

MUSICIANS' UNIONS TRY FOR INJUNCTION

Temporary Order Is Issued, but Later Dissolved.

HEARING IS HELD LACKING

Action Regarded as Test of Contracts Between Music Organists and Labor Bodies.

Shortly before closing hour yesterday afternoon W. S. U'ren, counsel for the local union of the American Federation of Musicians, presented an injunction petition to the circuit court, demanding an immediate hearing and obtained a temporary order restraining union organizers from playing in the Jensen & Von Herberg moving picture theaters until the return of the writ next Thursday afternoon.

Judge Taxwell, before whom the matter came, issued the restraining order, and for a matter of two hours or more the theater owners and organists were in something of a dilemma. However, when legal counsel for Jensen & Von Herberg reached Judge Taxwell's chambers, he succeeded in having the restraining order dissolved.

Dissolution of Order Is Won. The order, which would have made it a matter of contempt of court for any of the seven defendant organists to perform at their respective points, was won on the ground that none of the defendants had received "due notice" of the petition seeking issuance of the restraining order. The whole matter was, by the judge's later action, put over for hearing at 2 P. M. next Thursday.

The restraining order was sought as a test case to try out the strength of a contract between the union and the organists, and was brought in the name of local No. 99 of the musicians' union, through E. E. Fettinghoff, president, and Bruce Keith, secretary, against Cecil Teague, Henri A. Keates, Nellie Barry, Nellie Kennedy, H. Q. Mills, Mrs. Harry Hobbs and Ernest Nordstrom, the organists.

The petition contended that the defendants entered into a contract when they affiliated with the local union of musicians prior to July 1, 1920, and agreed, in return for their admission to the union to support its constitution and by-laws and "to obey all its mandates." One of these mandates was the walk-out of last May, which the organists refused to obey.

Union Explains Course. Instead of suing the organists for the alleged breach of contract, the union stated that the organists were the defendants who were insolvent and could not respond to monetary damages; that the plaintiff is suffering irreparable injury by the continuing playing of the defendants in the Liberty, Majestic, Columbia, Peoples and State theaters, which has no remedy except by injunction.

Freelance Judge Taxwell granted the temporary restraining order, stating that he could not consistently deny it, though he realized that it would work considerable hardship on the defendants in view of the fact that earlier in the day he had refused to dissolve an injunction which merchant tailors are enforcing against the use of union labor in the tailoring shops of Ray Barkhurst and Joseph Ireland.

The tailors asked that the temporary restraining order in their case be dissolved pending the hearing of the case, but the judge asserted that he did not believe special damage would be done and that he would continue it in force to insure a speedy hearing.

Memberships Are Restored. Organists in the Jensen & Von Herberg houses were informed by union representatives Friday that their memberships in the Portland Theatrical Federation and the Musicians' union, of which it is a part, had been restored. They were told also that the fines levied at the time the strike was first called and the organists refused to walk out had been wiped off the slate and their regular dues had been paid for them. On this basis the organists were urged to come back into the union and again invited to stop work in houses alleged to be "unfair."

Nominally, the musicians did not object to this gratuitous reinstatement in the unions, but they did not need the request to quit work. The sole object of their reinstatement, charged Dan J. Malarky, attorney for the theater firm, was to stop them from working, and when orders to this end were ignored the restraining order move was launched to force them to their jobs.

Union Leaders Scored. Action of the union leaders was last night scored by Mr. Malarky. "Unions have always denounced injunctions," he said. "They have always preached against the 'iniquity of injunctions,' yet here we have a case where they employ every instrument in an attempt to gain their ends.

"This action by the unions is what I call an outrage. Why then are they trying their best to prevent these musicians from earning a living. When it came to a question of leaving the union or giving up their jobs last summer, the musicians decided to keep their jobs. Today the union made it look as though once you joined, you could never drop out.

"It is certainly a most remarkable situation, especially in view of the fact that the whole thing grows out of some trouble in Tacoma theaters in which Jensen & Von Herberg are not directly interested, and that no one denies that salaries and working conditions in the Portland theaters are entirely satisfactory and always

have conformed to the union regulations."

EXCELSIOR PLANT CLOSED Factory at Eugene Awaits More Favorable Market.

EUGENE, Oct. 9.—(Special)—The Eugene excelsior factory was closed yesterday on account of the slump in the market. C. O. Peterson, president of the company, said the plant would remain closed two or three weeks while necessary repairs and alterations were made. Twenty men are temporarily out of employment.

The factory has been operating and shipping steadily for a long time. The warehouses are now full of the manufactured article and it was decided to close down until business becomes better.

DRAFT EVADER LEFT AUTO Car in Which Bergdoll Escaped to Canada Found by Officials.

PEMBINA, N. D., Oct. 9.—An automobile abandoned in St. Vincent, Minn., early in spring, is the car used by Grover Bergdoll, Philadelphia draft evader, in escaping into Canada, according to federal officials.

DISASTER PREDICTED FROM INTEREST BILL

Measure Held Most Radical Ever Put Before Voters.

RUIN TO STATE SEEN

Passage of Amendment Says E. C. Sammons, Would Impair Credit of Oregon.

SALEM, Oct. 9.—(Special)—No more radical measure was ever submitted to the voters of Oregon than the constitutional amendment which proposes to limit the legal rate of interest in this state to 5

loan money in Oregon for 5 per cent when 6 and 8 per cent is easily obtainable in every other state in the Union.

The results of disturbing the financial conditions of Oregon at the present time would be far-reaching considering that the state is in an era of development and demands for credit are being made on every hand. If you were denied the privilege of borrowing money for your needs, if your friends and neighbors were in the same boat, and if the industries were compelled to close down for want of funds to carry on their operations, Oregon would be forced to turn her clock back 70 years.

"Money is a commodity the same as sugar and flour and the man or woman who places this commodity in the reach of others, is entitled to a reasonable profit. When the voters of any state place the rate of interest at a figure so low that it will not return a fair profit, the financial market will tighten and hard times will be the natural consequence.

"On its face the amendment may appeal to the borrowers, who, through misrepresentation, have been led to believe that they will be able to obtain money at a rate of interest not to exceed 5 per cent, but this is not the truth, for as quickly as the interest is lowered to the extent that the borrower will not pay a profit, the money will be sent out of the state never to return.

Other speakers discussed the measure proposing to divide the legislative sessions, the marketing bill and the not-a-busian league.

Tonight the speakers went to Woodburn, where they addressed a crowd at that city.

WELL-KNOWN RESIDENTS CELEBRATE FIFTIETH WEDDING ANNIVERSARY.

MR. AND MRS. A. E. TRUEBLOOD.

HOLDING WHEAT URGED

(Continued From First Page.)

stabilized at \$3 a bushel for good wheat for as quickly as the interest is lowered to the extent that the borrower will not pay a profit, the money will be sent out of the state never to return.

"This proclamation and action is to stop this scheme of the gamblers in wheat to hold up the public hundreds of millions of dollars in tribute to profiteering wheat dealers and to give a fair wage and overhead expense to the growers of wheat who began investing both in this wheat more than 15 months ago."

HARDING HELD FOR PACT (Continued From First Page.)

the amalgamation of the Grand Trunk and Canadian Northern railways, are Sir Walter Casels of the Canadian exchequer court; Sir Thomas White, ex-minister of finance, and A. W. Atwater, K. C., ex-treasurer of the province of Quebec.

"Cox has asked me how I can support Harding when the senator has announced the league of nations," said Mr. Tarr. "Cox is not quite right if he says Harding is opposed to the league of nations idea. Harding wants a league that will be constituted more like a court. He wants a league, but not Mr. Wilson's league. Obviously there will have to be some compromise, and it may very well be that the kind of league Senator Harding sponsors will form the basis of the compromise. I believe that the election of Senator Harding will mean the adoption of a league of nations with reservations and the ending of all further dispute."

per cent, declared E. C. Sammons, Portland banker, in an address before a large crowd in the armory here this afternoon.

"The passage of this amendment would mean ruin for the state through impairment of credit," said Mr. Sammons, "and much of the money now being used for the industrial benefit of Oregon would be sent to distant localities. The borrowing power of every corporation, individual and industry in the state would be destroyed and it is not unreasonable to suppose that every loan now outstanding would be called in when it becomes due. It is utterly foolish to believe that any one will

An event of the month was the celebration of the golden wedding anniversary of Mr. and Mrs. E. A. Trueblood. A dinner at Crown Point Chateau on the Columbia river highway was given for the occasion. Mr. and Mrs. Trueblood have resided in Portland since 1888. Present at the dinner were: Mr. and Mrs. L. R. Stanley, Mr. and Mrs. Stanhope Pier, Mr. and Mrs. W. E. Phillips, Miss Lou Trueblood, Dorothy, Donald, Betty, Lou Phelps, Marlon Pier, all of Portland, and Mr. and Mrs. H. W. Trueblood of Oakland, Cal.

Bergdoll, according to belief here, went to Winnipeg from St. Vincent and there obtained a passport from a returned soldier which enabled him to cross to Holland. Four pistols and two bottles of whiskey were found in the car, which has been shipped to Philadelphia.

Rockefeller Foundation Makes Gift. MONTREAL, Oct. 9.—A gift of \$15,000 by the Rockefeller Foundation to the American Hospital association on condition that \$5000 is obtained from other sources was announced at the closing session of the association's convention yesterday.

Rockefeller Foundation Makes Gift.

ROCKEFELLER FOUNDATION MAKES GIFT.

MONTREAL, Oct. 9.—A gift of \$15,000 by the Rockefeller Foundation to the American Hospital association on condition that \$5000 is obtained from other sources was announced at the closing session of the association's convention yesterday.

ROCKEFELLER FOUNDATION MAKES GIFT.

MONTREAL, Oct. 9.—A gift of \$15,000 by the Rockefeller Foundation to the American Hospital association on condition that \$5000 is obtained from other sources was announced at the closing session of the association's convention yesterday.

ROCKEFELLER FOUNDATION MAKES GIFT.

MONTREAL, Oct. 9.—A gift of \$15,000 by the Rockefeller Foundation to the American Hospital association on condition that \$5000 is obtained from other sources was announced at the closing session of the association's convention yesterday.

ROCKEFELLER FOUNDATION MAKES GIFT.

MONTREAL, Oct. 9.—A gift of \$15,000 by the Rockefeller Foundation to the American Hospital association on condition that \$5000 is obtained from other sources was announced at the closing session of the association's convention yesterday.

ROCKEFELLER FOUNDATION MAKES GIFT.

MONTREAL, Oct. 9.—A gift of \$15,000 by the Rockefeller Foundation to the American Hospital association on condition that \$5000 is obtained from other sources was announced at the closing session of the association's convention yesterday.

CALIFORNIANS READY TO FINISH ROAD JOB

Crescent City-Grants Pass Connection Desired.

DELEGATION IN PORTLAND

Southern Men Here to Confer With Head of Oregon Commission. Funds Held Available.

California is ready to improve the road connecting Crescent City, Cal., with Grants Pass, Or. A delegation from Crescent City arrived in Portland this week to take up the matter personally with S. Benson, chairman of the Oregon state highway commission. The delegation consisted of G. H. Douglas, Joseph McNulty and John McNamara. They represented the harbor commission and the Crescent City chamber of commerce.

According to the delegation, \$200,000 is available for work in Del Norte county. In the California bond election \$400,000 was set aside for the highway work in Del Norte, which adjoins Curry county, Oregon. Del Norte has raised a sum and with government aid \$300,000 can be used for the highway work. The road is now in progress and the residents of the town on the bay want to see the Grants Pass, improved. Steam shov-

els and other equipment are being assembled at Crescent City.

From Gasquet, on the present grade, there is a steady increase in elevation until the mountains are crossed into Oregon. The present grade is steep, winding and so narrow that big cars sometimes have to back up when negotiating a sharp curve. The Californians intend to establish a new route which will provide better grades. The proposed route will come to the summit at Elk creek and materially shorten the distance which the Oregon commission will have to build. It is said that on the Oregon side a 3 per cent grade can be obtained and that there is comparatively little heavy construction.

What the delegation wished to know was whether the Oregon commission would build to connect, if the road is constructed on the California side. Mr. Benson replied, and then confirmed the conversation in writing, that personally he favored having the Oregon road system connected with the California road system on the coast. Mr. Benson explained that he could not speak for his colleagues on the commission.

Truck Freight Factor. One point stressed by the delegation was that the increased freight rates on railroads would increase the demand for transportation of freight by auto trucks. The Californians said that steamers could bring freight to Crescent City, where it could be unloaded and then trucked the 90-odd miles over the mountain range into Grants Pass and distributed from that point to the various points in the valley. Trucks cover the distance over the present road in a day, and the time could be materially reduced over the present route. The Del Norte county people wish to have built, it was said.

The attitude taken by the Oregon commission heretofore regarding the Crescent City-Grants Pass road was that of watchful waiting. The Oregon commission has now felt inclined to commit itself until it was officially informed as to the programme of the California highway people. Various rumors have been heard by the Ore-

gon commission, but never, until this delegation arrived a few days ago, has there been a definite statement. From time to time California highway people have been reported as saying they would build, and the Oregon department has requested data, but none has been forthcoming. Commissioner Booth was in Crescent City 15 months ago in the hope of learning something tangible and made the trip over the present route. The Commissioner Booth was in Crescent City 15 months ago in the hope of learning something tangible and made the trip over the present route. The Commissioner Booth was in Crescent City 15 months ago in the hope of learning something tangible and made the trip over the present route.

Part of the present road, in Josephine county, has been worked on by the county court and the government has let a contract to reduce the grade on the Hayes hill section. In pioneer days the present road was used to pack freight from Crescent City to the mines of Josephine and the road now meanders through half a dozen abandoned gold camps in Del Norte county also wants to improve the road from Crescent City north to the Oregon line, near Harbor, in Curry county, where there is now a road running along the Oregon coast to Gold Beach.

Many New Properties in Josephine County Expected to Be Producers. GRANTS PASS, Or., Oct. 9.—(Special)—Mining activity in Josephine county is being resumed and it is expected that during the winter many new properties will become producers. The Josephine Mining & Development company has taken over the Dalley group at Panther bar on the lower Illinois river and will develop this placer property, which is one of the largest in Josephine county. Machinery is being sent in to the mine now built, it was said.

The Western Metal Mines company has purchased the Standard metal mine at Alameda, which contains a large ore body and several acres of placer ground. This company also contemplates the development of other properties in the county.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

BRAKE IN OREGON CITY

START OF LIFE SENTENCE IS HELD UP PENDING APPEAL.

Attorney Scores State Officials for Alleged Laxness in Carrying Out Court Order.

SALEM, Or., Oct. 9.—(Special)—Acting upon an order issued by G. G. Bingham, judge of the Marion county circuit court, Russell Brake, under life sentence for the murder of Harry Dubinsky, Portland-for-hire car driver, has been returned to Oregon City, where he will remain pending the disposition of his appeal to the supreme court. He was originally tried and convicted in Clackamas county and has been surrendered to the sheriff there.

Thomas H. Garland, attorney for Brake, today scored the state officials for what he termed laxness in carrying out the order of the court and asked Judge Bingham to take some action to have the mandate enforced. Garland then was informed that his client already had been returned to Oregon City.

Grants Pass Women Active. GRANTS PASS, Or., Oct. 9.—(Special)—Mrs. C. L. Clevenger has been elected president of the women's auxiliary to the Grants Pass chamber of commerce. A flower show will be held next year. The women also voted to work with a committee from the chamber of commerce and the American Legion to secure a community house for the city. The subject of child welfare is being given a large amount of attention.

Fresno Paper Changes Hands. FRESNO, Cal., Oct. 9.—The Fresno Herald, afternoon daily, today announced purchase of the Fresno Morning Republican. Terms of the sale were not made public.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

JENNING'S

"The Home of Good Furniture" Washington at Fifth

The Mezzanine Gift Shop

Is a Bower of Beauty

Come and Choose Your Gifts

It's not a day too soon to be selecting your gifts for Christmas. Why not come and choose here and now from our amazing collection of mahogany novelties and single furniture pieces? We will gladly lay aside anything you may choose, and deliver it when and where you wish. We show a world of gifts at prices most attractive, considering the high quality of the merchandise.

The Perfect Dining Room

Furnish your dining room with one of our new suites in mahogany, oak or walnut. No matter how low the price, you will find all of our dining room furniture to be of high quality, substantially made and handsomely finished. Convenient terms to suit the buyer.

Buy Your Hoover Electric Sweeper at Jennings Official Headquarters for Sales and Service

The Baby Hoover \$60. The Special Hoover \$74. Sold on Easy Payments.

Bedroom Suites and Pieces

Our fall exhibit of superior furniture for the bedroom is now most complete. You will find here all the newest types as well as reproductions of the popular Period designs and of the early Colonial types. Choose here from mahogany, walnut, birdseye maple and woods in ivory enamel finish. We sell on easy payments, if desired by the customer.

We Offer Special Selections

Table and Floor LAMPS and Wonderful Silk Shades AT 10% TO 40% REDUCTIONS!

The Arrival of Two More Carloads of Brass Beds Enables Us to Continue the Great Bed Sale!

BRAKE IN OREGON CITY

START OF LIFE SENTENCE IS HELD UP PENDING APPEAL.

Attorney Scores State Officials for Alleged Laxness in Carrying Out Court Order.

SALEM, Or., Oct. 9.—(Special)—Acting upon an order issued by G. G. Bingham, judge of the Marion county circuit court, Russell Brake, under life sentence for the murder of Harry Dubinsky, Portland-for-hire car driver, has been returned to Oregon City, where he will remain pending the disposition of his appeal to the supreme court. He was originally tried and convicted in Clackamas county and has been surrendered to the sheriff there.

Thomas H. Garland, attorney for Brake, today scored the state officials for what he termed laxness in carrying out the order of the court and asked Judge Bingham to take some action to have the mandate enforced. Garland then was informed that his client already had been returned to Oregon City.

Grants Pass Women Active. GRANTS PASS, Or., Oct. 9.—(Special)—Mrs. C. L. Clevenger has been elected president of the women's auxiliary to the Grants Pass chamber of commerce. A flower show will be held next year. The women also voted to work with a committee from the chamber of commerce and the American Legion to secure a community house for the city. The subject of child welfare is being given a large amount of attention.

Fresno Paper Changes Hands. FRESNO, Cal., Oct. 9.—The Fresno Herald, afternoon daily, today announced purchase of the Fresno Morning Republican. Terms of the sale were not made public.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

BRAKE IN OREGON CITY

START OF LIFE SENTENCE IS HELD UP PENDING APPEAL.

Attorney Scores State Officials for Alleged Laxness in Carrying Out Court Order.

SALEM, Or., Oct. 9.—(Special)—Acting upon an order issued by G. G. Bingham, judge of the Marion county circuit court, Russell Brake, under life sentence for the murder of Harry Dubinsky, Portland-for-hire car driver, has been returned to Oregon City, where he will remain pending the disposition of his appeal to the supreme court. He was originally tried and convicted in Clackamas county and has been surrendered to the sheriff there.

Thomas H. Garland, attorney for Brake, today scored the state officials for what he termed laxness in carrying out the order of the court and asked Judge Bingham to take some action to have the mandate enforced. Garland then was informed that his client already had been returned to Oregon City.

Grants Pass Women Active. GRANTS PASS, Or., Oct. 9.—(Special)—Mrs. C. L. Clevenger has been elected president of the women's auxiliary to the Grants Pass chamber of commerce. A flower show will be held next year. The women also voted to work with a committee from the chamber of commerce and the American Legion to secure a community house for the city. The subject of child welfare is being given a large amount of attention.

Fresno Paper Changes Hands. FRESNO, Cal., Oct. 9.—The Fresno Herald, afternoon daily, today announced purchase of the Fresno Morning Republican. Terms of the sale were not made public.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.

Phone your want ads to The Oregonian. Main 7070. Automatic 550-95.