

RESTRAINING ORDER ISSUED

TREASURER ORDERED TO SET ASIDE FUNDS.

PLAINTIFFS' POSITION STATED

Attorney Briggs Outlines Claims Made By His Clients—Contends That Road and Bridge Fund is Already Exceeded By \$12,000.

Judge F. M. Calkins has issued an order restraining James Cronmiller, county treasurer, from using any of the money collected for road purposes, in redeeming general county warrants.

Over one-half of the money derived from the four-mill tax levy for road and bridge purposes by the county of Jackson has been collected and turned over to the county treasurer, but instead of being placed in a road and bridge fund as specified by the state law, it has been placed in the general county fund and has been paid out for the redemption of county warrants.

Attorneys for the county in arguing the injunction suit against the bridge called attention to the state law which provides that money raised by the road and bridge levy should be placed in a distinct fund and be used for road and bridge purposes only.

Attorney Briggs of this city, who is representing the plaintiffs in the suit, when asked as to the position of the plaintiffs, said:

"The plaintiffs claim, first, that the bridge is in the city, which is platted on both sides, and that portion of the county road within the limits has changed its character as a county road and is now a city street, and if a city street, the county is not liable for the building of the bridge; second, if it were a county road, the county having already paid out and issued 1,912 road warrants in excess of the amount of the road and bridge tax of 1912 under the supervision of the county court, no funds are now available to pay the contract for the Medford bridge and would necessitate an increase in the indebtedness of the county beyond the constitutional limits; third, that even should the money be available to the full extent of the 1912 road tax, nevertheless it is an abuse of discretion on the part of the county court to pay out practically half of the current road and bridge tax to build a new bridge where now exists a good one, when hundreds of miles of road in the county need repair in order to be passable and many streams need bridges where fords are now used, especially in view of the fact that the county court has turned down all of these outside roads and bridges on the ground of lack of funds; fourth, that even though all of the foregoing might be construed as favorable to the building of the bridge, nevertheless it is apparent that the present bridge is adequate to carry on the water of the creek at its present height and width, and that the county should not be put to the expense of raising the grade of the bridge four feet and putting another bent on the east side of the bridge entirely outside the water course for the express purpose of permitting the Butte Falls railroad to pass entirely under the street crossing, and in building a bridge of a grade and capacity not needed for ordinary bridge purposes, the court has gone too far and beyond its power."

Mr. Briggs further stated that although but \$48,980.74 of the road and bridge fund had been collected, the county treasurer has paid out already this year \$57,978.20 for road warrants, and that in addition to this the court has expended or issued warrants on the road and bridge fund to the amount of \$30,641.62, making a total claim upon the fund of about \$88,000, or \$12,000 in excess of the half of the road tax which comes under the direct supervision of the court.

Mr. Briggs contends that the county court has no right to build a bridge in Medford, on the ground that it would be just as consistent to claim every bridge in the valley towns should be built by the court.

In speaking of the effect of the suit upon the present indebtedness of the county, Mr. Briggs said: "It is not the intention of the plaintiffs in any manner, by inference or otherwise, to repudiate or invalidate any pre-existing county warrants, but the defendant Perham, who has the contract for the bridge, asks for an injunction restraining the paying out by the county treasurer of any money until he has been

HAIL STORM AT TALENT.

Garden Truck Destroyed and Fruit Slightly Damaged.

The storm of yesterday afternoon assumed the form of a hail storm in and near Talent, where about two inches of hail fell, completely crushing garden truck under the weight. Early reports were to the effect that fruit crops were also badly damaged, but this is denied today. In some places the foliage on trees was badly damaged and a few ranches report the peach crop bruised. The storm, however, as near as can be learned, did not result disastrously in the majority of instances.

Wellborn Beeson of Talent stated last night that the fruit crop was practically unharmed. "The ice that fell," said Mr. Beeson, "was of a soft nature, and even the foliage was not cut by the fall. The only damage that I noticed was that the vegetables and grains were flattened beneath the weight of the ice. However, these will resume their original position within a few days. I don't believe the fruit is injured to any extent, and I examined several orchards. Had the hailstones been hard and well formed the loss would have been heavy, but as it is there is really no great damage done."

ONE COUNTY RESPONSIBLE.

Washington Might Have Had Majority for Roosevelt.

Seattle.—Little Sunshine precinct in Pacific county may be held responsible for the failure of Theodore Roosevelt to have a majority in the republican convention at Chicago. Little Sunshine is a remote corner on the shores of the Pacific ocean. It is sparsely settled by hard-working farmers. They forgot to elect delegates to the county convention recently and hence were unrepresented at the South Bend gathering. Had they expressed a preference for the former president, the Taft forces would not have controlled Pacific county and thereby Roosevelt might have had a majority at Aberdeen. But Little Sunshine lies all unconcerned where the waves of the Pacific wash the evergreen forest, unmindful of the great influence it might have exerted at such troublous times as these.

Truthseekers' Class.

The meeting next Sunday night will be the last meeting before the summer vacation. A business session in which officers will be elected will be held after the class meetings. All members are requested to be present.

Special shoe sale at the Hub this week.

CHAUTAUQUA TUESDAY

Best Session Ever Offered in Ashland Opens Next Week—Season Tickets Going Rapidly.

Chautauqua is upon us. The initial entertainment will be given in the tabernacle next Tuesday afternoon, when the Chicago Operatic Company will give a musical program. The course this year is rich in music and this excellent company will be heard for two days. The company is composed of a full mixed quartet of talented musicians, well known all over the country. They produce scenes from Faust, Martha and other operas in a manner that does credit to the great opera companies, and all of it in costume. Other numbers of the program are just as strong and the public is promised, altogether, the best session ever offered.

Next Monday is the last day for securing season tickets at the reduced price. Tickets are on sale at Gillette's real estate office and you will save a quarter by buying now. Also you will assist the management by avoiding the rush of the last day or two if you buy this week. The demand for tenting space from outside parties is larger than usual this year and the prospect is that the grove will be filled to its utmost capacity. Everything points to a record attendance, and with the program afforded the 1912 assembly is sure to go down in history as the most successful to date.

Just a Scare.

The calm serenity of Ashland was disturbed about 7 o'clock last evening by the sound of the fire alarm. The cause was the burning out of a chimney on Church street and all danger was over before the crowd was half there. No damage reported.

One Dollar a Pair.

We have on sale for this week one hundred pairs misses' and children's oxfords and pumps in black and tan at \$1.00 a pair at the Hub.

paid the contract price, \$34,000, for the bridge. He sets up in his pleading that the outstanding county warrants to the amount of over half a million dollars, issued without authority, are illegal and constitute no liability against the county for that reason. If, during the course of these proceedings, the court should find, as claimed by the contractor, that all debts were illegal, and the injunction is granted against the payment of any debts, it will not be because of action of the plaintiffs, but solely because the contractor asks for relief."

AUTO AND MOTOR RACES ATTRACT

LOCAL GARAGES PREPARING CARS—MEDFORD MAN TRIES OUT SPEEDWAY—SEVERAL ENTRIES IN MOTORCYCLE EVENT

The work of fencing the ball park at the high school grounds is well under way and will be completed before the big celebration next Thursday. The fence will be seven feet in height, with knot-holes few and far between and above the reach of the small boy. Temporary bleachers will be constructed with a seating capacity of 1,000, the highest seat being on a level with the top of the fence, affording an excellent view of the game, and seats will be far enough apart to be comfortable. The combination of the ball game and the bucking contest within this enclosure will make a strong feature.

For the latter event, much interest has been aroused. Ashland is promised a genuine attraction in this feature. Two full-blood Indians and two daring white riders from Klamath Falls have signified their intention of entering the contest, all of whom participated in the recent rodeo in Klamath Falls. Others from the country east of the mountains are planning to enter the event.

The automobile races are attracting racers from all over the valley. Mr. Kees, of the Valley Auto Company of Medford, was in Ashland Tuesday with his 30 horse power Chalmers and tried out the speedway, attaining a speed of 60 miles. Harry Pellet is stripping a Ford for the contest and will have an expert from Portland to drive it for him, the same man who won the race in Medford last year. W. J. Saviers is preparing a 30 horse power Rambler,

which he will drive in the races here on the 4th and in Medford on the 5th and 6th. Only two autos will run at a time, each one taking one side of the Boulevard, and the best two out of three heats will decide the contest. Races will start at the opera house and the course will be exactly a mile long, entirely on the pavement.

To date, about a dozen entries are recorded in the motorcycle races. W. T. Smith and Ralph King, each with seven horse power Indians, Floyd Dickey with a five horse power Indian and Elwood with a Flying Mercury being among the number. Several from down the valley are in correspondence with friends here regarding the races.

The sports are slated to begin at 10:15 and will continue in some form or other throughout the day. The time of the parade has not been definitely decided upon. In point of brilliance and number of entries it promises to be the biggest feature of the kind ever pulled off in southern Oregon. Two bands will be in evidence all day and will be so controlled that there will be music at both ends of the race course and at every place where amusement is being carried on. In short, the public may rest assured that nothing of the details of the giant celebration is being neglected, the committee having everything in hand to the minutest detail. All promises heretofore made will be carried out and visitors will be treated to a grand holiday.

DENOUNCES TAFT.

Senator Bourne Sees No Justification of Nomination.

This dispatch from Washington has been given out from Senator Bourne's local office:

"My attitude toward the re-election of President Taft was publicly announced many months ago, in an open letter to the voters of Oregon," said Senator Jonathan Bourne, Jr. "I then declared that if Taft should be renominated in a fair and lawful manner, in accordance with the expressed wish of the republicans of the country, I would support him, but if he should be nominated by the steam roller methods that have too often prevailed in the past, I would oppose his election."

"There were in the recent convention 1,078 delegates, of which 530 were required for a majority. Taft received 561 votes, but in these were 251 votes cast by delegates chosen by steam roller methods from states, territories and island possessions that never cast an electoral vote for a republican candidate. The representation from those southern states is out of all proportion to the republican vote in the general election. "By no manipulation of figures can Mr. Taft demonstrate that he is the choice of a majority of the republicans of the United States. He has chosen to force his renomination by using the southern delegates. Let him look to them for his election."

Money to loan on improved ranches, first mortgages; mixed farms preferred. W. D. Hodgson, Ashland, Phone 427-J.

EXTENSIVE TRIP.

Portland Business Men Will Visit Eastern Oregon By Auto.

Portland, Ore., June 27.—The most extensive "seeing Oregon" trip ever undertaken from Portland will be the big excursion to Lakeview next August. Business men of the metropolis will go by automobiles, covering about 2,000 miles. Alternate routes will be taken going and coming, so that an immense area of the state will be covered.

At Lakeview the central Oregon Development League will be in session August 29, 21 and 22, and the journey will cover ten days. Some will go by train to Bend, others by auto, and all will leave Bend and motor southward to Lakeview, following different routes. Returning, the Klamath country and Crater Lake will be visited and delegates from Portland will take the train at Bend for home.

Secretary C. C. Chapman of the Oregon Development League is making plans for the trip and those who go will have a better knowledge of interior Oregon than ever before.

Attention, Riders!

All persons who will ride horseback on July 4, please report to Mrs. C. H. Gillette at the East Side school grounds Saturday evening, June 29, to make plans, or phone 296-L. Please report promptly at 7:30 p. m.

Cooked Food Sale.

The Pythian Sisters will hold a home cooked food sale at Cameron & Patty's, July 3, beginning at 2 p. m.

GODDESS OF LIBERTY.

The ladies are preparing a beautiful float for the Fourth of July parade and the Goddess of Liberty will stand supreme on it. WHO WILL BE THE GODDESS? That is the question. The friends of Dorris Bagley, Gertrude Hicks and Kathryn Shook have suggested their names, and the ladies have entered them. Voting boxes have been placed at the following places: Lane's, Nelson's, Grieve's, Pracht's, McNair's, Hosler's and Sayles' pool hall, and you can vote for your choice by depositing 5 cents with your vote. The money will be used to defray the expenses of the float. A worthy cause. If your choice is not on the list, vote for her anyhow. You have the right to enter anyone you like for Goddess of Liberty.

Oregon to Visit Oregon.

For the first time in its history the famous battleship Oregon is to visit its own state. During the Elks reunion, in July, the historic old fighting ship will be brought to Portland harbor, where it will be much admired by all loyal Oregonians. Naval officials have at last given their consent to the request that the Oregon be brought here.

Attention, Comrades.

All old soldiers meet at the G. A. R. hall not later than 9 o'clock a. m., July 4, to participate in the parade. By order of the commander.

BOYS WANTED.

Wanted—Thirty-three boys between the ages of 14 and 20, to appear in the Polytechnic float July 4. Report to Prof. Van Scoy or Jack Peebler at once.

The Human Flag.

All girls between the fourth and seventh grades are requested to meet at the home of Mrs. C. H. Vaupel on the Boulevard at 7 o'clock this evening. It is the intention of the ladies to put on a beautiful drill in the form of the American flag. A hundred girls are desired and more if possible. The exercises will be well worth the effort.

Della Long Gowland.

Mrs. Della Long Gowland died at the home of her father, N. M. Long, on upper Granite street, at 1 o'clock this morning. Arrangements for the funeral have not been made.

COMMERCIAL CLUB.

The July meeting of the Commercial Club will be held in the club rooms next Monday evening. Important matters will be presented to the club. A full attendance is desired.

ROYALLY ENTERTAINED.

G. A. R. Encampment at Salem Was Most Enjoyable Affair.

Comrade James Mattingley and wife, Mesdames Divet, Thomas, Crocker and Miss Rose Thomas returned Sunday evening from Salem, where they have been in attendance at the recent G. A. R. encampment. They report an enjoyable as well as profitable time. Mr. Mattingley took occasion to meet with several celebrities in the capital city, especially Governor West and State Architect Knighton. He pronounces the former an excellent gentleman to meet and says he spent considerable time with the latter, going over the plans for the army that is to be constructed here. Mr. Mattingley states that the plans for the army are nearly complete and will be ready for bids within a few days. The building, he says, will be complete in every detail, showing many advantages over other buildings of the kind in the state. In company with several other old soldiers, he went through the state prison, asylum and other state buildings, the old soldiers being shown every courtesy possible by the state officials.

KILLING CUTWORMS.

Poison Bran is Best Dose for Destructive Pests.

Corvallis, Ore.—That poison bran mash is the best thing to kill cutworms is the belief of A. L. Lovett, crop pest expert of the Oregon Agricultural College.

"The cutworms pass the winter in the soil as partly grown larvae," he says. "They are in the soil in the spring when the ground is prepared for planting. The poison mash should be sown over the ground a few days before the crop appears. If there is no green vegetation, the worms eat the mash greedily, and the field is freed of them before the plants appear. For later treatment the only way is to put a small heap of the mash around the base of the plants to be protected. To make the mash, mix 16 pounds of coarse bran, a pound of Paris green, half a pound of salt, a gallon of any cheap syrup, and enough warm water to make a heavy mash.

"Poultry should not, of course, have free range where the poison is."

Normal Alumni.

A meeting of the alumni of the Southern Oregon State Normal School will be held at the home of Roy Walker on the Boulevard tomorrow (Friday) evening. All alumni are urged to be present.

Can they jam the crown of thorns on the houn' dawg?

BRYAN IS DEFEATED

Baltimore Convention Taking Course Similar to Republican Struggle in Chicago.

The opening scenes of the democratic convention in Baltimore last Tuesday bear a striking similarity to those in the convention just closed in Chicago. As in the latter, the fight was over temporary chairman, the conservative and progressive wings being nearly equal in strength. The hand of Bryan was in evidence throughout the fight, the Commoner having used all his influence to harmonize the factions before the matter was put to a vote. A last desperate effort to avert a bitter factional fight was made by the Bryan forces when the convention took up the problem of selecting a temporary chairman. So sharp did the lines divide that W. J. Bryan himself became a candidate for the temporary chairmanship. He was defeated. Alton B. Parker was elected.

Standing before a yelling mob of delegates, Mr. Bryan, who thrice has led democratic presidential campaigns, made an impassioned plea for progressivism, the progressives, his progressive candidate for temporary chairman, Mr. Kern. He denounced Parker, slated for the temporary chairmanship by the national committee, and said that though he had once supported Parker, he was not in sympathy with him or with what he represented. And while he stood there—"Boy Orator of the Platte" in 1896, later the "Peerless Leader," the "Commoner," democracy's best-known figure—jeers were mingled with applause. Yells for "Parker!" were echoes of his denunciation. When he struck a note that was not factional he was applauded.

After Bryan had made a speech nominating Senator Kern of Indiana, Kern went on the stand. He made a plea for harmony, asked Parker to join him in withdrawing from the contest for temporary chairman, and substituting any one of a list of several men. After waiting in vain for a reply from Parker, Kern himself withdrew and nominated Bryan. Again Bryan took the platform. He accepted the nomination and the lineup for the final struggle was complete. The official vote on temporary chairman was: Parker 579, Bryan 566, O'Gorman 4.

On this, the first ballot of the convention, Oregon gave Bryan nine votes and Parker one.

July 4th Dinner.

The Woman's Relief Corps will serve dinner in the G. A. R. hall from 11:00 to 2:00 p. m. Price 25c.

Cliff Payne makes dish cupboards.

PROGRESSIVES REGAIN HOLD

JAMES MAY SUPPLANT PARKER AS CHAIRMAN.

BRYAN WARS ON CONSERVATIVES

Wilson Boom Gains Great Headway Today—Late Dispatch Indicates He is Probable Choice of Convention at Session Tonight.

Special to the Tidings.

BALTIMORE, MD., JULY 27.—"THE WILSON BOOM IS GAINING GREAT HEADWAY. WITH THE PROGRESSIVES IN CONTROL OF THE CONVENTION IT SEEMS LIKELY THAT WILSON WILL BE NOMINATED AT THE SESSION THIS EVENING."

Baltimore, June 26.—Refusing to subside even after yesterday's defeat, the progressives in the democratic convention today engaged in a desperate effort to reverse yesterday's setback and succeeded in regaining much of their lost ground.

The first victory was in reversing the program of the conservative steering committee which intended to continue the temporary organization and make Judge Parker the permanent chairman. Instead, the progressives forced the selection of Oude James of Kentucky by the committee on permanent organization to be permanent chairman. Although instructed for Champ Clark in the presidential fight, James is a progressive and one of Bryan's closest friends. His keynote speech is expected to be strongly progressive.

Bryan today repudiated the Murphy-Taggart-Sullivan attempt to mollify him, and refused election as chairman of the resolutions committee. He also made it plain that unless an out and out progressive platform is adopted, he will return a minority report and carry the fight back to the floor, even to the voters of the country if forced to do so.

Not only did Bryan refuse the chairmanship, but he made it plain in refusing that he feared that the committee had been packed against him.

By a vote of 41 to 11 a motion by Bryan to adopt a platform after, and not before, the candidates are named, was adopted by the resolutions committee today shortly before the convention assembled. The new program will have to be ratified by the convention before it becomes effective. Bryan was strongly supported by Senator Rayner, but the scheme was opposed by Committeeman Clark of Arkansas.

"This plan will insure a progressive platform and campaign, regardless of the nominee," explained Senator Rayner. "It is a good move to make even a conservative candidate stand for a progressive platform and issues. Of course, such a plan must have the consent of the convention, as it will have to be approved by the rules committee."

WILD BIRDS TURN ACTORS.

Films to Reproduce Habitus of Three-Arch Rock.

Game Warden Finley, accompanied by Professor Dallas Lore Sharp of Boston, has gone to Three-Arch Rock, near Tillamook, to observe the birds inhabiting that game preserve.

Mr. Finley was instrumental in having this rock on the Tillamook coast selected as a game refuge in 1903. Sea fowl of all species congregate there and at all times its rocky sides are covered with mother birds and their young.

The place is inaccessible in rough weather and boats can be landed with difficulty even at the most favorable times.

A moving picture machine constituted part of the equipment taken by Mr. Finley.

WILL EXHIBIT PRODUCTS.

Oregon Development League to Enter Eastern Land Shows.

Oregon will pay more attention this year than ever before to eastern land shows, and Secretary C. C. Chapman of the Oregon Development League is determined that this state shall be well represented at the various expositions to be held next winter.

He has taken steps to collect a good showing of grains, grasses, fruits and vegetables from various parts of Oregon for exhibit later in the east. He asks the co-operation of the various districts in order to do this, and emphasizes the value this sort of advertising will do every section that falls in with the plan.

Hop contracts for the 1912 crop are being made at 25 cents, at which figure there is a net profit to the grower of about 16 cents. The Oregon crop for this year is estimated by hop-growers at 110,000 bales.

The annual convention of the Christian churches of this state is now in session at Turner.