

CAMPBELL AND FOSS NEED NOT RUN FOR OFFICE

Judge Calkins Thursday afternoon handed down a decision sustaining the opinion of City Attorney Neff to the effect that E. T. Foss, city recorder, and W. N. Campbell, councilman, held office until the terms of the men for whom they were elected expired without reference to the general city elect next month. The opinion follows:

The decision as given reads: "In the circuit court of the state of Oregon, in and for Jackson county. State ex rel. Tyrell, vs. Elmer T. Foss.

"I believe this case presents more difficulty to a satisfactory determination than any other case presented to me, as the reasons for and against are all so convincing and the law in support of either position is so meager.

"It would appear at first glance that there is an irreconcilable conflict between sections 11 and 64 of the charter, and that the latter must prevail. The argument is also very convincing that the right to choose should revert to the people at the earliest opportunity unless there is clear direction to the contrary.

"On the other hand, the plaintiff's position would appear at first to disarrange the rotation in office provided for councilmen.

"The law is clear that we must reconcile the two sections if we can, and it is also clear that we cannot read into the language used any words not there. State ex rel. Baker, 22 Or. 335.

"It is also clear that an election held at this time will not disturb the rotation in office, for the candidate elected would only hold for the balance of the unexpired term. State vs. Payne, supra.

"In the absence of precedent, the court must endeavor to arrive at that conclusion which is most logical and reasonable to its mind, and this I will endeavor to do.

"Section 11 of the charter clearly gives the council authority to fill a vacancy for the unexpired term, while section 64 limits the incumbency of the appointee to the next election and until his successor is elected. Can these provisions be reconciled? In state vs. Payne the law under consideration gives the governor power to appoint, and the appointee shall hold until the next general election, when his successor shall be elected and shall qualify.

"In the case before us, there is nowhere any provision for the holding of any election for the office of city recorder other than once in two years. Black's dictionary distinguishes between the term 'general election,' and other elections as being an election to fill offices at the expiration of the term as against elections to fill vacancies, which are denominated 'special elections.' And it is elementary that a special election can only be held when there is a direct provision for it. Had the words used in section 64 been 'annual election' it would be clearer; but standing as they do, I am of the opinion that the words 'next election' mean the next election provided by law for the electing of a recorder. This theory is also borne out by the other words of the section, 'and until his successor is elected, etc.' I think the true construction should be that the appointee shall hold his office at least until the next election and so much longer as is required to reach an election provided by law for the election of one to fill the office.

"I am therefore of the opinion that the writ should be dismissed, and have so ordered.

"F. M. CALKINS, Judge."

ASHLAND WOULD PAY NO ROAD TAX

ASHLAND, Dec. 27.—At the city council meeting Tuesday evening Councilman Butler presented a resolution notifying the county court that in accordance with the charter granted the city of Ashland by the legislature of Oregon, it was unlawful for the county court to levy any road tax upon the property within the corporate limits of the city of Ashland, and asking that they refrain from so doing. The past year \$6000 was collected in Ashland for expenditure in road work. It is this unlawful levy that the resolution is intended to stop. The resolution was adopted under suspension of the rules, all voting aye.

It is said that should the county court fail to heed the resolution and make the levy as in the past, an injunction will be brought to prevent the collection of the taxes.

PRIMARY TO PICK TWO FROM FOUR IS SUGGESTED

An informal primary election for the purpose of choosing two of the four candidates for mayor to remain in the race was suggested by Candidate C. E. Gates Friday. He announces that he will not only abide by such a result but will also contribute to the expense of holding such an election during the coming week. As the socialists are certain to keep their man in the race they are not to vote at the primary.

The plan is simply to have voters call at the city hall on a certain date and there vote on Gates, Elfert, Mitchell and Watt, the two highest to remain in the race and the two lowest to withdraw. In this manner will the political atmosphere be cleared.

"I suggest this method," states Mr. Gates, "simply as a fair one, and in which something besides chance figures as would be the case in a dice game."

ANY WOMAN CAN MAKE MONEY DO DOUBLE DUTY

No sale in recent Medford history has attracted the attention that has been turned to Ahrens' half-price sale which started today. Mr. Ahrens has thrown suits, skirts, furs, waisis, millinery, sweaters, dresses, hand bags, and children's wear on sale for four days, everything at half-price. There is nothing reserved and the half price cut is rigidly lived up to. As a result this popular store has been crowded with eager buyers who are making their money do double duty. When a store with excellent merchandise gives a half-price sale it is money in the buyers' pocket to attend.

TALE OF HUNGER OPENS DOORS OF PRISON FOR BILL

A pitiable tale of hunger connected with the failure of Santa Claus to leave much needed food and clothing at his home, opened the prison doors Thursday afternoon for "Windy Bill" Welsh, caught in the act of robbing a store Christmas night, of food which he wanted for his "kidda and old woman." The authorities with visions of their own happy firesides had not the heart to send Bill over the road. He was allowed to go after carrying the bacon and flour he had stolen back to his owner.

"Windy Bill" has lived for years in the city and has been more or less of a town character. He confessed to a number of other thefts from warehouses, saying he only took food for his family. He was given a severe lecture and informed that next time he would certainly go up for theft if caught.

ASHLAND HAS 1392 CHILDREN ACCORDING TO SCHOOL CENSUS

H. F. Pohland has completed the enumeration of the children of school age in the city of Ashland. The law requires an enumeration of those between the ages of 4 and 20, and the following is the result: Males, 714; females, 678; total, 1392.

SUFFRAGETTES ARE CHARGED WITH VANDALISM

LONDON, Dec. 27.—Levers of the railway signals were found tied together in a manner to prevent their proper working at Pottery Bar station on the Great Northern Railway Christmas evening. A note attached by a cord indicates the perpetrators were suffragettes. Fortunately no mishap occurred.



Photo Copyright, 1912, by Westinghouse Electric Company. This dress sometimes replace fur on evening wraps, as on this opera wrap of black and white headed net, in which the neck hole is of black and white feathers.

MASONS TO INSTALL NEW OFFICERS TONIGHT

Medford Lodge No. 103 A. F. & A. M. will install their newly elected officers this evening with appropriate ceremonies. A large attendance is requested. Following installation a banquet will be served.

NOTICE

Notice is hereby given that the undersigned will apply to the city council of the city of Medford, Oregon, at its next regular meeting on January 7, 1913, for a license to sell spirituous, vinous and malt liquors in quantities less than a gallon at its place of business on lots 5, 6, 7, 8, block 29, in said city, for a period of six months.

2217 REGISTER; 1322 ARE MEN; 895 ARE WOMEN

In spite of a final day rush when over 400 voters appeared at the city hall and registered, the total number of voters registering for the coming city election totalled but 2217 today when the official total was reached. Of this number 1322 are men and 895 women. In other words the women total 40 per cent of the registration.

The registration by wards is as follows: 1st, men 449, women 299; 2nd, men 482, women 241; 3rd, men 391, women 255.

All of those who failed to register must be sworn in on election day in order to vote. This means considerable trouble and delay.

The final day's work of the registration board was very heavy. Men and women in practically equal numbers appeared.

Informal Dance at "Nat."

An informal dance will be given tonight at the small Natatorium hall by a committee of the local boys. The object of the dance is to greet the college students who are home for the holidays and also to all their friends, and every one is assured of a good time. Refreshments will be served during the evening. The music will be by Forrest. The dance will begin immediately after the O. A. C. band concert.

NOTICE

Notice is hereby given that the undersigned will apply to the city council at its meeting to be held Jan. 2, 1913, for a license to sell malt, spirituous and vinous liquors in quantities less than a gallon at its place of business on lot 10, block 44, city of Medford for a period of six months.

Chewing Gum

COLGAN'S CHIPS

"The Gum That's Round"

Put Up in Clean, Handy, Sanitary Tin Boxes "The Neat Way"

Seven Chips for a Nickel. ALL DEALERS

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Six-Day Clearance Sale

Dec. 28th to Jan. 4th AT Dec. 28th to Jan. 4th

REMNANTS Short lengths Percales, Outing Flannels, Muslins, up to 15c values, a yard **5c**

MANN'S

REMNANTS Short lengths of linings, Percales, Outings, Flannelettes Dress Goods, up to 35c values, a yard **10c**

After the great sale we have had all this month we have left a great many Remnants of all kinds also many broken lots in Waists, Gloves, Coats and Suits that we are going to clean up in this sale at a great sacrifice. Be on hand early before the best bargains are sold

GLOVES Cashmere Gloves and wool Mittens; real 25c values. Clearance price a pair 19c	WAISTS Flannel and Wash Shirts, real \$2.00 values. Sale price, each 98c	COATS Women's heavy Winter Coats, regular \$15.00 values, now \$9.98	SUITS Women's Heavy Winter Suits, regular \$15.00 values, sale price \$9.98	SWEATERS Women's Sweaters; values up to \$5.00 Clearance price \$2.48	GOWNS Women's Outing Gowns; real 75c values, sale price, each 48c
GLOVES Women's Cape Gloves, real \$1.00 val- ues. Sale price a pair, only 48c	HANDKFS. Plain and Fancy Hand- kerchiefs; regular 5c values, each 3c	BLANKETS Heavy Grey Cotton Blankets, Clearance sale price, a pair 39c	COMFORT'S Good Heavy Comforters, Clearance sale price each 98c	SHEETS Good Bleached Sheets; good 60c values Sale price each 39c	PILL'W CASE 42 and 45 inch Pillow Slips, regular 18c values. Sale price, each 11c
FREE—Save Your Sales Slips and Get Wm. Rogers Guaranteed Silverware—FREE					
MUFFLERS Princess Mufflers, 50c values, sale price, each 39c	GLOVES Our regular \$2 Cape Gloves. This sale, each \$1.19	OUTING FLANNEL Real 15c values Sale price, a yard 9c	HOSE Children's Fast Black Hose, 15c values, a pair 11c	UNDERWE'R Women's Vests and Pants; 39c values, a pair 23c	HOSE Women's Fast Black Hose; 15c val. a pair 9c
BAGS Women's Hand Bags; 75c values, sale price, each 48c	PETTICOATS Women's Sateen Petticoats, \$1.00 grade, each 48c	COATS Children's Winter Coats; \$5.00 values now \$3.98	CLARK'S O. N. T. COTTON 7 for 25c	COLGATE'S Talcum Powder now, a can 12c	OIL CLOTH Here in colors only, Sale price, a yard 19c
WAISTS Silk and Net, \$5 values \$2.39	PETTICOATS Messaline \$4.00 values, \$1.98	REMNANTS of Dress Goods Half Price	REMNANTS of Silk Half Price	HAIR NETS All colors each 4c	DARNING COTTON a ball 1c

9 1/2 Acres Orchard Home

One of the finest homes in Ashland, within 1/4 mile of Post Office; 3 houses, 2 barns, chicken houses and other improvements; all in first-class condition. City water, electric lights, sewer connections. An attractive place and a nice location. Price \$8,500. Terms. We want to show you this property.

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ONE AND ONE-THIRD FARE
SALE DATES
December 21st to 25th inclusive and from December 28th to January 1st, 1913, inclusive, with final return limit January 2nd, 1913.

For specific fares from any station, train service, sale dates, limits, etc., call on nearest agent, or write to John M. Scott, General Passenger Agent, Portland, Oregon