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COURT DISSOLVES ROAD INJUNCTION

Polk County Case Is Won by Highway Body.

PAVING WILL BE RESUMED

Commission Now Ready to Go on With Agreement.

WORK IS BADLY DELAYED

Completion of Route Held Up at Least One Year Through Injunction of Litigation.

Dissolution of the injunction in the Polk county road case was directed by Circuit Judge McCourt yesterday. The decision of the court now permits the A. D. Kern company and the Warren Construction company to resume the paving jobs which were stopped by the injunction proceedings several weeks ago. The Kern company has less than 3000 yards of surface and the other contracting company has approximately a mile. Both these stretches of pavement would have been finished now but for the injunction sought by Polk county persons. Judge McCourt's action upholds the conduct of the state highway commission, which was the defendant in the case. Commissioners Benson and Booth, in commenting on the decision yesterday, declared that the commission is ready to carry out its part of the agreement with the Polk county court. The county court, by the agreement, was to prepare the grade for the Pacific highway from Monmouth south and the commission was to pave it. The county court, however, declined to build the grade.

ROAD DELAYED FOR YEAR.

The action of the Polk county court has delayed finishing the road by at least one year. Had the grade been prepared this year it could be paved in 1921. If the court now undertakes to execute its part of the agreement, no work can be done until the grade and the road will have to wait over at least one year before suitable for surfacing, so that the earliest date the section can be paved will be in 1922.

TWO SUITS STARTED.

Two suits were started by Polk county persons against the highway commission, one the injunction, and the other designed to compel the commission build the Pacific highway through Dallas and Independence, instead of going on the direct route selected. The latter suit is now on appeal to the supreme court. In the injunction suit, which Judge McCourt also heard, he interpreted the law as directing the commission to build the Pacific highway through Dallas and Independence. The contention of the highway commission has been, and it was confirmed by testimony of witnesses for the plaintiff, that the Polk county court said the commission could locate the Pacific highway wherever it saw fit if a paved road was laid from Dallas to Salem. This Dallas-Salem road was in progress of paving when the Polk county court refused to prepare the grade south of Monmouth. The legal proceedings followed.

Local Benefits Held Secondary.

After reviewing the testimony in the injunction suit Judge McCourt said: "It is plainly apparent from the evidence that the route selected by the highway commission for the Pacific highway through Dallas and Independence will ultimately carry the great bulk of the through travel and this, whether the same now be diverted through Dallas and Independence, or either of them, by paved highway. Sooner or later, a road must be improved upon the direct route adopted by the commission. The highway commission is engaged in improving a system of state roads, and the primary consideration for the improvement of such a system is its utility for use by the general public. The local benefits and considerations which naturally appeal to the municipalities of Dallas and Independence are secondary and were so recognized by the commission and by these municipalities when the latter withdrew their objection to the construction and improvement of the highway along the direct route. The arrangement in a method proposed for taking care of the local demands of Dallas by a paved road from that place to Rickreall and thence on to Salem, and likewise cared for the demands of Independence by a paved road between Independence and Monmouth.

Fidelity Is Demanded.

"If more was desired by these municipalities, or either of them, in the way of highways supplying their local interests, efforts should have been directed toward securing branch or market roads extending from the (Continued on Page 3, Column 1.)

NORTH BEND MURDER MYSTERY CLEARED UP

CLOTHES ARE THOSE OF MAN KILLED AT ASTORIA.

TRIP TO MINNESOTA IS DECLARED SUCCESS.

Many Speeches Delivered

THROUGS GREET NOMINEE

General Pershing Boards Train on Return Journey; More Addresses Outside Likely.

TAX ON INDUSTRY URGED

Levy to Provide Against Unemployment Asked by Labor.

PORTSMOUTH, England, Sept. 9.—The trade union congress in session here adopted a resolution today declaring responsibility for unemployment shall be borne by industry and that in no case should the levy of income fall below 45 per cent of wages earned when full employment. Power should be obtained to force a levy on industry to raise the necessary fund, the resolution added, and the parliamentary committee was instructed to take necessary action to this end.

RUSSIAN REFUGEE KILLED

Lad of 14 Mothered by Red Cross

NEW YORK, Sept. 9.—Pavel Nikolov, a Russian refugee, was killed yesterday by a Red Cross official while on his way to the front lines. He was shot by a friendly soldier on guard duty. This announcement was made at noon by Red Cross officials.

MINERS' DEMAND DEBATED

Washington Coal Workers Want Increase of \$1.50 Day.

SEATTLE, Wash., Sept. 9.—Demands of Washington coal miners for a flat increase of \$1.50 a day in the wage scale of miners employed by the day were discussed at a meeting here this afternoon of representatives of district No. 10, United Mine Workers, and the Washington Coal Operators' association. The present scale for day workers, according to Ernest Newscham, district secretary, ranges from \$5.50 to \$6.55 a day. Most of the actual mining is done by contract workers, who would not be affected by the proposed increase, Mr. Newscham said.

EIVERS' HOME IS ROBBED

Legion Adjutant Reports House Looted While Family Away.

Captain Edward J. Eivers, state adjutant of the American Legion, reported to the police last night that his home at 179 East Sixteenth street north had been entered by a burglar and an overcoat and some money stolen. Entrance was made through an open window.

FLIERS HELP FISHERMEN

Biggest Hauls on Record Made in Chesapeake Bay.

WASHINGTON, Sept. 9.—As a result of patrols maintained by naval seaplanes, Chesapeake bay fishermen are making the biggest hauls on record. Immense schools of fish are spotted almost daily by the seaplanes. It was reported that fishing fleets get the location by radio communication or, if within sight, by flag signals.

FRENCH LOAN EASY ONE

Books Open Hour and Over-Subscription Reported.

NEW YORK, Sept. 9.—The new \$100,000,000 25-year, 8 per cent French government loan was oversubscribed and subscription books were closed in an hour, J. P. Morgan & Co., syndicate managers, announced today. The books were formally opened at 10 o'clock and closed at 11.

HARDING AT HOME IN BUOYANT MOOD

Rail Depot Robbed; Agent Is Prisoner

6 MOURNERS INJURED WHEN LAMP EXPLODES

ONE HOUSE DESTROYED; FIRE SPREADS TO TWO OTHERS.

CHICAGO PROBERS GETTING NOWHERE

Slush Fund Inquiry Becomes Fiasco.

GEORGIA DEMOCRATS ELECT EX-POPULIST

THOMAS E. WATSON FIRST IN PRIMARY SENATORIAL RACE.

GO DDYBE SHAWM, WAVES INSPECTOR

Women Police Get Ready for Dance Clean-Up.

CITY'S NAME HELD STAINED

Portland Lags Behind Rest of Coast, Records Show.

LAW TO BE PUT TO TEST

Managers of Halls Who Refuse to Enforce Ordinances Will Be Prosecuted, Is Threat.

BEAUTIFUL PARKS TOPIC

Ways and Means of Beautifying Is Discussed by Superintendents.

INTEREST RATE ADVANCES

Aberdeen Savings Bank Will Pay Depositors 4 Per Cent.

NATAL DAY IS OBSERVED

California Admitted to the Union Just 70 Years Ago.

RAIL STRIKE ROTS FOOD

Yards in El Paso, Tucson and Los Angeles Blocked.

SHIPS COLLIDE AT SEA

Passenger Vessel and Freighter Crash Together, Says Report.

DEPARTMENT IS DEFINED

Boundaries of Pacific Army Division Are Announced.

COMMITTEE UNDECIDED AS TO WHAT TO DO NEXT.

SOME WOULD MOVE EAST

Republicans Would Probe Alleged Liquor Interest Activities; Democrats Would Go On.

RAIL DEPOT ROBBED; AGENT IS PRISONER

OREGON ELECTRIC STATION IS HELD UP.

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