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The Southern Pacific's Position in the Oregon-California Land Controversy.

In view of the widespread interest taken in the Oregon and California land grant situation, President Sproule of the Southern Pacific Company has issued the following explanation of the railroad company's position in the matter:

Court Settles Title.

The United States supreme court held that the company is the owner of the lands under the grant, with absolute title, subject only to the restrictions that when it chooses to sell these lands it shall sell them only to actual settlers in parcels not exceeding 160 acres, and at a price not exceeding \$2.50 an acre. It reversed Judge Wolverton, who had held that because the company had sold these lands with the timber thereon in larger parcels than 160 acres, and to persons not actual settlers, and at prices exceeding \$2.50 an acre, the company forfeited its title to all the lands unsold.

After receiving the grant the company offered the lands for sale in accordance with these restrictions, and in early times sold substantially all of the lands that were suitable for settlement, at prices not exceeding \$2.50 an acre. But as the remaining lands were of a character not suitable for actual settlement, being timber lands in the mountains, it could not dispose of such lands by selling to actual settlers only, no such settlement being practicable.

Thereafter the company did make sale of timber lands in larger tracts than 160 acres to persons other than

actual settlers, and at prices exceeding \$2.50 an acre. It was these sales that were made the foundation of a claim on the part of the government that the company had forfeited its title to all the lands unsold, which claim was rejected by the United States supreme court.

Can Sell Timber.

In view of the decision of the supreme court, the company insists that, being the owner of these timber lands, and under no obligation to sell them, and in fact it being impossible to sell them under the restrictions of the grant, it has the right of any other owner to dispose of the timber on those lands, just as it would dispose of any other crop produced by the land, at the same time admitting that when it comes to sell the land itself it must do so under the terms of the grant. The cutting of the timber from these lands is in fact a step toward making them fit for settlement, so that they may be disposed of under the terms of the grant.

"But the government contends that the company shall not be allowed to realize more than \$2.50 an acre for any of these lands, even though they may be worth many times that amount because of the timber thereon, and that therefore the company has not the right to dispose of the timber growing upon these lands. It is strange indeed that the government should now maintain that the company has no right to the timber upon these lands, because for many years before coal was used for fuel it used this timber as fuel, without question; and the right to do this is clear, because the act of congress

granted the land "to secure safe and speedy transportation of mails, troops, munitions of war, and public stores, over the line of said railroad." Of course such object could not be accomplished without fuel to produce motive power.

And further, this provision of the law implies that the road shall be maintained, and certainly the use of this timber for ties and lumber to be used in the construction and maintenance of the road would seem to be a matter beyond doubt.

Further, the government, in the third section of the act, expressly granted the company the right to take timber from the government sections of land adjacent to the line of road, and under Section 10 it allowed the taking of timber from lands excepted from the grant by reason of being mineral. In view of this express grant, to take timber from lands owned by the government and not included in the grant, upon what pretext can the government deny the company the right to take timber from the lands granted to the company?

Purpose Was to Aid.

The facts show that the position of the government, if carried out, would force upon the company a large financial loss; in other words, while this grant was one to aid the construction of the railroad, it would turn out to be, if the position of the government is correct, the means only of producing a deficit for the grantee, and this appears from the following facts, stated in round figures:

Expense to the company of administering this grant \$1,372,000.00
It has paid taxes on these lands aggregating 2,758,000.00

Making total expense and taxes \$4,130,000.00

The company's total cash receipts from all sources under this grant, including sales of lands, amount to \$5,345,000.00

This leaves the company a net revenue from past transactions of 1,215,000.00

The lands of this grant heretofore sold aggregate (acres) 804,637.75

Which have yielded the company therefor an average net revenue for the lands sold per acre of 1.51

Free Service to Government.

And further, this grant required the company to carry free for the United States government its mails, troops, munitions of war and public stores, over this railroad without limit as to time. The value of this free transportation at regular rates which has been furnished the government equals \$2,084,467, which amount exceeds the receipts of the company under the grant by \$868,641. It embraces the service between Portland and the Oregon and California state line.

From the experience of the past we may be certain that the company will be called upon to furnish the government free transportation of the value of \$75,000 per annum, and this is a perpetual obligation. Now, if we could sell every acre of the land at present unsold, viz., 2,400,000 acres, at the price of \$2.50 per acre, this would yield \$6,000,000, which would be used up in eighty years by the free transportation which we are bound to furnish the government, leaving the company thereafter—for all time—to furnish transportation to the government without compensation.

Has Right to Sell.

But there is a considerable quantity of this land, at least 400,000 acres, which cannot be sold at any price, hence the amount that could be realized by sales would be something like \$3,000,000 or \$4,000,000 at the utmost, from which expenses of administration and taxes must be deducted.

The company therefore insists upon its legal rights as the owner of these lands to dispose of the timber thereon, and any fair adjustment of this matter with the government, considering all the facts, would not deny to the company this right, a right which in a similar transaction between private individuals would not be questioned for a moment.

Oil From Asphalt-Base Crude.
It would seem that Pacific coast motorists are not the only ones who believe in oil made from asphalt-base crude. According to the National Petroleum News, such motor oil is very popular in England. The publication referred to prints the following quotation from a letter received from a British marketing company, regarding the use of oil from asphalt-base crude, in the sale across the pond:

"We have sold several thousand tons during the last six months and we understand from buyers that these oils are giving every satisfaction."

University Offers Film Service Free

University of Oregon, Eugene.—The extension division of the university now offers to schools, colleges, churches, commercial clubs and other civic and educational institutions of Oregon a free educational motion picture film service.

The only conditions imposed to secure the films are that the applicants must pay the express on the films and agree to show them free of charge for the purpose of education.

The extension division hopes to be able to give those interested their choice of 400 different films next year and to establish a weekly or bi-weekly film service to as many organizations as possible. The service this spring is limited to seven pictures of about twelve reels. These are on hand now and will be sent on request under the above conditions. Communications should be addressed to Ben H. Williams, secretary of the social welfare department of the extension division.

The film subjects now available for immediate use are: "The Automobile Industry," "Elimination of Space," "Views in Western Canada," "Making of Pure Foods," "Glacier National Park," "Making of Fire-



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arms," and "Construction of the Grand Trunk Railway."

"In offering this film service the extension division of the university feels that it is leading out in a phase of education that is to become both popular and important in the next few years," said Earl Kilpatrick, assistant dean of the extension division.

"The scope of the service will be determined by the demand for the pictures, but next year we expect to have an assortment of pictures that will cover the educational field from college audiences clear down through the grades."

As few high schools have moving picture machines, it is suggested that the school principals arrange with some public-spirited picture house proprietors to show sets, at free entertainments. Simple motion picture machines can now be purchased reasonably.

A few of the pictures on the circuit next year may involve a slight charge, but the bulk of the service will be free.

The Ashland high school has a built-in projection room, fireproof and up to date, in the gymnasium. However, the school owns no machine, although it is hoped that in time one will be added to the equipment.

The Commercial Club requests the names and addresses of parties who are considering coming to the coast this summer. We wish to send them literature and give them a good conception of Oregon. 74-7f

WEST PHOENIX ITEMS.

George Morse was a Medford visitor recently.

The eldest son of Mr. and Mrs. Frank Denzer arrived at the home of his parents from Minneapolis recently.

There was a heavy rainfall in this section Tuesday night, continuing intermittently all day Wednesday and Thursday. The atmosphere has been decidedly chilly the entire week, making gas and heater fires welcome necessities.

Fletcher Fish was a recent visitor at the home of his parents here.

Miss Bertha Wolverton, who has been attending Phoenix high school, has returned to her home in Gold Hill.

D. M. Taylor traded his ranch for Medford property recently.

Miss Stella Denzer has returned from eastern Oregon, where she has been teaching during the past school year.

Mrs. O. D. Frazee, who leaves for Portland this week, was pleasantly surprised last Friday afternoon when a number of her friends gathered at the home of her sister, Mrs. H. H. Corliss, to wish her Godspeed and good luck in her new home. The afternoon was spent in pleasant converse and at the close a dainty lunch was served. Mrs. Ludvig Alming voiced the sentiments of those present in a very sincere wish that the Frazees would find their new surroundings to their liking and assured them of a hearty welcome should they ever return to the valley.

Mrs. L. Alming motored to Medford Friday and brought back with her her little niece, Margery Kelly, who will spend a month of her vacation on her auntie's ranch.

Several of our worthy neighbors drove to Medford last Monday for the purpose of taking in the big circus.

Mr. Blankenship of Medford was a visitor at the Calhoun ranch Sunday.

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Montague Paper Boosts Celebration

Montague Messenger: Ashland was well represented in Montague last Sunday when a delegation of about twenty-five came over the mountain in machines bearing banners and placards announcing their big Roundup and Fourth of July celebration. The affair will last three days—July 4, 5 and 6—and has for its purpose the dedication of the municipal mineral water project recently completed there.

For the main attraction the Ashland committee has secured practically all of the big feature acts of the Pendleton roundup and have tagged their show as the Rogue River Roundup.

Great preparations are being made by the residents and boosters of the Granite City for the entertainment of the large crowds that will visit the city during those three days. Ashland has the best natural environment for entertaining a crowd of any town in this part of the country. Her beautiful parks make it an easy matter for her guests to keep comfortable. The newly added attraction of the mineral springs and the general hospitality of the bunch around the town are enough to assure a good time without the added feature of the big program.

On Saturday morning last, W. W. Usher, local manager of the telephone exchange, talked over long distance with his brother, Dr. Clarence Usher, at Los Angeles. The conversation was strictly confidential, the words being heard by everybody as clear as a bell. Dr. Usher is visiting his brother, Charles, in the southern California metropolis. He is a medical missionary recently stationed at Van, in Asiatic Turkey, and returned to America by the way of Russia. He will lecture in the Congregational church here on July 6, depicting the horrors of war as witnessed by him in the Turkish dominions.

Lew Walsh, of Wellen, was a business visitor in the city Monday.

"Well, I Should Say 'Gets-It' DOES Work"

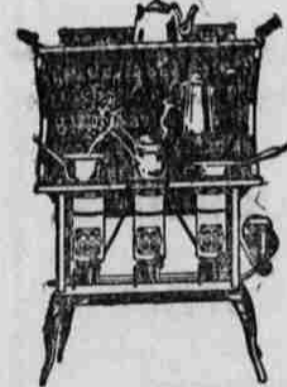
"Look a' There, If You Don't Think It's Just Wonderful for Corns!"



"Did You Ever See the Like? No Wonder 'Gets-It' is the Biggest Selling Corn Cure in the World!"

too, right there,—don't be afraid,—that's it,—feel how smooth the skin is? Well, that's where the corn was. Well, that beats all! That's the way "Gets-It" works on all corns, every way of curing corns. You'll say goodbye to all foolish contraptions like bandaging, sticky tape, plasters, toe-eating salves, and grave-diggers such as knives, razors and scissors. "Gets-It" stops pain. Applied in 3 seconds. Never fails. Nothing to stick to, hurt or press on the corn. "Gets-It" is sold everywhere, 25c a bottle, or sent direct by E. Lawrence & Co., Chicago, Ill.

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