



Manufacturers of
Boxes and Box Shooks

Chas. K. Spaulding Logging Co.

Manufacturers of

Douglas Fir Lumber

Newberg, Oregon

*Mills
Newberg, Oregon.
Salem, Oregon.
Capacity 350,000
Lash & Deer Factories
McMinnville, Oregon.
Salem, Oregon.*

January 10, 1933

Chas. W. Swan
City Attorney
Newberg, Oregon

Dear Sir:

In answer to your letter of December 30th, 1932 we wish to advise that the writer has been authorized to make the necessary repairs to the railroad crossing at First and Blaine Streets.

This work will be done as soon as weather conditions will permit doing permanent work.

We would like the advise of your City Engineer before going ahead with these repairs.

Trusting that this will be satisfactory to yourself and the city administration, I am

Very truly yours,

H. C. Spaulding

December 30, 1932

Mr. H. C. Spaulding
Spaulding Logging Co.
Newberg, Oregon

Dear Sir:

The Council of the City of Newberg, at its last regular session, instructed the writer to communicate with you with reference to the much needed repair of the railroad crossing at the intersection of First and Blaine Streets in this City. According to the report of the Street Committee, this matter was discussed with you some three or four months ago, but as yet nothing has been done.

It appears that a part of the paving between the rails, as well as outside of the rails, is breaking up, which, with the winter rains, has caused a considerable portion of the street surface occupied by the railroad to sink below the normal street level. You, however, are perhaps more familiar with the condition of the crossing than the writer, and no doubt realize that the repairs must be made at an early date, inasmuch as the crossing is approaching a hazardous condition.

The writer would appreciate your communicating with your Portland office at your earliest convenience with reference to the repair of this crossing.

Trusting that I may have your reply before the next Council meeting, I am

Very truly yours,

CHARLES F. SMITH

C. Smith

City Attorney

May 3, 1933

Mr. H. C. Spaulding
c/o Spaulding Logging Co.
Newberg, Oregon

Dear Cliff:

The Council is beginning to get pretty hard-nosed about the railroad crossing, and the matter came in for considerable discussion at the Council meeting last Monday night. The Chamber of Commerce delegation also protested the condition of the crossing and the unfavorable publicity its bringing to the City. It appears that the matter cannot be delayed further, but that something must be done.

For your information, I am handing you a copy of a letter sent this day to Mr. Ventress Hill.

Very truly yours,

CHARLES W. SWAN

CWS:MR
Enc.1

City Attorney

May 3, 1933

Mr. ~~Went~~ Hill
c/o Spaulding Logging Co.
212 Pacific Building
Portland, Oregon

Dear Sir:

Under date of January 10, 1933, your
Mr. H. C. Spaulding, Manager of the local re-
tail yard, advised the City of Newberg by
letter, that the necessary repairs to the rail-
road crossing at First and Blaine Streets would
be made as soon as weather conditions permitted
the doing of permanent work.

As you probably know, the present condition
of the railroad crossing referred to is causing
no small amount of unfavorable publicity to this
City, inasmuch as First Street is the main travel-
ed highway for all east side, as well as coast traf-
fic.

At a regular meeting of the City Council, held
Monday evening, May 1, the writer was instructed to
communicate with you with reference to having this
repair work done during the next thirty days, before
the heavy tourist traffic begins.

Awaiting your reply, I am

Very truly yours,

CHARLES W. SWAN

City Attorney

CC to
Mr. H. C. Spaulding
c/o Spaulding Logging Co.
Newberg, Oregon

August 10, 1934

Mr. George Larkin, Postmaster,
Newberg, Oregon.

Dear Sir:

In response to your inquiry relative to the franchise for the railroad on Main Street, I wish to advise that Ordinance No. 726 passed by the Council of the City of Newberg on the 22nd day of November, 1926 and approved by the Mayor on November 29, 1926, grants unto the Charles F. Spaulding Logging Company, its successors, lessees and assigns, a franchise to build, construct, maintain and operate a single track railway and railroad on Main Street in the City of Newberg for a period of 25 years from the date the ordinance was approved.

Very truly yours,

W. H. J. J.

City Attorney

C. M. RYAN, Recorder
CECIL F. HINSHAW, Treasurer
CHARLES W. SWAN, City Attorney
OLIVER WEESNER, Engineer

DR. C. A. BUMP, Health Officer
J. F. RIDENOUR, Water Superintendent
ELMER HODGES, Street Commissioner
HORACE TRASK, Chief of Police

CITY OF NEWBERG

B. J. GROTH, Mayor

CITY COUNCIL

First Ward—W. J. Knewles, Frank Johnson
Second Ward—Sam McVey, R. N. Hutchins
Third Ward—D. M. Jones, D. E. Thompson

Newberg, Oregon

June 22, 1936

Chas. K. Spaulding Logging Co.
79 S. E. Taylor St.
Portland, Oregon

Gentlemen:

This is to acknowledge receipt of your letter dated June 20, in response to my recent communication concerning the condition of the railroad on Blaine Street in the City of Newberg.

I wish to call your attention to the fact that the railroad franchise from the City of Newberg was granted to the Chas. K. Spaulding Logging Co. and that therefore, the City of Newberg must deal directly with you and not with some third person who may be using the road under an agreement. You will please take notice, therefore, that the provisions of the franchise, with respect to maintenance of streets, must be immediately complied with or else the franchise will be revoked.

The City of Newberg has endeavored during the past two or three years to cooperate and to work this thing out on an altogether different basis, but without much success. The hazardous condition which the railroad is now in leaves the city no choice in the matter, except to insist that the franchise be complied with or else cancelled.

Very truly yours,

CHARLES W. SWAN
City Attorney

CAS:40

July 23, 1920

r. h. eby
Chairman of Street Committee
Newberg, Oregon

Dear Sir:

You have probably observed that during the past two or three weeks, the Spaulding Pulp & Paper Co. have repaired a considerable number of the broken planks on the railroad track on Elaine Street. Several days ago, Mr. Spaulding called on me with respect to the spar track leading into the lumber yard at Leeson and Elaine Streets. As I understand the matter, Mr. Spaulding and the parties nearby has agreed to pay one-half of the cost of repairing that portion of the street if the spar were taken out. I understand also that the Spaulding Pulp & Paper Co. would furnish the labor to take out the old track. I do not know what the cost of the new track would amount to, but I have taken the liberty of asking Oliver Scudder, the city engineer, to make an estimate of the cost of this matter in order that the same can be discussed at next City Council meeting. I am advising you of these developments in order that you may make such investigation and recommendation as you think proper.

Yours very truly,

CHARLES J. ...
City Attorney

C.S: 26

Ordinance No. 703 passed by the Council of the City of Denver on the said day of November, 1930, which created a franchise and agreement to the DENVER & SPARKLING HOTELS COMPANY for the operation of a Railway upon Spring Street in the City of Denver, and providing said franchise and agreement.

That, the Council of the City of Denver in and by Ordinance No. 703 of 1930, did give and did order on the said day of November, 1930, certain laws and articles, to-wit: THE DENVER COMPANY, in various corporations, pursuant to the conditions and provisions of said ordinance, and granting, right, privilege and consent to said Denver, said City, operate and use a single track railway and railroad on Spring Street in said City from the present connection thereof with the railroad and tracks of the Southern Railway Company in said City to the southern city limits of the City of Denver, for a period of 99 years;

That, said ordinance granting said railroad track and tracks provided that outside a certain building company shall be required, namely, in providing the Spring Street or any portion thereof and/or any intersection thereof with other streets or highways, to open and to be provided in said ordinance, that no such building shall be occupied by said building, and for a period of a foot or less of the said street, in an equal manner as the remainder of the street thereof is kept or maintained; and

That, a part of Spring Street to-wit, from the north line of Sheridan Street southerly to the south line of Third Street, within the limits provided in said ordinance, together with all building sections of said City and is used with and without agreement, except the portion of said street occupied by said railroad; and

That, the aforesaid portion of said Spring Street occupied by said railroad was several years ago flanked with

wooden planks between the rails of said railroad and for the space of approximately one foot outside of the rails thereof; and

and, the Charles A. Spaulding Logging Company, its successors in title, visible and continuous use and operation of rolling on said railroad, was for the past several years follow, caused or neglected to maintain and repair said railroad and the portion of said planks street occupied by said railroad, in the manner provided in said ordinance respecting said franchise, or otherwise, but has allowed the decay and planking of said railroad to rot and decay without any replacement thereof until said railroad and the portion of said planks street occupied thereby was rendered a dangerous and hazardous condition to travelers of the traveling public using said planks street; and

and, for the past four or five years, the Council of the City of Newberg has repeatedly called the attention of the Charles A. Spaulding Logging Company to the condition of said railroad and requested the observance of the terms of said franchise for the maintenance and repair of said railroad and the removal of said hazardous and dangerous condition by the improvement and repair thereof, but without avail; and, indeed, by reason of the negligence and frequent recurrence of accidents to motor vehicles upon said planks street, all of which subjects the City of Newberg, its officers and agents, to serious potential liability, the Council of the City of Newberg at its regular meeting held on the 7th day of September, 1937, did order and direct that the Charles A. Spaulding Logging Company/ immediately proceed to repair that portion of planks street occupied by said railroad lying between the north line of Sheridan street and the south line of Third street, by replacing such decayed and rotted planks as may be necessary and by replacing the old decayed and splintered planking with hard

SURFACE pavement the same as the remainder of said Milking Street adjacent to said railroad; and

That, therefore, the agents and representatives of the Charles K. Spaulding Logging Company were in attendance at said meeting of the Council of the City of Newberg, held September 7, 1937, and were notified and informed of the aforesaid action of the Council of said City for the repair of said railroad, and notwithstanding that said Board of Agents were advised through said meeting, said Charles K. Spaulding Logging Company, its successors, lessees or assigns, has made no attempt to comply with the order and direction of the Council of the City of Newberg, and does now fail, neglect and refuse to maintain and repair said railroad as directed by the Council of said City and/or as provided by said franchise, or otherwise.

Now, therefore, in consideration of the premises:

It is ordained by the City of Newberg as follows:

Section 1.

That Ordinance No. 720 passed by the Council of the City of Newberg on the same day of November, 1936 and approved by the Mayor on the same day of November, 1936, which said Ordinance was granted unto the Charles K. Spaulding Logging Company, an Oregon corporation, its successors, lessees and assigns the right, privilege, easement and franchise for a period of 25 years to construct, operate, maintain and use a railway and railroad on and over public streets in said City of Newberg, Oregon, and regulated the exercise thereof, be, and the same is hereby regulated and the franchise, right, privilege and easement granted to Charles K. Spaulding Logging Company, its successors, be, and the same hereby is amended, revoked and held for naught.

Section 2.

That the recorder be, and he is hereby ordered and directed to immediately forward a certified copy of this Ordinance to the Charles K. Spaulding Logging Company and another

copy to the Public Utilities Commissioner or the State of Oregon.

Section 2.

That the street improvements of the City of Astoria, Oregon, and the same be hereby ordered and authorized to be made on any day or days deemed by the Council of said City, subject, nevertheless, to any be deemed to advise the same the same being subject to the approval of the Council of said City and the approval of the Board of said Street.

Section 3.

That this ordinance shall have effect on days from and after the passage by the Council and approved by the Mayor.

Approved by the Council this 1st day of November, 1937.

Mayor

Recorder

August 10, 1937

Chas. K. Spaulding Logging Co.
S. E. 1st and Taylor Sts.
Portland, Oregon

Gentlemen:

This is to advise you that the Council of the City of Newberg at its last regular meeting directed the writer to notify you that, unless actual work is begun on the repair of the railroad track on Blaine St. in the City of Newberg on or before September 6, 1937, the date of the next regular meeting of the Council, that steps would be taken at said meeting toward revocation of the franchise of said railroad.

Very truly yours,

Charles W. Swan
City Attorney

CWS:mg

SPAULDING PULP & PAPER CO.

NEWBERG, OREGON

July 27th, 1937.

City of Newberg,
Newberg, Oregon.

Attn: Charles W. Swan,
City Attorney

Dear Sir:

Receipt is acknowledged of your letter of July 26th, 1937, addressed to the Spaulding Pulp & Paper Co., Newberg, Oregon, relative to the condition of the railroad track on Blaine Street.


May I report that this matter is receiving immediate attention and estimates are being prepared at this time relative to the cost of putting this portion of the spur track in a proper state of repair.

If you will advise me as to the date of the next meeting of the Council, I will favor you with a complete report either in person or by letter as to what has transpired by that time.

Yours very truly,

SPAULDING PULP & PAPER CO.

By


O. M. Allison, Secretary.

OMA:AP

July 26th, 1937.

Chas. K. Spaulding Logging Co.
S. E. 1st and Taylor Sts.
Portland, Oregon

Gentlemen:

Several months ago, the writer was instructed by the Council of the City of Newberg to write you concerning the hazardous condition of the railroad track owned by the Chas. K. Spaulding Logging Company on Claine Street in the City of Newberg. At that time, I believe the matter was taken up with the Spaulding Pulp and Paper Company, which is using the railroad under some kind of a lease arrangement. Temporary repairs were made by the paper company, but the railroad track has reverted to the same, if not worse, hazardous condition. It appears that by reason of the decayed condition of the ties, there is no sound foundation upon which to nail the planks and that so-called temporary repairs are a waste of both effort and money. Several accidents have occurred, and the potential liability on account of the condition of this street railroad is a serious matter.

The Council of the City of Newberg, at its last meeting directed the writer to inform you that, unless immediate steps are taken for the proper repair of this railroad, a petition will be filed with the Utilities Commissioner of Intention to revoke the franchise and for such other action as may be necessary and proper.

Kindly let me hear from you at your earliest convenience.

Very truly yours,

CHARLES W. S. AN
City Attorney

C.E:mg
cc: Spaulding Pulp and Paper Co.

July 26th, 1937.

Spaulding Pulp and Paper Co.
S. Wynooski St.
Newberg, Oregon

Gentlemen;

I am handing you for your files, copy
of a letter sent this day to Chas. E. Spaulding
Logging Co. concerning the railroad on Blaine
Street in the City of Newberg.

Very truly yours,

CHARLES W. SWAN
City Attorney

CWS:mg
Enclosure

LOGS
LUMBER
MILLWORK
BUILDING MATERIALS



SALEM
NEWBERG
WOODBURN
McMINNVILLE
INDEPENDENCE

CHAS. K. SPAULDING LOGGING COMPANY
TWO TWELVE PACIFIC BUILDING PORTLAND, OREGON

November 8, 1937

Mr. Charles W. Swan, City Attorney,
City Hall Building,
Newberg, Oregon

Dear Sir:-

We enclose to you herewith, in duplicate, estimates on repairing the four blocks of our railroad at Newberg which are under discussion, by paving in amount of \$5492.70, and by a sixty percent replacement of plank and full replacement of ties in amount of \$3496.79.

These estimates have been prepared by our engineer, Mr. T. D. Crowley, with great care and we feel sure the actual cost of making these repairs in either of the ways shown, would be very close to his figures.

Mr. Hill is in California at present, but is expected in Portland within the next few days.

Very truly yours,

H. F. Walker

Secretary

Enclosures

ESTIMATED COST OF REPAIRING RAILROAD AT NEWBERG

Repair by Paving

			MATERIAL	LABOR
550	pcs.	6x8x8 Treated Ties @ 75¢	412.50	
		2x4x12 300 F.B.M. @ 12.00	3.60	
		1x6x10 550 F.B.M. @ 12.00	6.60	
250	yd.	Gravel @ \$1.50	375.00	
		8 d Wire Nails	2.00	
		16 d " "	2.00	
		Remove and dispose of old plank		150.00
		Dig out 1160' Track @ 40¢		464.00
		Replace 550 Ties @ 30¢		165.00
		Raise & Surface 1160' Track @ 30¢		348.00
		Remove old spur at Yard		75.00
		Pave site of old Spur		150.00
		Build & maintain Barricades and		
		Maintain Traffic		125.00
		10% Contingencies		215.00
		10% Supervision		215.00
		Paving by Contract Bid of J.C. Compton		2,784.00
			<hr/>	
			801.70	<hr/>
				4,691.00

TOTAL

5,492.70

J. Crowley

ESTIMATED COST OF REPAIRING RAILROAD AT NEWBERG

Estimated 60% Replacement of Plank
Full Replacement of Ties

				MATERIAL	LABOR
2700	lin. ft.	3x12	R 8100 F.B.M.	@ 12.00	97.20
3480	lin. ft.	2x12	" 6960	@ 13.50	93.96
1560	lin. ft.	3x6	" 2340	@ 12.00	
4640	lin. ft.	3x8	" 9280	@ 12.00	111.36
4640	lin. ft.	2x8	" 6187	@ 13.50	83.52
550	pcs.	6x8x8'	17,600	13.00	228.80
		2x4x12	300	12.00	3.60
		1x6x10	550	12.00	6.60
250	yd.	Gravel	@ 1.50		375.00
1 200	#	Iron			70.00
		8 d Wire Nails			2.00
		16 d " "			2.00
		Remove and dispose of old Plank			150.00
		Dig out 1160 feet of Track @ 40¢			464.00
		Replace Plank @ 20.00			660.00
		Replace 550 Ties @ 30¢			165.00
		Resurface 1160' Track @ 30¢			348.00
		Build & Maintain Barricades & Maintain Traffic			200.00
		Remove and repair old spur at Yard			225.00
				<hr/>	
				702.79	2,212.00
		10% Contingencies			291.00
		10% Supervision			291.00
					<hr/>
TOTAL					3,496.79

J. D. Crowley

LOGS
LUMBER
MILLWORK
BUILDING MATERIALS



SALEM
NEWBERG
WOODBURN
McMINNVILLE
INDEPENDENCE

CHAS. K. SPAULDING LOGGING COMPANY
TWO TWELVE PACIFIC BUILDING PORTLAND, OREGON

November 23, 1937

Mr. Charles W. Swan, City Attorney,
City Hall Building,
Newberg, Oregon

Dear Sir:

I am dictating this letter over telephone from Seattle, where I have been unavoidably detained. As I told your City Council I would do at your last meeting, I now submit a proposal in respect to the repair of our railroad right-of-way:

We will pave the right-of-way according to the specifications already agreed upon with your City Engineer, the total cost, estimated at approximately \$5500.00, to be divided three ways,- that is to say, one-third of it to be borne by this Company, one-third by Spaulding Pulp & Paper Company, and one-third by the City of Newberg.

I have not yet obtained the Pulp & Paper Company's agreement to share this cost, and do not know that I shall be able to. In order, however, that there may be no further delay, I will say that if the Pulp & Paper Company will not stand its share of the cost, the Logging Company will have to assume it. At any rate, this is a matter that the two companies will have to settle between themselves.

Under the foregoing proposal we would be paying practically as much as a first class plank replacement job would cost, and I trust that the members of your Council will realize that this is all we should be required to pay.

Although, as I have stated to the Council, we cannot afford to spend the money at this time, we realize the need for making the repairs and will have the work started forthwith if your Council will approve the arrangement herein suggested.

Very truly yours,

Chairman of the Board

Dictated by Fentress
Hill but not read.

Spaulding Logging Company

Mrs. Walker advises that they do not have the necessary money to pave the railroad tracks. She states that the RFC has absolutely refused to allow any of its funds to be used for this purpose. She asks that they be permitted to proceed with the repairs as they had outlined.

-
1. unless paving completed within next Council meeting etc
 2. Designate College, Howard and Washington etc as Safety Lane Streets. - Ord.?

An Ordinance repealing Ordinance No. 740 passed by the Council of the City of Newberg on the 23rd day of November, 1926, which granted a franchise and easement to the Charles K. Spaulding Logging Company for the operation of a railway upon Main Street in the City of Newberg, and repealing said franchise and easement.

• • • • •

Whereas, the Council of the City of Newberg in and by Ordinance No. 740 of said City, duly enacted and passed on the 23rd day of November, 1926, granted unto the Charles K. Spaulding Logging Company, in Oregon corporation, pursuant to the conditions and provisions of said Ordinance, a franchise, right, privilege and easement to construct, maintain, operate and use a single track railway and railroad on Main Street in said City from the present intersection thereof with the railroad and bridge of the Southern Pacific Company in said City to the intersection of the limits of the City of Newberg, for a period of 99 years;

And whereas, said Ordinance granting said railroad franchise provided that provided that, including logging company shall be responsible for the maintenance of said Main Street or any portion thereof and/or any intersection thereof with other streets or highways, whenever the limits provided in said Ordinance, and any and every thereof shall be occupied by said railroad, and for a period of 1 foot outside of the limits thereof, in the good repair and condition as the possessor of the street thereof is kept or maintained; and

And whereas, said Ordinance provided that the portion of Main Street north of the intersection thereof with the Main Street of said City and its bridge and adjacent premises, except the portion of said street occupied by said railroad; and

And whereas, the above said portion of said Main Street occupied by said railroad was several years ago planked with

LOGS
LUMBER
MILLWORK
BUILDING MATERIALS



SALEM
NEWBERG
WOODBURN
McMINNVILLE
INDEPENDENCE

CHAS. K. SPAULDING LOGGING COMPANY
TWO TWELVE PACIFIC BUILDING PORTLAND, OREGON

December 1, 1937

Mr. Charles Swan, City Attorney,
Newberg, Oregon

Dear Mr. Swan:

Mrs. Walker has told me of your telephone message today to the effect that the City of Newberg will not pay more than \$1,000 towards the cost of rehabilitating and paving our railroad.

While this imposes a heavier obligation upon us than I feel we should be called upon to bear, - considering all the circumstances, - nevertheless I want the Mayor, the members of the Council and yourself to know that we will strain a point to comply with their wishes and I have therefore given instructions to start the contemplated work immediately and carry it through, as soon as practicable, to completion, upon the understanding that when it is completed the City will reimburse us in the amount above stated.

Very truly yours,

Chairman of the Board