

No 323

in

Circuit

Court

Janorah Kelley

Plaintiff

vs

Wm. B. Bunnell

Defendant

Action for Appeals

Docket

Page

J. H. Crawford

Attorney for Plaintiff

Lakin & Baker

Attorney for Defendant

FBI
RECORDS
DIVISION
WASHINGTON
D.C.
20535

1817
 Nov 4 Petition for Viewers accepted
 Journal D p 43
 1817
 Jan 6 1st reading reports
 Journal D p 58
 Jan 7 2nd reading
 Journal D p 61

Road

commencing 18 rods N of center Sec 35
 T1 N R 34 E to the Woodward road

DIRECTIONS—Place papers on TOP OF RUBBER
 Fold ends first then sides Throw the rubber caps
 over the ends and package is complete

STATE OF OREGON,

County of Union } ss.

J. H. Bailey being first
duly sworn, on oath say, that I posted ~~three~~ ^{two} notices (a copy of which is hereunto annexed) of the
proposed road, in the following places, to-wit: One at the commencement
of the road on a board nailed to a tree,
One at the angle of the road where it turns
East. And the third on a tree at the
terminus of the road. All these were
posted on the 24th day of September 1886
and were in as conspicuous places
as could be named on the line of the
proposed road.

and one at the Court House door, in Union in said Union
County and State of Oregon, thirty days prior to the presentation of petition herein, and that all of
said petitioners are householders residing in the vicinity of said proposed road in said
Union County and State of Oregon.

J. H. Bailey

Subscribed and sworn to before me, this 3rd day of November A. D. 1886

A. S. Neill, County Clerk

By Turner Oliver Deputy

Notice

Notice is hereby given to all whom it may concern, that the undersigned Household-ers in the County of Union and State of Oregon, and Residents in the vicinity of the proposed County Road hereinafter described, will present to the Honorable County Court of the County of Union and State of Oregon at the next Regular Session of said Court, to-wit at the November Term thereof, to be held in the Court House in the City of Union beginning Nov^r 1st 1886, a petition praying said County Court to cause to be surveyed, laid out and established according to law a County Road in the County and State aforesaid, and described as follows, to-wit:

Commencing 18 rods West of the Center Section 38 Township One North, Range 8 E. W. M. and running thence a little East of North on the old road, about 80 rods, more or less, to the South Side of the NE¹/₄ of the SW¹/₄ of Sec 35. Thence East to the SW Corner of the NE¹/₄ of the SW¹/₄ of Sec 35 T¹/₂ N. R. 38 E. W. M. Thence North on this line 1/2 mile and two rods, thence East 80 rods, more or less, as the grade of the road may require, thence angling South Easterly and then Easterly to intersect what is known as the "Woodward Road" - All of which is in the County of Union and State of Oregon Dated this 29th day of September AD 1886
 Notice PUBLISHED this 21st day of Sept AD 1886

Names of Household-ers and Residents in the vicinity of the proposed County Road

W. W. Oliver	William C. Kinchard
Yvow Feagier	R. McKenzee
Thomas Pentecost	G. W. Bailey
John Credever	
John Garrison	
Henry Seidel	
John Hug	
M. Mc Donald	
Conrad Freden	
Delwang Gardner	
W. Gardner	
A. S. Brown	
J. M. Stack	
William Groomer	
Henry Groomer	
J. H. Colet	
Esther Ennos Fisher	
J. W. Bailey	
Josiah Love	
Marshall Oliver	
Prasset Gearhart	
Wallace Gearhart	
J. W. Gearhart	
Mr. Eubank	
Mr. Murchison	
S. C. Murchison	
B. D. Hubers	
Edw. Dowell	
A. J. Patten	

Filed NOV 3 1886

at 10'clock min m

A. S. Wells

County Clerk

Ray D. Lawrence
12/2/86

Know all Men by these Presents:

THAT ~~we~~ *I*, *A. W. Oliver* and
 _____ of the County of *Union*
 and State of Oregon, ~~are~~ ^{am} held and firmly bound unto the said County of *Union* in
 the sum of *One Hundred* Dollars, the payment of which, well and
 truly to be made, ~~we~~ ^I bind ~~ourselves~~ ^{myself, my} heirs, executors and administrators, firmly by these presents.
 Signed this *16th* day of *October* 188*6*

Now the condition of the above obligation is such, that whereas, if the County Road petitioned
 for by ~~A. W. Oliver, Geo. Fraga~~ and others, and presented
 at the *November* Term, 188*6* of the County Court of said *Union*
 county, commencing

be located and established, then this obligation to be void, otherwise to remain in full force and
 virtue in law.

H. W. Oliver

STATE OF OREGON,

County of *Union* } ss.

I, *A. W. Oliver* and
 _____ each for himself says that I am worth the sum
 of *Two* Hundred Dollars over and above all debts and liabilities and property
 exempt from execution, and that I am a resident and householder in said County and State.

H. W. Oliver

Subscribed and sworn to before me, this *16th* day
 of *October* A. D. 188*6*.

A. T. Neill Clerk,

By *Turner Oliver* Deputy.

Bond of Road Petitioners.



.....
.....
.....
.....

Petitioners.

Filed Oct 16th 1886

A. F. Nell
County Clerk.

By James Oliver
Deputy.

10-16-86

To The Honorable County Court of
Union County Oregon
we the undersigned Viewers Appointed
by your body to view a proposed
County Road petitioned for by H. W.
Oliver and others & John Muschka
and others commencing at the center
as 18 rods west of the center ^{of Sec 34} and
^{of Sec 38} E. of N. and Mc.

submitted the following report
we met on the 15th day of Nov
as mentioned in your order
and after first being duly sworn
in presence with Messrs Austin as
surveyors and J. D. Woodell and
James Slack as Charnaman
proceeded to view and after receiving
the instructions found it impracticable
to view survey and lay out according
to instructions as will be shown
by the Surveyors Plot and report
~~made and submitted~~
we therefore adjourned till further
orders from your Honorable
body

J. D. Woodell
J. W. Hamrick
E. D. Barn

Surveyors report so views for
a proposed County Road petitioned
for by H W Otter, and others
commencing at a point 18 rods
west of the center of Section 35 Town
Ship 4 North of Range 88 E of the
W. M. and running east of North. ~~and~~
N. E. That it is impossible
to survey according to instructions
and reach points called for in
the instructions. For instance
from the R. Road east of North to a
point in the S W 1/4 of said
Sec 35 as you will see by
Plat

Also the instruction on the
Petition presented by John Merchan
There is beaches that cannot
be bridged over as will be shown
by Plat

Moses Austin

County Surveyor

To The Honorable County

Court of Union, ^{County} Oregon

Will the Undersign Viewers

Appointed By your Honorable Body
To view A County Road Petitioned for
By H. W. Oliver and others

Beginning 18 Rods W of sec 35 Township one
North Range 3 & 6 of the W. M.

Thence North ~~and one half miles~~
one and three fourths of a mile thence
80. N 1 E. thence South by East to Part 5
at the corner of sec 26

thence East an sec line to Intersect
the Woodard and Walla Walla Wagon Road
Dis 3 1/4 miles. We submit the following Report

that on the 22 day of Nov 1886
and after first being sworn, in comp
any with Messrs Austin Swanson
and J. P. Woodell & Albert Camer
as chairman, proceeded to survey
and lay out said Road as described
above

We therefore Report Unfavorable
on the Above described Road

This the 1st day of December
1886

Viewers } O. D. Barn
J. L. Woodell
J. W. Hammond

Alvin

code 4000

Surveyors Richard J. Crewers for a proposed
 County Road petitioned for by H.W. Oliver
 and others commencing 18 rods west of the
 center of Sec- 85 Township one North of Range
 38 East of the W. M. Thence North N. E.

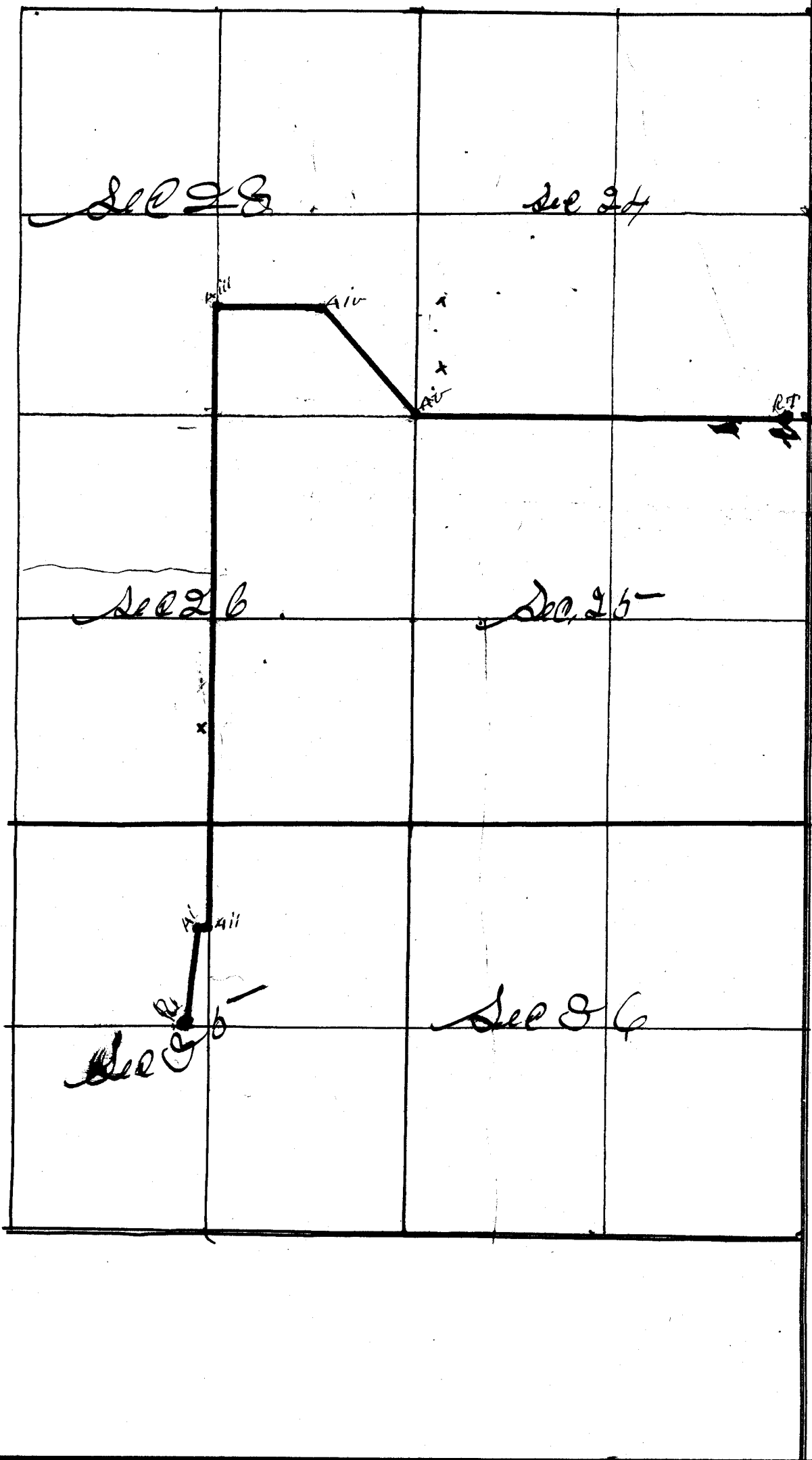
Thence
 N. 57° E. 20.70 Chains to A.T. I
 " E. 2.24 " " " " II
 " N. 121.20 " " " " III
 " E. 20 " " " " IV
 " S. 45° E. 28.85 " " " " V
 at the N. E. cor. of Sec- 26.
 E. on sec line 67.25 Ch. to R.T.
 at the intersection of the Walla Walla
 wagon Road

Whole distance S. Miles 20.29 Chains
 Mag- var. 20° East

I do here by certify that the above
 field notes and plan are correct
 as surveyed by me on the
 22nd day of Nov. 1886.

Moses Austin
 County Surveyor

Township 10 T. R 38 E



Friday Nov. 4th 18862nd Judicial Day =

In the Matter of a
 proposed County Road
 petitioned for by H. W.
 Oliver and Others

On this day came H. W. Oliver who presents to the Court the petition of himself and thirty one others praying for the laying out and the establishment of a County road commencing and running as follows to wit: Commencing 18 rods West of the center of Section 35, Township One North Range 38 E. N. W. and running thence a little East of North on the old road about 85 rods more or less to the South side of the N E 1/4 of the S W 1/4 of Sec 35, thence East to the S W Corner of N E 1/4 of the S W 1/4 of Sec 35. Thence North on this line 1 1/2 miles and two rods thence East 80 rods more or less as the good of the road may require, thence angling South Easterly and then Easterly to intersect what is known as the Woodward road = And it satisfactorily appearing to the Court from proof filed therein that due notice of the pendency of this proceeding has been given as by law required, that more than twelve of said petitioners are legal householders residing in the vicinity of said road, and that a good and sufficient bond has been filed = It is therefore ordered by the Court that J. L. Woodell, J. W. Hamrock and E. D. Harrel be appointed Viewers and Moses Austin Surveyor to view, survey and report upon said proposed road and that they meet at the School House on the 13th day of Nov. 1886 at 10 O'clock and duly qualify before entering upon the discharge of their duties in this behalf

In the Matter of a
 proposed County Road
 petitioned for by John
 Murchison and Others

On this day came John Murchison who presents to the Court a petition of himself and forty five others praying for the laying out and establishment of a County road commencing and running as follows to wit:

Second Judicial Day

Thursday January 6th 1887

In the Matter of the Proposed }
 County Road Petitioned for by }
 H. W. Oliver et al. } Now comes on to be heard the
 report of Viewers and Surveyors in the proposed County Road
 petitioned for by H. W. Oliver et al., and the same having
 been read in open Court for the first time as by law
 required, it is therefore laid over for a second reading on
 some other day of this term.

In the Matter of the Proposed }
 County Road Petitioned for }
 by John Murchason et al. } Now at this time comes on to be
 heard the report of viewers and surveyors on the proposed
 County Road petitioned for by John Murchason et al. and
 the same having been read in open Court for the first
 time, as by law required it is therefore laid over for a
 second reading on some other day of this term.

In the Matter of the proposed }
 County Road petitioned for }
 by Peter Bandon et al. } Now at this time is presented
 to the Court the petition of Peter Bandon, J. C. Weatherly and
 twelve other citizens of Union County praying for the location
 of a County Road as follows, to-wit:- Commencing at the North West
 corner of Section 36 in Township 2 South of Range 48 E. W. M.
 and running thence North on the section line dividing sections
 25, 24 & 23 from sections 26, 23 and 14 a distance of 2 1/2
 miles, thence in a North-North-Easterly direction a distance
 of 200 rods, thence in a North-North-Westerly direction a distance
 of 200 rods to the intersection of the line first started out on,
 to-wit:- at the quarter section corner on the section line separating
 sections 11 & 12 Township aforesaid, and thence one mile North
 to the quarter section corner on the section line separating
 sections 15 & 12 in said Township, the same being the terminus
 of the said proposed County Road all of which points and
 places are within the County and State aforesaid.

And it satisfactorily appearing to the Court from proof filed herein
 that due and legal notice of the pendency of this proceeding has
 been given as by law required; that more than twelve
 of said petitioners are legal householders living in the

Third Judicial Day

Friday January 7th 1887

In the Matter of the Payment of certain claims for work on County Road in Pine Valley. } Now at this time comes on to be heard the matter of the payment of certain claims against the County for work done on a County Road leading from Pine Valley to Snake River in the year 1883. And it appearing to the Court that said work was done by James H. Summers acting under authority of the County Court of Union County, and that he employed men to perform said work for the said County under and by virtue of authority from the said County Court and that these men have not received compensation from the County for such labor performed, it is therefore ordered by the Court that said claims be allowed as follows to-wit: Charles Settler \$36⁰⁰, Oliver Nuckles \$11⁰⁰, James Brandan \$45⁰⁰, Charles Anderson \$53⁰⁰, Thomas Arthur \$53⁰⁰, James H. Summers \$95⁰⁰, John W. M. Fadden \$74⁰⁰, Edward Wilkinson \$45⁰⁰, James R. Scott \$61⁰⁰, William Edwards \$58⁰⁰, Frank King \$70⁰⁰, Wm M. Kinnell \$60⁰⁰ and the County Clerk is instructed to issue warrants to said parties for the respective amounts.

In the Matter of the Proposed County Road Petitioned for by H. W. Oliver et al. } Now comes on to be heard the reports of viewers and surveyor ~~and~~ the Proposed County Road petitioned for by H. W. Oliver et al. for a second reading as required by law, and it appearing to the Court that the Viewers heretofore appointed to view the said proposed County road have reported unfavorably on the same it is therefore dismissed at the expense of the petitioners.

In the Matter of the Proposed County Road Petitioned for by John Murchason et al. } This matter now comes on to be heard on the Reports of the viewers and surveyor heretofore appointed, and the same having been read on two different days of this term as by law required and it appearing to the Court that the papers are defective