"Between this low-water mark and the harbor line the state reserves the right to build. Now, as a matter of fact, in some places in Portland, as between Ankeny street and the Hawthorne bridge, for instance, the low-water mark and the harbor line are practically identical. The space between them varies from a few inches to a few feet."

"Now, the state would be unable to utilize this narrow strip, and at the same time the owner would not be able to build upon it if he pursued such a sea-in-the-manger policy."

Mr. Covert pointed out further that passage of the pending measure will ruin property valued at more than \$20,000,000 in the City of Portland alone, as it will deprive waterfront owners of their holdings.

Conflict in Seem. He predicted that the effect of the proposed amendment will be lost, because it will be found in conflict with the Federal constitutional amendment prohibiting that no state shall be deprived of property without due process of law.

He asserted that the idea is as absurd as to tell a man that he cannot use the sidewalk in front of his own house. "But the object of this bill is very plain to see," he continued. "It is to obtain revenue. The state wants to charge property owners for the use of their property."

"There is a saving provision in the measure that protects owners from this confiscation by the state if they build docks on their land before election time. And some have been so scared into the belief that the bill is going to pass and are improving their properties with docks when there is no need for such improvement."

"It seems to me that this whole thing had its origin when the Portland Public Dock Commission had the idea of leasing for some land that it acquired for public docks."

Mr. Mulkey is a member of the Public Docks Commission. He has been referred good-naturedly to that fact, saying that the Commission is not deprived of the right to acquire dock property, but that they should be required to pay for it.

No-Appeal Status Set Forth. He pointed to the danger due to arise from the fact that the measure is a constitutional amendment and beyond appeal to the courts.

"The courthouse doors will be closed to the owners of the land that Mr. Mulkey has taken."

"The measure is un-American, unconstitutional and borders on anarchy. No person's life or property will be safe in Oregon with this kind of a law in effect."

Mr. Mulkey, in his affirmative discussion, outlined the conditions that enabled the railroads and other large private interests to obtain possession of much valuable waterfront property in various parts of the state. He argued the need for legislation that will retain the title of such property in the name of the state and explained that the proposed amendment provides for this very end.

MME. FREMSTAD'S VISIT OF SUPREME INTEREST

Dramatic Soprano's First Appearance in Portland While in Noon tide of Her Glory, to Be Notable Event to Music Lovers.



MME. OLIVE FREMSTAD.

THE first visit to Portland of Mme. Olive Fremstad, the dramatic soprano, who will sing at the Helms Theater October 7, under direction of Steers & Coman, will be an event of supreme significance to local music-lovers.

Mme. Fremstad's genius has given the world probably its most inspired portrayals of Kundry, Isolde, Brunhilde and other of the most notable heroines in grand opera. In marvelous interpretation of the primal instincts and emotions of the heroic women of Norse mythology she stands alone, showing them in all the naked frankness of soul, electric passion or sublimity of purpose and self-surrender that distinguished primal womanhood, those of gods and heroes, when the world was young, yet human as the woman of today.

All the witchery, the sorcery, the mysticism of love in the tempting wiles of Kundry, her agonizing struggle between good and evil, all the sublimity, pathos, godlike dignity and grandeur of soul of Brunhilde; all the exaltation of love and passion, of grief of Isolde, in which the heights and depths of the woman-nature are reached, all these have been portrayed by Mme. Fremstad with such power that she holds a place in art separate and aloof from all other great singers.

Such a poignant moment was the death scene, when instead of declaiming with full voice to the audience she brought the scene down to the most intimate point, and it seemed to have been given with scarcely more than a whisper and with only what was left of her own ebbing strength. It was masterly. It was womanly and purely human, and while she never lost the line of tradition there was a strong personal note which raised it into one of the greatest creations of a great artist.

"Such a poignant moment was the death scene, when instead of declaiming with full voice to the audience she brought the scene down to the most intimate point, and it seemed to have been given with scarcely more than a whisper and with only what was left of her own ebbing strength. It was masterly. It was womanly and purely human, and while she never lost the line of tradition there was a strong personal note which raised it into one of the greatest creations of a great artist."

The entertainment programme for the Muts during the coming season will be directed along the line of encouraging local amateur talent of all kinds.

In order to inaugurate a series of such amateur nights the Muts urge all artists with ambitions to enter the professional ranks to come to the Press Club meeting tomorrow night to receive tryouts. The Muts committee does not mind if it has to sit up all night to complete the programme.

Candidates for members of the "Muts Whangdoodle" Band also are requested to be on hand and bring their instruments with them. Several Muts have already applied for membership in the "Whangdoodles."

The plans for the entertainment of the poor children by the Muts will include four matinee parties at the Marcus Loew Empress Tuesday, Wednesday, Thursday and Friday of next week.

As a special amusement feature for the Muts, the members will attend a free smoker given by the Mohawk Athletic Club at its headquarters, 47 1/2 Union avenue, Friday night.

Manufacturers' Surplus Piano Sale

Excellent, Reliable, High-Grade New Pianos Can Now Be Had on Terms Same as Rent. Prices Never Before Heard Of

Actually Worth \$350 Now \$248

Pay \$125 a Week

Pay \$600 a Month

Regularly Sold at \$475 Now only \$307

Guaranteed Worth \$375 EMERGENCY Sale Price \$255

Pay \$500 a Month

Pay \$150 a Week

Pay \$600 a Month

Others brand new, \$118 and \$156. Finest \$550 styles \$315, Etc.

Chickering, Kimballs, Sohmers, Patented Duo-Tonal, Haddorfs, Steger and other standard makes of Upright Pianos, Player Pianos and Grand Pianos. The beautiful Player Piano de Luxe can now be secured at a price as low as other houses charge for the ordinary player

and limited to immediate buyers of only a few of these time-honored, time-tried and world-renowned pianos.

The Sohmer
New York's proudest achievement in highest-grade piano making. The Sohmer is used by nearly all the Nation's best music houses as their established leader.

The Sohmer can now be had in many styles of beautiful upright pianos, elegant mahogany, beautiful Circassian walnut, mottled English walnut, etc., etc.

The Sohmer also has a standard and established price, but a few of these instruments will be sold in this emergency and surplus sale, though the low prices cannot be advertised for obvious reasons. Be sure and see the beautiful Sohmer Pianos, and let us tell you the present low price.

Four Floors Full
A great house is full of brand-new instruments—nothing shopworn—nothing second-hand—all regular high-quality stock. Nearly all are being sold at manufacturers' cost—some for even less.

Excellent new warranted pianos, only \$118; many for \$98. Finest \$550 and \$600 pianos, \$333 and \$315.

Chickering Pianos
The price of the Chickering is standard the world over, but owing to our special arrangements with the manufacturers we have also a special proposition to offer on the Chickering.

America's oldest-established and very best piano in regular uprights, in player piano models and in beautiful baby and parlor grands, can now be had at a price that will prove a real surprise. An offer that has never been made to any piano purchaser heretofore,

Real Beauties—The Autopiano Baby Grand
And last, but not least, the long-awaited-for Autopiano Baby Grand! A carload of these superb grands has now arrived. In tone quality and as baby grand pianos, each instrument represents perfection. All the exclusive and wonderful Autopiano features, the flexible striking finger, the automatic guiding device, five-point motor, the selector button, etc., are all to be found in this Player Piano Baby Grand, and the price is not \$1750, nor \$1500, nor even \$1250, but in this sale these instruments will be only \$965, with \$30 additional for slightly fancier cases, and \$60 more for the very fanciest. The Eilers liberal payment plan applies to these superb little Autopiano Baby Grands as to all others.

See and try that acme of sweet-toned loveliness, the Autopiano Baby Grand.

A Sale of Kimballs
We want to call particular attention to a lot of the very finest Kimball pianos ever shown in this city. No finer Kimballs have ever been here. Thousands of Kimballs have been sold by us in the past. We are now offering these splendid Kimball pianos for sale at less than actual dealers' billing, for the reason that these instruments have been taken back by us from several dealers for whose trade they were found to be too expensive and we have already received a portion of our cost from these dealers. It would jeopardize the manufacturer's interest elsewhere were we to openly publish the sale prices of these Kimballs. But we wish to state frankly that we are selling these Kimballs for less and on easier terms of payment than we have ever offered Kimball pianos since we commenced business here.

Baby Uprights for Fastidious Musicians
A superb exhibit of Baby Uprights on the third floor will attract the attention of every discriminating music lover. Just the thing for a cozy parlor or in apartments. Of daintiest case design, most exquisite finish, the sweetest

POLICEMEN WILL SING

QUARTET TO BE FEATURE OF MUTS' PRESS CLUB AFFAIR.

Amateur Performers in All Lines Invited to Attend Gathering and Receive Tryouts for Programme.

One of the leading features of the entertainment programme for the Muts meeting tomorrow evening at the Press Club will be the first public appearance of the Police Quartet, four vocalists who are members of the regular department and who will be featured with the Police Band on its country-wide boosting tour next year. With the Police Band will be Patrolman Crane, tenor soloist, who will sing several numbers and give the Muts a sample of his new vaudeville efforts.

Miss Frances McGill, one of Portland's best exponents of Spanish and other modern fancy dances, will also be on the programme.

The entertainment programme for the Muts during the coming season will be directed along the line of encouraging local amateur talent of all kinds.

In order to inaugurate a series of such amateur nights the Muts urge all artists with ambitions to enter the professional ranks to come to the Press Club meeting tomorrow night to receive tryouts. The Muts committee does not mind if it has to sit up all night to complete the programme.

Candidates for members of the "Muts Whangdoodle" Band also are requested to be on hand and bring their instruments with them. Several Muts have already applied for membership in the "Whangdoodles."

The plans for the entertainment of the poor children by the Muts will include four matinee parties at the Marcus Loew Empress Tuesday, Wednesday, Thursday and Friday of next week.

As a special amusement feature for the Muts, the members will attend a free smoker given by the Mohawk Athletic Club at its headquarters, 47 1/2 Union avenue, Friday night.

ALLEGED PLOT HEARD

WITNESS AVERS HE LISTENED AS INNES PLANNED MURDER.

Pullman Porter Adds to Evidence by Account of Alleged Trip of Beatrice Nelms With Accused Couple.

New evidence alleged to have been uncovered against Mr. and Mrs. Victor E. Innes, of Portland, held at San Antonio on a charge of murdering the missing Nelms sister, was given out Friday night by Francis S. Aikua, local manager of the Burns Detective Agency.

That he overheard Mr. and Mrs. Innes plotting against the two girls several weeks before the disappearance of Beatrice Nelms and Mrs. Lois Dennis is asserted in a letter from W. H. Littleton, of Birmingham, Ala., to Burns Agency, Mr. Aikua says. He says the Innesses planned to lure the girls to San Antonio.

UNION HIGH SCHOOL OF COUNTY OPENS TOMORROW.

effort to recover her sister's money from the former Deputy United States Attorney of Reno. He says that at times Innes was earnest in his conversation with the young woman and that Beatrice appeared downcast and tearful.

He further said that Innes and his wife ate their meals together and that Beatrice sat alone, Innes paying for her meals. When the train reached Birmingham, the porter deposed, Beatrice got off, asking Walker how soon she could get a train back to Atlanta. Walker has identified photographs of Innes and his wife and of Beatrice Nelms.

Roseburg Dentists Oppose Bill. ROSEBURG, Or., Sept. 26.—(Special.)—Local dentists held a meeting Thursday night and decided to use their influence in defeating the dental bill recently initiated by "Painless" Parker, of Portland.

For A Few Days Only

\$450 Crown Piano \$148. Soule Bros. failed.

Read page 14, section 1.

During This Great Sale Our Store Will Be Open in the Evening Till 9 o'Clock

Eilers MUSIC HOUSE
The Nation's Largest

EILERS BUILDING, BROADWAY AT ALDER
Ellsworth, Barnes and Davey, Authorized Representatives of the Manufacturers

Miss Helen Coulter

A. R. Tollefson

A. R. Tollefson and Miss Helen Coulter, principal and first assistant teacher, respectively, of the union high school of Multnomah County, will assume their duties there beginning tomorrow. Mr. Tollefson was graduated from the University of Washington in 1910 with a degree of bachelor of arts, while Miss Coulter was graduated from the Miami University, of Oxford, O. The new principal gained teaching experience in the schools of Washington, both elementary and secondary. Miss Coulter taught Latin and English in the high school at Carlisle, O., for several terms.

FILM VERSION OF OLD FAVORITE TO BE SEEN AT COLUMBIA THEATER.



SCENE FROM "UNCLE TOM'S CABIN."