

OREGON CITY ENTERPRISE.

VOL. 28. NO. 20.

OREGON CITY, OREGON, FRIDAY, MARCH 16, 1894.

ESTABLISHED 1866

COURTS.

Circuit court convenes first Monday in November and third Monday in April.
Probate court in session first Monday in each month.
Commissioners court meets first Wednesday after first Monday of each month.

CLACKAMAS ABSTRACT & TRUST CO.
Abstracts of Clackamas county property a specialty. Good work, reasonable charges. Work guaranteed. Give us a trial.
C. Latourette, F. E. Donaldson, J. F. Clark, Directors.
OREGON CITY, OREGON.

H. H. JOHNSON, D. W. KINNAIRD.
KINNAIRD & JOHNSON,
CIVIL ENGINEERS AND SURVEYORS.
Railway location and construction, bridges, plans and estimates for water supply.
Drainage and street improvement of towns.
Special attention given to draughting and blue printing.

G. E. HAYES,
ATTORNEY AT LAW,
OREGON CITY, OREGON.

Will practice in all the courts of the state. Office, corner Main and Eighth streets, opposite court house.

W. CAREY JOHNSON,
LAWYER.
Corner Eight and Main streets, Oregon City, Oregon.

REAL ESTATE TO SELL AND MONEY TO LOAN.

L. L. PORTER,
ATTORNEY AT LAW
ABSTRACTS OF PROPERTY FURNISHED.
Office next to Oregon City bank on 6th street.

C. O. T. WILLIAMS,
REAL ESTATE AND LOAN AGENT.
A good line of business, residence and suburban property.
Farm property in tracts to suit on easy terms.
Correspondence promptly answered. Office, next door to Caulfield & Huntley's drug store.

C. H. DYER,
ATTORNEY AND
COUNSELOR AT LAW
Office over Oregon City Bank.

L. B. JANNEY,
LAWYER, NOTARY PUBLIC & INSURANCE.
Office with W. Carey Johnson.

C. D. & D. C. LATOURETTE,
ATTORNEYS AND
COUNSELORS AT LAW
MAIN STREET, OREGON CITY, OREGON.

Furnish Abstracts of Title, Loan Money, Fore-close Mortgages, and transact General Law Business.

H. E. CROSS,
ATTORNEY AT LAW.

Will Practice in All Courts of the State.
Real Estate and Insurance.
Office on Main St. bet. Sixth and Seventh, OREGON CITY, OR.

E. M. HANDS,
NOTARY PUBLIC, REAL ESTATE & INSURANCE.

Office in the Post Office Building, Oregon City, Oregon.

GEO. C. BROWNELL, A. S. DRESSER.
BROWNELL & DRESSER
ATTORNEYS AT LAW,
OREGON CITY, OREGON.

Will practice in all the courts of the state. Office, next door to Caulfield & Huntley's drug store.

F. F. WHITE, W. A. WHITE
WHITE BROTHERS
Practical Architects & Builders.
Will prepare plans, elevations, working details, and specifications for all kinds of buildings. Special attention given to modern cottages. Estimates furnished on application. Call on or address WHITE BROS., Oregon City, Ogn.

THE COMMERCIAL BANK,
OF OREGON CITY.

Capital, \$100,000.
TRANSACTS A GENERAL BANKING BUSINESS.
Loans made. Bills discounted. Makes collections. Buys and sells exchange on all points in the United States, Europe and Hong Kong. Deposits received subject to check. Interest at usual rates allowed on time deposits. Bank open from 9 A. M. to 4 P. M. Saturday evenings from 5 to 7 P. M.
D. C. LATOURETTE, President.
F. E. DONALDSON, Cashier.

BANK OF OREGON CITY.
Oldest Banking House in the City.
Paid up Capital, \$50,000.

PRESIDENT, THOS. CHAMMAN.
VICE PRESIDENT, GEO. A. HARRISON.
CASHIER, E. G. CAUFIELD.
MANAGER, CHARLES H. CAUFIELD.

A general banking business transacted. Deposits received subject to check. Approved bills and notes discounted. County and city warrants bought. Loans made on available security. Exchange bought and sold. Collections made promptly. Drafts sold available in any part of the world. Telegraphic exchanges sold on Portland, San Francisco, Chicago and New York. Interest paid on time deposits. Sub Agents of THE LONDON CHEQUE BANK.

OREGON CITY IRON WORKS,

New and Enlarged Shop with all appliances for

MACHINE WORK & CASTING.

All work executed in the best manner possible. Promptness guaranteed on all orders.

REPAIRING - A SPECIALTY.

Prices the lowest to be had in Portland. Shop on Fourth Street, near Main, Oregon City, Oregon.

I. ROAKE & CO., Proprietors.

How you Can Save Money

When your children need a laxative or stomach and bowel regulator, buy

BABY'S FRUIT LAXATIVE.

Fifty doses for twenty-five cents. The season for colds and coughs is upon us. In order to be prepared for an emergency, get a bottle of

Baby's Pectoral Syrup,

The best in the market. Price 25 cents. For sale at the CANBY PHARMACY, Canby, Or.

DR. J. H. IRVINE, Proprietor.

Oregon City Enterprise

\$1.50 Per Year.

The Cheapest and Best Paper in
Clackamas County.

OREGON CITY JOBBING SHOP.

—All kinds of—

Tinning, Plumbing and General Jobbing

—DONE TO ORDER ON SHORT NOTICE.—

SEWER AND WATER CONNECTIONS MADE

At the most reasonable rates.

All work is done with a view to last and satisfy all concerned.

A. W. SCHWAN.

Shop on Seventh St., near Depot, Oregon City.

J. JONES & SON,

DEALER IN

Doors, Windows, Mouldings,

DOOR AND WINDOW FRAMES.

Cabinet Work, Fitting up Stores and Repairing of all kinds.

Jobbing Orders Promptly Executed.

PRICES THE LOWEST.

Shop corner Fourth and Water streets, back of Pope & Co's, Oregon City

SEVENTH STREET DRUG STORE.

DR. L. M. ANDREWS, Prop.

A Full Line of Fresh Drugs and Medicines.

Patent Medicines of all Makes, Notions, Optical Goods
Full Stock of Machine Oils, Best and Cheapest.

Fine selection of Perfumery and Toilet Soaps. And Leading Brands of Cigars.

PRESCRIPTIONS CAREFULLY FILLED.

Shively's Block, Oregon City, Or.

GEORGE BROUGHTON,

MANUFACTURER OF ALL KINDS OF

FIR AND HARDWOOD LUMBER.

FULL STOCK OF FLOORING, CEILING, RUSTIC AND FINISHING LUMBER, DIMENSION STUFF AND LATH.

Special Bills Cut to Order

Mill and Yard on the River, Foot of Main Street,
OREGON CITY, OR.

COUNTY AFFAIRS.

Doings of the Commissioners at Their March Sitting.

LIST OF THE ROAD FOREMEN.

Vacation and Other Warrants—Appropriations for the Road Districts Throughout the County.

Report of the viewers on the Heinz road filed together with expense account of \$28.80 and claim of Wm. Yohann for damages. Report approved and J. W. Smith, H. B. Wolfer and J. B. Mills appointed to assess damages to meet on the premises of Wm. Yohann March 14, at 10 A. M.

Petition of W. E. Bonney et al. for a change in the voting place in Canyon Creek precinct to Gorbett school house was granted.

Application of Ella Meyer for rebate of taxes granted and warrant ordered issued in her favor for \$7.28.

Ordered that the warrant issued for the care and keeping of S. S. Higgins be hereafter issued to Mrs. M. E. Gaines. The proposition of the Portland General Electric company to compromise their mortgage tax suit by the improvement of the road between Oregon City and Oswego which was laid over from the last term of court was rejected and the attorneys instructed to prosecute the suit.

Application of Meade Post for aid from the indigent soldier fund for Wilson Rittenhouse granted and the clerk instructed to draw a warrant for the sum of \$15. The application of the post for aid for the funeral expense of Oren Holmes was granted and the clerk ordered to draw a warrant for \$34 upon the indigent soldiers' fund.

Upon the application of the directors of the Mt. Pleasant school district to have their assessment for 1893 corrected the court ordered the sheriff to make the correction as prayed for.

Petition of John Nelbor et al for a county road granted and Sidney Smyth, county surveyor, appointed with W. H. Smith, John Forsythe and Geo. Kennedy to act as viewers to meet on Saturday, March 24th at 10 o'clock a. m.

Relative to the application of Mrs. Joel for a rebate of tax assessed for 1892 and 1893 a rebate was ordered granted, the sheriff to accept \$9.10 in full payment for all taxes due.

Petition of John Stormer et al for a county road granted and Sidney Smyth, county surveyor appointed with W. H. Mattoon, E. Lacey and W. H. Kandle as viewers to meet at the place of beginning March 20th at 10 a. m.

In the matter of the application of Margaret Wineset for relief, Commissioner Scott was ordered to make investigation and report to the court and in case he found the need for relief urgent he was authorized to provide temporary relief.

Report of A. W. Cooke, supervisor of road district No. 1 showing expenditure of \$18.75 for labor, \$5.20 for material and \$21 for supervision was approved and warrants ordered drawn in accordance with his report and his recommendations were approved. He was authorized to purchase such amount of powder as he required and Commissioner Scott was instructed to purchase four wheeled scrapers and four-lipped scrapers for the district.

Report of H. Brethaupt relative to the subscription work done upon the Baker Ferry and Fagalia Mill road made and approved.

Report of W. H. Smith, supervisor of road district No. 2 showing expenditure as follows: Labor \$283.98; material \$84.58; supervision \$40, approved. It was ordered that the supervisor procure the necessary material and construct the bridge over the Abernethy on the Walker road.

Concerning the application of J. E. Young for a deed from Clackamas county to the e½ of the nw¼ of the nw¼ of sec 19, t 2 s, r 3 e, to the estate of Wm. Young it was ordered that a quit claim deed be made at the expense of the executor.

Petition of W. H. H. Samson for the vacation of the May's mill and John Smith road granted and Leonard Heine, Oren Wright and W. H. White appointed viewers to meet at the residence of W. H. Samson on the 20th day of March to examine and report upon the advisability of vacating said road.

Petition of Marion Johnson et al for a county road granted and Sidney Smyth, county surveyor, appointed with C. W. Risley, M. Ostfield and T. Hagenberger to meet on the 26th of March at the place of beginning.

Report of G. W. Prosser, supervisor of district No. 4 showing expenditures as follows: Labor, \$307.63; material \$14; supervision \$30, approved and bills ordered paid. Relative to the reported need of a bridge across Carroll creek at the old Boise mill the supervisor was authorized to procure a deed to the land required at a cost not to exceed \$1 and

to procure the necessary material and construct the bridge.

A. Nicholas was appointed clerk of election for Highland precinct in place of Roscoe Gard, a non-resident.

Report of County Judge J. W. Meldrum upon the expenditure for incidental expenses for the county approved and the clerk authorized to draw a warrant for the sum of \$50 to be expended in like manner as the last.

The petition of W. W. H. Samson et al for the appointment of good men as supervisors was denied as in the opinion of the court it had "endeavored to select and appoint good men to be road supervisors of the several road districts in the county and believing the present incumbents of the office of supervisor are good men the petition is denied and dismissed."

As the report of the sheriff showed that his warrant for the collection of delinquent taxes for '92 and '93 was about to expire and it appearing that there still remained taxes of those years uncollected it was ordered that new warrants be issued by the clerk in accordance with the law.

Claim of C. H. Dye for collecting \$1729 of delinquent taxes at 8 per cent. amounting to \$138.32 allowed.

Commissioner Bair who was appointed to investigate the needs of Mrs. N. Smith of Molalla who asked for aid from the county, reported that she was a young woman in good health and that the neighbors were disposed to assist with provisions as they could. He ordered groceries supplied to her to the amount of \$5 and thought that that was all that would be required.

Relative to the redemption of lands sold for taxes in 1893 it is ordered that the same may be redeemed by the owners until the first of June by paying to the sheriff the amount of the tax plus 10 per cent from the date of sale.

The road fund to be expended upon the roads for the coming year was apportioned as follows: First district, \$3,674.19; second, \$6,386.27; third, \$2,301.69; fourth, \$3,377.56.

Mileage and per diem allowed as follows: C. Bair four days and 36 miles, \$11.80; R. Scott, three days and 18 miles, \$10.80.

VACATION WARRANTS ISSUED.

Peter Betz, scalps	\$20.00
Harrison Bair, scalps	10.00
T. W. Fouts, bailiff	6.00
Ernest Wallers, scalps	1.00
Bert Jewell, scalps	1.00
J. W. Doores, pauper ex.	7.00
Louis Schultz	3.00
Mrs. J. S. Flemming	12.00
Z. S. Dodson,	12.00
Jane Walls,	20.00
E. M. Hartman,	11.00
R. Scott	8.00
Martin Hornberger	12.00
Co. F	25.00
H. S. Gibson, sch. supt.	60.00
W. H. Burghardt, indigent soldier's account	12.00
Geo. H. Kern, scalps	1.00
Hattie Cochrane, court reporter	10.00
Thos. M. Miller, bailiff	6.00
W. H. Vaughn, scalps	1.00
Frank J. Habelt,	1.00
Mrs. E. Morgan, pauper ex.	8.00
Wales Russell,	15.00
P. J. Ridings	10.00
Jas. Lowry	10.00
W. H. Young	12.00
H. J. Harding,	11.00
D. H. Tuttle	6.00
S. W. Gaines	6.50
Peter Nehren, janitor	50.00
Ida Garrett, pauper ex.	20.00

BILLS AUDITED AND ORDERED PAID.

Sidney Smyth, county surveyor	\$ 4.50
S. M. Ramsay, county recorder	132.00
Geo. F. Horton, clerk	473.94
C. W. Ganong, jailer acct.	20.00
Ben Irwin & Co. records	93.00
Portland Hospital	28.00
Glass & Smyth, pauper ex.	8.95
Teachers ex.	63.00
Geo. W. Prosser, road acct.	7.00
J. W. Meldrum, pauper ex.	13.58
Enterprise, stationery	94.25
J. Paulding, witness	3.00
S. Thomas, road acct, laid over	8.00
State vs. M. G. Anderson	22.36
State vs. L. D. Matthews	66.05
D. W. Kinnaird, plats	75.00
J. C. Bradley, assessor	182.00
C. W. Ganong, sheriff	114.04
Jury list, Dist. 12	14.00
E. E. Williams, pauper ex.	6.25
Robbins & Son,	6.25
R. L. Holman et al inquest	51.05
Pope & Co, court house ex.	8.85
P. Rinearsen, road acct.	3.00
W. A. Huntley, stationery	38.58
Jury list, Dist. 5	7.00
Sarah Comer, pauper ex.	30.00
State vs Wm Albee et al	7.70
" A. S. Williams	32.00

W. H. Smyth, supervisor of road district No. 2 recommended that the principal part of the work for 1894 be done upon the following roads: Oregon City and Cutting mill road, Abernethy Baker Ferry, Springwater and the Canby & Goode bridge road.

Foremen have been chosen as follows: Abernethy precinct C. Holstrom, Ely,

P. S. Fitteroff; New Era and Canemah, Peter Engle; Canby, V. Mack; Beaver Creek, Frank Jaggard; Milk Creek, C. T. Howard; Upper Molalla, Jas. Dickey; Hardings, H. L. Patterson; Viola and Springwater, J. M. Hayden; Highland, Henry Klinesmith and Canyon Creek, Chas. Hubbard.

The following named foremen were appointed by A. W. Cooke and approved by the court Milwaukee, W. S. Council; Clackamas, J. W. Roots; Damascus, John Hazlewood; Eagle Creek, Ed. Burnett; Boring, W. H. Boring; Cascades, Ola Mikkelsen; Sievers, R. A. Ten Eyck; Cherryville, J. W. Baty; George, F. Rath; Garfield, J. C. Irwin.

Ceansing School Funds.

Multnomah county recently had trouble with custodians of the school fund in that county, the same having been paid out of the treasury for other purposes than that for which it was collected. In looking up the matter the school board requested the opinion of Judge Thayer, and without going into the details or legal points of that opinion the conclusions are here given. Concerning the using of the tax collected for one fund to meet another obligation, Judge Thayer says:

"No tax shall be levied except in pursuance of the law, and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied. How then can there be any pretense of right in the county treasurer to pay the state tax out of such funds? It would be a direct application of funds to another purpose than that for which they were raised. The practice of paying to the state treasurer state taxes out of moneys collected and paid into the county treasury without regard to the purpose for which the moneys were raised."

As to the manner of levying the state tax, he says: "It requires an estimate of the expense for the ensuing fiscal year to be made up, a deduction from the sum total to be made of any surplus in the state treasury, not applied by law to some special purpose, and specifies that the remainder shall be the total amount of revenue to be raised the ensuing year for state purposes; directs that it be apportioned among the several counties of the state according to the total amount of taxable property in each be levied and collected in the manner other taxes are levied and collected and paid over to the state treasurer. The several counties have no alternative but to raise the amount apportioned to them respectively, and to pay it over in full on or before the first Monday of February in each year. They have no means of realizing the required amount except through the mode indicated in said provision of statute, unless it confers an incidental power upon counties to provide for it in some other way, which it doubtless does. If the exaction cannot be made through the levy and collection provided, the counties must certainly have the power to accomplish it through auxiliary measures. They should have the right to anticipate a delinquency in the collections of the tax, and to make such provision as would enable them to promptly apply it. This probably could be accomplished by increasing the levy for county purposes so as to enable them to meet such deficiency, as it necessarily is an expense to the county. Nor would it perhaps be any irregularity for the county to pay such deficiency out of the moneys raised in the county for the general county expenses. But to take money out of a fund created for another and distinct purpose to pay it with, even under an express statutory direction to that effect, would accord to a legislative fiat more authority than to a constitutional inhibition. Section 2598, Hill's Code, as originally adopted, or as amended by the act of 1893, laws of 1893, page 90, is a law imposing a tax. It distinctly states its objects, and how can any part of the fund it provides be applied to another purpose with out directly violating said section 3 of article 9 of the state constitution? If such a course were permitted the amount of the fund and the time when it could be realized would be precarious, indeed, would depend largely, in both respects, upon the success of the tax collector in collecting the delinquent list. Said fund must be kept by the county intact, subject only to apportionment by the county superintendent, as provided by subdivision 5, section 2590, Hill's code."

Among the featured of the Argonaut for March 12th are "The Thirst for Gold; A Story of a Lost Mine," by Frank Robbins; "A Vicomte's Vagary; How Gaston de Bonville Mingled Amateur Mediocrity and," translated from the French of Leon de Tineau; a letter from Paris, describing the Vicomtesse de Tredern, a Parisian grande dame; a letter from New York on the newest theatrical events; and a long review, with copious extracts, of "A Bundle of Life," by John Oliver Hobbs, the literary sensation of the day.