

BOHEMIA NUGGET.

Devoted to the Mining, Lumbering and Farming Interests of this Community.

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COTTAGE GROVE, LANE COUNTY OREGON, WEDNESDAY, AUGUST 14, 1907.

NO. 28

CRUSADE FOR PERFECT FRUIT

Fruit Inspector J. Beebe Pays us a Visit

Has the Co-operation of All the Fruit Dealers in the City to Prevent the Offering for Sale of Scabby or Diseased Fruit of Any Kind.

Mr. J. Beebe, the Fruit Inspector for Lane county, has been making his rounds to see that the law in regard to infected fruit is being complied with and was in Cottage Grove last week on that business. Mr. Beebe believes that the intent of the law will be more quickly reached by striking right at the foundation of the cause of wormy and diseased fruits being found on the market. He argues that as long as a farmer has had a market for such fruit, the longer it will be before they can be induced to pay more attention to their orchards. He has therefore been giving due notice to all merchants and others handling fruit that on his future visits, he will condemn and destroy all fruits on the market that are found to be scabby or diseased in any respect. By doing this it will be up to the merchant to purchase only good fruit, thereby causing the producers to pick over their fruit before offering it for sale.

On this proposition Mr. Beebe has been assured the support of all the dealers of Cottage Grove who say that they are willing to assist him in every way they can and further than that will also assist the producer by paying more for choice fruit, and to refuse absolutely, to buy or handle at any price hereafter any, that is not in their view, up to the standard.

This will be appreciated by the consumers, and it is safe to say that the fruit business will be more than doubled if people can only get good fruit. One does not care to pay a good price for an article only to find that one half of it has to be thrown away being unfit for use. It will also benefit the farmer for when he finds that he cannot sell or give away his poor stock, he will at once do his best to improve it, with the result that in a short time Lane county will be producing as fine fruit as any in the state which can be done with proper care and attention.

Endorsed by the County.

"The most popular remedy in Oregon county, and the best friend of my family," writes Wm. M. Dietz, editor and publisher of the Oregon Journal, Hillsboro, N. Y. "Dr. King's New Discovery. It has proved to be an infallible cure for coughs and colds making short work of the worst of them. We always keep a bottle in the house. I believe it to be the most valuable prescription known for lung and throat diseases." Guaranteed to never disappoint the taker, by Benson's Pharmacy. Price 50c and \$1.00. Trial bottle free.

SCHOOL TEACHERS SHORT

Some Districts in Lane County May Have Difficulty in Supplying Vacancies.

Lane county will be short this year in school teachers, and it will not be unlikely that some of the districts will not be able to obtain pedagogues at all. About 250 teachers are required and from the

present outlook a couple of scores will not be found. What makes the situation worse is that the same predicament exists all over the state and the only remedy seems to be an increase in the salary of the teachers so that capable men and women may be induced to take up the profession and stay with it.

An increase in normal school will not help the supply of teachers, either because as soon as a graduate from them or any other institution is through with their preparation, they find they can make far more money in some other occupation. As a result many of the teachers who obtain positions are not thoroughly capable, though they pass the examinations in some sort of fashion.

County Superintendent W. B. Dillard states that he expects about sixty applicants at the examinations next week, but a good portion of these will be old ones trying for new certificates or higher papers. The examinations begin August 14 and close August 17.

Many of last year's teachers in the county will not be in the ranks this year, for marriage has given them what they consider better positions.

OUR PRINCIPALS RESIGN

Professors Strange and Harvey Sever Their Connection With the Public Schools of Cottage Grove.

Professors Strange and Harvey principals of the Cottage Grove Public Schools, have tendered their resignations to the school board. Prof. Harvey having accepted a position in the First National bank of this city and Prof. Strange has gone into business at Grants Pass. The resignation of these gentlemen is very much to be regretted. They are both able educators and have, during the past three years, placed our schools among the best in the state. Coming at this time of the year when all the best teachers are engaged, it is doubly unfortunate and it is to be hoped that the board will be able to find competent teachers to take their place. We understand that an effort is being made to secure Prof. Briggs of the Drain Normal and Prof. Anderson of Linn county, and the board will be fortunate indeed if they can succeed in securing these gentlemen.

WILL ENLARGE HIS STORE.

Will Add Another Story and Increase the Length to 100 Feet.

C. H. Burkholder is making arrangements to add another story to his store building, corner Main and Third streets and otherwise improve the building. The old wooden store room in the rear will be torn away and the building extended back to the alley making a store room 30x100 feet. The front of the store will be furnished with fine plate glass windows and when finished will be one of the nicest buildings in the city.

The upper story will be fitted into office rooms. Mr. Burkholder is having a ware room built near the Commercial stables where he will store his goods from his present warehouse and work on the new building will be commenced as soon as it is finished.

WANTED
Wood choppers to contract for 1200 cords of four foot cord wood. Address P. V. Cooren, Black Butte, Oregon.

IN FAVOR OF A PUSH CLUB

An Organization to Agitate Local Improvements.

Many of Which are in Existence in Small Towns Throughout the State Rendering Great Aid in Securing Local Improvements.

It is to be conceded that every citizen in a town like Cottage Grove is anxious to see it grow in population and importance, and to bring about that most desirable state, in all live, bustling communities there is an organized body called by various names, such as Chamber of Commerce, Commercial Club, Business Men's Club, Board of Trade, or some other similar name, but all tending to the same end, the up-building and improvement of the town and community. These organizations, as a general rule, are in close connection with similar bodies of large cities, such as the Oregon Development League of Portland, through which the objects for which they aim, and greater and wider prominence is attained.

Cottage Grove is in the list of the enterprising and ambitious towns of the state, and what is one of the most important points in its favor is the fact that it has all the natural requirements to make it one of the leading cities of the Willamette valley if its advantages are taken hold of and pushed. To do this it has a list of energetic business men who can be depended on to encourage any projected enterprise or improvement, of which the Commercial Club is composed, and they are doing good work for the town. In the same way that this organization may be called an auxiliary to the Development League, it would be a good idea if our citizens would also form and maintain what has been designated in other places a "Push Club," as an auxiliary to the Commercial Club.

These clubs which are now getting to be numerous throughout the country, enroll among its members women as well as men, in fact the more women, the more useful the club. Its object is more local than general, to improve what we have, and to push any good suggestion which would be for the public good. The public library which may become a reality, and which was first agitated by the ladies of Cottage Grove is an example of the work of a Push Club, and a little thought on the subject will suggest numerous other things which would not only be a benefit to the town morally, but make it a pleasant place in which to live. The club could be a social one, where after any business has been transacted, a pleasant evening could be passed.

We offer this suggestion and believe that the ladies who agitated the library question are the ones who could take hold of this one, with the result that in a short time it would grow into an organization that would be of incalculable benefit to the town and community.

PROMOTIONS IN COMPANY E.

Second Lieutenant Metcalf has been appointed First Lieutenant, made vacant by the promotion of Lieutenant Lawson to Captain of Commissary department and Sergeant Petrie appointed to fill Lieutenant Metcalf's place as Second Lieutenant and Corporal Zerull to First Sergeant.

CITY DADS IN SESSION

Several Important Matters Thoroughly Discussed.

The River Street Proposed Improvement Still Held Up—Ordinance No. 128 Causes a Great Discussion and is Defeated by 4 to 2.

An adjourned regular session of the city council men on Monday night the Mayor and all councilmen being present. It was a thoroughly business session, but although there was not a great deal to do, the questions that arose needed a good deal of discussion, so that the labor of the council was not completed until quite a late hour.

The matter of the River street improvement took up quite a considerable time, for the report of the committee appointed to investigate the matter in regard to what rights the city had, was not such as to justify it going ahead with the proposed improvements. It would seem that the street is in a bad tangle, being mixed up with an old territorial road, from which it is inferred by some that it is outside of the city's power to order it improved, and until this matter is cleared up, the council's hands are tied. Being one of the most important thoroughfares leading into town, and also being in a very bad condition, it is absolutely necessary that something be done to improve it before the winter rains set in. On motion, therefore, the street committee was empowered to consult and get legal advice at once.

The matter of the contract for the sewer on Fifth street was brought up, it being claimed that although the contractor was going on with the work, no written contract had been entered into with the city, or had any bonds been filed. Mr. H. C. Hart, the contractor, being present, said that he was and had been ready for some time to sign a contract and furnish his bondsmen, but did not consider it his business to run after the council, but, however, he had prepared the necessary papers, which if they met with the approval of the council could be signed immediately, and named as his bondsmen, J. S. Renson, Metcalf & Brand and Le Roy Wood. The contract was then read by the recorder and was unanimously accepted by the council; and the mayor and recorder instructed to attach their signatures.

Mr. Lurch made application for sewer to be laid along his property. It seemed to be in the memory of the oldest councilman that the necessary preliminary work for the sewer asked for had been performed by the council a long time ago, but the recorder was instructed to look up the matter, and if found to be as stated to advertise for bids.

Mr. Lurch made application to purchase the five foot jog in the street, stating that he desired to build in the future and wanted to put the building on a line with the other houses. Referred to the Street Committee.

Mr. Gleason, the brickmaker, having made connection with a city water main and furnished some pipes and considerable work in connection therewith, asked that he be allowed compensation for the same, to be paid for in water. Same was

allowed.

Ordinance No. 182, amending Section 1 of Ordinance No. 129, having regard to the prosecution of persons selling liquor, was read for the second and third time. A prolonged discussion followed, and the roll call showed: Porter, Conner, Bartels, Venske—No; Hubbell, Van Denberg—Yes.

The recorder was instructed to draft an ordinance requiring the alleys on either side of Main street to be graveled to a depth of eight inches, and a width of ten feet.

After the usual grist of bills were read and acted upon the council adjourned.

"Regular as the Sun"

is an expression as old as the race. No doubt the rising and setting of the sun is the most regular performance in the universe, unless it is the action of the river and bowels when regulated with Dr. King's New Life Pills. Guaranteed by Benson's Pharmacy. 25c.

MINING NOTES

F. J. Hard drove to the mines in Bohemia last week returning Saturday evening, although the weather was stormy Mr. Hard reports a pleasant trip, the roads are in good condition and things seem to be going on satisfactory at the properties he is looking after; the big tunnel being driven by Messrs. Thom and Lindquist at the Vesuvius is showing good ore with values increasing as the tunnel penetrates further into the mountain. On Friday, in company with Dr. Smith of the West Coast Mines Company, Mr. Hard visited the Riverside and Oregon-Colorado properties where large amounts of copper ore is in sight and ready for treatment.

One thousand feet of heavy rails arrived at the S. P. depot Monday and was forwarded to the Vesuvius mine in Bohemia, the order was filled by a Cottage Grove house.

Dr. Herbert E. Smith vice-president of the West Coast Mines company has been visiting their property in the Bohemia district the week past, he left for the East yesterday.

The new lodging house at the Vesuvius is about completed, the basement made by excavating is nearly solid rock makes storage room for many mine supplies, the first floor will be used for the office and the second floor is partitioned so as to accommodate eighteen more men at the mines.

Bohemia Mine Owners Association.

There was a good attendance at the regular meeting of the Bohemia Mine Owners' Association held Friday evening at the Post Office. A communication from the commissioners of Douglas county at Roseburg stating that surveyors would start on the 12th to look out a wagon road into the Bohemia district from the steamboat side commencing at Rock Creek. The Association appointed S. Long to act as guide to the party at the expense of the association.

F. J. Hard, Reub Thom, W. H. Shane and A. P. Churchill were selected as delegates to attend the American Mining Congress to meet at Joplin in September.

Geo. O. Knowles resigned, because he will soon leave the district and on motion F. J. Hard received the unanimous vote and was declared president of the association until next regular election.

Capt. J. D. Eads, Supt. of West Coast Mines Company came in from the mines at Bohemia yesterday.

G. B. Hengen of the O. & S. E. Ry. was in the city over Sunday.

WHEN LOANS ARE TAXABLE

Attorney Skipworth Renders an Important Opinion.

Loans Secured by Deeds are Taxable—Lenders who are to Redeem After Loan Must be Assessed as Mortgagee.

Eugene, Ore., July 30, 1907. Hon. B. F. Keeney, Assessor for Lane county, Eugene Ore:

DEAR SIR:—I have carefully considered the question heretofore presented by you for an opinion as to whether or not a deed executed and delivered conveying real estate property as security for money loaned is taxable under the laws of the State of Oregon.

Section 3037 of B. & C. code, as amended by section 1, of page 485, of the Session laws of 1907, reads as follows:

"All real property within this state, and all personal property situated or owned within this state, except such as may be specifically exempted by law, shall be subject to assessment and taxation in equal and ratable proportions."

Section 3038, of B. & C. code, as amended by section 3, of page 486, of the Session Laws of 1907, provides:

"The terms personal estate and personal property shall be construed to include all things in action, household furniture, goods, chattels moneys, gold dust, on hand or on deposit; all boats and vessels, whether at home or abroad; all debts due or to become due from solvent debtors, whether on account, contract, note, mortgage, or otherwise, either within or without this state," etc.

The usual methods in transactions above mentioned is for the person borrowing money to execute and deliver to the person making the loan a warranty deed conveying the real property offered as security for the loan, the grantor retaining possession of the land, and the grantee entering into a contract agreeing to reconvey the land described in such deed upon payment, within a certain time fixed, the amount of the loan with interest.

It is conceded that under the statutes of Oregon mortgagees are subject to taxation. That being the law, then the next question to determine is the legal effect and construction of a deed absolute upon its face given for the purpose of securing a debt.

The supreme court of the State of Oregon has held in a number of cases that a deed though absolute in form, if intended as security for money, is held and construed to be a mortgage.

In the case of Adair vs. Adair, 22 Ore. page 131, Judge Strahan, delivering the opinion of the court, says:

"It is too well settled in this state to admit of any kind of controversy that a deed, though absolute in form, if intended by the parties to it as security for money or for the performance of any other lawful act, is a mortgage."

In support of this rule the court cites the following authorities.

- Hurford vs. Harned, 6 Ore. 362.
- Stephens vs. Allen, 11 Ore. 188.
- Albany and Santiam W. D. Co. vs. Crawford, 11 Ore. 243.
- Wilhelm vs. Woodcock, 11 Ore.

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