STRIKERS ATTACK RAIL INJUNCTION

Suit Is Filed to Test Restraining Order.

WIDE AVENUE POSSIBLE

Electrical Workers' Brotherhood Expects Court Writ to Have Nation-Wide Scope.

WASHINGTON, D. C., Sept. 7.—(By the Associated Press.)—Legality of the order obtained by the government from Federal District Judge Wilkerson at Chicago, restraining the striking railway shop crafts and the railroad brotherhoods from interfering with transportation in prosecution of the shopmen's strike, was assailed today in a suit filed in the supreme court of the District of Columbia by the International Brotherhood of Electrical Workers, one of the organizations on strike. The question of jurisdiction of the Chicago court was also raised by the petition which denied that the plaintiffs had been guilty of any illegal act "before or since" July 1.

Permanent Injunction Asked.

The electrical workers asked a permanent injunction to prevent United States Attorney Gordon and United States Marshal Snyder from enforcing locally the provisions of the Chicago order. Within two hours after the filing of the suit—which was set for hearing next Saturday—Mr. Snyder had served formal notice of the Chicago injunction on J. P. Noonan, president of the electrical workers, on most of the other local leaders named as defendants before Judge Wilkerson and was instituting a search for William H. Johnston, head of the machinists' association, who was said to have "disappeared again" after visiting his office.

Nation-Wide Scope Wanted.

The machinists' leader, according to some of his associates, however, had left for Chicago before Marshal Snyder started out with the official copies of the restraining order.

While the electrical workers' petition was said to have been filed solely on their own behalf, and without reference to the other six unions on strike, Mr. Noonan said they expected both the temporary order, which they hoped would be issued Saturday, and the permanent writ to have a nation-wide scope.

Officials of the department of justice would not comment for publication on the recourse of the strikers to the courts, but unofficially they expressed the opinion that if the supreme court of the District of Columbia should grant the temporary restraining order, it would open up wide avenues leading to possible upsetting by courts of other jurisdictions of injunctions and restraining orders granted by the district supreme court, such as those in various packers and other important cases—under the Sherman and Clayton acts.

Settlements Not Confirmed.

The entire question, it was said, unofficially centers on section 15 of the Clayton act, and section five of the Sherman law, which provide that in suits brought thereunder the judge of any federal jurisdiction, if in his judgment it is deemed necessary to protect the government or the purposes of an injunction, may have the power to subpena witnesses and defendants in other jurisdictions.

While references to alleged secret negotiations at various unnamed places looking to separate settlements with individual roads continued to be heard throughout the day, these still remained tonight in the status of "unconfirmed reports."

Progress Declared Made.

Mr. Noonan denied flatly, so far as his union was concerned, that there had been any conference with railroad executives since the last New York meeting, adding that none was in prospect. The forthcoming meeting in Chicago of the strikers' general policy committee, according to his information, Mr. Noonan said, is for the purpose of discussing the strike situation as it has developed since Attorney-General Daugherty appeared before the Chicago court and left with an order which union leaders assert was the most sweeping ever granted.

The administration officials who have kept in personal touch with one or both sides of the transportation controversy throughout its progress reiterated today they had reason to believe that the prospect for settlement of the strike on several individual roads appeared to be improving. It was said that B. M. Jewell, leader of the striking shopmen, had been in touch with several of these recently and, while officially the department of justice was not advised of Mr. Jewell's whereabouts, it was indicated that administration officials had "a well-defined idea" of his activities. It was intimated by some in the confidence of President Harding and Attorney-General Daugherty that any persistent attempt to obtain service upon Mr. Jewell of the federal court injunction at Chicago had been deferred because of the belief that he was engaged in negotiations which might bring a settlement of the strike within the realm of justifiable hope.

Daugherty Sees Betterment.

Attorney-General Daugherty was said to feel that the strike situation, as it directly affects the law enforcement branch of the government, had cleared up appreciably in the last few days.

Reports from centers in which it was found necessary to concentrate forces of special deputies were said to have emphasized the continued maintenance of law and order among strikers and railroad employes.

After a conference between Mr. Daugherty and Senator Borah it was reiterated by government officials that no effort would be made to retain in the Chicago permanent injunction, when and if granted, the provisions which have been interpreted as tending to interfere with "free speech." How far the government representatives would go in agreeing to a modification of the temporary order was not stated.

Radical Changes Predicted.

But those in close touch with the administration predicted tonight that it would be "very radically modified." The attorney-general and his advisers were said to have come to the conclusion that the temporary order went unnecessarily far in its restrictions.

The question was understood to have been discussed at conference between Attorney-General Daugherty and Chairman Cummins of the senate interstate commerce committee, held at the White House with President Harding tonight.

Discussing his conference with the attorney-general, Senator Borah said he could not quote Mr. Daugherty, but that he had given his criticisms of the restraining order.

Legality of Clauses Doubted.

"I told him that in my opinion certain clauses went beyond the power of the court and were in violation of the constitution," said Senator Borah. "I also told him that their being there didn't help his case any. On the other hand, they retard and delay the adjustment of the real controversy. I called attention to the clauses tying up the funds of the union, those relating to discussion of the strike and those relating to interviews and newspaper publications."

Senator Borah today telegraphed John J. Dowd, chairman of the central strike committee of the metropolitan district at New York for the shopmen, in reply to the latter's request that he begin impeachment proceedings against Attorney-General Daugherty and Judge Wilkerson. Senator Borah said he would reply more fully after the injunction hearing next Monday and after receipt of Mr. Dowd's message, expressed sympathy "with efforts to maintain constitutional privileges."

His messages concluded: "After all, we find the old constitution a fine charter in time of trouble, do we not? Let us stand up for it regardless of who would undertake to disregard it or violate it. Will communicate with you fully after the hearing."

NEW PEACE MOVE DENIED

Gomper Pledges Support to Impeach Daugherty, Wilkerson.

NEW YORK, Sept. 7.—Railway executives tonight stood pat on their assertion that they know of no new move being afoot to end the shopmen's strike.

A. H. Smith, head of the New York Central lines, which were reported to have been represented at a secret meeting in Baltimore, denied emphatically that his road had participated in such a party, or intended to.

Other rail heads also professed ignorance of any further peace conferences, maintaining their stand that recruits rapidly were being found and that the strike was near a collapse.

Samuel Gompers, president of the American Federation of Labor, telegraphing from Atlantic City, pledged the support of the federation in efforts to impeach Attorney-General Daugherty and Federal Judge Wilkerson of Chicago for their part in the issuance of the government's rail injunction.

Another message came from Senator Cummins of the senate committee on interstate commerce, in which he informed the local strike committee that the committee could see no need for investigating the condition of rolling stock, as requested, because of "the fact that the roads have not been able since July 1 to keep their engines and cars in proper condition is admitted by all candid persons."

STRIKE LEADERS TO CONFER

Purposes of Executive Meetings Today Kept Secret.

CHICAGO, Sept. 7.—(By the Associated Press.)—Rail strike leaders from every section of the country were hurrying to Chicago tonight in response to the summons of B. M. Jewell, president of the railway employes' department of the American Federation of Labor.

To morrow there will be a meeting of the executive council, consisting of the six executives of the shopcrafts and Mr. Jewell, and on Monday there will be a meeting of the policy committee of 90. The object of the sessions was not stated.

At union headquarters a veil of secrecy was thrown over both meetings, although it was said a meeting of the executive council would be secret and that no announcements of any kind would be made regarding any possible action it might take.

STATE-WIDE PLOT REVEALED

Bridge Burning Move to Terrorize Oklahoma, Says Officer.

OKLAHOMA CITY, Okla., Sept. 7.—With the arrest of four men in connection with the burning of a bridge over the Chicago, Rock Island & Pacific railroad south of El Reno, Okla., on August 17, United States Marshal McDonald announced here tonight that he had gathered evidence indicating a state-wide plot among certain striking railway shopmen to destroy bridges and terrorize "big four" brotherhood men in an attempt to precipitate a general railroad walkout.

BEAUTY CONTEST ENDS

(Continued From First Page.)

and the national beauty trapshooting tournament. The most brilliant of the social affairs mapped out for Miss Edwards was the American beauty reception and ball, which was held in the ballroom of the Ritz-Carlton hotel last evening and lasted until the wee small hours of the morning.

The interest tomorrow centers in the bathers' review, in which a thousand girls and the 57 intercity beauties will participate. The bathers' review is a feature of the pageant and will conclude the larger of the events of the 1922 pageant. There will be seven divisions in the review, among which amateur and professional beauties will clash for honors that will entitle them finally to compete for the golden mermaid which is now in the possession of Miss Margaret Gorman of Washington.

The judges will select their beauties from among the amateur class, three from the professional and three from the intercity contestants. Each class will then be eliminated to one and they in turn will compete with Miss America for the grand prize, the golden mermaid, which is valued at $5000. Miss America will then be declared and given her title to hold until the national beauty tournament of 1923.

Atlantic City's famous boardwalk tomorrow night will be turned into a great dancing pavilion for a distance of more than 20 city blocks with some 30-odd bands playing. The boardwalk will be cleared and given over to dancing. At this time another brillian illumination of fireworks will be given along the beach and a monster vaudeville entertainment will be given to those who desire to witness it.

Saturday evening the ballroom over the ocean at the end of the steel pier will be the scene of the judging for young women among those entered by the National Beauty contest possessed of the best screen features. The Famous Players-Lasky corporation in conjunction with the Stanley company of America has agreed to offer the winner of this contest an opportunity to display her talents in motion pictures. Mr. Shubert will make his selection Saturday night. Miss Anita Stewart, the famous screen star, will appear in person as a judge in these contests and act as hostess to a number of other motion picture celebrities.

Peacock Rock Springs coal. Diamond Coal Co., Bdwy. 3037.—Adv.

TIERNAN'S WIFE VOWS VENGEANCE

Love Now Hate for Man She Sinned With.

BROTHER COMES TO AID

New York Judge to Assist Prosecution of Boulin, Alleged to Be Illegitimate Father.

(By Chicago Tribune Leased Wire)

SOUTH BEND, Ind., Sept. 7.—Judge Harry J. Tiernan, Staten Island, New York, offered to aid his brother, Professor John P. Tiernan, of Notre Dame university, in the prosecution of Harry Poulin, who is charged with being the father of Mrs. Tiernan's nine-months-old son. It was announced at the Tiernan home that the offer would be accepted and that Judge Tiernan would join with Prosecutor Floyd Jellison.

An offer from an eastern motion picture company providing a large salary should Mrs. Tiernan consent to appear in a screen version of her own tragedy was declined this afternoon.

Humiliation Held Complete.

"My humiliation is complete," declared Mrs. Tiernan today, "but with my love for Harry Poulin turned to undying hate, I am going through with this case.

"I loved him more than I believed it possible for one to love another, now I hate him with a ferocity which I did not believe possible. I want him to suffer the punishment which justice must give to those who lead others into sin.

"I asked him, when the baby came, to come to our house and see it. He would not come. He did not dare to look at the innocent face of that child—his child. He was afraid to face the responsibility of our common sin.

Love Turns to Hate.

"And then he refused even to speak to me. He used to call me Gus. He thought once it was a wonderful name. And then he passed me coldly and turned away when we met. Then my love turned to hate, and it is a real hate, a hate for the man who destroyed my peace of mind.

"Then I saw his wife. She knew, but she told me that I was only imagining things, that the facts I gave her had never happened and that I was only thinking that they had. But oh, how she pleaded that I should not tell Professor Tiernan, how she begged that he be kept in ignorance.

"But I did tell him; he had found out some things, I told him the rest. He might have forgiven for the sake of our two little girls, but I taunted him day after day with the fact that this baby is not his. The love I had for Poulin had turned to hate that was as strong as the affection I had once for him. And this kept me at the task of inflaming the professor against the man who had supplanted him."

BALLOT SCANDAL LOOMS

(Continued From First Page.)

nomination stood; Ben W. Olcott 29, Charles Hall 66.

Both the factions interested in the recount are jubilant over the supposed theft of ballots.

"If the ballots cannot be found, the votes in this precinct cannot be counted and Coffey is nominated," contended John P. Kavanaugh, attorney for Mr. Coffey.

"If the ballot boxes have been tampered with, it proves that their protection has been lax and gives body to the defense of Mr. Emrick, who claims that the ballots in 201 were tampered with since he brought them to the courthouse," declared Herbert Dewart, attorney for Kirkwood. "What is more, it is up to Coffey in this recount to prove that the votes were not as recorded on the official tally sheets in this precinct and he cannot do this without the republican ballots. The vote can't be thrown out. The burden is on him."

Record Not Initialed.

Records in the county clerk's office show that the ballot boxes from precinct 197 were received there shortly before midnight on the night of the primary election. The record was not initialed, however, as was the case in virtually all other instances. Robert Mears, deputy county clerk, said yesterday that he thought it was his writing, however, and volunteered to initial the sheet. He could not recall whether or not the boxes from this particular precinct had been opened when brought in.

Ever since the primary election the registration room in the courthouse, in which the ballot boxes have been piled almost to the ceiling, has been kept under armed guard throughout the night. In the daytime it is never supposed to be deserted, with one or more clerks on duty all the time. It is known, however, that frequently there has not been more than one person in the room and that some juggling of boxes might have been possible in the day time.

James W. Gleason, deputy county clerk in charge, sealed every door leading into the registration room every night at 5 o'clock and did not break the seals until the room was opened the following morning. A special deputy was furnished as guard during the night by Sheriff Hurlburt.

Something Wrong Intimated.

The first intimation that there was anything wrong, and it was not more than an intimation, was when the boxes for precinct 197 were called for late Wednesday. They could not be found and a search was instituted. Finally one box was discovered and that with the seal broken. County Clerk Beveridge did not bring it into court but opened it in the presence of Charles H. Clark, associate counsel for Mr. Coffey, finding only the recall ballots therein. These facts were testified to before Judge Knowles yesterday.

The matter was not reported to the court at that time, as it was believed that the remainder of the ballots would be found in one of the other three boxes which had not been located. They were not discovered until yesterday, reported the county clerk, with the results already recorded.

All the members of the counting board, except the chairman were women in precinct 197. The personnel was: C. P. Benedict, chairman; Mrs. Mabel S. Eastman, 1512 East Ash street, judge; Clara B. Benedict, 1501 East Oak, clerk; Mary E. Chase, 11 East Sixtieth, North, clerk, and Daisy P. Roof, 1520 East Oak street, clerk.

Count Held Made Openly.

Market Master Eastman, husband of the judge of the counting board, drove the chairman to the courthouse in his automobile and went in with her when the boxes were delivered.

Mr. Benedict said last night that there was nothing secretive about his method of counting the ballots. "I would unfold the ballot, lay it on the table in front of me and Mrs. Eastman would look over it as I read it off," he asserted.

Precinct 197 was not one of the contested precincts in the Hall-Olcott recount and the boxes from there had not been opened before, according to Deputy County Clerk Gleason.

Kirkwood gained two votes on Coffey in the recount proceedings yesterday, leaving Coffey 21 yet to go to tie his opponent. Coffey has gained 69 votes to date on the 90-vote lead held by Kirkwood.

Tomatoes Are Shipped.

DAYTON, Or., Sept. 7.—(Special.)—One hundred crates of tomatoes were shipped from here to Tillamook yesterday by William Scott, the local "tomato king." For the last two years Mr. Scott has made a specialty of tomato growing. It is reported tha the crop this year will be about 3000 bushels. The Tillamook shipment is the first consignment of any size. The fruit was all graded for size and smoothness and the neat crate pack will make an attractive display on the coast market.

S. & H. green stamps for cash. Holman Fuel Co., coal and wood. Broadway 6353; 560-21.—Adv.

Get your coal at Edlefsen's.—Adv

TIRE PROBE IN ABEYANCE

COMMISSIONER PIER HOME TO HANDLE SITUATION.

Purchasing Bureau Mixup Causes Department Chief to Cut Short Vacation by Full Week.

City Commissioner Pier returned to the city yesterday, cutting his two weeks' vacation short by seven days in order to make his own report to the city council concerning recommendations which the city purchasing bureau made concerning purchase of tires.

City Commissioner Bigelow, who Wednesday had been instructed to make an investigation of charges that certain tire dealers had received unfair treatment at the hands of the bureau, asked to be relieved of the investigation in view of the return of Commissioner Pier.

Members of the council, out of courtesy to Commissioner Pier, readily consented to allow the head of the purchasing department to file his own report defending his actions.

Commissioner Pier made no statements to newspapermen but confided in one of the members of the council that he was not certain as yet "whether the attack on his department was malicious or just thoughtless."

Mayor Baker said that he had no desire to put Commissioner Pier or the purchasing department "in the hole" but that the council was responsible for the acts of the department and that he wanted to know if the reports of unfairness were true.

LUMBER CHIEFS AT BEND

Magnates in Industry Pay Visit to Central Oregon Region.

BEND, Or., Sept. 7.—(Special.)—Men high in the lumber industry are in Bend, three of them representing the Shevlin-Hixon interests while the fourth, Ralph Gilchrist of Alpena, Mich., is the owner of extensive pine holdings as yet untouched by the ax in central Oregon.

E. L. Carpenter, president of Shevlin, Carpenter & Clark; F. P. Hixon president of the Shevlin-Hixon company; T. A. McCann, vice-president of the Shevlin-Hixon company and ex-general manager of the company's local mill, are here from the Minneapolis offices, accompanied by E. C. Shevlin of Portland. Mrs. Hixon is making the trip with her husband.

BOY MAY LOSE ONE EYE

Serious Results Follow Experiments With Gunpowder.

CORVALLIS, Or., Sept. 7.—(Special.)—Everett Fletcher, 14-year-old son of Mr. and Mrs. John Fletcher, will probably lose the sight of one eye and suffer some injury to the other, as a result of playing with gunpowder found in the basement of Fire Chief Graham's home yesterday.

Two other boys, Tommy Graham and Billy Morrison, playing with him, were slightly burned about the face and head.

McNary Bill Indorsed.

ALBANY, Or., Sept. 7.—(Special.)—Albany's chamber of commerce has sent a telegram to Representative Hawley, urging that he use his influence as a member of the house ways and means committee to have the Smith-McNary reclamation bill adopted as the land provision of the soldiers' adjusted compensation bill.

Portland Teachers in Hawaii.

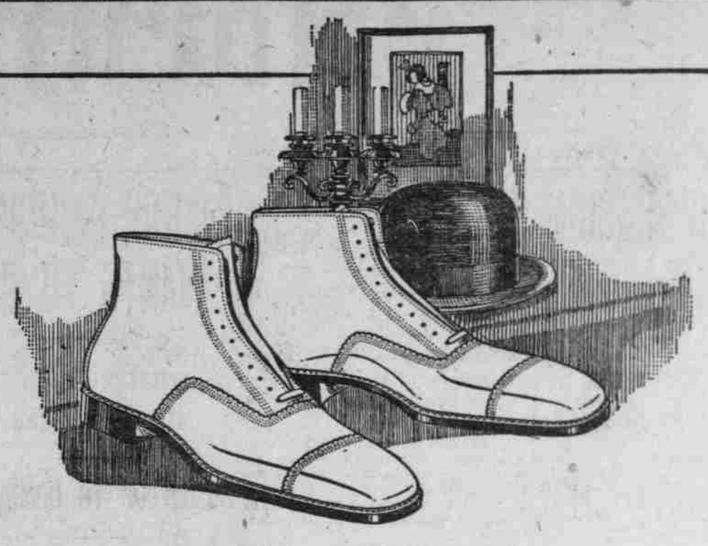
HONOLULU, T. H., Aug. 29.—(Special Correspondence.)—Among the 50 school teachers who returned to Hawaii from the mainland today were four from Portland, Or., namely Madeline Slotboom, Lorene Phelps, Ola Cooley and Wanda Anita Keyt. The latter is an honor student of the University of Oregon.

Brownlee Postmaster Named.

THE OREGONIAN NEWS BUREAU, Washington, D. C., Sept. 7.—Mrs. Mabel Haskett has been appointed postmaster at Brownlee, Baker county, Oregon.

Cement Shortage Felt.

GRESHAM, Or., Sept. 7.—(Special.)—C. C. Stockton, contractor on the new gymnasium for the high school, reports inconvenience on account of lack of cement and the shortage seems to be everywhere. A full force of men will be employed as soon as the supplies can be on the ground. Class rooms and locker rooms are now being built and will be ready for the opening of school, September 18.



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—Of course your new fall hat will be a

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PORTLAND'S "Home of Stetson Hats" is ready to serve you with a most comprehensive assortment of fall and winter styles.

Featured is the Stetsonian—the acknowledged style hat for fall wear—at

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Here in all the new shades—

Nutmeg	*Seal*	*Tobac*
Clove		*Pearl*
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Small turbans with smart feather or tinsel trimming. Tailored hats that are smartly banded. Large dress models and many with the new soft ostrich trimming. They're marvels at the price!

Dresses that can not be equalled at

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Silk dresses in the very newest fashions and smart wool dresses that looke like twice the price! Because we sell so many of them at this special price and re-order constantly, we are able to price them so low!

Poiret twills with brilliant silk and bead embroidery—coat style frocks with fancy vests or with military braid trimming. Such pretty silk frocks with bead fringe and side drapes and straight line styles. They're wonderfully smart at fifteen dollars! In all sizes, too!

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Morrison at Third

57

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HEINZ OVEN BAKED BEANS
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