

No 56

IN THE  
**CIRCUIT COURT,**  
UNION COUNTY, OREGON

**LAW**

*R Harris  
et al*

*Plaintiff*

*vs*

*Winnie Johnson*

*Defendant*

*Docket*

*Page*

*Donner & Hedger*  
*Attorney for Plaintiff*

*Cochran & Cochran*  
*Attorney for Defendant*

Beg on Co Road about 400 yds  
 from N<sup>th</sup> cor of NE<sup>1/4</sup> of NE<sup>1/4</sup> Sec  
 14 T<sub>1</sub> N R 42E to intersect  
 Co road N of Lostine

1884

Sept 3 Motion to strike out  
 petition submitted

July 6 p 305  
 Sept 4 - Motion granted -

July 6 p 307

State of Oregon } 88  
County of Union }

I, B. F. Wilson, being first duly sworn  
say that I posted notice of the presentation  
of the within petition on the Court House  
door in Union County, State of Oregon  
on July 31-1854.

Subscribed and sworn } B. F. Wilson  
to before me this 3<sup>rd</sup> day  
of Sept: 1854  
C. J. Wilson  
Deputy Clerk

File 44-37174  
B. F. Brown  
C. Clark

To the Hon County Court of Union County,  
Oregon;

We the undersigned citizens of the above  
named county and state, would most  
respectfully petition your Hon Court  
for the location and establishment  
of a county road in Union County,  
Oregon, described as follows

Beginning at a point on the present  
county road, about 400 yards from  
the North west corner of the N E 1/4 of  
the N E 1/4 of section 14, Township 1 north  
of Range 43, 2, running thence along  
said north line of section 14 about 1/4  
mile, to the bluff on the north side of  
Wallowa river, thence along the foot  
of said bluff about 1 1/2 miles to the  
North west corner of the North East 1/4  
of section 18, Township 1 North of Range  
43, 2, thence South 1/4 mile, thence east  
about 1/4 mile to the Bluffs thence along  
the foot of said Bluff on the most practicable  
route about 3 1/4 miles to the North west  
corner of the North East 1/4 of the South  
west 1/4 of section 27 Township 1 north  
of Range 43, 2, thence South about  
40 rods to the Wallowa river, thence  
up said river on the most practicable  
route about 40 rods, thence east

about 125 yards to the Bluff, thence along  
said bluff on the most practicable route  
about 1 mile, crossing the Wallowa river  
at or near the North east corner of the  
South east 1/4 of the South west 1/4 of  
section 34, Township 1 north of Range  
43, 2 thence south on said line  
about 2 miles intersecting the present  
county road west of Lostine, all in  
Union County Oregon, and we  
your petitioners will ever pray

- |                  |                   |
|------------------|-------------------|
| Charles Wood     | A. L. Jolley      |
| M. Busch         | John S. Stineley  |
| J. M. Keeler     | Edmund H. Henshaw |
| John R. Buehner  | Henry Henshaw     |
| S. E. Kenehart   | George L. Post    |
| Watt Johnston    | S. T. Bygg        |
| A. C. Flowers    | M. K. Boatman     |
| James Wilson     | D. G. Wood        |
| J. M. Finner     |                   |
| H. M. Williams   |                   |
| Geo. W. Williams |                   |
| J. Oliver        |                   |
| C. N. Bishop     |                   |
| J. A. Masterson  |                   |
| Geo. A. Jolley   |                   |
| R. M. Fay        |                   |

*W. H. ...*

Filed August - 27 - 1896  
B. F. Wilson  
County Clerk

Know all men by these presents that we  
Hiram Williams and Chesley Shelton  
are held and firmly bound unto  
Union County, Oregon in the penal  
sum of Fifty dollars (\$50<sup>00</sup>)  
Hiram Williams.

The condition of the above bond is  
such that if the petition for a  
county road to which this bond  
is annexed shall be granted by  
the County Court of above named  
County, and said road shall be  
located and established as pray-  
ed for in said petition then this  
Bond to be null and void otherwise  
to have full force and effect

Hiram Williams.

Chesley Shelton

We Hiram Williams and Chesley Shelton  
being first duly sworn say each  
for himself and not for the other  
that I am worth the sum specified  
above (\$50<sup>00</sup>) over and above my just  
debts and liabilities, exemptions by law  
or property exempt from execution

Sworn and subscribed to  
before me this 23<sup>rd</sup> day of  
August 1884

J A Hunter J.P.

Hiram Williams,

Chesley Shelton

Grand

Filed August 27-1884  
B. F. Wilson  
County Clerk



Chesley Shelton being first duly sworn depose and say that I posted notices of the presentation of the within petition for a county road as follows:

One at the beginning of proposed road. One at Whiskey Creek on proposed road on the 28<sup>th</sup> day of July 1884.

On the 29<sup>th</sup> day of July 1884 I posted one at hostess 1/4 mile from termination of said road and mailed on same date one notice to County Clerk of Union County, Ogn, to post on Court House door. I further swear that said notices described fully said road as in petition, and that parties whose names appear upon the petition also signed the 4 notices.

Sworn and subscribed } Chesley Shelton  
to before me this }  
the 23 day of August 1884

J. A. Hunter, J. P.

Petition, Bond  
& Affidavit of Petition  
in favor of Petitioner  
for by Charles H. Miller  
Petitioner

Charles H. Miller  
Petitioner

Filed Aug 27-84  
B. F. Wilson  
County Clerk

In the County Court of the State  
of Oregon for Union County.

In the matter of a County Road  
petitioned for by Chesley Shelton - et al

Now at this time comes  
A. H. Stewart a citizen and  
resident ~~free~~ <sup>house</sup>-holder residing in  
the vicinity of the above entitled  
proposed County Road and moves  
the Hon. County Court to strike  
from the files the petition  
above filed by the said Chesley  
Shelton et al for the reason  
1<sup>st</sup> That said petition does not  
state facts sufficient to give  
the Court jurisdiction to act  
thereon.

2<sup>nd</sup> That the petition does not  
show that petitioners are citizens  
and house holders of Union  
County Oregon residing in the  
vicinity of proposed County Road.

3<sup>rd</sup> That the notice ~~present~~ <sup>present</sup> does  
not show that the parties giving  
the notice are the persons whom  
the statute authorizes to give  
the notice.

4<sup>th</sup> That the notice ~~present~~ <sup>present</sup>  
is insufficient to give the  
interested parties notice of the  
doings in view of said purpose

County Road, and bring them  
into court.

J. H. Newford  
for motion.

County Court  
Succession Bond.

In the matter of  
a County Road  
petition for  
recovery there  
of etc.  
Petition to Strike  
Petition from  
the file

Filed Sept. 9-1894  
B. F. Wilson  
Clerk

J. H. Newford  
for motion

First Judicial Day

Wednesday Sept. 3<sup>rd</sup> 1884

In the matter of the application  
of James McWard for Liquor License

Now at this time is presented to the Court the petition of the legal voters of La Grande precinct praying that a License may <sup>to James McWard</sup> issue, authorizing him to keep and offer for sale spirituous Liquors in less quantities than one quart in said precinct. And it appearing to the Court that due and legal notice of the pendency of this proceeding had been given as by law required in such cases made also provision, And that a good and sufficient bond has been filed hereon, Also also Warrants on County Treasurer to the amt. required by law. Therefore it is ordered by the Court that License issue to said James McWard authorizing him to keep and offer for <sup>the</sup> sale spirituous Liquors in less quantities than one quart in said precinct of La Grande for the period of six months.

In the matter of County Road  
Petitioned for by C. T. Neville et al

Now at this time this cause coming on to be heard upon Motion to dismiss the petition of C. T. Neville filed in this Court on the 9<sup>th</sup> day of July A. D. 1884. J. W. Shelton of Counsel appearing for Motion and Petitioner appearing in person and the Court after hearing pleading of Counsel and not being fully advised in the premises takes the matter under advisement to render a decision on the coming in of Court tomorrow morning.

In the matter of County Road  
Petitioned for by Chesley Shelton et al

Now at this time this cause coming on to be heard on motion to strike petition from files of the Court. J. H. Crawford of Counsel appearing for Motion and petitioner appearing not once after hearing pleading of Counsel and the Court not being fully advised in the facts and law pertaining to the case takes

Second Judicial Day

Thursday Sep. 14 - 1884

In the matter of the County Road  
Petitioned for by Chasly Shelton et-al

Now at this time this cause coming on to be heard upon motion of T. H. Crawford Esq, to strike from the files of the Court, the petition of Chasly Shelton et-al for a County Road, and the Court after due deliberation and consideration and being fully advised in relation to the facts and law pertaining to the case allows said motion on the ground that said petition does not specify definitely the intermediate points and directions taken to and from the same, therefore the motion is allowed and petition is dismissed.

In the matter of Road petitioned for  
By J. H. Stearns et-al

Now at this time is presented to the Court the report of the Viewers appointed by the Court in the above entitled road accompanied by the report of Surveyor and field notes and plat of the survey, which report is read in open Court for the first time and pursuant to the provisions of the Statute in such cases made and provided it is ordered that said reports be laid over for a second reading on another day of this term.

In the matter of County Road  
Petitioned for by Jesse Simbler et-al

Now at this time is presented to the Court the report of the Viewers appointed by the Court in the above entitled road accompanied by the report of Surveyor and field notes and plat of survey, which report is read in open Court for the first time and pursuant to the provisions of the Statute in such cases made and provided, it is ~~therefore~~ ordered that said reports be laid over for a second reading on another day of this term.

First Judicial Day

Wednesday Sep. 25 1854

the matter under advisement to render a decision on the coming in of court tomorrow morning.

Therefore Court adjourned till tomorrow morning at 8 O'Clock.

Second Judicial Day

Thursday Sep. 26 1854

Court met pursuant to adjournment pursuant to the same officers as on yesterday.

Due proclamation of the opening of Court having been made and the journal of yesterday's proceedings were read and approved and are now here signed

A. C. Craig  
Circuit Judge

In the matter of the Road petitioned for  
By C. T. Deville et al.

Now at this time this case coming on to be heard upon motion of J. W. Shelton Esq. Attorney appearing for motion, to strike from files the petition of C. T. Deville filed July 9-1854 upon the ground that the petition does not state the terminal or intermediate points of the line of road proposed therein to be laid out, and that the notice or proof of service thereof do not show that the signers thereof are householders of Union County, residing in the vicinity of where said road is to be laid out and the court after due and deliberation and consideration and being fully advised in the premises, overrule said motion upon the ground that in the opinion of the Court the terminal and intermediate points on the line of said proposed road are sufficiently and clearly specified and that in the opinion of the Court the signers thereof are householders of Union County, Oregon. Therefore the motion is overruled.