

BEACON OF FAITH GUIDES ASTORIA

Modern City Will Rise on Ruins of Fire.

VISION OF FUTURE BROAD

People Turn Faces Against Calamity and Lay Plans for Reconstruction.

COMMUNITY SPIRIT BRAVE

Instead of Wake on Ashes of Disaster, Confidence Rules Stricken Port.

BY BEN HUR LAMPMAN.

ASTORIA, Or., Dec. 11.—(Special.)—That bird of fable, the Phoenix, once garnered fame by a simple expedient. Having first submitted to incineration, the sagacious fowl rose again from ashes, leaving to subsequent generations a moral and much to marvel at.

It seemed the reasonable and expeditious thing to do, and so it seems to this city that four mornings ago awoke to the desolation of a fire unprecedented in the annals of the state—a blaze that wrought a very thorough and efficient ruin.

Phoenix to Be Patron.

Astoria would emulate the Phoenix, and cheerily build again. Such a city as its forefathers neglected, under press of other matters, to plan, and, though the townsfolk engaged in the first discussion of this project find themselves somewhat at disagreement as to the precise method of rehabilitation, they differ not a whit in resolution, which, after all, is the important impetus.

So that, viewing the blackened wreckage impartially, and the views of the disputants in the same liberal vision, it appears that the rehabilitated Phoenix of the Columbia will sprout such wings as never were dreamed of before the calamity—both wings and tail feathers.

Gallant Project Launched.

It is a very gallant project. To realize this one should enter Astoria by night, while yet the flames are flickering in the black shadows of the pit and while the searchlight of a moored destroyer kinkles now some standing wall to pallid canvas and again some gaunt fragment of masonry to strong relief against the gloom of the harbor.

To redeem this waste from the dust bin, to fashion once more the multitude of structures that make a port and a city, is an enterprise calling both for courage and mutual forbearance—which are but another version of co-operation.

Will to Survive Strong.

You might well expect to discover on the countenance of such a town at least a trace of civic chagrin, of impatience with fate. One even could forgive its dwellers a trifle of that toxin known as discouragement. Yet the truth is Astoria is not holding a wake over its embers, but to the contrary is considering civic Christmas trees and a community sing.

There are psycho-analysts here—or philosophers, if you choose—who contend that the moral effect of a ditty or so, in defiance of fate, is easily worth a million.

Problems Are Complex.

The problem of the city is complex. It must build not one, but two towns—the first to afford temporary quarters for the commercial enterprises so rudely dispossessed, the second permanently to replace the crowded blocks that fell before the flames. And in the accomplishment of this the town must keep its temper and its sanity and plan and build both wisely and well. It is as though some special providence, having in mind the future welfare of the port, had put it to the test.

Impatience to Build Seen.

There is manifest, for the matter of that, a growing impatience that so much delay must intervene before the task of reconstruction be-

ASTORIA CHILDREN TO GET YULE GIFTS

FULLY 1500 FIRE VICTIMS IN PORTLAND'S CARE.

W. P. Strandberg Begins Movement to Make Little Folk Happy and Elks Will Assist.

Fifteen hundred children in fire-ravaged Astoria will be out of Santa Claus' Christmas calling list unless...

Portland helps the merry old peddler. That was the word brought to Portland from Astoria yesterday by W. P. ("Bill") Strandberg, prince of good fellows, who conferred with Astoria Elks and relief workers Sunday night. Needless to say, "Bill" started a Christmas celebration movement immediately after his return to Portland.

A. C. Callan of the Astoria lodge of Elks promised to organize a committee of 30 or 25 members among members of the Astoria lodge who live in Portland to help carry on the work.

Mrs. Willis Dunaway and Mrs. Charles W. Fulton began organization of a committee of 20 Portland women, ex-Astorian, to aid in any possible relief work.

Members of the committee include: Mrs. E. R. Strong, Mrs. George Taylor, Mrs. Frank Stokes, Mrs. W. L. Robb, Miss Hazel Robb, Mrs. D. M. Stuart, Mrs. F. P. Kendall, Mrs. R. Parks, Mrs. Maud Griffith, Mrs. E. Z. Ferguson, Mrs. D. M. Clay, Mrs. J. C. McCue, Mrs. Kate Weidon, Mrs. A. M. Smith, Mrs. E. A. Noyes, Mrs. Walter Bidehaigh, Mrs. Charles E. Gray, Mrs. C. H. Thompson, Mrs. Richard Habersham, Mrs. Thomas Crang, Mrs. T. T. Geer, Mrs. Harriett Shields, Mrs. Chris Bell, Mrs. Dom J. Zan, Miss Kate Finnott, Mrs. Fred Nowell, Mrs. Ella Casey, Miss Laura Fox.

Mayor Baker gave his unqualified support to the movement and promised to assist whenever called upon.

The Vogan Candy company promised to contribute 1000 boxes of candy and many other business houses are planning to co-operate.

More than \$38,000 had been pledged by business firms and individuals to the Portland Chamber of Commerce Astoria relief fund when the last check on contributions was made last night and hundreds of donations believed to be in the mails and at the various banks are expected to swell the fund well over the \$50,000 mark. Of the amount pledged, however, only \$2918 had been collected and greater speed in payment of pledges will be required if the relief committee is to function efficiently, it was announced.

Organization for relief work along systematic lines was started at 11 o'clock yesterday morning at a meeting of business men called by Jay Smith, chairman of a special finance relief committee. O. W. Mielke, president of the Chamber of Commerce, presided and explained the work Portland would be expected to accomplish.

\$50,000 Set as Goal.

With but little discussion, a resolution prepared by the finance committee fixing \$50,000 as the amount required and providing for appointment by President Mielke of a committee of five to assist the Astoria committee of ten in administration of relief work was unanimously adopted. A half hour later more than \$35,000 had been pledged.

The relief committee named by President Mielke is composed of H. E. Van Duzer, chairman; Julius L. Meier, W. L. Thompson, Nathan Strauss and John E. Yeon. Chairman Van Duzer has called a meeting of the committee for 10:30 o'clock this morning at the Chamber.

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\$38,000 PLEDGED TO HELP ASTORIA

Money Pours Into Commerce Chamber Fund

COMMITTEE OF FIVE NAMED

Fire Sufferers and Reconstruction to Be Aided.

\$50,000 FIXED AS GOAL

Firms, Individuals, Lodges, Legion and Civic Organizations Boost Relief Movement.

DEVELOPMENTS IN ASTORIA RELIEF WORK.

More than \$38,000 pledged to chamber of commerce relief fund toward goal of \$50,000. Committee of five Portland men named to assist Astoria relief committee of ten in administering work of aiding fire sufferers and reconstructing ruined business section.

How to give: Send cash contributions to room 609, Oregon building, or make checks payable to Chamber of Commerce Astoria Relief Fund.

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PORTLAND IS STRUCK BY SUDDEN COLD

MORE CHILL WEATHER IS FORECAST FOR TODAY.

Thermometer Drops to 24 Degrees; Danger of Freezing of Water Pipes Is Met.

A sudden cold spell struck Portland yesterday and will continue, according to the forecast of the local weather bureau. Easterly winds, such as have been blowing, stingingly chill, will be a bit accentuated today, forecaster Wells predicted, although a clear sky and maximum sunlight probably will lighten the general discomfort.

The thermometer at 5 P. M. yesterday had reached its lowest point, 24 degrees above zero, and all signs then pointed to a much lower plunge of the mercury during the night, with resultant peril to water pipes and automobile radiators. Yesterday's highest temperature was 33 degrees, one degree above freezing, which occurred during the forenoon.

The sun had one of its best days, shining from a clear sky six hours and 50 minutes.

For Oregon east winds and rain are forecast for the southeast portion, fair and continued cold elsewhere, crossed with moderate easterly winds. Baker reported one of the coldest mercury drops of the season yesterday with an average of 12 degrees above zero. Seattle experienced a steady 26 degree temperature, the severest yet reported there. In towns on the other side of the Cascades the mercury hovered consistently about the zero mark.

The source of the present cold weather storm was said to be the formation of a high-pressure area in eastern Alaska, with a resulting gathering here of icy waves from the north. Washington felt the first touch of this stinging assault and Oregon came next.

The formation of a thin ice surface on pavements early yesterday caused several automobile and pedestrian accidents, none serious. Salem reported 35 above and no snow. Medford was enjoying normal temperature and no snow.

HOOD RIVER, Or., Dec. 11.—(Special.)—Accompanying a change in the wind, which veered suddenly from the west to the east, the temperature just before daybreak dropped from 49 degrees to 12 above zero. Although the sun shone brilliantly the thermometer stood around 20 throughout the day, and at night-fall was at 19. Zero weather before morning was indicated.

SPOKANE, Wash., Dec. 11.—Clear and cold, with snow ranging from half an inch to two feet, summarized weather conditions over Washington. According to reports received, temperatures ranged from 13 below zero at Wenatchee to 27 above at Olympia. Wenatchee had 40 degrees to 12 above zero. The thermometer showed 6 below with 4 inches of snow. Walla Walla's chinook ended Sunday afternoon, leaving half an inch of snow, and today the mercury stood at 12 below.

Bellingham reported 13 inches of snow with a temperature of 11 above last night, the coldest of the season. At Everett the temperature was 19 above, with 6 inches of snow.

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1 KILLED, 1 WOUNDED BY ABERDEEN WOMAN

LOGGER SHOT DOWN IN RESTAURANT AT 1:30 A. M.

Shooting Believed to Have Followed Drinking Party; Slay-er Held Intoxicated.

ABERDEEN, Wash., Dec. 11.—(Special.)—Matt Pulawski, 38, a logger, was killed, and Nick Phillips, 29, a mill laborer, was wounded by bullets fired by Mrs. Mary Bolinski about 1:30 o'clock this morning in her lodging house restaurant at 619 West Curtis street, south Aberdeen. Both men were shot from behind, according to police. Pulawski was struck just back of his left armpit, the bullet ranging upward and piercing his chest. Phillips was shot through the thigh. Pulawski died on the way to a hospital.

Motive for the shooting has not definitely been established. Witnesses say that a drinking party had been in progress at the lodging house for several hours, and police are of the opinion that Mrs. Bolinski was under the influence of drink when she shot the men.

Police first learned of the shooting when Mrs. Bolinski appeared at the south side fire station at 1:45 o'clock this morning, saying that she had "shot two men" and asking the firemen to call officers.

Patrolmen Allen, Greecot and Sherman were assigned. They found Pulawski at the head of the staircase while Phillips, apparently not seriously wounded, was hobbling about the house in fright. They placed Mrs. Bolinski under arrest.

Allen Sandstrom, Walter Anderson, Harry Luuden, Frank Sterland and L. Carroll, who occupy some of the rooms over the restaurant, were held as material witnesses to the crime.

Mrs. Bolinski was brought into the police station, declared that she shot in self-protection, claiming that she was in a bathroom when the men attempted to break down the door and attack her. Her statement is overhauled, according to Chief of Police Dean, by the fact that both men were shot in the back, indicating that they were attempting to escape when struck by bullets.

The shooting, according to Chief Dean, is the climax of a long series of offenses in which Mrs. Bolinski is alleged to have had part.

OLD TURK CAPITAL GONE

Kemalists Declare Constantinople Will Never Be Government Seat.

LAUSANNE, Dec. 10.—(By the Associated Press.)—Constantinople has probably ceased to be Turkey's capital for all time.

It remains the seat of the calligraphic and religious center of the Moslem world, but the Turkish delegates at Lausanne say that Mustafa Kemal Pasha and his helpers in the construction of nationalist Turkey have no thought of re-establishing Turkey's political heart within range of foreign warships which may enter the Dardanelles and the Bosphorus.

WARSHIPS TO BE BUILT

Britain Decides on Construction of Two New Fighting Craft.

LONDON, Dec. 11.—(By the Associated Press.)—Prime Minister Bonar Law announced in the house of commons today that the government has decided to begin the construction of two new battleships.

These are allowed under the Washington naval treaty.

LIQUOR VIOLATORS FACE DUAL TRIAL

Both State and Federal Punishment Legal.

SUPREME COURT DECIDES

Dual Jeopardy of Constitution Held Limited.

DOUBLE OFFENSE CITED

When Offender Breaks To Sets of Laws He Can Be Tried for Each, Is Ruling.

WASHINGTON, D. C., Dec. 11.—

Two cases considered by the government of major importance in the enforcement of national prohibition were decided by the supreme court today. In one of them, coming from the state of Washington, the government scored a sweeping victory; the supreme court holding that both the federal and a state government can prosecute and punish the same unlawful act in the manufacture, possession, transportation or sale of intoxicating liquors.

The other case, coming from California, the government lost in its contention that in the enforcement of national prohibition an executive officer can impose and collect as taxes the assessments and penalties imposed by those sections of the revised statutes which remain unrevoked by the Volstead act and which became law while the manufacture and sale of intoxicating liquor was not prohibited.

The United States district court for western Washington dismissed a federal indictment charging Vito Ianza, Dick Barto and others with manufacturing, transporting and possessing intoxicating liquors on the ground that they had been tried and convicted in the state courts for the same offense. In reversing this decision today the supreme court held that "in the absence of special provision by congress, conviction and punishment in a state court under a state law for making, transporting and selling intoxicating liquors is not a bar to a prosecution in a court of the United States under the federal law for the same act."

The effect of the prohibition amendment, the court stated in an opinion by Chief Justice Taft, was to establish prohibition in every part of the United States and affect transactions which are essentially local or intrastate, as well as those pertaining to interstate or foreign commerce.

State Rights Reserved. The power to take legislative measures to make the policy effective existing in congress, the court continued, "in respect of the territorial limits of the United States and at the same time the like power of the several states within their territorial limits shall not cease to exist."

"Each state, as also congress," it added, "may exercise an independent judgment in selecting and shaping measures to enforce prohibition. Such as are adopted by congress become laws of the United States and such as are adopted by a state become laws of that state. They may vary in many particulars, including the penalties prescribed, but this is an inseparable incident of independent legislative action in distinct jurisdictions."

The declaration that states should have "concurrent power" was defined by the court as intended to "negative any possible inference that by investing the national government with the power of country-wide prohibition state power would be excluded." Under the 18th amendment a state was left free, the court held, "to enact prohibition laws applying to all transactions within her limits." States could not, however, authorize acts, the court added, which were prohibited by the amendment, but all prior state laws not inconsistent with the amendment remained in full force.

Double Jeopardy Considered.

"We have here two sovereignties, deriving power from different sources," the court stated, "capable of dealing with the same subject matter within the same territory. Each may, without interference by the other, enact laws to enforce prohibition, with the limitation that no legislation can give validity to acts prohibited by the amendment. Each government in determining what shall be an offense against its peace and dignity is exercising its own sovereignty, not that of the other."

Referring to the contention by the defendant that they could not be placed in double jeopardy, the court explained that the meaning of the term double jeopardy as used in the fifth amendment to the constitution referred to "a second prosecution under the authority of the federal government after a first trial for the same offense under the same authority."

"An act denounced as a crime by both national and state sovereignties," the state said, "is an offense

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STEAMER ORTERIC ASHORE, POUNDING

VESSEL REPORTED TO HAVE GONE TO AID.

Disabled Steamer Is Grounded Off Fish Rock, Cal. According to S. O. S.

SAN FRANCISCO, Dec. 11.—The steamship Orteric is ashore off Fish Rock, Cal., according to an S. O. S. message picked up here shortly after 10 P. M. by the Radio Corporation of America's marine station. Fish Rock is a village in Mendocino county, 25 miles southwest of Ukiah.

The Orteric's message said: "Ashore off Fish Rock 10 P. M. Bumping badly."

The message picked up here indicated the steamer El Segundo was proceeding to the assistance of the Orteric.

A message picked up by the Federal Telegraph company said water was coming into the Nos. 1 and 2 holds of the Orteric.

The steamer Orteric is a vessel of 6696 tons and was built by Doxford & Sons at Sunderland in 1919. She is owned by the Hank Lines, Limited, of Glasgow. She is under British registry and is 412 feet long and has a beam of 55 feet. She is of steel construction. The El Segundo is a steel screw tanker owned by the Standard Oil company. She is rated at 2661 tons and her home port is San Francisco.

The Orteric left San Francisco today at 1 P. M. for Eureka, where she planned to load lumber, presumably for the orient. Captain Harper, it was said at the office of the marine department of the chamber of commerce, is in command.

RADIO COMPLAINT FILED

Corvallis Firm Says Phone Company Hinders Operation.

SALEM, Or., Dec. 11.—(Special.)—The Cummings Electric company of Corvallis today filed a complaint with the Oregon public service commission in which it was charged that the Pacific Telephone & Telegraph company has interfered with the operation of its radio plant.

In the concluding paragraph of the complaint it was stated that the telephone company has had a monopoly on the wires of Oregon for sometime, and now desires to extend its jurisdiction so as to gain control of the same.

Hearing of the complaint probably will be set for some time early in January, members of the commission said.

Liquor Brings Sentence

Vancouver Man Gets Long Term in Penitentiary.

VANCOUVER, Wash., Dec. 11.—(Special.)—W. J. Meagher, proprietor of a soft drink shop, was today sentenced to serve one to five years in the penitentiary, following his conviction of being a jointed. Meagher's request for a new trial was denied.

Meagher has been in business here many years, said he did not wish to suffer the humiliation of going to the penitentiary under guard and asked if he might make the trip to Walla Walla alone. The request was denied by Prosecutor J. E. Hall.

Meagher was convicted by a superior court jury during the fall session of selling liquor at his shop at 504 Washington street.

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SEATTLE ROUSED OVER CITY'S SINS

Town All Wrought Up Over Immorality

CHIEF AND CLERGY GLASH

Bitter Charges Banded by Belligerents.

MAYOR BROWN REBUKED

Alleged Refusal to Close Offending Dance Halls Brings Retort From Executive.

PUGET SOUND BUREAU, Seattle, Wash., Dec. 11.—The smouldering quarrel between Mayor Brown and the forces recently organized for the improvement of Seattle's morals today broke into flame which the county grand jury, reconvening tomorrow after a week's vacation, will be called upon to quench. Last night in Plymouth Congregational church Rev. Chauncey Hawkins denounced the mayor as a falsifier and his congregation rose to its feet in noisy applause.

Today at a city council committee meeting Rev. Herbert I. Chatterton, secretary of the Seattle Federation of Churches, the pastor of the church, was rebuked Mayor Brown for his alleged failure to act on a list of more than 50 places where laws, it is said, are being violated, which Chatterton had given him some time ago.

Mayor, Accused, Retorts.

Mayor Brown countered on Dr. Hawkins with the assertion that the clergyman himself was the tool of a certain class of lawbreakers. He also declared that Dr. Chatterton had told him that the crusade against the dance halls was started "because the federation is out of money and thought it might get back on its feet financially if it attracted a lot of attention."

Neither Hawkins nor Chatterton has directly responded to these portions of the mayor's comeback, but both have expressed their readiness to go before the grand jury and submit the mass of evidence they claim to have in support of their charges that the administration is doing nothing to correct vice conditions in the city. E. E. Uilberg, foreman of the grand jury, said today that he would urge taking up these charges as soon as the jury reconvenes tomorrow with the purpose of making a thorough investigation.

False Arrests Alleged.

Running along with this controversy is a wordy battle between Mayor Brown and Chief of Police Severns on one side and the federal prohibition officers on the other. The city officials have closed the doors of the city jail against persons arrested by the prohibition officers on the ground that the city must not assume liability for false arrests.

In further explanation Mayor Brown says the prohibition officers are picking up persons without warrant of law for the sole purpose of making business for favored lawyers. The official retort of the prohibition officers is that this move by the mayor is designed to hamper their work and is evidence of sympathy with the bootleggers.

BLUE SKY LAW WANTED

\$20,000,000 Declared Taken Out of Washington Annually.

VANCOUVER, Wash., Dec. 11.—(Special.)—Washington's lack of a blue sky law is taking more than \$20,000,000 a year out of the state, J. Grant Hinkle, secretary of state, who was here on a visit today, declared. Mr. Hinkle recently attended the national convention of secretaries of state and learned that the popular cry against the burden of direct taxation is heard in practically every state.

Legislation providing for a blue sky law in this state will be passed on in the near future, Mr. Hinkle indicated. The "wildcat" corporations, which incorporate under the lenient Washington laws and except for selling stock do business elsewhere, will have to seek some other state to get a charter, if the proposed law is passed, the official declared.

GOVERNOR IS ACQUITTED

Jury Takes Just 28 Minutes to Dismiss Seduction Case.

OXFORD, Miss., Dec. 11.—(By the Associated Press.)—A verdict for the defendant was returned at 6:05 tonight in the suit for damages instituted by Miss Frances Birkhead, stenographer, against Governor Lee M. Russell for damages based on charges of seduction and other allegations.

The verdict, merely saying "We, the jury, find for the defendant," was returned just 28 minutes after the case was submitted to it. Neither the plaintiff nor the defendant was in the courtroom.



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