

JONES SUIT GAIN

Sheriff Levies Upon Barber Shops Being Boycotted.

DEPUTIES ARE IN CHARGE

Will Take Over Daily Receipts to Satisfy Judgment Obtained Two Years Ago—Boycott Injunction Still Under Adversement.

More trouble fell to the lot of William G. Jones, the barber who is being boycotted by the union, yesterday afternoon, when Sheriff Stevens' deputies levied upon Jones' two shops, executing a judgment obtained against Jones in the Circuit Court two years ago. Keepers appointed by the Sheriff are now in charge of both shops, and all receipts will go to satisfy the judgment.

Two years ago W. L. Morgan brought suit through his attorney, W. S. Hoffman, to obtain from Jones and Albert A. Mack, \$225, and 10 per cent interest for two years. The case went in Morgan's favor, but he never collected from Jones and Mack, and the Sheriff was not asked to levy upon their property. But unless the defendants now put up a bond and satisfy the judgment, the Sheriff may be called upon to enforce the judgment by seizing the shops.

Judge Gantenbein, in the Circuit Court, took under advisement yesterday afternoon the case in which Jones and Mack are seeking a permanent injunction, restraining the local barbers' union from continuing its boycott and picketing. Arguments upon the question were heard before the court yesterday afternoon by Attorneys Gus C. Moser, for the defendant union, and W. C. Bristol and Martin Watson, for the plaintiff. Combating the contention of Jones' attorneys that union pickets called the Jones establishment a "scab shop," Mr. Moser said that on one occasion Mr. Jones himself appeared at the door of one of his shops and shouted to a crowd which had gathered:

"Yes, boys, this is a 'scab' shop. Come on in and get shaved," or a similar expression. Mr. Moser also read from The Oregonian of October 11, the report of the decision rendered in the United States Court of Appeals, in which the court held picketing to be lawful. Counsel for Jones contended, however, that the present issue differs from that raised in the Chicago case.

CASE OF LUX BEFORE COURT

Gantenbein to Decide Status of Alleged Lunatic From California.

Whether or not Lewis A. Lux shall be returned in charge of an attendant to the Napa State Hospital for the insane at Napa, Calif., taken to the asylum at Salem or given his liberty, will be decided by Presiding Judge Gantenbein in the Circuit Court this afternoon. Dr. Johnson examined Lux this morning, and reported to the court during the afternoon that Lux is fit to be at large if he is cared for by friends. The physician said the man is ill and unable to work.

Lux recently escaped from the Napa asylum, where he had been incarcerated because he imagined that he was Jesus Christ. Attorney John E. Logan and John H. Stevenson argued yesterday morning that the man cannot be taken to California, because the court records do not show a commitment order is complete. In case Judge Gantenbein decides to return him to that state, Lux's attorneys will probably appeal to the Supreme Court.

MOTHER OF SEVEN A FLIRT

Alienation of Affections Suit Also Brought by Her Husband.

It was after seven children had been born to her that Mrs. Josephine Noyes began a flirtation with George Solters, which has brought about an abundance of litigation, according to the various charges and counter-charges being made in the Circuit Court. Mrs. Noyes, who is 40 years of age, is suing her husband, Albert J. Noyes, for alienation of affections, and at the same time is suing George Solters for \$10,000 for alienating his wife's affections. Mrs. Noyes, through her attorney, filed an answer to her husband's complaint yesterday, admitting that she was in love letters to Solters, but she did it merely as a joke, she says. She also declared in the complaint that after her husband had "postered and fantasized her until she went into a kind of righteous indignation," she admitted to him that she did love Solters. She asks for a decree of divorce, in addition to \$25,000 in damages for her own support, \$1000 for the support of three of her seven children, together with their custody, and the ownership of the home at Kentworth.

Notes of the Courts.

Alleging that R. Hallberg owes Lowrey & Company \$1568, and Case & Reist Company \$1008, L. B. McManus has filed suit in the Circuit Court to recover. He says the claims have been placed in his hands for collection. Hattie Higley has filed suit against Mary Higley in the Circuit Court to obtain a divorce on the ground of desertion. She married her husband at Vancouver, Wash., April 24, 1884. He deserted, she charges, April 8, 1888. D. N. McDonald alleges in a suit filed in the Circuit Court that Frank C. Bolin owes him \$2200 on a land contract. Bolin is charged that Bolin agreed to pay \$5 an acre as a location fee. He afterwards secured C. H. Maginins and John Pearson. It is alleged, to file claims on 60 acres, worth \$2000. Rose L. Hathaway has filed suit in the Circuit Court against Alex Sweek to recover \$180 and \$100 attorney's fee, on a \$1100 promissory note. The Bernard Pape estate has been appraised by O. P. Miller, R. L. Zeller and O. G. Barlow at \$27,225. The report was filed in the County Court yesterday.

Accused Wife-Slayer on Trial.

NEW YORK, Oct. 26.—The second trial of Theodore Whitmore began in Jersey

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HOTEL OREGON CORNER SEVENTH AND STARK STREETS Portland's New and Modern Hotel. Rates \$1 per Day and Up European Plan. Free Bus WRIGHT-DICKINSON HOTEL CO. Props.

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In the heart of the business and shopping district. The most modern and up-to-date hotel in the Northwest. Local and long-distance phones in every room. Rooms with private bath, en suite and single. Large and modern equipped sample-rooms. ELEGANT GRILL—MUSIC Rates \$1.00 and up W. SWETLAND, Manager.

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Long Distance Phone in Every Room. Free Bus Meets All Trains. Rates—American, \$2.00 per day and up. European, \$1.00 per day and up. Board without room, \$1.00 per month.

A Strictly First-Class and Modern Hotel Containing 170 Rooms. Only American and European Hotel in Portland. NORTONIA HOTEL ELEVENTH, OFF WASHINGTON ST.

Beautiful Grill Room American Rates to Families and European. Our Bus Meets All Trains. Sample Suites, with Baths, for Traveling Men. MODERN COMFORTS MODERATE PRICES

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“The House of Welcome,” Corner Park and Alder. Portland's Bon Ton Transient Hotel. Headquarters for the traveling public. European plan. Single, \$1.50 and up. Double, \$2.00 and up. Our free omnibus meets all trains. C. W. CORNELIUS, N. K. CLARKE, Proprietor, Manager.

Portland's new and most modern furnished hotel, Third and Main streets, fronting on the beautiful City Plaza and adjacent to business center. Free bus to and from trains. Up-to-date grill. Excellent cuisine. Telephone in every room. Private baths. EUROPEAN PLAN. AMERICAN PLAN. Rates \$1.00 to \$4.00 per Day. O. H. SPENCER, Manager.

City this morning, when the attorneys undertook the task of selecting jurors to try Whitmore on a charge of murdering his wife and throwing her body into Lamplack Swamp on Christmas eve last year. On the first trial the jury disagreed, but this time the state thinks its case is stronger, as two women who lived in the same house with the Whitmores in Brooklyn, and who disappeared immediately after Mrs. Whitmore was killed, have been found, and it is said that both will testify that they saw Whitmore and his wife leave the house on Christmas eve, and later saw Whitmore return alone. Whitmore declares that he did not see his wife on the night of the murder.

DAILY METEOROLOGICAL REPORT. PORTLAND, Oct. 26.—Maximum temperature, 61.9 degrees; minimum, 49.9 degrees. Rain falling at 8 A. M., 3 feet; change in last 24 hours, 1.5 inches. Total rainfall, 5 P. M. to 5 P. M., none; total since September 1, 1908, 4.23 inches; normal, 4.81 inches. October 26, 10 hours, 24 minutes; possible, 10 hours 34 minutes. Barometer, 30.02 (sea-level), 29.87 (at 6 P. M.).

WEATHER CONDITIONS. During the last 12 hours the barometer has fallen quite rapidly over the North Pacific States, but fair weather continues everywhere in the Rocky Mountain and Pacific States. The temperature has changed but little, except at Marshfield and Skidway, where at the former station it is 12 degrees cooler and at the latter 10 degrees warmer. Monthly weather conditions along the seaboard from the mouth of the Columbia River to San Francisco, Cal., where temperature 70 to 75 degrees or more occurred. Owing to the rapidly falling barometer it is likely that weather in this district will only last a day longer, when cloudiness will increase and be followed by rain, first along the coast and then in the interior. PACIFIC COAST WEATHER. Observations taken at 5 P. M., Pacific time, October 26: FORECASTS. For the 25 hours ending midnight, Oct. 27: Portland and vicinity—Fair; southeasterly winds. Oregon—Fair, except increasing cloudiness, followed by cooler weather and rain along the coast; southeasterly winds. Washington—Fair, followed by increasing cloudiness, with rain near the coast; southeasterly winds. EDWARD A. BEALS. AUCTION SALES TODAY. At Gilman's auction rooms, 811 Washington St., at 10 o'clock A. M. R. L. N. Gilman, auctioneer. At Baker's Auction House, 132 Park St., near Morrison at Furniture, carpets, etc. Sale at 10 o'clock. Baker & Son, auctioneers. By the Portland Auction Co., 10 A. M. at the new Scott Hotel, 7th and Ankeny, the furniture from the Heizer Hotel. DIED. Dunning, McEntee & Gibson, Funeral Directors, 7th and Pine, Phone Main 490. Lady assistant. GEORGE T. COUNTRY CORNER. FLETCHER—In this city, October 26, Joseph Frederick W. Probst, aged 47 years, 8 months and 9 days, beloved husband of Sadie L. Probst. Friends invited to attend funeral at 2 P. M. Wednesday, October 27, at 2 P. M. Friends invited. Interment in Greenwood Cemetery. WILKINS—In this city, October 26, John H. Wilkins, aged 70 years, 11 months and 23 days, deceased was a member of Sunnyside Lodge, No. 22, of the Grand Lodge of the I. O. O. F. Funeral services will be held at 2 P. M. Wednesday, October 27, at 2 P. M. Friends invited. Interment in Greenwood Cemetery. SIMMONS—The funeral services of the late William H. Simmons, aged 49 years, 8 months and 15 days, beloved wife of W. R. Simmons, and daughter of J. L. Wells, Simmons, and daughter of J. L. Wells, Simmons, a native of Canada, Eastern and Sixth streets, Tuesday, October 27, at 2 P. M. Friends invited. Interment in Greenwood Cemetery. PHILLIPS—In this city, Oct. 26, Frederick Phyllis, aged 41 years, 5 months and 9 days, a native of Canada, died at his home, 1015 and a half Broadway, at 2 P. M. Wednesday, October 26, at 2 P. M. Friends invited. Interment in Greenwood Cemetery. WELLS—At the family residence, 63 East Seventh street, North, October 24, Mrs. D. 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