

ASHLAND WINS PAVING SUIT

Judge Calkins Hands Down Decision Favoring City in Injunction Suit to Prevent Paving of Certain Streets in City.

Judge Calkins has handed down a decision upholding the city of Ashland in the paving suit brought by North Main street residents of that city to restrain the city and the Warren Construction company from paving along their premises.

The plaintiffs asked for a temporary injunction and the defendants in their answer cited reasons why the injunction should not be granted. Judge Calkins decided in favor of defendant.

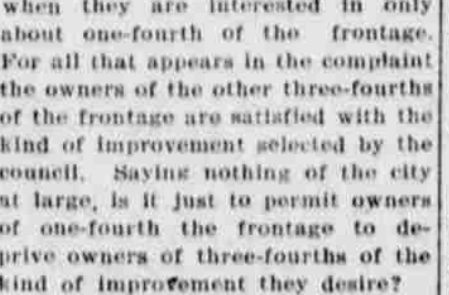
In handing down his decision Judge Calkins said the matter is in a manner that is of interest not only to Ashland but many another town in Oregon. It is of interest not only to the present complainants but to persons who may be complainants in the future.

In his decision Judge Calkins says: The theory of the law—upon which the right to impose special assessments against abutting property for street improvement is based—is that the property abutting receives a special benefit not received by the public at large and that it should therefore pay accordingly. Therefore the limit of assessment is the amount of the benefit to the abutting property. The owner then may complain that the assessment exceeds the benefit, or he may complain that the assessment—as between himself and his fellow owners—is not equal. As abutting property owner he is only interested in the amount of the assessment. The city at large is interested in the improvement.

I have searched in vain for any allegation that the assessment will greatly exceed the benefits. The nearest approach to it is the allegation that the pavement selected for the purpose "is of no more practical benefit than a pavement creating a third as much." That might be true and still the benefit to the abutting property might far exceed the cost to the owner. The complaint has set out the assessed valuation of the property and the probable amount of the special assessment and in some cases the special assessment nearly equals—and in one case exceeds—the assessed valuation. But this is no criterion as to the benefits which the paving will confer upon the land. It may increase its value many times. And while it may be more costly than the property owner things necessary still—if he is benefited correspondingly—he has no cause to complain.

The abutting property owner seeks to tie up general improvements simply because he thinks his assessment is excessive—but his remedy is against the collection of an assessment that is not legal and not against the entire improvement in which every citizen is as much interested as himself—aside from the amount of the assessment. The complaint shows that the plaintiffs own in the aggregate 2365 feet frontage and that the entire length of the street to be improved is 4018 feet and that the plaintiffs are seeking to tie up the entire improvement when they are interested in only about one-fourth of the frontage. For all that appears in the complaint the owners of the other three-fourths of the frontage are satisfied with the kind of improvement selected by the council. Saying nothing of the city at large, is it just to permit owners of one-fourth the frontage to deprive owners of three-fourths of the kind of improvement they desire?

CHANLER WOULD GIVE \$70,000 TO BE FREE



ROBERT WINTHROP CHANLER.

Robert Winthrop Chanler, the New York millionaire whose marriage to Lina Cavillieri, the beautiful actress, created a sensation at the time, is seeking a separation from the diva. He has offered her \$70,000 for a severance of the bonds of matrimony, which has proved unhappy to both.

BASE BALL FANS ARE VERY ANGRY

Scalpers Got Hold of Big Block of Tickets to World Series and Management Offers a Reward of Five Hundred Dollars.

NEW YORK, Oct. 14.—Thousands of angry baseball fans are unappreciated here by the offer of \$500 reward for anyone who can prove that he knowingly sold tickets for the world's baseball championship games to scalpers, made by William Gray, secretary of the New York National League Club.

The scalpers have come into possession of thousands of tickets which they are offering for sale at double and treble the regular rates. Gray strenuously denies that the officials of the club are responsible and President John T. Brush offers \$50,000 for a scheme by which the scalping evil can be eliminated.

Hundreds of fans stood in line for hours waiting to reach the box office, only to be told that all the tickets had been sold, while the speculators had thousands. As a result the fans are in an uproar.

Pointing to a box stacked with certified checks and money orders, Gray said: "There is \$100,000 in that box, all to be returned because the orders for tickets are unfilled. We are swamped with orders. Fifteen girls are sorting and returning the checks."

STICK-TO-IT-IVENESS WON.

(Continued From Page One)

gan and Plank performed in fine style all season. The catching department has been well looked after by Ira Thomas.

The Athletics are made up of young men who like to play ball. There isn't a lazy player on the team. From the moment the Mack's men put on their uniforms they display energy. In practice they show ginger and speed, while in championship games they never say die. Even though opponents are weak the champions do not let up. They seem to enjoy the task of fattening their batting averages, and they revel in difficult plays. On the bench they talk baseball, and when mistakes are made there's no ill feeling. Great plays prompt enthusiasm and words of praise, while Mack at all times is the king pin. Lack of jealousy and friction is one of the reasons for the success of the Athletics. Take the case of Harry Davis, for instance. The veteran has been supplanted at first base by young McLeuis, yet the latter has no more ardent supporter than Davis, who is always helping the youngster.

Mack's quiet disposition, coupled with firmness, has worked wonders. He knows baseball and knows how to handle players. His motto is "Play ball," and he never varies it. Umpires are let alone and adverse decisions do not upset the team. In developing the Athletics Mack has tried to strengthen every department, and the results thus attained would seem to indicate that he hasn't lost a trick.

PICKS GIANTS TO WIN.

(Continued from Page One)

Connolly saw the decoration to take with his adornment and said: "Take 'em off! he bawled. 'Take 'em off! Do you think this a vaudeville show?"

Eugene Paulet's last name is spelled that way—Paulet, not Paulette. When the Little Rock youngster came to the Giants his name was written with a final "t" and "e," and it has been that way ever since, just as Richard de Marquis became Rube Marquard at the hands of some Indianapolis scribe. Devore, by the same token, is De Vore. Chief Meyer's name is sometimes spelled Meyers, although, of course his real monicker is Tortes.

Bert Maxwell, the Giants' Southern League recruit, has raised nearly \$3,000 for "Scotty" Walker, the Atlanta shortstop whom he hit in the head with a pitched ball this last season, putting Walker out of the game and necessitating a serious member of the Atlanta club he and Walker were bosom friends, and even after Bert went to Birmingham with which club he was playing when the accident occurred, they remained chums whenever the two teams were in the same town together.

While the Giants' Springtime itinerary has not been given out in detail, it is known that the club goes to New Orleans for a series of games after it leaves Marlin Springs on the homeward march next year. Atlanta is sidetracked because of the trouble there last spring and because of the complete lack of interest in exhibition games.

TIME CLOCKS FOR POLICE.



The police force of Carlisle, Pa., has just been equipped with big time clocks. During the last few months the heads of the local government have received hints that the police, instead of being on their beats, have been enjoying favorite pastimes, loafing and sleeping about headquarters.

MANY ENGINES ARE REPORTED DEAD

SAN FRANCISCO, Cal. Oct. 14.—Secretary Scott of the striking shopmen's federation today received encouraging reports from all over the Harriman lines. Reports of trains delayed and engines dead are coming in from all divisions.

Overland trains are a day and a half late and becoming worse every hour, according to commercial men, who state that they have been delayed forty hours between Denver and San Francisco. Nineteen engines are reported dead in the San Francisco shops with no one to repair them.

At the Churches

First Church of Christ, Scientist.

Services Sunday at 11 a. m. Subject of lesson—sermon: "Doctrine of Atonement." Sunday school at 10; Wednesday evening meeting at 7:30. All are welcome. Reading room hours: From 2 to 5 p. m. daily, except Sunday; also Thursday evening from 7:30 to 9, church edifice, 212 North Oakdale.

Methodist Episcopal.

Methodist Episcopal church, E. O. Eldridge, pastor.—Services Sunday as follows: Preaching 11 a. m.; 7:30 p. m. Subject a. m.: "Soul Culture." Subject p. m.: "The Man Who Found Himself." Sunday school, 10 a. m.; Epworth League, 6:30 p. m.; prayer meeting Thursday evening, 7:30 p. m. Excellent music under the direction of Prof. Childster. You are cordially invited to all these services.

Baptist Church.

Services will be held in the Baptist church at the usual hours. Preaching at 11 a. m. and 7:30 p. m. Sermons by the pastor. Subject of morning sermon: "How We Lose Our Talents." Evening, "The Things That God Hates." Sunday school, 9:45 a. m.; young people's meeting, 7:30 p. m. Special music at both preaching services. All are welcome to these services.—A. A. Holmes, pastor.

TACOMA, Wn.—John H. Williams, author of the "Mountain that was God," a description of Mount Tacoma, is using the Milwaukee railroad today because of its failure to take all the 2,500 copies of the book which Williams says the company ordered.

Look at the ads for the chance to buy the property you need at a "right price."

Haskins for Health.

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HOTEL MOORE

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DR BUNDY HAS HARD TIME OF IT

First He Switches to Timber Claim From Homestead to Get Title, Now He May Be Forced to Switch Back Once Again.

Dr. Louis Bundy, of this city in having more trouble over securing title to 160 acres of land situated near Butte Falls than many men have had in acquiring title to whole townships.

A number of years ago Mr. Bundy made homestead proof on 160 acres of land. A year or more later his claim was contested upon the grounds that it was more valuable for timber than for agricultural purposes. Still later the doctor relinquished his homestead right to the land and made timber entry on it. Now his right has again been contested upon the grounds that it is more valuable for agricultural purposes than for its timber.

Testimony touching upon the last contest will be taken in the land office in Roseburg tomorrow. R. L. Taylor and M. F. McCown of Medford are Mr. Bundy's witnesses and left for Roseburg this morning.

SUFFRAGE NOW HAS LEAD OF 2724 VOTES

SAN FRANCISCO, Oct. 14.—With returns from most of the precincts in the state, woman suffrage today had the comfortable lead of 2,724 votes. The canvass in the unreported precincts is expected to swell the majority for the women to 4,000.

PROMINENT CITIZEN OF KLAMATH FALLS DEAD

KLAMATH FALLS, Ore., Oct. 14.—Joseph G. Peirce, aged 44, a resident prominent here for years, died Thursday, after six weeks' illness of typhoid fever, the fourth victim within a month of the disease. He was a native of Forestville, N. Y., and came to Oregon in 1887, staying in the Puget Sound country in the timber business until 1894, when he came to Klamath Falls.

The late Congressman A. C. Hopkins, of Pennsylvania, his uncle, and Mr. Peirce acquired 40,000 acres of timber in the Jenny Creek country, in which Mr. Peirce had a large interest up to the time of his death. At one time he owned the Weekly Express, out of which the present Daily Pioneer Press developed. He was the owner of considerable real estate in this city country.

FRUIT ASSOCIATION OFFICIAL DIES

C. C. Scott, secretary and treasurer of the Rogue River Fruit & Produce Association died at his home near Phoenix Friday evening. He leaves a wife, but no children.

Mr. Scott came to the Rogue river valley about three years ago. His health was broken while serving as chief clerk of the bureau of education in the Philippines.

He was a very well educated man and spoke several languages fluently. He lived on a ranch purchased from George Alfred near Phoenix.

Look at the ads for the chance to buy the property you need at a "right price."

Haskins for Health.

BOZUS TRIAL TO START MONDAY

Man Who Shot and Killed Christ Spanos in This City to Go on Trial for His Life Next Week at Jacksonville.

Peter Bozus, who shot and fatally wounded Christ Spanos in a pool room on Fir street in this city will be placed on trial at Jacksonville Monday for his life.

The nature of Bozus' defense has not been made known by Judge E. T. Kelly who will conduct the defense.

Haskins for Health.

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