

### EXCLUSION FROM IRRIGATION DENIED TO LAND OWNERS

On Friday Judge Calkins handed down a decision on the appeal to the circuit court, affirming all the orders made last summer by the directors of the Medford Irrigation District on the question of excluding lands from the district.

In March, 1918, forty-eight owners had petitioned for the exclusion of 6200 acres of land from the district, which comprised all told 20,000 acres. The grounds alleged by the petitioners were six in number. The case was tried before the directors and then appealed to the circuit court.

In the first place they attacked the constitutionality of the law because they insisted that it took private land for private purposes, and that the land was assessed by the acre and not according to benefits. Judge Calkins held that the law was constitutional, and that it did not attempt to take anything away without giving back at least an equal value, and further that the manner provided for levying the assessments was fair and reasonable.

**Acts Held Regular**  
The second ground was that the proceedings leading up to the organization and the subsequent acts of the directors had been irregular, but the petitioners failed to point out any defects, and on this ground there was nothing for the court to pass upon.

As a third reason why they should be excluded the petitioners asserted that they were already entitled to be irrigated by the Rogue River Valley Canal company. The court held, however, that as none of the petitioners had a contract with the canal company, it could not be said that any of them were entitled to be irrigated by that system, and refused to exclude any of them on this ground.

In the fourth place the petitioners argued that the law was never meant to apply to lands like those in the Rogue River valley, where there is a certain amount of moisture, and was only intended to affect arid or semi-arid lands. Judge Calkins again overruled the petitioners, holding that the law limits the formation of districts to lands which can be irrigated from a common source and are susceptible of irrigation.

**Benefit Exceeds Cost**  
The judge overruled the fifth ground, that the cost exceeded the benefit, because there was no evidence to support the contention.

Finally the petitioners alleged as a sixth ground that some of the lands were sub-irrigated, but it was held that the law covered this point and that the petitioners could not prevail on that ground.

The court thought that the board had the right to consider whether it was for the best interest of the district to exclude any particular parcel of land, but that the board must find some evidence, in other words the board could not be arbitrary, and the court found that the board had not abused its discretion. There was nothing in the evidence to show that in calling Professor Powers to inform them on the truth, the board had called a biased witness, other than the fact that the evidence was in the main against the petitioners.

As to the advisability of the directors retaining in the district lands, the owners of which desired to be excluded, the court stated that that was a question of expediency for the board, and not for the court.

**Summary of Decision**  
The opinion concludes: "I have gone over the testimony twice, have carefully segregated and classified it, and while I have not in this opinion gone into the testimony of each particular case, I have given it careful consideration, and as to the law counsel have filed very exhaustive briefs and it seems unnecessary for the court to discuss it further than to state its conclusions."

When asked this morning as to why the board had thought it expedient not to exclude those who desired to withdraw, one of the officers stated, that while the board had no desire whatever to force anyone against his will to remain in the district, nevertheless existing conditions as to the cost of bringing water to the district were such that to obtain irrigation for any district, it was a vital necessity that the district should comprise at least 20,000 acres. If one man was excluded, any other man would have a right to be excluded, and the result of such exclusions would be a district so small that water could only be supplied at a prohibitive price.

### FREQUENT RAINS FOR COMING WEEK

WASHINGTON, D. C., March 8.—Weather predictions for the week beginning Monday issued by the weather bureau today are:  
Pacific states: Frequent rains probable in Washington, Oregon and northern California, and fair in southern California. Temperatures will average somewhat below normal.



MUSICAL COMEDY COMING TO PAGE TUESDAY

The musical comedy which will be the vehicle used by Richard Carle during his coming engagement at the Page, Tuesday, March 11th, is "Furs and Frills." The authors Edward Clark and Silvio Hein, have succeeded admirably it is said in fitting Mr. Carle with a role which furnishes

him with the fullest opportunity for the most effective work of his career as a comedian. Mr. Carle will no doubt be remembered as the comedian star of "The Tenderfoot," "The Mayor of Tokio," "The Maid and the Moon," "Marv's Lamb," "Jumping Jupiter," "The Spring Chicken," "The Cuban Revue," and many other big New York productions. The performance requires a full orchestra, pictorial settings and a numerous company, which includes besides Mr. Carle, Hattie Fox, Martha Craver, Clara Palmer, George Bogues, Milt Dawson, Jay Elwood, William Wolf, Edward Meridith, Peggy Arthur, five violin girls and the famous Carle chorus of noted stage beauties. Seats are now on sale.

### AMERICAN TOWN ON THAMES BANK STORES MUNITIONS

LONDON. — (Correspondence of Associated Press.) On the banks of the Thames, less than twenty miles from London, there is an American town of the mushroom kind such as you might find in a new California oil field. Its population consists of more than 200 white men and about 150 negroes. It covers 35 acres which nine months ago were fallow grass land. The business of the town is to receive, sort and store war material. It is the great American supply depot in England.

There is a street of wooden huts, another of corrugated iron huts, huge iron store sheds a quarter of a mile long, office buildings, water supply and electric lights, the whole surrounded by a hedge, a few armed sentries and much mud. All day long the khaki-clad negroes push and haul railway trucks full of war material.

Englishmen peer over the hedge and ask sarcastically if the United States doesn't know that the war is over. If they ask an officer for enlightenment about this strange camp, his explanation is something like this:

"America came into the war with both feet, banking on at least three years of it, which was the safe thing to do. Our government made contracts with British manufacturers to supply our army with tons of war material from a tin tuck to a steam roller. The British factories built new plants and took on deliveries to meet our needs, and new deliveries were going smoothly when the armistice was signed.

"If we had scrapped our contracts then, some British firms might have been driven into bankruptcy, putting thousands of men out of work and leaving the factories with tons of useless material on their hands. So the United States government merely cancelled orders for material that had not been actually started on, and told the factories to go ahead with what they had in hand."

### BOSTON BREWERS TO MAKE CANDY

BOSTON, March 8.—Brewers of this city are planning to become candy makers after July 1. Officers of one company said today they plan changes in their plant in Roxbury to equip it for candy manufacture and officers of two other brewing firms have filed certificates of incorporation as a chocolate company.

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It's because coffee disagrees with them.  
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### AMERICANS FILE CLAIMS FOR MILLIONS LOST IN AUSTRIA

WASHINGTON, Mar. 8.—Claims filed by American citizens and concerns with the state department against Germany and Austria-Hungary total about \$750,000,000, the state department announced today. Additional claims are expected.

The claims, which will run into the thousands, are divided into two classes, those arising from submarine atrocities and those due to other acts of the central empires. The state department for several months has had a large force engaged in compiling American losses.

Included in the items comprising claims growing out of submarine warfare are losses alleged for death and injury of American citizens; losses suffered in the destruction of or damage to American vessels; losses suffered in connection with American cargoes, both in American and foreign bottoms; and the loss of much valuable personal property other than cargoes. Losses also include destruction and requisition of American properties both in enemy territory and territory occupied by enemy forces.

The state department's statistics show that American citizens at the outbreak of war had about \$300,000,000 worth of property in enemy countries and in those which have been under enemy occupation. Heavy losses have resulted in connection with this property.

### FIVE BOYS ACCUSED OF \$63,000 ROBBERY

NEW YORK, March 8.—Five boys, ranging in age from 16 to 20, are under arrest today charged with assault and robbery following the daring hold up yesterday in the financial district of Milton Strohm, a broker's messenger, of bonds and other securities valued at \$63,000. The boys, three of whom are brothers, and all messengers for brokerage houses, the police say, were associated in the robbery. Strohm was struck on the head and his bag containing the Liberty bonds and securities seized. He was so severely injured that he had to be taken to the hospital. The Liberty bonds have been recovered.

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### PROHIBITION TO FIND 50 MILLION GALLONS LEFT

WASHINGTON, Mar. 7.—National prohibition next July 1 will find only about 50,000,000 gallons of liquor in bonded warehouses, barred from disposition for beverage purposes, if the present demand for whiskey continues during intervening months. Officials who have observed the effect of high taxes in the past believe, however, that withdrawals from bond will decrease under the new revenue law, and that between 60,000,000 and 75,000,000 gallons will be left in warehouses July 1.

It is conceded that it is impossible to foresee the effect of approaching prohibition on the demand for liquor to be stored away by consumers, and officials say a big movement of buying even under the increased tax, may develop and leave the quantity of liquor left in bond smaller than the advance estimates.

The estimates do not take into consideration liquor which may be stored in cellar or attic of prospec-

tive consumers. Nor do they include any stocks which wholesale or retail dealers may not sell before the prohibition wave catches them. These are not measurable by any official reports.

Revenue bureau officials calculate that at present bonded warehouses connected with distilleries, but under lock and key of government agents, hold less than 90,000,000 of the 200,000,000 gallons in stock when manufacture ceased Sept. 9, 1917 under the food conservation act. Withdrawals in January and February have been less than the 10,000,000 or more gallons in December, according to indications based on preliminary reports from revenue agents.

On January first, 112,000,000 gallons of distilled spirits were reported in bond, including 6,500,000 gallons not available for beverage purposes. About 15 per cent of those figures must be deducted as allowance for leakage and evaporation from barrels. On Dec. 1, the latest date for which itemized figures are available, the stock of distilled spirits in bond was distributed as follows: Whiskey, 108,846,000 gallons; rum, 606,000; gin, 2,338,000; alcohol, 5,760,000; refined alcohol or "high wines," 3,744,000; and brandy, 2,316,000.

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	KWH Consumed.	Cost.
July, 1918	287	7.37
August, 1918	283	7.53
September, 1918	298	7.68
October, 1918	239	7.05
November, 1918	246	7.16
December, 1918	188	6.16
January, 1919	245	7.15
February, 1919	153	5.46

Compare this with the bills that you are now paying.

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