

# THE LANE COUNTY NEWS

Continuing the Springfield News and Lane County Star, Which Were Consolidated February 10, 1914.

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SPRINGFIELD, LANE COUNTY, OREGON, MONDAY, JANUARY 10, 1916.

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## PIONEER OF 1847 DIES AT HOME OF SON AT LOWELL

Henry C. Morgan, father of Mrs. H. E. Walker, died Sunday, January 9, 1916, at the home of his son Ned Morgan at Lowell, aged over 84 years. He came to Oregon in 1847, crossing the plains by ox team. Besides his wife, he leaves a number of children. Mrs. Walker of Springfield, Mrs. Winnie Buster of Los Angeles; R. C. Morgan of Eugene, Daisy L. Morgan of Eugene and Ned at Lowell. The funeral services will be held at the family home at 10 o'clock Tuesday morning, and interment will be made at the Pleasant Hill cemetery.

## MUST PAY TAXES ON LAND GRANTS

The following dispatch from Roseburg under date of last Saturday will be of interest to the people of Lane as well as Douglas county.

If an opinion filed in circuit court here Friday by Judge J. W. Hamilton is sustained by the supreme court, Douglas County will eventually be able to collect taxes amounting to \$204,304 from the Southern Oregon company and the O. & C. railroad. Similar large amounts of taxes in dispute in Lane and Coos counties also will be collectible.

The case in which the opinion was filed is that of Douglas county vs. the Southern Oregon company, involving taxes due from that company for the past six years, and totaling \$17,541. Judge Hamilton holds that "the tax, being properly laid, is a lien against the land, and a definite charge, not against the individual owners, but against the land itself."

Under this decision these delinquent taxes will have to be paid. The same ruling would also apply to the delinquent taxes due on the O. & C. railroad lands in this county for the years 1913 and 1914, totaling \$186,763, although the latter was not a party in the case at issue.

If sustained by the higher courts, this decision means that this county will eventually recover the \$204,304 of delinquent taxes now due from these two big corporations. Coos county and Lane county, which are similarly situated, will also be in a position to recover almost equal amounts each.

The lands in question are those granted by the government to the old Coos Bay wagon road company in 1869 in return for construction of wagon road from Roseburg to Marshfield, with provision they should not be sold in excess of \$2.50 an acre. These lands were assessed at a higher figure in Douglas county, some as high as \$14 an acre. The defending company contended the land should not be assessed in excess of \$2.50 an acre.

The suit was brought by District Attorney Neuner to foreclose for delinquent taxes. In giving his opinion Judge Hamilton cited a decision of the Oregon supreme court in the case of Ramp vs. Marion county, which says:

"For mere irregularities or overvaluation in assessment the statute has provided a board of equalization from which one who is wrongfully assessed or unequally taxed may obtain relief. This is his exclusive remedy and it is his folly if he fails to avail himself of it. If her property was overvalued either by the assessor or board of equalization, it is a mere irregularity which did not render the assessment void. And her remedy was by an application to the board of equalization, and failing to obtain satisfactory relief there, she could have brought the matter before the courts upon a writ of review and it was her own negligence if she did not do so."

This decision, says Judge Hamilton, says in so many words that over-valuation is an irregularity, but does not render an assessment void. The remedy of the property owner is to appear before the board of equalization and have the assessment corrected. If he does not he is in the position of one who has given his assent to the proceeding. The tax being properly laid is a lien upon the land—a definite charge—not against the individual but against the land itself. The matter of the apportionment of the amount of the tax which should be paid by those owning or claiming different interests in the property.

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## RAILROAD WORK PROMISED

Monmouth, Ore., Jan. 9.—The Valey & Sletzt Railroad Co., will resume operations soon on the construction of a railroad into the Siletz Basin country. It is reported that 300 men will be put to work near Hoskins at once, and as soon as the weather will permit the railroad will be pushed to Independence.

It is rumored that a large sawmill will be erected in Independence in stead of Hoskins, as was previously reported.

## Mable Mill Shuts Down For Repair

The Mill of the West Coast Lumber Co. at Mabel, closed down Saturday night for repairs and will not be again in operation before the latter part of the month.

Work of extending the logging railroad a distance of two miles will be prosecuted during the idle period at the mill.

## 2 DEALS MADE AT EUGENE

One Corner Brings \$35,000, Consideration in Second Withheld

Nathan Hill, of Springfield has purchased the building at the corner of Seventh and Willamette streets Eugene, formerly occupied by the United States National Bank, the consideration being \$35,000.

Coincident with this transaction Dean E. C. Sanderson, of the Eugene Bible University, purchased from Mr. Hill the Coleman block on Willamette street, between Seventh and Eighth streets. The consideration paid for the Coleman block was withheld.

## HARNEY SEES FIRST TRAIN

Baker, Ore., Jan. 7.—Harney County is celebrating the first visit of a locomotive to the county. It was made near Harman when the Oregon Eastern extension of the O.—W. R. & N. Company was pushing across the border from Malheur County the last of last week without formal notice.

When the news reached Burns, 14 miles from there, that one mile of rail already had been laid there was rejoicing in the city that is so anxious for transportation. Work is being continued on the road despite the cold and snow.

## LIQUOR CASE IS LOST

Jury at Eugene Acquits James Randle of Violation

A jury in Eugene Justice Court Friday afternoon acquitted James Randle, 28, on a charge of having violated the local option law May, 22, 1915. The defense introduced witnesses to prove an alibi and to show a possible case of mistaken identity.

The number of animals now sustained on the National Forests in proportion to the area, is 50 per cent greater than it was 10 years ago.

The Forest Service is co-operating in game protection under definitely agreed plans with the States of Arizona, New Mexico, California, Oregon, Idaho, Utah, Wyoming, Colorado, Montana, and South Dakota.

## Shot Fired After Talk Over Wood

Albert Wochmuth, who lives in the unburned portion of the old Mt. Hood saloon, reported to the sheriff that St. Jones, who occupies the building across Mill street, had fired a bullet through the window of the Wochmuth apartment shortly after midnight. The shooting followed an altercation over some wood taken from the race, and was probably done to frighten Wochmuth, who is an old man, as the bullet went high.

Wochmuth states that he had been missing his wood for a long time, and when he heard Jones cutting wood at 12:30 a. m., taxed him with taking from his (Wochmuth's) pile. Jones denied it and in a scuffle tried to throw Wochmuth over the railing into the race. Wochmuth returned to his room, muttering something about getting a gun, but did not venture out. While watching from his door, some one, whom he claims was Jones, appeared and fired through his window. He states that Jones immediately left south on Mill street.

## HORSE RACING MAY GO FROM COUNTY FAIRS

Directors of Lane County Fair Association to Decide Definitely Next Saturday.

If the wishes of those present at the meeting of the Lane County Fair association was carried out at the board meeting next Saturday afternoon, horse racing and cheap carnival shows will be abolished in the future from all Lane County fairs.

Directors of the association met this afternoon in the county court room and elected the 15 directors who shall have full charge of the fair for 1916. Immediately following the election, a discussion as to the advisability of abolishing horse racing at the fair was opened.

F. M. Wilkins, president of the association, said he was in favor of abolishing horse racing and substituting in its place educational speakers and local entertainers. Mr. Wilkins explained how horse racing was the cause of the annual deficit to the association how all the money so given to horse racing went outside of the county, and usually outside of the state.

"I am heartily opposed to such a program for 1916," said Mr. Wilkins. "If we continue it will mean that we will have to expend between \$3500 and \$4000 more than we would if we did not have racing. Our crowds, I believe, would diminish, but our expenses would be so reduced that we could well afford to have smaller daily attendance."

Other speakers reiterated Mr. Wilkins' opinion. C. J. Hurd, market master, a member of the board of directors for the past three years, said the horses cost more than the fair association realized from the attendance which he drew for horse racing purposes. "It is just a relic of the old days," said Mr. Hurd, "when all the farmers were breeding fancy horses. This day is now past. We haven't a breeder in the county now who is breeding race horses only. We are supporting a California enterprise and I believe we should abolish it."

E. J. McClanahan said he wished to go on official record

## Revise Manner Of Calling Fire

The matter of some improvement in the manner of giving a fire alarm will be taken up by Fire Chief H. E. Rice with the fire and water committee of the council tonight. Vague information has too often been given the central station, as in the case of a fire in the Luther residence on north Fifth street a few weeks ago. All the information the whistler had was that there was a fire in the Luther residence, and all he could do was to blow a general alarm. When the firemen tried to find the fire, there was no glare to guide them, and they had to hunt for it.

Some plan will be worked out to get more accurate information to the department.

as being opposed to horse racing at county fairs. "The trouble is most of the races are won before the horse leaves the stable. It is a useless expenditure of county money, and I am opposed to any such plan."

It was also advocated to reduce the price of admission at the county fair to 25 cents and to allow motor cars and horse vehicles free entrance into the grounds, providing that all occupants were taxed the regulation admission fee.

On next Saturday afternoon at 2 o'clock at the Eugene Commercial club the board of directors elected will meet with representatives from every Grange in the county. At this meeting officers will be elected and definite plans discussed for the coming fair.

Following is a list of those men chosen to serve as a board of directors: F. M. Wilkins, F. M. Harlow, Henry Stewart, R. B. Coglin, John Villard, E. J. McClanahan, Robert Rae, J. A. Griffin, Y. D. Hensill, A. E. Young, W. B. Dillard, E. E. Hardesty, M. H. Harlow, Amos Wilkins and Walter B. Jones—Guard.

## LANE TAX LEVY IS 15 MILLS

The county court has fixed the tax levy for Lane County at 15 mills on each dollar of taxable property.

For three weeks the county court has been investigating the legality of taxing the incorporated cities 2.78 mills to be used for the roads of the county.

The question was submitted to the Attorney General who decided the tax legal. The budget was then filed as submitted by the county court.

The following is the levy for the various funds.

|                                  |        |
|----------------------------------|--------|
| General fund                     | 8.062  |
| Apportionment of state tax       | 3.410  |
| High School purposes             | .880   |
| School purposes                  | 2.600  |
| School Library purposes          | .036   |
| School district maintenance fund | .012   |
| Total                            | 15.000 |

On the Alaska coast the salmon packers, towns, and settlers use 40,000,00 feet of timber a year from the Chugach and Tongass National Forests

## WE CAN UNFURL OUR BANNER

most triumphantly when wall paper is considered. If you are looking for ordinary wall paper don't come here—we don't carry it. Our designs are unusual—our grade of paper is unsurpassed—artists of reputation have conceived our designs—they are a work of art and an ornament to the home.

Remnants during Sale at 19c a bundle up.



Beaver-Herdon Hardware Company

## GRANT DECISION APPEALED

Petition Asks That Form of Decree Be Changed, Giving Railroad Everything Except Land.

Portland, Ore., Jan. 8.—Appeal was taken today in the federal district court by the Southern Pacific company from the recent decree rendered by Judge Chas. E. Wolverton on the decision of the supreme court in the Oregon-California land grant case.

The particular point of the decree objected to as stated in the appeal was that declaring that the railroad possessed no present interest in the grant beyond \$2.50 an acre as originally granted, and that the timber on the lands and the minerals therein are now subject to disposal with the lands. The railroad contends that the supreme court did not contemplate such a construction and claims ownership of the timber and other natural resources on the 2,300,000 acres of land.

In the appeal the supreme court is petitioned to change the form of decree so as to give the railroad everything but the actual land.

## DAIRYMEN PREPARED TO FIGHT BUTTER TRUST

Agricultural College Will Put Staff on Men in Field to Aid Creameries of the State.

Corvallis, Ore., Jan. 6.—"Unless country creameries can be given protection against unfair competition they are doomed," declared J. D. Mickle, state dairy and food commissioner, before the Oregon Dairymen's association, today.

The dairymen of the state are here in connection with Farmers' week.

In response to the dairy commissioner's assertion that large city creameries represent a combination, which intends first to squeeze the country creameries out of existence, then become the dictator of prices to the dairymen themselves, first steps were taken toward establishing co-operative creameries that will "buck the butter trust."

The formal plan of organization as submitted admits to membership only co-operative creameries—that is, those organized and controlled by actual dairymen. It provides for a central office in Portland, and for the standardization of butter as to quality. A manager is to be employed who will manage the central office, keep in touch with conditions, and lead the fight against what the dairymen call unfair competition.

The board of directors is to include not only co-operative creamery representatives, but the dairy and food commissioner or the head of the agricultural college dairy department or the director of the bureau of markets.

The central organization is to be a stock company with a capital stock of \$15,000 to \$25,000 and a sinking fund will be established to aid weak creameries in time of stringency, or in the event of price cutting competition. The extension division of the Agricultural college is to put a staff of men into the field to aid in the co-operative creameries in standardizing their product.

Each creamery entering the central organization is to be legally bound to stand by it. There are 31 co-operative creameries in Oregon now eligible to membership.

It was stated that publication of butter quotations of the central organization on the same basis as present authorities will be insisted on.

Timber trespass on the National Forests is no longer important in amount or character. The incentive has been largely removed by the availability of National Forest stumpage under free use or reasonable terms of sale. New trespass cases are usually the result of unintentional error in regard to title or the location of boundaries.

A million and a half railroad ties are now cut from the National Forests yearly.

## ANGARY DEER TRAMPLES MAN TO DEATH

William F. Wallace, cousin of Mrs. James Cox of Springfield, was gored to death by a deer in Hendricks park, Eugene, Sunday between 10 and 11 o'clock. Wallace, who had been employed by the park commission to feed the deer in the enclosure, went to the pen at the usual hour this morning with a bucket of feed.

He was alone, and no one witnessed the attack, but from indications, it appeared that he opened the gate, set down the bucket of feed and was struck from the rear by the deer.

It is supposed that he was in the act of arising when the deer struck him, piercing the artery.

Wallace then ran out through the gate, the deer following him. Prints on the ground showed where the man and deer had fought all the way down the hill to the gully, where Wallace's body was found at 11 o'clock by a neighbor. The body was warm, indicating that he had died only a short time before.

A physician, who lives near the park, was called. An examination showed Wallace died from the loss of blood. There were few other marks on his body.

Wallace's father-in-law, John Eaton, a Civil War veteran, died yesterday, and the funeral is set for tomorrow afternoon. It is probable that both funerals will be held at the same time.

## A. Middleton Starts Suit

A. Middleton started suit in the circuit court against A. H. Bossen, of Springfield, for the collection of \$116 which he alleges is due him on several assigned claims. In the complaint, the plaintiff alleges the defendant owes M. C. Bressler for \$45.35, and also owes to M. C. Bressler, on a second cause of action, \$60. He claims further that Bossen owes him \$3 and to John F. Ketels \$7.65. All of these claims have been assigned to Middleton for collection.

## Three Liquor Dealers Pay Fines

T. C. Luckey, Chas. Hadley and Pearl Courtwright, the Glenada saloon men who were arrested Wednesday on the charge of selling liquor to a minor, Friday afternoon entered pleas of guilty in the Eugene justice court and each was fined \$150 and costs, which amounted to \$29 in the three cases.

Five hundred and twenty-five vehicle drivers on the Pacific Coast did their best to break into a railroad crossing accident in the two years ended June 30, 1915, despite the fact that gates were down and warning bells ringing. This is shown in a report of the Southern Pacific Company which reveals that during the period mentioned five hundred and twenty-five crossing gates were broken by drivers who risked life and limb for speed and carelessness. The gamble taken by the drivers is obvious. To be broken the gates had to be down and the gates are down only when trains are approaching. The railroad company spends over \$100,000 annually to operate and maintain crossing gates but feels that the active co-operation of motorists and other vehicle drivers is imperative if crossing accidents are to be minimized.

Recently the Southern Pacific had observations taken at various crossings throughout the state to observe how careful drivers were in approaching the tracks. Of 17,021 motor vehicles observed, 11,836 drivers or 69 1/2 per cent looked neither way before crossing the tracks; 27 per cent looked in both directions. The almost incredible number of 3301 or 19.3 per cent of the total number of drivers observed ran over the crossings at a reckless rate of speed. But 35 drivers stopped their machines before crossing the tracks to see that no trains were approaching.