

# JUDGE CALKINS PERMANENTLY ENJOINS CONSTRUCTION OF BEAR CREEK BRIDGE

## APPEAL WILL BE TAKEN TO HIGHER COURT

Injunction Secured by Bowers and  
Carlton et al of Ashland Against  
Construction of Bear Creek Bridge  
at Medford Made Permanent

Finances of the County Only Point  
Touched Upon in Decision by  
Judge Calkins of Circuit Court

Circuit Judge F. M. Calkins of Ashland, in a decision rendered Monday made permanent the injunction secured by Benton Bowers and S. A. Carlton et al of Ashland restraining Jackson county from building the Medford bridge. In his decision the court does not answer many of the questions raised by the attorneys for the county, nor does he pass upon the question of the diversion of road funds to the general fund.

The case will at once be appealed to the supreme court. Pending a decision, the injunction secured by the bridge contractor against the redemption of warrants with road funds will be continued.

Judge Calkins' decision reads as follows:  
**Calkins' Decision**  
"The record in this case shows that there was on hand in the treasury on January 1, 1912, \$6340.04, and that there has since been received from other sources than 1911 taxes, \$6,000, that the general levy of 1.9 mills will produce approximately \$72,000, and the road levy will produce approximately \$76,000. Then the total assets of the county for the purposes in this case, are \$169,340.04.

The treasurer has paid out of this money for redemption of road warrants, \$46,724.80, and for warrants for general purposes, \$40,027.48; that the sheriff has received for taxes, warrants for road purposes, \$12,253.40, and for general purposes, \$4,510.66, or a total of \$102,516.34. This sum has been paid out and is gone, and must be deducted from the assets of the county in order to ascertain whether there is any money anywhere for the bridge.

**Finances Discussed**  
"It also appears that the running expense of the county is \$4000 per month, and for five months prior to bringing this suit, \$20,000 has been appropriated from the general fund by operation of law for this purpose. Then the amount of credit in any fund which the county can apply to the bridge must be reduced this item. Or if it be urged that this is a debt and should not be deducted from the available general fund, for it has all been appropriated by operation of law to pay the oldest outstanding warrants, which the record admits amount to upwards of \$200,000 involuntarily contracted.

"Then from this balance we deduct the warrants issued this year against the road fund, for work done this year, \$16,116.62, and the second  
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## HAPPY HOGAN FINED FOR ASSAULTING PLAYER

SAN FRANCISCO, Cal., July 29.—Happy Hogan, manager of the Vernon team, and Bill Leard, Oakland second baseman, were each fined \$25 today by President Baum of the Pacific Coast League as a result of their fist fight during the game at Oakland yesterday morning.

Baum has ordered the umpires to banish Hogan to the club house in future just as soon as he starts unsportsmanlike tactics.

## TEDDY AGAIN SHOUTS FRAUD AT PRESIDENT

Colonel Answers Hill's Statement  
and Compares Taft's Nomination  
With Lorimer's Election as Senator  
—Says No Room for Doubt

If Honestly Organized, Convention  
Would Have Been Against Taft by  
One Hundred Majority

OYSTER BAY, N. Y., July 29.—Colonel Roosevelt today took direct issue with the statements made from the white house last night in which the republican national committee's action in the contests at the convention in Chicago were justified. The Colonel asserted that Senator Elihu Root had admitted that he would have voted to seat the Roosevelt delegates in the Texas contests. He referred to Nicholas Murray Butler's statement that the Roosevelt delegates from Washington should have been seated, saying in part:

"This attempted defense by Taft does not and cannot controvert a single statement made in my three articles in the Outlook. I did not consider one third of the cases that should have been considered. I merely took the notorious cases, where there was no possibility of the facts being disputed. These cases alone, if it had not been for the downright theft perpetrated by Taft's lieutenants would absolutely have prevented Taft's nomination. If honestly organized, the convention would have been against Taft by more than 100 majority.

**Barefaced Fraud**  
"I wish to state with all emphasis that there is no room for honest doubt regarding what happened at Chicago. The fraud was barefaced and shameless as any ever committed by 'Boss' Tweed's machine in the days when there was no pretense of holding a fair election in New York.

"Hill's, it is reported, recently expressed enthusiastic gratitude to Barnes for the way he held the bridge at Chicago. It is nonsense to suppose Taft and Hill's did not know how the bridge was held.

"It is not a mere coincidence that nine-tenths of the senatorial leaders in the theft at the Chicago convention were also the leaders in the fight to retain Lorimer's seat. Penrose, Guggenheim, Gallinger and Crane, for instance.

**Reverts to Lorimer**  
"There are politicians and newspapers who continue to uphold Lorimer's innocence and assert there was nothing improper about his election. Nearly all of these politicians and newspapers assert there was no fraud in the Chicago convention. One assertion has as much merit as the other. It is as idle to assert that Taft was honestly nominated as it is to assert that Lorimer was honestly elected."

## BABE BLOWN UP BY BOMB; UNHURT

NEW YORK, July 29.—Twenty-five families of the Lower East Side are today rejoicing over their seemingly miraculous escape from death by an explosion bomb, following an attempt, as the police believe, to destroy the tenement in which they live.

Part of a cot placed on a rear fire escape and containing a six months old infant was demolished, but the baby was not even awakened until the mother picked it from among the debris and joined the screaming women in the back yard.

## DEATH COMES TO EMPEROR OF JAPAN

### 45-YEAR REIGN COMES TO END

Yoshihito New Mikado—End Comes  
While Monarch is Unconscious,  
Worn Out by Long Struggle and  
Constantly Increasing Debility

Funeral of Great Magnificence Planned  
to Emphasize Fact that Nation  
is No Longer Medieval

TOKIO, July 30.—Worn out by constantly increasing debility due to his diabetic condition, Mutsuhito, Mikado and Emperor of Japan, died here early in the imperial palace this morning while the elder statesmen of the nation and Yoshihito, his son, stood by his bedside.

For hours the dead Mikado had been unconscious and only his feebly fluttering heart gave indication that life had not fled. Oxygen was being constantly administered during the last few hours of his life but the shallow breathing of the ruler made it certain at midnight that the end could not long be delayed. No arrangements have yet been announced for the funeral of the dead ruler, but it is expected that it will be one of great magnificence, and that the obsequies of the head of the nation will be such as to emphasize the fact that the land of the Daimyos is no longer medieval, but is in the forefront of modern progress.

**New Ruler Ascends Throne**  
Immediately after the death of Mutsuhito his son and heir Yoshihito assumed the supreme authority and under his hand the elder statesmen of the nation will have charge of the funeral rites of the dead ruler.

The Mikado for years had been a sufferer from kidney trouble but acute nephritis developed a few days ago and his physicians declared that he could not recover.

The streets were crowded for hours before the emperor's death but the voices were hushed, an atmosphere of sadness being everywhere. The crowds immediately dispersed when the bulletin announcing their ruler's death was posted outside the palace.

The Mikado was born November 13, 1852, ascending the throne when but fifteen years old.

**Dynasty an Old One**  
Mutsuhito was the 121st emperor of the dynasty, the first of his ancestors ascending the throne about 2500 years ago. The ability of the dead emperor manifested itself during the Chinese-Japan war, and Japan became a recognized power. Then ten years later, when the Mikado's soldiers and navy defeated the Russians, Japan took rank with the really big powers.

Mutsuhito was always cordial to foreigners and spoke in a low, clear, pleasing voice. When but 17 years of age he married Haruko, the daughter of a nobleman. The empress has had no children. The emperor, however, was the father of several children, only four of whom are now living. According to custom, the Japanese ruler has 12 ladies in waiting, who serve as secondary wives. His annual income was about \$3,000,000, half of which was paid by the government and the rest derived from private estates.

## WEST MEETS HAWLEY AT CALDWELL TONIGHT

VALE, Ore., July 29.—Governor Oswald West left Vale early today, continuing his horseback ride from Salem to Boise. He will be met tonight at Caldwell, Idaho by Governor Hawley, who will ride into Boise with him Tuesday. The governor has covered 450 miles. Governor West is on his way to attend a conference of governors at Boise.

WILL BE NEW EMPEROR OF JAPAN.



CROWN PRINCE OF JAPAN

## BODY OF MISSING HEIRESS FOUND IN CATSKILL CREEK

CATSKILL, N. Y., July 29.—A body positively identified as that of Miss Doreca Snodgrass, the missing New York heiress, was found here today.

The name "Snodgrass" on an undergarment furnished the conclusive link in the identification of the body which was found in the mud of Catskill Creek.

Mrs. James Crider of Mount Vernon, Miss Snodgrass' sister, declared the description exactly fitted that of her sister Doreca, and that as the name "Snodgrass" was found on the garment, she was sure the body was that of her missing sister.

Physicians here say the body had been in the water at least four days.

## RACE WAR RAGES FOLLOWING MURDER OF SEVEN NEGROES

PLAINVILLE, Ga., July 29.—Bent on vengeance for the slaying here yesterday by whites of seven negroes today are in possession of this town and they threaten bloody retribution before night. As the negroes outnumber the whites two to one, it is feared that it will be necessary to call out state troops before order is restored.

In addition to the seven negroes slain, eleven black and four whites, were wounded, several of the negroes probably fatally.

The trouble started when a white man whipped a negro and the latter shot his chastiser. This started a race war in which the negroes took refuge in a railroad section house. The whites charged the building, and five negroes were killed outright. Two negroes who were wounded were tied to the railroad tracks and their bodies riddled with bullets just as an express train dashed by.

Sheriff Owens and a posse rushed to the scene and in the battle which followed Owens was wounded.

## EFFIE AND HER HUSBAND UNDER ARREST IN UTAH

Mr. and Mrs. Carl Bronn, Mrs. Bronn being known in this city as "Effie" a medium, who recently removed their car from this city after it had been attached and placed in a local garage by Constable Singler, are under arrest at Provo, Utah, according to a message received by Singler today from George T. Judd, sheriff. The telegram states that the runaway pair will fight extradition.

Effie and her husband came to town some weeks ago and secured an engagement in a local playhouse, where Effie professed to confer with "spirits" on the other side of Jordan. However the "spirits" failed to warn her that William Smith, an old friend of the couple, who had loaned them \$125 several years ago was in town. Smith recognized them and immediately attached the large touring car they traveled in.

The car was placed in a local garage and that night the couple removed it while the night man was at his midnight lunch. They started for California making a record run over the Siskiyou.

The removal of property under attachment is grand larceny and it is on this charge that the couple is held. Extradition papers will be taken out and the couple brought back.

## FOUR DROWNED IN WATERS OF KANKAKEE

KANKAKEE, Ill., July 29.—Four persons are added to the death list of the Kankakee river. The dead: Walter Webster, Mrs. Paul Mastello, Miss Wida Hemstock and Louis Berkhardt.

The first three were bathing in the river when the current caught them and dragged them under. Berkhardt started to the rescue but the whirlpools were too strong for him and he went down before reaching the struggling trio.

These deaths make a total of six drownings here this summer.

## TAFT OPPOSES DISSOLUTION OF STEEL TRUST

Hilles Writes Resume Agreeing with  
Minority Report, Urging Federal  
Incorporation and Supervision of  
All Interstate Corporations

Senate Finance Committee Refuses  
Congressional Committee Right to  
Probe Money Trust

WASHINGTON, July 29.—That President Taft is more in accord with the findings of the minority members of the house steel investigating committee than with the report of the majority members was indicated here today by the issuance of a pamphlet headed: "Resume by a competent person" of a statement relating to the investigation, which was released today simultaneously with the report of the minority members. It was admitted at the white house that the resume was prepared by Charles D. Hilles, chairman of the republican national committee, and until recently secretary to the president.

In his recent message to congress on the anti-trust act, President Taft urged federal incorporation as a supplementary means of curbing the trusts, and this method is one of the features of the minority report. The minority members also agree that the burden of proof in suits brought under the Sherman law should rest upon defendant corporations. The document, which was signed by representatives Gardner, Danforth, Sterling and Young, all republicans, recommended federal supervision of all corporations engaged in interstate commerce, and criticized the majority report as "overdrawn, prejudiced, inaccurate and exaggerated."

The senate finance committee today decided by a vote of seven to six to adversely report on a house bill designed to give congressional committees equal rights with the comptroller of the currency in the investigation of the conditions of national banks.

The bill was framed to give authority to the money trust investigating committee of the house to probe various financial institutions.

McCumber and La Follette, republicans, favored the measure. Bailey was the only democrat against it.

It was announced that the minority of the finance committee intends to force a vote on the proposition on the floor.

## AMERICANS FLEE FROM MEXICAN REBEL ARMY

EL PASO, Texas, July 29.—As a result of the edict issued by the Mexican rebel commanders that all Americans regardless of sex, leave the country or join the ranks of the rebels against the constitutional government, 500 American women and children of the colonists from Pearson, Casas Grandes, Colonia, Dublin and Colonia Juarez, have arrived here. It is expected that 500 more will reach this city this afternoon and 200 additional are coming as quickly as they are able.

It is planned to erect a tent city near Fort Bliss in which to shelter the 3000 refugees from Mexico who have been driven out by the rebel raids.

## COLQUITT RENOMINATED BY TEXAS DEMOCRATS

AUSTIN, Texas, July 29.—The returns from the state primary indicate that Governor Colquitt has been renominated by a plurality of 20,000 votes.

## ACTS ADMITTED GUILT DENIED BY ARCHBALD

Accused Judge Files Answer to Impeachment Charges in Senate—Old  
Things Accused of, but Judicial Influence not Corruptly Used He Says

Friendship and Relations Used as  
Cloak to Explain Acceptance of  
Money and Notes From Litigants

WASHINGTON, July 29.—Admitting practically all of the acts in the impeachment charges against him but emphatically denying that he corruptly used his judicial influence, Judge Robert W. Archbald of the commerce court, today filed his formal answer in the senate. He asserted that no case had been made against him by the house of representatives.

Archbald admits being involved in numerous coal deals while on the bench. He admits soliciting high railroad officials to further such deals. He admits that promissory notes bearing his endorsement were presented to attorneys and litigants in his court. He candidly concedes he wrote letters to, and visited railroad officers to further private business negotiations for himself, associates and friends.

**All Acts Innocent**  
But the jurist says every such act was innocent. He declares many were without hope of private gain, although realizing the railroads would have cases before him in the commerce court. He does not even admit that he acted unethically. Admitted he visited Erie railroad officers in New York and Scranton to aid Edward J. Williams in securing their proposed option upon the "Katydid" culm pile, Archbald says his part in the case was that of a friend to Williams. He did not attempt unlawfully or corruptly to use his judicial office.

Archbald admits he figured in negotiations with rail road heads for the settlement of the suit of William F. Boland, Archbald's accuser, against the carriers, but denied he did so for any pecuniary consideration.

The judge also admits writing letters to Helm Bruce, attorney for the Louisville and Nashville railroad without consent of other parties in the case, to get Bruce's opinion upon evidence in the case. He denies such action was wrong.

**"Solely Out of Friendship"**  
"Solely out of friendship for Fred Warnke," Archbald says he asked Reading railroad officials to extend Warnke's coal lease.

The answer asserts that a \$2,500 note Archbald endorsed in 1908 was presented without his knowledge to an attorney in whose favor he had decided a case just seven days before. The jurist denies he endorsed the note as a partner in any Honduras gold mine deal, but says he afterward received stock "as collateral security," of the \$500 note.

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## 150 AEROPLANES FOR ITALY'S AERIAL FLEET

ROME, July 29.—One hundred and fifty aeroplanes are to be added to Italy's aerial fleet as the result of a popular subscription undertaken for that purpose. Announcement was made today that to date the subscription totals 2,500,000 lire. It is not to be closed until 3,000,000 has been collected.

Of the 150 aeroplanes that this amount will purchase at least 12 will be the result of donations made by the Italians living in the United States, while a similar number will come from the donation of Italians in South America.