BARBER TO WORK

Otto Schwabe, Convicted Barber, Files Suit to Test Constitutionality of State Law.

Otto Schwabe filed suit in the ciruit court Saturday aginst Frank Maning, elerk of the district court for Multnomah county, in which he atacks the validity of the law under which he was convicted of "barbering

Schwabe, through his attorney, W. P. Lord, sets forth that he was found guilty by District Judge Richard Deich in October 19 and was fined \$10. The mplaint charges that sections 2126, 3127 and 2128 of the act which makes harbering on Sunday unlawful is unconstitutional, as on November 7, 1916, the people of Oregon, by an initiative act, repealed section 2125 and that repealing act set forth that all other acts in conflict with it were abrogated.

It is further claimed in the complaint that it was the express intention of the people of Oregon to permit the carrying on of all lawful business, occupations or vocations on Sunday, and that in the event this was not the intention the barbering business was the only vocation or occupation prohibited on Sunday and therefore the act is discriminatory class legislation and unconstitutional. The plaintiff asks that the judgment of the district court be

JAPANESE WOMAN SUES FOR DIVORCE, ASKING \$15,000

unusual filing-that of a Japawoman suing for divorce-was. made at the courthouse Saturday. Sumi Akamatsu sued Kejiro Akamatsu, charging cruelty. She seeks custody of two children and \$15,000 permanent alimony. She also asks for \$1000 for attorney's fees.

states she was married March 31, 1895, at Okayama, Japan; that she has been required by her husband to work in the conducting of the Mikado hotel, No. 2621/2 Everett street, and that he has continuously scolded and ime to provide her with the necessi-

She further charges that when their daughter attained her majority, Akamatsu chose a husband for her, but he daughter refused to accept the section and in this was upheld by her mother, and ever since, says the complaint, Akamatsu has called his wife beast and vile names and has been her with a shoe when he claimed she did not pay sufficient attention to oflicers of a Japanese ship in Portland harbor, who were guests at the hotel. It is set forth that Akamatsu is a partner in the Somekama company's store at No. 65 Third street, as well as owner of the Mikado hotel and is able financially to provide for the alimony

CITY HALL BRIEFS permits has been applied for to the city council by A. S. Ellis to erect and maintain a two-story class 6 aparttween Taylor and Yamhill streets.

Mrs. Mary A. Eggert is asking the

city council to grant her permission to perate a children's home in a restdential building on Willard avenue, between Holland and Buffalo streets. Petitions will go before the city coun-

cil next Wednesday asking for the improvement of East 41st street, between Division and East Grant streets, and for the improvement of East 63d street, from Sandy boulevard to Failing

Mayor Baker will recommend to the city council next Wednesday that because of adverse reports of the city attorney and chief of police there be summoned to appear before the council to show cause why their licenses should not be revoked: O. Jacobson, holder of a rooming house license for 8571/2 First street; J. Keso, holder of a soft drink and restaurant license for 26 Everett street; Sam Wafler, holder of a hotel license at 2651/2 Second street, and Pichard & Spooner, holders thing to the police with the statement that he had John Nickols; a foreman

An ordinance will be before the city council at its next session granting per-mission to the Nicolai Door company to erect a two-story 70 by 200 foot addition to its factory building at 70 Columbia boulevard, and exempting it from certain provisions of the building

The dity purchasing agent will be authorized by the city council next Wednesday to advertise for bids for furnishing to the bureau of construction, public works department, four five-passenger touring cars, Resolutions of intention to construct

the following sewers will be passed by the city council at its next session: The Michigan avenue and Mississippi avenue sewer system, the East 10th and Madrona streets sewer system and sewer in East 13th street, from 140 et north of the north line of Center treet to an existing sewer in Bush



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Alaska Plumbing & Heating Co.

363 East Morrison Street East 2954

\$1000 in Prizes Offered to Citys' **Sweetest Singers**

A thousand dollars in cash prizes is

John Hamrick, owner of the Blue Mouse theater here and similar pleasure places in Seattle and Tacoma, has just posted \$1900 in prize money for a singing contest designed to unearth the most popular singers. The "singers' poularity contest" is open only to bona fide vocalists, whose applications for participation will be acted upon by a committee of three prominent vocal nstructors. Thereafter the singers fate will be in the hands of the audi ence he or she sings to.

Hamrick announces a first prize of \$500; second \$250, third \$150 and fourth \$190. Patrons of the theater will re-Patrons of the theater will receive a voting coupon with each admis sion during the contest and the holder is entitled to as many votes as he has

In order to be eligible for the contest all applicants must register name and address at the theater. Entries may be made anytime between today and January 1 at the box office.

Drainage Experts Of Oregon Convene Here on Tuesday

The eighth annual session of the Chamber of Commerce, Tuesday, and points, authorities on drainage are expected to be present from a number of eighboring states.

Opening of the session will be at 9 o'clock. The address of welcome will be delivered by O. W. Mielke, president of the Chamber of Commerce Response will be made by Sam H. Brown. president of the association. The work of the development board will be outlined by W. D. B. Dodson and market features will be discussed by James Kyle, president of the Oregon Irrigation congress

Director James T. Jardine of the Oregon experiment station will tell of 'Drainage Needs of Oregon" and Percy A. Cupper, state engineer, will speak on "The Law of Joint and Community numiliated her before the public and Drains." Progress reports will occupy patrons of the hotel, refusing all the the remainder of the morning. The resolutions committee will meet at

The afternoon session will begin at 1:30 o'clock with addresses by W. G. Brown, drainage engineer; J. O. Elrod president of Multnomah drainage district; S. B. Hall, Multnomah county agent; R. V. Steelquist, Arthur Mc-Philips, McMinnville; M. J. Lee, Can-by; W. W. Johnson, soils department sullen and abusive. She says he beat of the Oregon experimental station Early Price, soils expert; W. E. Wilson, Mr. Gamble of Sidney, B. C.

At 4 o'clock the new drainage film will be shown and at 6 o'clock the annual banquet will be held in the Chamber of Commerce dining room with H. E. Rogers, toastmaster.

Man Loses Parole By Threat on Wife

An accidental meeting, the recogni tion of a familiar face and now Fred C. Wilson, late of Montana, is in the city jail charged with being a parole violator.

Wilson was sentenced to the Montana state prison at Deer Lodge in 1918 for the second degree murder of Leonard Flagg in Butte. Three years later he was paroled because of good second day of each month.

of the auto stage terminal when he passed Mrs. G. Johnson, No. 605 East 25th street. Vancouver, Wash. Some conversation is said to have taken place and Mrs. Johnson, who is the former wife of the man Wilson was convicted of slaying, reported to the po-lice that he threatened to "get her." girl, he said there was no longer any Wilson was immediately placed under reason for extending his absence witharrest.

He is said to have admitted everythe C. M. & St. Paul railroad shops in Deer Lodge, send in his parole reports. He was identified through the Bertilion system. Officials at the penitentiary at Deer Lodge were notified.

'Liquor Scandal' Of Midshipmen Is

Washington, Dec. 16.—(I. N. S.)— The "liquor scandal" at Philadelphia on the night of November 25, following the Army-Navy football game, became a closed incident today when Secretary of the Navy Denby made public the report of the board of officers which investigated alleged drunkenness among midshipmen of the Naval academy.
The board said Rear Admiral Henry B. Wilson, as head of the academy, was responsible for supervision of the

clared this was merely a reiteration of a well known military law, academy, instead of a committee of students, have personal charge of such

midshipmen, but Secretary Denby de-

tion of the alleged misconduct of certain midshipmen.

To-Auction Off 398 Cases of Whiskey

(By .sternational News Service.)
Cincinnati, O., Dec. 16.—Three hundred and ninety-eight cases of bonded whiskey are to be sold at public auction in Cincinnati in the near future by order of Judge John Weld Peck, of the U. S. district court. Only persons having proper permits will be allowed to bid. The whiskey was confiscated after it had been sold to Louis Cohen, of New York City, for \$28,000. Cohen having been convicted of atenting to bribe a federal prohibitio

\$300.000 TOTAL

Development Fund Expected to Be Raised in Spite of Weather and Other Conditions.

Despite handicaps of cold weather. contemporary drives and Astoria relief work, 'the Chamber of Commerce will continue its \$300,000 state-wide development fund drive next week and amount is received, according to decision made Saturday afternoon by nembers of the development fund executive committee.

The committee met Saturday to determine by what means the lines of the drive might be bolstered up. Workers reported that almost every prospect visited was in favor of the fund and was willing to subscribe his quota 100 per cent.
"We are determined to be successful

in this movement and are receiving en-couragement on all sides," said O. W. president of the chamber. dcubt if a more popular project ever has been suggested in the community, and people, not only in Portland, but all over the state are beginning to realize what it means to Oregon.
"There is no doubt of our getting the money required. It may be necessary to give the workers more aid. Possibly reorganization of some of the departments may be required. If so that will be attended to promptly so as not

to involve further delay," R. W. Price, chairman of the executive committee, has issued a call for another meeting of that body at 4 p. m., Monday, in room 612, Oregon Tuesday noon, captains of the teams

and their workers are expected to attend a luncheon at the chamber. The largest subscription made Saturday was \$6600 received from the Mult-nomah, Benson, Imperial and Oregon

University Courses On Religion Are to Be Offered Students

University of Oregon, Eugene, Dec 16 .- Two courses in religion will be offered by the university council of religion at the beginning of the winter term, according to Professor Albert R. Sweetser, chairman. The courses will be of university grade but op-tional and no credit will be allowed. One is aimed to aid the student in rganizing and systematizing his own religious experience and will be taught by Rev. W. H. L. Marshall of the Congregational church of Eugene. The other will be a study of the Bible from a literary standpoint under Rev.

Bruce Giffin, student pastor.

The council of religion has rranged for J. Stitt Wilson, nationally known student of social and industrial prob-Of Man He Killed student of social and industrial probat campus meetings.

Gob, Failing to Find Girl, Gives Self Up

Hoquiam, Wash., Dec. 16.-Because later he was paroled because of good he could not find the girl with whom conduct and ordered to report on the he is in love, William Meeker, said to econd day of each month.

Late Saturday afternoon he was Mexico at Bremerton last July, gave walking along Yamhill street in front himself up to the police here yester-

West Kelso Street Will Be Widened

Kelso, Wash., Dec. 16.—Property owners on Main street in West Kelso have virtually arranged to widen that street by 20 feet, making it 80 feet in width. This street will be the principal thoroughfare from the west end of the Kelso bridge to Longview and will connect with the boulevard 100 Closed Incident feet in width, which will lead from Seventh and Main streets in West Kelso to the center of Longview.

Daughter of Editor Heads Annual Staff

St. Helens, Dec. 16 .- Miss Marian Horton, president of the senior class of the St. Helens high school, will take her place beside her father as an editor as the result of the student body election, for Friday she was chosen editor-in-chief of the annual to be put out by the school. She is the daughter of S. C. Morton, editor of the St. Helens The report shows that such super-vision as has been customary in past chosen were: Oscar Mabsen, assistant years was given at the midshipmen's ball where the drunkenness was said to have occurred, but recommends that in the future officers of the Naval athletic editor, and Ora Hattan, business manager.

The board did not go into the ques- Budget for Polk-

provision had been made in the budget ond time to a vacan yound the fire zone. county agent, county fair or county library. An effort was made at the budget meeting to insert an item to care for the county agent, but this was

voted down. CHILDREN REGISTER HIGH Rive public schools and one pare-chial school in Portland registered 100 per cent in the Children's Book week reading program in November, which means that every child in the school ANTI-INMIGRATION LEAGUE
The first meeting of the American Anti-immigration league was held at the Jefferson high school Saturday evening. Speakers for the evening were D. C. Lewis, L. D. Mahone of Portland and M. Benoit of Wisconsin.

means that every child in the school above the second grade read some book from the list offered by the Portland Library association. More than 23,200 children turned in a report of having read at least one book during the week. The 100 per cent schools were Capitol Hill, Franklin primary, Franklin

New Star Fails to Appear LOWER IN FINISH DRIVE FOR Necks Craned Heavenward IS PROMISED WHE

By Bob Swayze " That new first magnitude star, re-ported by London as having been dis-covered by a Roumanian astronomer on December 4, has so far falled to disclose its twinkling brilliance to Pacific coast astronomers, amateur or otherwise. Hundreds of necks have been craned heavenward since the tele-graph announcement, but the stellar universe has revealed nothing un-

Tantalized by this futile search, local star gazers sought the assistance grown fainter and is rapidly being of the Lick observatory at Mount swallowed up in the darkness from came back with the message, "Lick observatory never heard of the star you asked about, but will take a PROBABLY ISN'T THERE

Lick was working under the direc-Lick was working under the directions that the star was in right ascension 282, 62 degrees north of the pole, an obvious error. The fact that Lick could not find the supposed star lick could not find the supposed star of years, ago, and has just now found the supposed star of years, ago, and has just now found the supposed star of years, ago, and has just now found the supposed star through the alliwarrants the belief that some man or men were seeing stars that didn't exist in that particular spot of the blue depths of space. Later observation gives the star's position as "right ascension 18 hours 48 minutes declination, plus 28 de-

of all stars. This latter position may also be erroneous, as such technical star continues its present rapid growth, the field of the sun's influence. it is apt by that time to be the bright-

a dazzling brightness. The last was discovered in June, 1918, in the constellation, Aquila, but it has steadily which it emerged. It is now a telescopic object only.

It is possible, nay even probable, that the present new star, or nova as it is technically called, had burned itself out long before it was glimpsed by the Roumanian star-gazer; in other

its way earthward through the all-

by Tycho Brahe in the 16th century. No one will experience any trouble

porary nature, is an event that will

attract the entire astronomic world.

New stars have appeared from time to time and faded away after attaining

THEORY OF DEAD SUNS Many hypotheses have been ad vanced to account for these strange heavenly visitors, and one is perhaps grees," or approximately 10 degrees as good as another. A southeast of Vega, a beautiful blue- speculation is that they are born of white body and the second brightest the terrific collision of once dark of all stars. This latter position may bodies or dead suns, millions of which description sometimes gets tangled in lifeless way through eternity, or until they defy the laws of gravitation Vega, of the constellation Lyra, is by rushing together and in consenot visible at present, and will not un-fold its brilliance in the evening sky contact that would shatter the solar until March or early April. If the new system if it happened within or near hypotheses have been put forth, but est object ever revealed by the distant that regarding collision is the most heavens and a rival for the honor so picturesque and the one with the most

WORK AT AS

Even Manager Brunold Dons Head Set and Aids; Girls Remain Until Roof Is Aflame.

ommercial feats of the events followlong distance telephone service. Within a few hours after the fire

started, trucks from Portland and other Northwest cities bringing linemen and other telephone specialists Telephone & Telegraph company.

tral girls handle the deluge of messages, incoming and outgoing, occaforced to flee for their lives.

ANSWERS MANY QUESTIONS Likewise it was Manager Brunold whe, despite the excitement prevailing inside and outside his office during the early stages of the great fire, cheerfully answered hundreds of questions and assisted everybody to get their calls put through.

It was he, who, when the city editor of the Astoria Budget, who is the O. W. Clausen.
Astoria correspondent for The Journal, Revenues which came into the exchange within 30 minutes from the start of the fire and asked to get a call through to The Journal, sidetracked a number of other calls that the Portland newspaper might be quickly apprised of the extent of the disaster; it was Brunold who personally called Mayor George Baker of Portland and asked him to hurry assistance to Astoria. It was also Brunold who put through a call sent by The Journal correspondent personally to Fire Chief Young of Portland, asking that his department send men, hose and apparatus to aid As-

ing flames. most cheerful messages he ever re- said. ceived over a wire was the one from ASK MORE MONEY Mayor Baker of Portland, when that official informed him to tell the Astorians that he was personally directing the preparations to send as-sistance here, a message Brunold conveyed to the citizens, bringing courage to the already paralyzed public.

RESUMED IN SIX DAYS With miles of cables and wires destroyed by the fire, the telephone company, with its augmented crew of more than 100 outside linemen and repair men, set to work and remained on the job day and night with a result that complete local service was re-sumed within six days, despite the fact that more than 1000 stations were put out of commission by the blaze, Long distance service out of Astoria

was never seriously impaired by the fire and was miraculously efficient both during and after the blaze. Com-pelled to vacate the central exchange when flames licked the front door, Manager Brunold and the large corps of central girls hurried to the city hall County Approved

Dallas, Dec. 16.—The annual budget of Polk county was approved by the taxpayers of the county, with the exception of one item, the americance fine. peption of one item, the emergency fund approaching fire threatened seriously, being cut from \$10,000 to \$2500. No the exchange was moved for the second time to a vacant garage safely be-MANY MESSAGES HANDLED

Thousands of messages to newspapers in Portland and other parts of the Northwest, to relatives of Astoria people in all parts of the world, to various firms from their local repre-sentatives, calls for outside assistance and relief were promptly handled. Coming here to assist Manager Bru-nold are Wire Chief D. A. Woodsen's Coming here to assist analoger by Splendid cooperation was also given noid are Wire Chief D. A. Woodard were telephone company officials from other points, including C. E. Hickman and Carl Whitmore, division superinant. Miss J. Hitchcock, chief operator, directed the high class service tendents; Ray Woodard, division superintendent of plant; O. P. Hoff, division plant superintendent; E. Ansell, district traffic superintendent; E. Ansell, district traffic superintendent; Fred Speer, Portland exchange mansell, W. S. Moore, traffic engineer.

Cost of Running Educational Institutions Will Be \$19,133,-818; State Expenses Decrease

Olympia, Wash., Dec. 16.-The administrative cost of government in the state of Washington, exclusive of higher educational institutions and other branches cared for by special funds, will be reduced in the next biennium the speedy restoration of local and if the recommendations of the state fiare approved at the 1923 session of the legislature, which opens January 8.

In its estimates for 1923 and 1924 the committee has fixed appropriations for the general fund at \$10,014,251.74, started pouring into the city from all which is nearly \$165,000 below those of directions on orders from district officials, who promptly responded to the \$10,178,956.76. Departments asked \$11,call sent out for help by A A Brunold, Astoria manager for the Pacific States | REASONS GIVEN

However, the cost of administering Manager Brunold put on a head- the higher educational institutions and set and for hours assisted the cen- the forms of government under the special funds is raised in the budget almost \$2,500,000. The total for these sages, incoming and outgoing, occa-sioned by the fire. All remained at their posts until the roof of the ex-change caught fire and they were forced to flee for their lives.

all nost \$2,500,000. The total to the fire and appropriations in the last blennium was \$16,688,722.07. which is increased this year to \$19,-133,818.61. The amount asked for under this head was \$20,401,627.97.

This large increase is due to the in-creased business in those divisions administered by special funds and also to the increased millage for all educational institutions, according to State Treasurer C. L. Babcock, chairman of the finance committee. The other members of the committee are Governor Louis F. Hart and State Auditor

Revenues which will be turned into the general fund from taxation and indirect sources in the next two years are estimated at \$9,386,376, which will mean that there must be approximately \$650,000 raised by some other

measures. However State Treasurer Babcock said yesterday that the balance, which will be left over in the general fund at the end of this year, will easily take care of any deficit, as there is about \$3,020,000 representing receipts from the poll tax. Although \$1,500,000 bonus bonds, the legislature is expected to appropriate funds to take care of toria in the battle against the sweep- this expenditure. Even if it fails to do this there will still be \$1.500,000 Manager Brunold said one of the over in the treasury, the state treasurer

Requests from the administrative code departments totaled \$9,375,320.37 and the committee recommended that they receive \$7,904.343 from the general fund in the next blennium. The last blennium the appropration was \$7,718,-951.66

A decrease will be made in the apopriations for elective officials from \$1,285,956 to \$1,224,612.16. Requests to-taled \$1,281,293,16. This includes the sureme court.

The higher educational institutions n the state all asked for higher appropriations than were granted, the University of Washngton asking for \$2,742,854 for the next bienniu committee recommending \$2,583,556. Appropriation for that institution for he last biennium was \$3,207,575. The committee recommended a total of \$1,829,215.58 for Washington State

lege, while the request was for \$2,-046,099.16. Last year the legislature appropriated \$1,777,035.45.

Ellensburg normal asked for \$576,-685.96, and if the recommendations of the committee are accepted will get \$282,885 as against \$302,660.75 last bi-

Recommendations for Bellingham normal totaled \$469,727. Requests totaled \$\$10,727.64, as against \$670,466.44 Cheney normal appropriations were cut from \$380,494,31 to \$380,000. They requested \$434,394.

Centralia normal, which is a new institution, asked for \$433,619.98 and recommendations totaled \$211,620, Last year they were allowed \$33,200.

All requests for the increased appropriations by the normal schools for additional buildings were vetoed by the

Splendid cooperation was also given

locating the new star when it does un-fold itself. There are only 21 first magnitude stars on the sky maps, and the addition of another, even of a tem-

Council Has New Scheme to Get Owners of Old Wharves Along West Side to Remove Them.

ecure a cleaning up of deteriorated wharves and structures along the west side of the Willamette river, many of which were condemned more than two years ago, it is understood that if hese buildings are removed by the property owners the city officials will oin in a move to ask for a general of insurance rates within his district.

It is expected that definite action will be outlined on the cleaning-up program at a meeting to be held in he city council chambers at 2 o'clock Tuesday afternoon. At that time the waterfront committee will confer with Commissioner Bigelow, who is in charge of the fire department, and Commissioner Barbur of the departnent of public works, as well as with representatives of the board of fire underwriters

In view of the recent fire disaster at Astoria, city officials here believe that every possible step should be taken to reduce Portland's fire hazards.

THREE AUTO BUILDING PERMITS TO BE ACTED ON Houghtaling & Dougan will have hree applications before the city council next Wednesday for permits for the erection of automobile structures. One of these is for the erection and maintenance of a building for auto nobile purposes at the southwest corner of Grand avenue and East Main street, and another is for a similar structure at the northeast corner of these street intersections. The third is for a building to be used for au-tomobiles at the northwest corner of Everett and Ninth streets, All will go to Commissioner Barbur of the de-partment of public works for his rec-

COMPANY FAILS TO REPAIR

ommendation.

BULKHEAD; COUNCIL TO ACT Failure of H. Jenning & Son to respond to notices from the department of public works during the past two years to repair its bulkheads adjacent to the Grand avenue bridge across Sullivan's gulch will cause special action by the council at its next session. Comnissioner Barbur will recommend that City Attorney Grant be instructed to officially notify this company to make mmediate repairs and also to erect fence around an excavation made

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Eagle Lumber Co. Retail Yard E. 42D AND HALSEY

PHONE TABOR 3961

J. A. BORTHWICK

2-PIECE BATHROOM \$65.00 Just Received a Carload of Slightly

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LET US INSTALL YOURS
C. BAYER FURNACE C

for a basement, and that this work be completed within 30 days.

Complaint has been made by the Portland Gas & Coke company that damage has been done to its six inch gas main on Grand avenue, north of Sullivan's guich, because of the giving way of these temporary bulkheads. Commissioner Barbur calls attention of the council to the fact that the Jenning company has been notified several. ning company has been notified several times within the past two years to make these repairs but has utterly ig-

SHOP PERMITS Wells Bennett has filed his applica ion to the city council for a permit to alter and maintain a one story class building for a sales distributing room and repair shop for motorcycles and bicycles at a location on Broadway,

for a basement, and that this work be completed within 30 days.

Complaint has been made by the road, between \$5d and \$6th streets

WILLIAM H. ENGLE

Molalia, Dec. 16.—Funeral services for William H. Engle, who died Wednesday, were held Friday afternoon at 1 o'clock in the I. O. O. F. hall. Mr. Engle was born here 59 years ago and lived all of his life in this parties. He was the son of the this section. He was the son of the little Samuel and Nancy Engle, early ploneers. He is survived by a son, Gilbert Engle of Yamhill, and a aughter, Bernice Engle of Molalla.

LESTER MORRIS

Sweet Home, Dec. 16.—Lester Morris died Wednesday at the home of Mrs. Phillipper, after a short illness, Young between Glissn and Flanders streets. Morris was a son of Mr. Thomas Mor-J. W. Lindquist wants a permit for a ris of Crawfordsville.

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JOHN KRIEGER



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