

HEALTH BILLS ARE PREPARED

Dr. Owens-Adair Proposes More Drastic Regulation of Marriage

Dr. Owens-Adair, who is present for the present sterilization bill which was held by the courts to be unconstitutional, has prepared for introduction in the legislature another bill which, it is believed, will be without constitutional flaws, and also has prepared a more stringent measure than the present law requiring examinations of applicants for marriage licenses.

The new marriage bill of Dr. Owens-Adair would require the applicants for marriage licenses, both male and female, to pass tests relating to communicable and contagious venereal diseases and also mental tests. The bill would exempt women who had reached the age of 45 years.

Board Rules Followed

If either or both applicants should fail to pass the health and mental tests it would be unlawful to issue the marriage license until one or both had been made sterile according to the rules of the state board of health, and in no case could a license be issued where the certificate of examination should show a mental capacity of not to exceed that of a child of 12 years.

Unless the usual examination should show positively the presence of venereal disease or mental incapacity it would also be necessary for the applicant to submit to a blood test for communicable venereal disease. If no laboratories were available for such tests free of charge the county courts would be required to provide them.

May Go to Court

Should an applicant not be satisfied with the findings he or she would have the right of appeal to the county court.

The fee to be charged for making the original examination and issuing the certificate would be \$2.50, to be paid by the applicant, and in case of an appeal to the county court the fees of the examining physicians and psychiatrists should not exceed \$3 each, and should be paid by the county.

Social Protection Object

The sterilization bill prepared by Dr. Owens-Adair, quoting from the title, would "provide for the sterilization of all feeble-minded, insane, epileptics, habitual criminals, moral degenerates and sexual perverts who are a menace to society, or whose physical, mental or neural condition would be benefited by sterilization in any form, or who are persons potential to producing offspring, who, because of inheritance of inferior or anti-social traits would probably become a social menace or wards of the state, and providing the means for ascertaining who are such persons."

WOMAN JURY LAW LEGAL

Supreme Court Finds Act is Constitutional in Case from Lane County

The women's jury law enacted by the legislature of 1921 is held constitutional, in an opinion of the supreme court yesterday, affirming Judge G. F. Skipworth of the lower court for Lane county in the case of the state against J. J. Chase. The opinion was written by Justice McBride:

Chase was convicted on an indictment for a statutory offense. The defense objected to the method of drawing the jury and the appeal was on that basis.

Minor Involved

The women's jury law requires that in cases involving a minor on either side, half the jurors shall be women. The proceedings in the present case are set out by Justice McBride in substance as follows:

The drawing of the jury proceeded regularly until six men and five women had been drawn, one by one, when the clerk drew from the jury box the name of W. L. Wheeler, a male juror. The state objected to the drawing of any more men on account of the provisions of section 10 of chapter 273, laws of 1921.

Ruling Temporary

The objection was overruled temporarily and Wheeler was examined and took his place in the jury box. Another woman juror was drawn but was excused for cause and then before any more men jurors were called, the court reconsidered its ruling in respect to Wheeler and excused him from service, to which ruling defendant excepted. The clerk continued to draw names until the name of a woman was drawn, to all of which the defendant excepted. The names of women jurors were exhausted and the court directed the sheriff to draw 10 more names of women from the regular jury list to appear later, to which the defendant objected on the grounds that the names of male jurors still remained in the box. When the court reconvened the court announced that it would adhere to the ruling rejecting the names of further male jurors, with the result that the jury selected was composed of six men and six women.

MAKE AGENTS RETURN DRINK THEY SEIZED

Federal Officers Make Haul of \$300,000 Without Warrants—All Taken Back

PHILADELPHIA, Dec. 19.—Declaring that United States prohibition agents violated the fourth amendment of the constitution in making raids without proper search warrants, Judge Thompson in the United States district court today dismissed two liquor cases involving several hundred thousand dollars.

Liquor and wines valued at \$300,000 was ordered returned to the warehouse of J. L. Lipschutz, where it had been seized by dry agents. Stills, copper coils, malt extract, whisky flavoring and accessories worth more than thousands were ordered returned to the Atlantic Food Products company from which place they had been taken.

Yesterday in Washington

Breaking records for the speedy enactment of appropriation bills, congress sent the treasury and commerce-labor supply measures to the president.

A suit challenging the constitutionality of the Sheppard-Towner maternity and infancy act was filed in the District of Columbia supreme court.

Secretary Denby transmitted to congress, on request, a statement of naval scrapping done by the several powers since the Washington arms conference.

The house began consideration of the Green resolution which proposes a constitutional amendment prohibiting further issuance of tax-exempt securities.

Senator Ladd, Republican, North Dakota, introduced a resolution for an investigation of conditions in Nicaragua in connection with the American occupation there.

The senate failed to reach an agreement as to whether priority should be given the administration shipping bill.

The house judiciary committee, investigating the impeachment charges against Attorney General Daugherty, continued its hearings which, however, appeared to be near an end.

Foreign shipping companies, in a brief filed in supreme court, attacked the lower court decision prohibiting their vessels from carrying liquor in American territorial waters.

Action on the nomination of Pierce Butler, St. Paul attorney, to be an associate justice of the United States supreme court, was deferred in the senate through objection to consideration at this time. It was indicated that action might be taken Thursday.

Law Is Clear

Justice McBride upholds this procedure, quoting the law which says that "in all cases in which a minor under the age of 18 years is involved, either as defendant or as complaining witness, at least one-half of the jury shall be women."

The defense alleged unconstitutionality of the law on grounds that it discriminates against male jurors because it makes service by women on juries voluntary; also that for this reason it deprived the defendant of a fair and impartial jury. This contention is not upheld by the supreme court, though Justice McBride says he believes it would have been better for the law to have stated the grounds on which women should be excused.

Portland School Bonds Legal

Validity of a school bond issue of \$2,000,000 by the Portland school district on June 17, 1922, is established by an affirming opinion of the supreme court, written by Justice Rand and upholding the decree of Judge G. W. Stapleton of the lower court for Multnomah county.

The bonds were assailed by E. B. Miller, a resident and taxpayer in the district, who was plaintiff and appellant in the case, which was brought against the Portland school board.

Other Opinions Issued

Other opinions were handed down as follows:

E. J. Fisher vs. J. C. Bayer, trustee, et al, appellant; appeal from Wasco county; on objection to cost bill. Opinion by Justice Brown. Objections sustained in part.

W. F. Homan, trustee, vs. W. H. Doolittle, trustee in bankruptcy, et al, appellant; appeal from Malheur county; suit to foreclose on city lots in Ontario. Opinion by Chief Justice Burnett. Judge Dalton Biggs affirmed.

S. R. Pierson vs. Marguerite L. Richards et al, appellant; appeal from Marion county. Appeal from decree rendered upon refusal of defendant to plead further after court had overruled demurrer to complaint involving complaint asking enjoining of foreclosure. Opinion by Justice Harris. Judge George G. Bingham reversed and case remanded.

W. J. Chase vs. J. L. McKinnis, appellant; appeal from Union county; suit to recover money. Opinion by Justice Harris. Judge J. W. Knowles affirmed.

W. H. Laam vs. Mary L. Green, appellant; appeal from Baker county; suit for damages. Opinion by Justice Bean. Judge Gustave Anderson affirmed.

Officials for Game Are Announced at San Diego

SAN DIEGO, Cal., Dec. 19.—Following the receipt of news that the West Virginia football squad had left on its long trip to meet Gonzaga university here on Christmas day, it was announced late today that three of the four officials of the game had been selected. Walter Eckersall, famous Chicago star, will be referee. Another official will be Tom Thorp of New York, who has officiated in many eastern contests. The third is H. E. Van Surdam, now living here, who is a former player and coach.

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\$1.69 Dressed Dolls, sale price	\$1.25
\$1.98 Dressed Dolls, sale price	\$1.39
\$2.19 Dressed Dolls, sale price	\$1.69
\$2.69 Dressed Dolls, sale price	\$1.89
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