

No 36 ~~4~~

Road

Munon to Depot

Appropriation for
straightening & grading

RECEIVED
MAY 1 1900
F. P. H. C. I.
U. S. DEPT. OF AGRICULTURE
WASHINGTON, D. C.

In the County Court for
Union County Oregon

To the Hon County Court
within for said County

We the undersigned
Citizens and taxpayers of said
respectfully represent.

That owing to
The numerous angles and turns
in the Public Road leading
from Union to Union depot
The distance between said points
is increased about one fourth
of one mile and that said road
is by reason thereof rendered
almost impassable during the
Winter months of each year.

That there is now under construction
a Railway and an approximate
Air line from said depot to
said road at the NE corner
of M S Hamers place

We therefore respectfully
petition your Hon body to
to make a sufficient appropriation
to change and grade said line
of road so as to run the same
on a line with and adjoining
to the said Railway line to said
NE corner of said M S Hamers place

we hereby agree to deed a right
of way through our lands to
Union County in case the prayer
of the above petition is granted
and to construct a good wide
fence on the South Side of said
road

Hutchinson Bros
By J. W. Shilton
Agent

The following names sign as
petitioners and act as
parties to the above contract.

- Jones Bros
- B. Kincaid
- E. S. McComas
- Wm. A. Tucker
- Geo. F. Hall
- Hall Bros
- M. S. Warren
- Wm. Wilson
- Wilson & Hackett
- A. Craig
- J. S. Carratt
- A. J. Goodbrod
- J. H. Crawford
- Jas. Hendrickott
- A. E. Eaton
- L. J. Boottie
- F. E. Foster
- W. Easton
- Edw. Kimball
- Wm. H. R.
- Jos. Wright
- R. N. Brown

J. W. Shilton

J. D. Swackhamer

A. Long

W. G. Wright

George Wright

M. D. Bidleman

Filed ~~August~~ 17th 1890
Asst. Secy. Clark
Expenses (Dues)
Receipt.

In the matter of
The Petition to grade
Road from Union to
Union Depot and
for dedding land and
fencing same

Now at this
time based on the petition
of tax payers this day filed
herein it is considered and
ordered that there be and
is hereby appropriated for the
purpose of straightening and
grading the ^{public} ~~road~~ leading
from Union to Union depot
The sum of twelve hundred ~~and~~ ^{no} ~~more~~
dollars that Nelson Schoonover
be and he is hereby appointed
superintendent to draw said
warrants for said purpose
It is further ordered that no
part of said work be done
or appropriation expended until
Hutchinson Bros shall make
a good and sufficient deed
in fee simple to the County
for County Road purposes
of a right of way over their

lands

forty ~~forty~~^{forty} feet or width clear of
the Union Electric Power & Light
Company's right of way

to the General
County Judge
John McDonald Com

Filed June 7th 1890
Allwell clerk.
By James Oliver
Deputy

In the County Court for Union
County Oregon. Whereas:
On the 7th day of June 1890 or
about that time the County
Court of Union County Oregon
made an order appropriating
the sum of \$1200⁰⁰ for the
purpose of strengthening
and grading the road between
Union Depot and the Town
of Union and appointed
Nelson Schoonover as its
agent to perform said work
and to pay therefor from the
funds appropriated as aforesaid
and by its order directed the
Clerk of said Court to issue
warrants in favor of said
Schoonover for said amount
which was accordingly
done.

Now therefore We, the said
Nelson Schoonover as principal
and W. F. Wright as surety hereby
undertake that the said Nelson
Schoonover will safely hold
the money in his hands subject
to the order of the Court and
pay over the same at any
time when required by the Court
In witness whereof we have hereunto

set our hands this 10th day of
January 1891

Nelson Seperson
W.S. Wright

State of Oregon }
County of Union } es

I W.S. Wright being
first duly sworn say I am
surely on the foregoing undertak-
ing that I am worth the sum
of \$50000 over and above all
my just debts and liabilities
exclusive of property exempt
from execution

W.S. Wright

Subscribed and sworn to before
me this 10th day of January 1891.

J. McCarroll
Notary Public
for Oregon

2/10/1891

2/10/1891
County Judge

Filed Young 10/18/91
Summer Clerk

To the Hon. the County Court of Union County.

The undersigned Citizens of Union County having learned from the records of the County that in the month of June last the sum of \$1200.- was appropriated by the Court for the purpose of improving the road from the town of Union to the Union Depot: & that N. Schoonover was appointed to superintend the expenditure of the same & that he thereupon drew that amount from the County.

And we further learn that more than six months have expired since the money was so drawn & as yet no work has been done on the said road; we therefore deem it but justice to the taxpayers to know what has become of that money.

We therefore ask that you make an investigation of this matter, & that the public may know what has become of their money.

Respectfully submitted.

A. E. Eaton
H. L. Deacon Sr
S. A. Piusel
John D. Eriest
P. K. Pitt
J. J. Odell
L. J. Booth Sr
John R. Johnson
W. A. Beideman
A. Dickson
A. Lee
A. K. Jones
J. H. Corbin
J. D. Bopchin
John Shan
G. Vincent
J. C. Gillis
J. A. Jones
J. B. Kitchest
J. A. Denny

O. M. Benson
J. W. Sherman
Ed Kiddy
W. A. Kullman
J. C. Sumner
O. P. Jay of
J. E. Foster
John Berley
M. M. Hall
W. H. Liffen
D. Linn
J. B. Dornse
W. M. Roth
C. Peters
Ed Pimllard
Ed Francis
J. W. Reene
W. E. Bowler
A. Johnson
A. H. H. H.
W. H. H.

J H White

L L Eaton

G W Beard

C W Day

W B Blakeslee

D B Layne

W J Mitchell

H F Wilson

J W Kimbrell

J W Ball

S J Nelson

W H Pace

M S Nadeau

S J Benson

J W ...

...

7th Jan'y 10th 1891
James Oliver
Plunk.

In the matter of the appropriation of \$1200
to straighten and grade the road
from Union to Union Depot.

Now at this time
this matter came on to be heard upon
the petition of ~~interested~~ Taxpayers of Union
County asking the Court to investigate the matter
of the appropriation of ^{said} \$1200 and to find out
what had been done with the people's money
and it appearing to the Court that heretofore
an appropriation of \$1200 was made out
of the general fund of the County to shorten
and grade the road from Union to the
Union Depot and that Nelson Schoonover
was appointed Superintendent to draw and
~~make~~ ^{draw} for the warrants covering said
appropriation, but that said work had not
yet been done.

That said appropriation was made upon
the condition that no part of said work
should be done or appropriation expended
until Hutchinson Bros. should make a good
and sufficient deed in fee simple to the
County for County road purposes only of a
right of way over their lands, forty feet in
width clear of the Union Electric Power and
Light Company right of way.
That since said appropriation was made
the Union Electric Power and Light Company
has changed its organization to the Union Rail
way Company and changed its line from the
Electric Motor to Standard gauge Rail way.

1 And it further appearing to the Court that
2 The line of the proposed road for which this
3 appropriation was made is not a legally
4 established county road and consequently the
5 said appropriation was made without
6 authority of law and is void.

7 That a forty foot strip of land along
8 side of a Rail Road track is not sufficient
9 in width for a safe and lawful county road
10 and the public money should not be
11 expended upon the same.

12 It is therefore considered and ordered
13 that said appropriation be and the
14 same is hereby cancelled and revoked
15 and the superintendent Nelson Schoonover
16 is hereby directed and ordered to return
17 and pay over said sum of \$1200 with
18 accrued interest thereon to the County
19 Treasurer and take his receipt therefor
20 and file the same with the clerk of
21 this Court.

22 W J Sanders Co Judge
23 John McDonald, Clerk
24 W L Arnold Evn.

Miss Richard March 4 1891

James Oliver Clark

By J. R. Oliver Deputy

That further consideration of the petition
be continued to the next Monday in Dec
next and

1 Ordered That N Schoonover appointed
2 superintendent of the work and to expend
3 the appropriation of \$1200 to shorten and
4 grade the road leading from Union to
5 the Depot. he and he is hereby ordered
6 to hold said fund in his hands subject
7 to the order of this court
8 and that he file ^{immediately} a bond conditional
9 that he will ~~not~~ hold the money in his
10 hands subject to the order of the court
11 and pay over the same at any time
12 when required -

13 D. N. Sanders Esq Judge
14 John M^d Donald Co Com.
15 A. L. Arnold Co Com.
16

IN THE MATTER OF THE APPLICATION OF J.W. Shelton, FOR RIGHT OF WAY FOR THE UNION RAILWAY OVER THE COUNTY ROAD, LEADING FROM THE TOWN OF UNION TO UNION STATION ON THE UNION PACIFIC RAILWAY.

Now, at this time came on to be heard the application of J.W. Shelton for right of way over the public highway, leading from the City of Union to Union Station for the construction and operation of the Union Railway, where the same is now surveyed, graded and being operated between said points. And it appearing to the satisfaction of the Court that said road is so constructed as to afford the least inconvenience to the travel between the City of Union and Union Station on the line of the Union Pacific Railway.

And it further appearing that said railway is of great public benefit to the people of Union County and the traveling public in general, it is therefore considered and ordered that a free and full right of way to construct and operate said railway along, upon, over and across the public highway leading from the City of Union to Union Station, where the same is surveyed, laid out, constructed and in operation, be and the same is hereby granted, with full power and authority to the said J.W. Shelton, his assigns or successors to use and occupy such portions of the public highway on said line as shall be necessary for the operation and keeping of said road, and the grade and bed thereof in good repair, doing no unnecessary damage to said public highway, and ~~with~~ all acts and things done and performed by said J.W. Shelton in the construction and repair of said railway over, across and upon said public highway, be and the same is in all things hereby ratified.

It is further considered and ordered that at all points where it shall be necessary the said J.W. Shelton is hereby

authorized and empowered and the right is hereby granted to him for the purpose of enabling him to build and construct sideings, switches and other necessary tracks and things in the construction and operation of said railway, where the same crosses over or runs through or upon said public highway or any part thereof.

Provided further that said J. W. Shelden
and his assigns shall grade and put
in proper crossings on said County road,
where the said Rail Road crosses the
same and keep and maintain the same
in good and passable condition at
his or their own expense and the order heretofore
made and entered on the 27th day of July
1890 is hereby made to apply to the abin
described road -

J. W. Sanders Co Judge
P. J. Brown Co Com

Third Judicial Day.

Friday July 9th 1891.

was never opened or established as a County road and that no damages were did accrue to said P. A. Ruckman thereby but that the said P. A. Ruckman has failed and neglected to refund said money to the County Treasury. It is therefore considered and ordered that said P. A. Ruckman be notified to forthwith refund said \$500 to the County Treasury and take and file the Treasurers receipt therefor with the County Clerk.

In the matter of the appropriation
to straighten and grade the Road
From Union to the Union Depot }

It appearing to the Court that heretofore an appropriation of \$1200⁰⁰ was made out of the County Treasury to shorten and grade the road from Union to Union Depot and that Nelson Schoonover was appointed Superintendent of said work and to draw and receipt for the warrants covering said appropriation but that said work has not yet been done. It is therefore considered and ordered by the Court that said Nelson Schoonover be instructed to hold said fund in his hands subject to the order of this Court and that he immediately file a bond in the sum of \$2500⁰⁰ that he will hold the money in his hands subject to the order of this Court and pay the same over at any time when required.

Whereupon it was ordered that the Court be now adjourned until tomorrow morning at 9 o'clock.

First Judicial Day } Wednesday March 4th 1891

In the Matter of the Claim of }
Union County against L. B. Rinchart }

Now at this time it appearing to the Court that L. B. Rinchart is indebted to the County of Union in the sum of \$53.35 for hay sold and delivered to him by said Union County Oregon in the Month of Mar 1890 and that the same was to be paid for by the 30th day of April 1890 and that the same had not been paid nor any part thereof.

It is therefore hereby ordered by the Court that an action be instituted in the name of the said Union County, against the said L. B. Rinchart for the recovery of the said sum of \$53.35, and R. Eakin is hereby appointed and authorized by the Court to prosecute the said action to final determination.

In the Matter of the }
appropriation of \$12.00 to }
straighten and grade the road }
from Union to Union Depot }

Now at this time this Matter came on to be heard upon the petition of several taxpayers of Union County asking the Court to investigate the Matter of the appropriation of said \$12.00 and to find out what had been done with the people's money. And it appearing to the Court that heretofore an appropriation of \$13.00 was made out of the general fund of the County to shorten and grade the road from Union to the Union Depot and that Nelson Schoonover was appointed Superintendent to draw and receipt for the warrants covering said appropriation but that said work has not yet been done.

That said appropriation was made upon the condition that no part of said work should be done or appropriat-

First Judicial Day

Wednesday March 4th 1891

tion expended until Hutchinson Bros. should make a good and sufficient deed in fee simple to the County for County road purposes only of a right of way over their lands, forty feet in width clear of the Union Electric Power and Light Company right of way

That since said appropriation was made the Union Electric Power and Light Company has changed its organization to the Union Railway Company, and changed its line from the Electric Motor to Standard gauge Railway, and it further appearing to the Court that the line of the proposed road for which this appropriation was made is not a legally established County road and consequently the said appropriation was made without authority of law and is void

That a forty foot stripe of land along side of a Rail Road track is not sufficient in width for a safe and lawful county road and the public money should not be expended upon the same

It is therefore considered and ordered that said appropriation be and the same is hereby cancelled and revoked and the superintendent Nelson Schoonover is hereby directed and ordered to return and pay over said sum of \$12.00 with accrued interest thereon to the County Treasurer and take his receipt therefor and file the same with the Clerk of this Court

Thereupon It was ordered that Court be now adjourned until tomorrow morning at 9 o'clock

Fourth Judicial Day

Friday Nov 11th 1892

In the Matter of the Report
of W. A. Bates Road Super-
visor of Road Dist No 21

Comes now W. A. Bates Supervisor of Road Dist No 21 and presents to the Court his report as such supervisor for the year 1892 and the same appearing regular It is ordered that said report be approved and the bill for \$25⁰⁰ be allowed

In the matter of the application of
J. W. Shelton, for Right of way for the
Union Railway over the County Road
leading from the town of Union to
Union Station on the Union Pacific Ry.

Now, at this time came on to be heard the application of J. W. Shelton for right of way over the public highway, leading from the City of Union to Union Station for the construction and operation of the Union Railway, where the same is now surveyed, graded and being operated between said points. And it appearing to the satisfaction of the Court that said road is so constructed as to afford the least inconvenience to the travel between the City of Union Station on the line of the Union Pacific Railway.

And it further appearing that said railway is of great public benefit to the people of Union County and the traveling public in general; it is therefore considered and ordered that a free and full right of way to construct and operate said railway along, upon, over and across the public highway leading from the City of Union to Union Station, where the same is surveyed, laid out, constructed and in operation, to the same is hereby granted, with full power and authority to the said J. W. Shelton, his assigns or successors to use and occupy such portions of the public highway on said line as shall be necessary for the operation and keeping of said road, and the grade and bed thereof in good repair, doing no unnecessary damage to said public highway, and that all acts and things done and performed by said J. W. Shelton in the construction and repair of said railway over, across and upon said public highway be and the same be in all things hereby ratified.

It is further considered and ordered that at all points where it shall be necessary the said J. W. Shelton is hereby authorized and empowered and the right is hereby granted to

Fourth Judicial Day

Friday Nov 11th 1890

hine for the purpose of enabling him to build and construct sidings, switches and other necessary tracks and things in the construction and operation of said railway, where the same crosses over or runs through upon said public highway or any part thereof. Provided further that said J. W. Shelton and his assigns shall grade and put in proper crossings on said County road where the said Rail Road crosses the same and keep and maintain the same in good and passable condition at his or their own expense and the order heretofore made and entered on the 29th day of July 1890 is hereby made ^{apply to} the above described road.

In the Matter of the application of David Broyles a pauper

This matter came on to be heard at this time on the application and affidavit of David Broyles filed herein from which it appears that the said David Broyles is destitute and unable to earn a living; that he has no relatives or friends living in the State of Oregon who are able and willing to help him that the length of time he has resided in Oregon is 3 years and has lived in Union County about 3 years

It is therefore considered and ordered by the Court that the said David Broyles be admitted to the County home and have such care and aid as he may need until such time as he may be able to provide for himself

In the matter of the application of S. M. Basham a pauper

This matter came on to be heard at this time on the application and affidavit of S. M. Basham filed herein from which it appears that the said S. M. Basham is destitute and unable to earn a living for himself that he is sick and destitute and unable to work that he has no friends or relatives living in the State of Oregon who are able and willing to help him; that the length of time he has resided in the State of