

BOARD OF COMMISSIONERS.

Regular February Term of the County Board.

R. Morton, John Llewellyn and T. B. Kilian, Commissioners.

(Continued from last week.)

Saturday, February 9. The board now convened pursuant to adjournment, the commissioners and officers present as yesterday.

In the matter of the petition of Clara Forsythe to pay taxes without assessment, and the board being fully advised, it is ordered that said petition be granted and allowed.

In the matter of work on bicycle path report being filed O. K. by J. F. Ark, superintendent of bicycle path, it is ordered that said report be approved, and the claims therein ordered paid from the bicycle fund, as follows to wit:

Baker \$2.00
In the matter of the Hoff family—now comes Hans A. Linneburg and his report in the distribution of assets for said family. Therefore it is ordered, that said report be and hereby approved.

In the matter of the bids for planks for the Logan and Springwater road—this matter coming upon notice published by order of the court for bids furnishing planks on the above named road and bids having been received and opened as per notice, on the 28th day of this term and there only being two bids on file, to wit: The bid of A. Laey at six dollars per thousand feet, and the bid of B. Y. Cooper at \$5.00 per thousand feet, and the board being fully advised, it is ordered, that a contract be let to B. Y. Cooper on his signing a contract to be drawn by the county clerk and giving a bond in the sum of \$800.00 to be approved by the board.

In the matter of the bill of K. H. Abbott for making index to assessment roll. It is ordered that said bill be filed herein.

In the matter of the petition of R. N. Curtis for the cancellation of a tax lien coming on regularly to be heard at the court being fully advised therein of the truth of the facts set out in said petition of said R. N. Curtis appearing claimed. It is therefore, on this 9th day of February 1901, ordered that the lien of Clackamas county for taxes for the year 1895 be declared void and canceled and such fact be made to appear on the tax records of Clackamas county as far as regards the following described premises:

Beginning at a point in sec. 22, T 2 S, R 2 E, of Willamette meridian 20.70 chains west of the quarter section corner, the line between sections 22 and 23, said township, thence 4.83 chains north, thence west 20.70 chains, thence south 4.83 chains, thence east 20.70 chains to the place of beginning, containing 10 acres.

In the matter of delinquent tax belonging to the school fund—This matter coming on and it appearing to the board that in collecting delinquent taxes the clerk failed to segregate the school fund from the general fund, but turned the same over to the county treasurer as general fund. Therefore it is ordered at the clerk cast up the amount erroneously deflected from the school fund and paid into the general fund for the years and amounts as follows, to wit:

From the year 1894 \$230 80
" " " 1897 720 90
" " " 1898 182 81
" " " 1899 6 20

Total \$1233 80 and that the county treasurer place said amount to the credit of the school fund and charge a like amount to the general fund.

through Main street in the said town of Canemah to a point at low water in the Willamette river, at or near the most westerly end of first street in the said townsite of Canemah aforesaid, and to maintain and operate said railroad, telephone, telegraph and power lines and franchises, and has heretofore made application to this court to agree upon the extent, terms and conditions upon which parts of the public road between the termini of the proposed railway of the said Oregon City & Southern Railway Company may be appropriated, used and occupied by the said corporation and the court having agreed with the officers of the said Oregon City and Southern Railway Company, upon the extent, terms and conditions upon which the public road and streets of the townsite of Canemah may be appropriated and used and occupied by said corporation, and an order having been heretofore made by this court, dated the 10th day of January, 1901, whereby a franchise was granted to the Oregon City & Southern Railway Company, its successors, and assigns, to appropriate, use and occupy certain parts of said public road and of the streets of the said townsite of Canemah and it further appearing to this court that on the 28th day of January, 1901, an order was entered in this court upon the application of the Southern Pacific Company and the Oregon and California Railroad Company, whereby it was by said court ordered, adjudged and decreed, that the said order of January 10th, 1901, be rescinded, and this court having made a further agreement with the Oregon City & Southern Railway Company upon the extent, terms and conditions upon which parts of the public road between the termini of the proposed railway and the streets of the said townsite of Canemah and Oregon City, Oregon, may be appropriated, used and occupied by the said corporation; it is therefore considered, ordered and adjudged that the order of this court made and entered January 28, 1901, whereby it was undertaken to revoke and amend the franchise of the Oregon City and Southern Railway Company, granted by the order of this court entered January 10, 1901, be and the same is hereby vacated and set at naught and that the said order of January 10, 1901, be and the same is amended so as to specify the extent of the terms and conditions under which the Oregon City & Southern Railway Company shall appropriate and use and occupy said public road and streets, and so as to impose upon the said railway company certain obligations in respect to the construction, maintenance, operation and use of the said railway, telephone and power lines and the improvement and maintenance of the highway appropriated, used and occupied by the said corporation, that, and the Oregon City & Southern Railway Company having agreed to the same and undertaken the obligations imposed upon it by this court in this order and the court being now fully advised in the premises it is considered, ordered and adjudged that the order of January 10th, 1901, whereby a franchise was granted to the Oregon City & Southern Railway Company to use parts of the public roads and streets between the termini of the said proposed railway, that is to say, between the points where said public roads enter and connects with Main street in the city of Oregon City southerly to a point at low water on Willamette river at or near the most westerly end of first street in the townsite of Canemah, in Clackamas county, Oregon, be and the same is amended so as to read as follows:

It is therefore, considered, ordered, adjudged and decreed that said Oregon City & Southern Railway Company, its successors and assigns, be and the same are hereby granted the full right and privilege to construct, maintain and operate a single track railroad of iron or steel with all necessary turnouts, side-tracks, switches and turntables, and a telegraph, telephone, and power lines, over, along and upon the public road where it connected with the southerly end of Main street in the city of Oregon City, and Canemah to the northerly boundary line of the townsite of Canemah in Clackamas county, state of Oregon, where the said county road enters and connects with Main street in the said townsite of Canemah, thence along and upon said Main street in the townsite of Canemah to the intersection of Main and First street of said townsite of Canemah, thence westerly along First street of said townsite of Canemah to the Willamette river; and to use and occupy so much roads and streets as may be necessary and convenient for the purpose of building, maintaining and operating the said single track railroad of iron or steel, with all necessary turnouts, side tracks switches and turntables for the purpose of erecting and maintaining poles and stretching wires thereon to transmit electric current over the same for generating power, and for the purpose of erecting and maintaining poles and stretching wires thereon and of using the same for the purpose of transmitting telephone and telegraph messages, and with full power and authority to construct and maintain wharves, docks, depots and terminal grounds at the foot of First street in Canemah to deep water in the Willamette river, and to operate cars over said railroad and engines by horse, cable, electric or any other power excepting steam, and to transport passengers, freight and express over said road, for hire and to collect charges tolls and fares thereon and to transmit telephone and telegraph messages for hire and to collect tolls and charges thereon and to operate said railroad and said power line, and said telephone and telegraph lines, either singly and of itself, or in connection with any other railroad power, telephone or telegraph line. The railroad power line to be constructed under this franchise shall be completed and the road improved as hereinafter specified on or before April 31, 1901, unless the construction or improvement thereof shall be prevented or hindered by legal proceedings. Said railroad shall be a single track road of iron or steel and shall be constructed of standard or other gauge and built upon the westerly or water side of said road, and along the line of the present retaining wall, so that at no place shall the rail at the water side be more than an average of 18 inches from the outer surface line of said retaining wall, unless at such places as shall leave 10 feet or more clear in the present traveled county road between the points aforesaid. And the said railway company in constructing the same between the south boundary line of Main street in Oregon City and the intersection of said county road with

Southern Pacific company's track as at present located shall so construct and build the same, that it shall construct and maintain all bridges that may be necessary, and shall build and maintain the same the full width of the public road as now traveled and shall pluck said public road and bridges between the limit aforesaid the full width of the present county road including all that part which may be occupied by said railway company's tracks, to the outer or water end of the ties thereof, with 4-inch plank, said plank to be laid crosswise of said county road, excepting that part outside the outer or water side rail of said company's track, which may be laid lengthwise, at the discretion of said company, said plank to be well laid and fastened and so maintained and kept in repair, and to be so laid that the surface of said plank shall be flush with the top of the rails of said railway track. Said railway company shall also, whenever required by said board of county commissioners or their successors in office, maintain and keep in repair the retaining wall along said track and within the limits aforesaid, and shall also build and maintain within the limits aforesaid a good and sufficient railway along the water or westerly side of said road, said railing to be not less than 4 foot high, the top rail thereof to be made of timber not less than 4 inches by 4 inches with a proper hub board of timber not less than 1 1/2 inches by 10 inches. All aforesaid improvements to be constructed, maintained and kept in repair by said railway company, its successors or assigns, without cost to Clackamas county.

And it is further considered, ordered and adjudged that said track shall be laid and improvements made under the supervision of some competent person appointed by the board of commissioners of Clackamas county and that said railway company shall pay such person so appointed, at a rate of not less than \$3 per day for the time required in such supervision, \$50 of such expense to be paid into the county treasury at the time of accepting this franchise.

And it is further considered, ordered and adjudged that said road within the limits of the town of Canemah shall be built and maintained where the same traverses Main street so that the same shall be upon the westerly side of Main street and as near the sidewalk as may be convenient.

The cars, engines or locomotives which shall be operated upon said road shall, between the said south boundary line of Main street, Oregon City, and the point where the said road intersects the Southern Pacific Company's present track, be operated at a speed not exceeding 5 miles an hour, and so as not to block or interfere with the travel of said road or use thereof by the public.

The failure on the part of the Oregon City & Southern Railway Company, or its successors or assigns, to observe or perform any of the matters or things herein contained and which by this order, it or they are required to observe or perform, shall operate and be deemed a forfeiture of the rights and privileges and franchise hereby granted, whenever the forfeiture thereof may be ordered by this court, but no forfeiture may or can be ordered or enforced if the said railway company, its successors or assigns, shall upon notice comply with the requirements of this order, or at any time when no fault exists, or without the judgment or decree of a court of competent jurisdiction, dated February 11, 1901.

Commissioners J. R. MORTON, chairman JOHN LLEWELLYN JOHN SEVEN RAILWAY COMPANY. By G. C. FIELDS, President.

In the matter of the reports of officers for the month of January 1901—The officers having made their reports and the board having examined their books and being fully advised, it is ordered that the same be in all respects approved and accepted. They show collections as follows, to wit:

FIGURINE CEREAL. The Only Health Coffee. The stepping stone to perfect health—Figurine Cereal. This delightful beverage is a great aid to digestion and its daily use, in place of tea and coffee, is already being recommended by physicians.

Figs and Prunes. Are combined with selected grains and so blended that the result is an acceptable table beverage—a natural substitute for tea and coffee. Figurine Cereal is prepared only by the Figurine Cereal Co., Ltd., San Jose, Cal.

Laws Enacted. (Continued from page 1.) Hunt, to submit constitutional amendment allowing cities to incorporate under general act.

CHARTER BILLS. Rosburg, Canyonville, Silverton, Elgin, Summerville, Baker City, Antelope, Dallas, Sumpter, Myrtle Point, Medford, Sheridan, Stayton, Heppner, Whitney, Mitchell, Falls City, Warrenton, Lebanon, Vale, Salem, Ashland, Oakland, Tillamook City, Vernonia, A. Kali, Burns, Newberg Enterprise, Nehalem, Bay City, Cottage Grove, Butteville, Benson, Prairie City, Nehalem, John Day, Lone Rock, Pendleton, Bay City, Hood, Joseph, Grants Pass, Yoncalla, Hood River, Cornelius, Wasco, Grass Valley, Sheridan, Milton, North Yamhill, Independence, Seaside, Astoria, Portland.

Eureka Harness Oil. A good looking horse and poor looking harness is the worst kind of a combination. Give Your Horse a Chance!

Working Overtime. Eight hour laws are ignored by those tireless, little workers—Dr. King's New Life Pills. Millions are always at work, night and day, curing indigestion, biliousness, constipation, sick headache and all stomach, liver and bowel troubles. Easy, pleasant, safe, sure. Only 25c at Geo. A. Harding's drug store.

Going East. If you intend to take a trip East, ask your agent to route you via The Great Wabash, a modern and up-to-date railroad in every particular.

For Over Fifty Years. AN OLD AND WELL-TRIED REMEDY.—Mrs. Winslow's Soothing Syrup has been used for over fifty years by millions of mothers for their children while teething, with perfect success.

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DIMICK & EASTHAM ATTORNEYS AT LAW Commercial, Real Estate and Probate Law Specialists, Abstract of Title made, Money Loaned. Reference, Bank of Oregon City OREGON CITY, OREGON

C. D. & D. C. LATOURETTE ATTORNEYS AT LAW Commercial, Real Estate and Probate Law Specialists Office in Commercial Bank Building OREGON CITY OREGON

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