

# HOME NEWS

Items of interest in and about Cottage Grove and vicinity.

Miss Hazel Marston of Eugene spent Sunday in the city.

Eugene Steam Laundry, Allison and Hastings agents.

Miss Mary Mason of Creswell spent Sunday in the city, starting with relatives.

Mr. Fred White of Portland, here on a visit to his parents, Mr. and Mrs. J. W. Brown.

A person whose name is not known to the printer and traveling in the city.

Our country boys were present at the annual picnic of the Wagon Wheel.

John Corbett and family left for Portland, where they will make their future home.

Miss Anna Barr, who has been visiting in the city, returned to her home in Eugene Monday.

The most interesting feature here is a small business at present in Eugene, which is being conducted.

Some of the business men in the city are planning to start a new business.

A person whose name is not known to the printer and traveling in the city.

The city is now in a state of excitement over the proposed new school building.

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## HEALTH OF LANE COUNTY

Dr. J. W. Harris, the County Health Officer Gives Out the Following Information.

Dr. Best Acquitted for the Fourth Time.

In Best, who was arrested last Thursday on a charge of practicing medicine without a license, was tried at Eugene last Friday and acquitted by a jury.

The jury examined the entire afternoon and the jury was only out a short time, bringing in a verdict of acquittal. This matter was brought before the grand jury once and dismissed, was tried once at Eugene and once at Eugene without getting a conviction, so that the county has been put to considerable expense for without result. It will probably not be brought again.

### Schmitt Family Reunion

At the residence of the Schmitt family last Sunday August 23rd the annual family reunion was held at the home of Charles Schmitt in Walkersburg. Both the parents, Mr. and Mrs. John Schmitt of Cottage Grove, were present and of their 14 children 12 were present. A fine and enjoyable time was had by all the family and their families. About 100 people were present. Thirty people were left. These present were:

Mr. and Mrs. John Schmitt, Mrs. J. A. Schmitt, Mrs. M. W. Schmitt, Mrs. W. J. Schmitt, Mrs. C. W. Schmitt, Mrs. G. W. Schmitt, Mrs. H. W. Schmitt, Mrs. I. W. Schmitt, Mrs. J. W. Schmitt, Mrs. K. W. Schmitt, Mrs. L. W. Schmitt, Mrs. M. W. Schmitt, Mrs. N. W. Schmitt, Mrs. O. W. Schmitt, Mrs. P. W. Schmitt, Mrs. Q. W. Schmitt, Mrs. R. W. Schmitt, Mrs. S. W. Schmitt, Mrs. T. W. Schmitt, Mrs. U. W. Schmitt, Mrs. V. W. Schmitt, Mrs. W. W. Schmitt, Mrs. X. W. Schmitt, Mrs. Y. W. Schmitt, Mrs. Z. W. Schmitt.

### SILK CREEK ITEMS

The annual picnic of the Silk Creek school was held at the home of Mr. J. W. Harris.

Mr. J. W. Harris, and Mrs. F. W. Harris, were the guests of Mr. J. W. Harris.

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## LOANS ARE TAXABLE.

Continued from first page.

And in the case of Adams vs. Adams, the court further says:

"That is equally well settled that a mortgage vests no title in the mortgagor, but is a mere security."

Anderson vs. Baxter, 1 Ore. 105.

By way of illustration, if A borrows \$1,000 from B, and A, for the purpose of securing the loan, executes and delivers to B a deed to land valued at \$1,000, and A remains the possessor of and pays the taxes upon the land, the intention of the parties is apparent upon the face of the transaction. The inadequacy of the consideration the deed that the grantor retains possession of the land and pays the taxes, these facts admit of no doubt that the intention of parties is that such a deed is to be held for security only and that upon payment of the \$1,000 with interest B is to convey the land to A.

It has been repeatedly held by the supreme court of the State of Oregon that such evidence is admissible to prove a deed absolute in its true character.

In determining whether a deed absolute in its true character is a mortgage in substance, the fact that the grantor occupies and receives rents from other portions are entitled to be considered.

Stephens vs. Allen, 11 Ore. 100.

It has also been held that a deed to real property as security for a debt does not vest the legal title to the property in the grantor, but such a deed having been held to be a mortgage, merely creates a lien upon the property and before legal title vests in the grantee such deed must be foreclosed as a mortgage.

Adams vs. Adams, supra, 22 Ore. 132.

In the celebrated case of Marquam vs. Ross, reported in 4 Ore. page 207, Mr. Justice Bean delivering the opinion of the court, says:

"The fact that one of the instruments that was given to accomplish this purpose is in form an absolute deed, and the other is denominated a 'trust agreement' does not change their legal effect. A deed or a trust agreement, intended as security for a debt, performs the office of a mortgage, and is in effect nothing more than a mortgage. The fact that it is absolute in form does not change its character from a security to an absolute conveyance. When it appears that the instrument is intended as security for the payment of money, it will be treated and deemed in equity as a mortgage whatever its form. This has been so often announced and enforced by this court that a mere citation of the authorities will suffice.

Every transaction of this character must stand upon its merit, and courts in construing deeds of this character are governed by the facts in each case, but clearly the law is well settled that a deed absolute upon its face given as security for a debt or other lawful act is a mortgage. Clearly mortgages are subject to taxation under the laws of Oregon, and it is therefore the duty of every taxpayer of the state of Oregon holding such deeds to give in the same to the assessor at the time of the assessment.

It is the duty of the assessor, and he is compelled under the law, to assess mortgages and if from the facts and circumstances the assessor is convinced that all deeds of the character herein mentioned are in fact given as security for the payment of money, it is his duty to assess the same.

Respectfully submitted,  
G. E. SKIPWORTH,  
Deputy District Attorney.

## Gentlemen's Summer Suits



Now is the time to come and have your measure taken for a new suit. I have samples from one of the largest clothing stores in Chicago. All styles and grades of goods.

### SUMMER HATS.

A large shipment of straw hats just arrived including men's, boys', women's and girls', in all the leading styles.

## C. H. BURKHOLDER.

Main Street, Cottage Grove, Oregon.

## Wynne Hardware Co.

Don't Wait Until Your Grain is Ripe

and ready to be harvested before buying the machinery you will need. We are handling and have on hand, the old reliable

McCormick Line of REAPERS MOWERS RAKES and BINDERS

which make hay for many years proved its superiority by its work. So if you need any machinery in that line, it will be a wise selection in buying this make. Come in and talk it over.

Wynne Hardware Co. COTTAGE GROVE, OREGON.

## HOTEL GRAHAM

Headquarters For Mining and Commercial Men  
C. T. LONG, Prop.

\$60 St. Paul, Minneapolis \$60 AND RETURN.

Tickets on sale August 8-9-10, Sept. 11-12-13. Account Jamestown Exposition. Return limit, Ninety Days.

Above rate is from Portland. Same rates apply to Duluth. Proportionately low rates from Washington and Oregon points. Rate to Chicago \$71.50 from Portland; \$64.00 from Spokane. Low rates to Omaha, Kansas City, St. Louis and many other Eastern points.

### For a Comfortable Trip Take the "ORIENTAL LIMITED"

Standard and Tourist sleepers, dining car and Compartment Observation Car. Meals in dining car on the a la carte plan. The "Fast Mail" is another good train.

For information regarding routes and through rates to any eastern point, address  
H. DICKSON, Agent.

122 THIRD ST. 4th Nor. Ry. PORTLAND, OR.  
W. A. ROSS, Ass't General Passenger Agent, Seattle, W.

## GREAT NORTHERN RAILWAY CO.

The First National Bank  
—OF—  
Cottage Grove, Or.  
Paid up Capital: \$25,000.00  
Surplus and Undivided Profits: \$5,875.44  
Money to loan on approved security. Exchanges sold, available any place in the United States.  
HARRIS BANK, President, Cottage Grove, Or.  
T. C. WILSON, Cashier, Cottage Grove, Or.

### Stockholders Meeting

The annual meeting of the stockholders of the London Mineral Springs was held in this city last Tuesday. Levi Geer was re-elected president and Alfred Geer, secretary, and F. H. Rosenberg assistant secretary. The report made showed that the concern was in a very flourishing condition and increasing rapidly.

If you suffer from bleeding, headache, indigestion, or dyspepsia, take a Ring's Digestive Tablets after each meal, and overcome the disagreeable troubles. It will improve the appetite and aid digestion. Sold by New Era Drug Store.

### LOST

A small gold chain with cross-linker please leave at Nugget office, Cottage Grove, and receive reward.

### MARRIED

At the residence of Rev. C. H. Wallace in this city, on Sunday, August 11, 1902, Horace T. Canner of Cottage Grove, and Miss Mabel Clara Petrie, of Lorane.

### LOST

Between Eugene and Cottage Grove a pocket book containing a railroad ticket and other papers. Finder will please send it to the Nugget office, Cottage Grove, and receive reward.

### Hop Picker's Notice

Hop picking will commence at R. R. Hays yard, three-quarters of a mile east of Creswell on or about September 1, 1902. Yard clean, nice large hops, no foliage, good camping ground, good water and wood furnished. General store on ground where pickers can secure necessary supplies. I hope all the old pickers will come back this year and bring some new ones with them. For further information address R. O. Bandy, Creswell, Or.

### Ice Cream Social

The ladies of Silk Creek will give an ice cream social Wednesday, August 21, at the school house. The proceeds will go toward purchasing an organ for School District No. 18. An invitation is extended to all.