

No 275

*Receipt* <sup>in</sup> *Count*

H Tully Browne  
Plaintiff

vs

L G Euloe  
Defendant

Action for Money

Docket Page

L B Leix  
Ex B.

Attorney for Plaintiff

Attorney for Defendant

RECEIVED BY THE  
CLERK OF THE COURT  
JULY 1 1884

1887  
 Oct 12 Petition see Viewers of ptal  
 Journal D of 221  
 Nov 9 Motion to dismiss submitted  
 Journal D of 227  
 Nov 10 Dismissed  
 Journal D of 229

Road

Commencing at Angle Stake No 15 on  
 McKellick Road on SW<sup>4</sup> of SW<sup>4</sup> Sec 31  
 T 2 N R 37 E

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

In the County Court of Union County State  
of Oregon

In the matter of the application  
of of Public County Road  
by Henry Martin

To the Hon the County  
Court of Union County State of Oregon  
Your Petitioner would most respect-  
fully represent to the Court that  
the residence of Your Petitioner is  
situated - upon the North West quarter  
of the North East quarter Section thirty  
Six Township two South Range Third and  
Evens Union County State of Oregon that  
the said Residence of your Petitioner  
is not reached by any Easement  
or any <sup>Public</sup> Road heretofore provided for  
by law and that it is necessary that the  
Public and your petitioner shall  
have ingress to and egress from the  
said Residence of your petitioner and  
adjacent and would pray an order  
of the Court to lay out and locate a  
County Road or Road of Public Eas-  
ment thirty feet in width from said  
Residence to some Public Road  
in accordance with the Provisions  
of Sections 4075 - 4076 - 4077 Hills Code  
of Laws of the State of Oregon

Said Road to be located and laid out  
upon the following lines as near as  
practicable - to wit  
Commencing at angle Stake No 15  
of the J. M. McWhisker Road and situated  
on the south west quarter of the south  
west quarter of Section 31 Township  
Two South Range 37 E. 4th. From  
thence in a westerly direction and  
crossing Grande Ronde River at or  
near Hoys Saw mill on the South  
East quarter of South East quarter  
of Section 36. Township 2. S. R. 36  
E. 4th. thence in a north westerly  
direction across Grande Ronde River  
and on the most practical Route to or  
near the <sup>or residence</sup> House of your Petitioner sit-  
uated on the north west quarter of the  
North East quarter Section 36 of Township  
2 S. R. 36 E. 4th. where it ter-  
minates. Said Road across the land  
of Alex. Thompson and C. W.  
Hoys <sup>and Peter Ripley</sup> and all the above parcels  
are in ruin and state of decay  
where your Petitioner would wish  
that said Road be located and laid  
out by the said court according to law  
and after the relief as the Petitioner requests  
Henry Martin

State papers  
Owing to my <sup>SS</sup> Henry Martin being  
first classman say that I am the  
person who subscribed to former  
petition and the petition mentioned  
therein that the former petition  
is true as I ever believe

Henry Martin  
Subscribed and sent to my  
me this 12<sup>th</sup> day of October 1887

John B. Little  
Notary Public  
for my

On the Court  
of the County  
of ...

with matters  
of the ...  
for every ...  
by Henry ...

Done Oct 1<sup>st</sup> 1887  
At Mill clerk  
J. S. ...

Appraisers ~~John R. ...~~ Ed Bunker  
Wm Arnold, Robert Young  
Oct 22<sup>nd</sup> 1887

Know All Men by These Presents, That we J. L. W.

Noyes

and

of the County of Union

and State of Oregon, are held and firmly bound unto the said County of Union in the sum of

Fifty

Dollars, the payment of which, well and truly to be

made, we bind ourselves, our heirs, executors and administrators firmly by these presents.

Signed this 12 - day of Oct A. D. 1887

NOW, the condition of the above obligation is such, That, whereas the above named C. W.

Noyes

and

Henry Martin

and others,

have petitioned the County Court of said County of Union, at the Oct

Term, 1887, thereof, for a County Road, commencing at angle Stake No 15 of the

J. M. McKissick Road and situated on the South West quarter of the NW 1/4 Sec 31 T 2 S. R 37 E. N. M. Thence in a westerly direction across Grande Ronde River at or near Noyes' Saw Mill on SE 1/4 of E 4 Sec 36 T 2 S R 36 E. Thence in a NW direction across Grande Ronde River and on most practical route to or near the residence of petitioner on NW 1/4 of NE 4 Sec 36 T 2 S R 36 E. N. M.

NOW, if the above named C. W. Noyes

and shall well and truly pay, or cause to be paid, all costs and expenses that may be incurred by reason of the view or review of said Road, in case the prayer of said petitioners be not granted or allowed, then that this obligation shall be void, otherwise to remain in full force and virtue.

C. W. Noyes

[L. S.]

[L. S.]

STATE OF OREGON.

County of Union } ss.

I, C. W. Noyes

and each for himself, says,

that I am worth the sum of One Hundred Dollars over and above all debts and liabilities and property exempt from execution; that I am a resident and householder in said County and State.

C. W. Noyes

Subscribed and sworn to before me this 12 - day of Oct A. D. 1887.

A. T. Neill

By J. Oliver Deputy Clerk.

In the County Court of the  
State of Oregon,

County.

IN THE MATTER OF THE

ROAD.

**BOND OF ROAD PETITIONERS.**

Approved ..... 188

COUNTY JUDGE.

Filed Oct 12<sup>th</sup> 1887

A. T. Neill  
COUNTY CLERK.

By *D. Olin*  
DEPUTY



State of Oregon }  
County of Union } 33

I hereby certify that I served  
the above writs attached within this county on the  
15<sup>th</sup> day of October 1887 by delivering to the within named  
Alex Thompson, W. C. Boyd and Porter Ripley  
each in person a true copy of the within decree  
certified to be such by A. T. Hill, County Clerk.

A. K. Hamilton Sheriff  
By J. S. Williamson Deputy

10  
11

BE IT REMEMBERED, That at a <sup>Adjourned</sup> ~~Regular~~ Term of the <sup>County</sup> ~~Circuit~~ Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of Union, in said County and State, on Monday, the 10<sup>th</sup> day of October A. D. 1887, the same being the Second Monday in said Month, and the time fixed by <sup>Court</sup> ~~law~~ for holding <sup>Adjourned</sup> ~~regular~~ term of said Court, when were present:

The Hon. O. P. Goodall Judge, Presiding;  
E. Leep Commissioner ~~Dist. Attorney~~,  
A. B. Neill Clerk,  
A. N. Hamilton Sheriff.

When, on Wednesday the 12<sup>th</sup> day of October A. D. 1887 or the Third Judicial day of said Term, among others, the following proceedings were had, to-wit:

In the matter of the Application of Henry Martin for a Public County Road —

At this time

is presented to the Court the petition of Henry Martin praying for the establishment of a road of Public Easement according to the provisions of Sec's 4075-4076+4077 of Hills Code of the Laws of the State of Oregon described as follows: Commencing at angle Stake No 15 of the J. M. McKissick Road and situated on the SW+SW+Sec 31 T2 SR 37 Ewm Thence in a Westerly direction and crossing Grand Ronde River at or near Noyes's Saw Mill on the SE+SE+Sec 36 T2 SR 36 Ewm Thence in a north westerly direction across Grand Ronde River and on the most practicable route to or near the home or residence of petitioner situated on the North West quarter of NE+ Sec 36 T2 SR 36 Ewm where it terminates. And it appearing to the Court from the verified petition of Henry Martin above referred to, that the home of petitioner is situated on the NW+NW+Sec 36 T2 SR 36 Ewm in Union County. That said residence is not reached by any conveyance or any public road heretofore provided by law and that it is necessary that the Public as well as Petitioner herein shall have ingress to and egress from his said residence It is therefore considered and ordered by the Court that said petition be allowed and that Ed Bunker Wm Arnold and Robert Young be appointed to view out and locate a County Road thirty feet in width from the residence of said Henry Martin to the Public County road as

prayed for in the petition and to assess the damages that will accrue to Alex Thompson, W. Noyes and Peter Ripley or any others through whose premises the proposed road may pass by reason of such road. It is further ordered that said viewers shall meet on Saturday Oct 22<sup>nd</sup> 1887 and shall proceed to locate and mark out a public road as above set out so as to do the least damage to the land through which said land is located and shall assess the damages sustained by the person or persons owning such lands and report their proceedings herein to this Court.

(Signed)

A. P. Goodall  
County Judge

Filed Oct 17<sup>th</sup> 1887  
A. J. Neill  
By J. Oliver Deary

STATE OF OREGON, }  
COUNTY OF UNION. } ss.

I, A. J. Neill Clerk of the

County Court of the State of Oregon, for the County of Union, do hereby certify that the foregoing Copy of Journal Entry has been by me compared with the original Entry, made in the above entitled Matter now remaining of record in my office; that it is a correct transcript therefrom, and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Court, this 13<sup>th</sup> day of October A. D. 1887

A. J. Neill Clerk.  
By J. Oliver Deary

Filed Oct 26<sup>th</sup> 1887  
To the Honorable Court of  
Union County  
We, Ed Bernier, Wm Arnold  
and Robert Young,  
did meet on Saturday Oct 22<sup>nd</sup>  
1887 as ordered by the Court  
of Union County Oregon  
for the purpose of viewing  
out a county road for  
Heun Martin petitioner,  
Commencing at angle State  
road the S.M. Mc Kissick Road  
and to take the most practicable  
Route to residence of Heun  
Martin situated on the NW 1/4  
N.E. 4 of Sec 36 T. 2 S. R. 36 E. W.M.  
and that we did view out and  
mark out said road as ordered  
by the Court and according

to petition and that we  
took the most practicable  
route and that we did one  
and all agree to allow Potter  
Rypl ~~ten~~ ten dollars damages  
and that we did one and  
all agree that it was no  
damage to C W Hoyle but a  
benefit, and that we did  
one and all agree that  
the road was no damage but  
a benefit to Alex Thompson  
owns park whom it crossed  
and we did one and all agree  
that J W Arnold should  
report our proceedings ac-  
cordingly to the Honorable  
Court of Union County Oregon

(Signed)

Ed Bunker  
J W Arnold  
Rypl Young

per W Arnold

Orwell Del 29<sup>th</sup> 1887  
As. Nell Clark  
129 Blaine St  
N.Y.

# TOWNSHIP PLAT.

Township..... Range..... County.

6	5	4	3	2	1
7	8	9	10	11	12
13	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

Handwritten notes: A small box containing 'K' is located below cell 33. A scribble is present in the bottom right corner, overlapping cells 25, 26, 35, and 36.

*Check No.*



In the County Court of ~~the~~ Union  
County State of Ohio

In the Matter of the  
Application of Public  
County Road by  
Henry Martin

Now at this time

Comes Alexander Thompson by  
his attorney and represents that  
N.E. 1/4 of Sec. 5, E. 1/4 of Sec. 36, T. 2 S. R. 36 E. W. 16 N.  
he is the owner of the ~~land~~  
described in his affidavit  
filed herein whereon he  
prays the Court to strike the  
Report of Edw. Ranker & Wm. Small,  
Robert Young, Viewers hereafter  
appointed, herein from the  
files of the Court for the reason  
that said report shows on  
its face that said Viewers did  
not proceed to locate or mark  
out a public road from some  
certain point on the premises  
of the Applicant to some certain  
point to or from another public  
road or navigable stream so as  
to do the least damage with  
land through which said  
road is to be located.

as required by law  
III For the further reason  
that said report shows that  
said viewers did not locate  
or mark out a public road in  
any manner

Baker Shotton & Baker  
Atty for Thompson

County and  
Union Court

In that matter of  
the application for  
County Road by  
Henry Mott  
Pratt's heirs  
of the  
County of  
Pratt  
from the files

Dated Nov 10th 1887

A. J. Mills

clerk

By Wm. S. S. S.

Walter H. H. H.  
attorney for Plaintiff

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

In the matter of the  
Application for County  
Road by Henry  
Martin

now at this time  
Carroll Alexander Hanson  
and versus the County To dismiss  
the petition and subsequent papers  
filed in the above entitled proceedings  
for the reasons

II. That there is no bond  
executed by the petitioner with  
sufficiency in the manner provided  
by law

III. That the petition herein  
filed does not state facts  
sufficient to give the County  
jurisdiction to order said  
proposed road widened or opened

Baker Shelton & Walter  
Attys for Petitioner

County Court  
Linn County

By the Court  
the Appellate  
County Clerk

Henry Miller

Master to

Deacons

Dated Nov 10th 1887

A. S. Mill, Clerk  
By J. D. Miller, Deputy

Paul A. Johnson, Master  
also for Master

In the matter of the  
public road petitions  
for by Henry Martin

Now at this time  
this Cause came on to be heard  
upon the motion of Alexander  
Thompson to dismiss the petition  
and proceedings subsequent  
thereto herein the petitioners  
appearing by J. R. Lentes his  
attorney and David Alexander  
Thompson appearing by Baker  
Shotton & Baker his attorneys and  
after hearing argument of  
Carruth and being fully  
advised in the premises  
it is considered and ordered  
by the Court that said  
motion be and the same  
is in all things hereby sustained  
and that said proceedings  
be and they are hereby dismissed

Nov 11<sup>th</sup> 1887

Third Judicial Day

Wednesday Oct 12<sup>th</sup> 1887

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

Due proclamation of the opening of Court having been made the Journal of yesterday's proceedings was read approved and is here now signed

O. P. Goodall  
County Judge

Thereupon the following proceedings were had, to-wit:

6 In the matter of the Application  
of Henry Martin for a  
Public County Road

At this time is presented to the Court the petition of Henry Martin praying for the establishment of a Road of Public Easement according to the provisions of sections 4075, 4076 & 4077 of Hills Code of the Laws of the State of Oregon, described as follows, to-wit: Commencing at angle stake No 15 of the J. M. McKissick Road and situated on the S. 1/4 of the S. 1/4 Sec 31 @ 2 S. R 07 E. N. W. Thence in a Westerly direction and crossing Grande Ronde River at or near Noyes Saw Mill on the S. E. of S. E. Sec 36 @ 2 S. R 36 E. N. W. Thence in a North westerly direction across Grande Ronde River and on the most Practicable route to or near the house or residence of petitioner situated on the North West quarter of N. E. Sec 36 @ 2 S. R 36 E. N. W. where it terminates.

And it appearing to the Court from the verified petition of Henry Martin above referred to that the home of petitioner is situated on the North West quarter of the North East quarter of Sec 36 @ 2 S. R 36 E. N. W. in Union County, that said residence is not reached by any convenient or any public road heretofore provided by law and that it is necessary that the Public as well as Petitioner herein shall have ingress to and egress from his said residence. It is therefore considered and ordered by the Court that said petition be allowed and that Ed Bunker, W. M. Arnold and Robert Young be appointed to view out and locate a county road thirty feet in width from the residence of said Henry Martin to the public County road as prayed for in the petition and to assess the damages that will accrue to Alex Thompson, C. W. Noyes and Porter Ripley or any others through whose premises the proposed road may pass by reason of such road. It is further ordered that said viewers shall meet on Saturday Oct 22<sup>nd</sup> 1887 and shall proceed to locate and mark out a public road as above set out, so as to do the least damage