

Road petitioned  
for by E. J. Neville et al  
In the matter of the proposed  
Co road herein petitioned  
For the whole proceedings  
are hereby dismissed  
November 7. 1888

THE REGISTER & CON. JOURNAL OF THE  
185 W. I. CO. N. Y. C. 100  
NO. 14 11 21

## Road

○ Beginning at SW cor Sect 36 S  
R 36 E to intersect Co road from  
Wolf Creek to Ho Powder River ○

1888  
May 8 Petition rec Viewers app'd  
Journal D p 304  
May 17 Appraised app'd  
Journal D p 343  
July 10 1st reading reports  
Journal D p 384  
July 6 order to petitioners pay damages  
Journal D p 384  
July 9 amending last order  
Journal D p 393  
Nov 10 Dismissed  
Journal D p 450

# Petition for County Road.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY OREGON

The undersigned, householders of Union County Oregon residing in the vicinity where the hereinafter described road is proposed to be respectfully petition your Honorable body to lay out and establish a County road within said County on the following line or route to wit

Beginning at the south west corner of Section 7 T. 6 S R 38 E W. 1, Union Co Oregon, and running a north easterly direction, on the most practicable route, following a single gulch to John Stoddard & Co's saw mill then in an easterly direction on the most practicable route, on the south side of Wolf Creek for a distance of about 1/4 of one mile then crossing to the north side of the creek and following the most practicable route, in an easterly direction through the lands of James Charles to the lands of Thomas O Bryant then in a south easterly direction, on the most practicable route through the lands of Thomas Bryant to the lands of Henry Bauer then on the most practicable route, through the lands of Henry Bauer to the lands of John Serrous to a stake's mark at the County road running from Wolf Creek, to No Powder river width of said road 20 to 40 feet

And in duty bound your petitioners will ever pray &c

Dated this the 2<sup>nd</sup> day of Feb 1884

| NAMES              | NAMES         |
|--------------------|---------------|
| John Stoddard      | D Berens      |
| James R. Gillkison | J. A. White   |
| R B Roseberry      | J E Carroll   |
| Charles Coatsworth | David Lee     |
| D. H. Stoddard     | Geo W Bobbin  |
| Malvern            | Patt. Kinnavy |
| W. Forsy           | O. Schudauer  |
| J. J. Down         | W. W. Bowman  |
| J. W. Hall         | H. C. Gorham  |
| A. Burden          | J. M. Bryant  |
| H. G. Guard        | Frank Hickney |
| J. H. Jordan       | A. C. Trisby  |
| Chas. Kinsley      | J. F. Gove    |
| John Henderson     |               |
| Frank Adkins       |               |
| R. H. Thurston     |               |

J. B. Roseberry  
 J. W. White  
 M. Riggs  
 C. C. Gray  
 C. H. Watson  
 W. A. Charles  
 C. A. Charles  
 S. R. Charles  
 J. I. Harrison  
 C. Harrison  
 John Edwards

Part  
Settlement for by  
John Standant  
J. H. H. H.

Settlement

Head Land in 1888  
C. H. H. H.

STATE OF OREGON,  
 COUNTY OF UNION. } ss,

I James Gilkison being first duly sworn, say that I posted three several notice, of which the notices hereto attached is a true and correct copy, in three public places in said County in the vicinity of the proposed road therein described, to-wit: One at the South west corner of Sec. 4. T. 6. S. R. 38. E. N. M. in Union Co. Oreg., and one at the mouth of Shingle Gulch at or near Stoddard's Saw Mill, and one <sup>near</sup> a stake marked "A" on the lands of John Senonio, on the land road running from Half Creek to North Powder - which is the terminus of the road all of which places are public places

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 2<sup>nd</sup> day of February 1888, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: on the day of 188, I posted a true and correct copy of said notice at the place of holding Court for Union County, Oregon, to-wit: On the front of the Court House door, in the town of Union, in said County, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

Subscribed and sworn to before me this

James Gilkison  
 day of March 1888  
A. S. Kelly

State of Oregon,  
Union County, 1888.

I, A. S. Hill being first duly sworn, say that thirty days previous to the presentation of the said road petition mentioned, to wit on the 3<sup>d</sup> day February, 1888, I posted a true and correct copy of said notice at the place of holding court for Union County, Oregon, to wit - on the Court house door in the town of Union, in said County and that said notice remained posted thirty days previous to the presentation of said petition as I verily believe.

A. S. Hill.

Subscribed and sworn to before me this 7<sup>th</sup> day March 1888.

J. P. Goodall  
County Judge

Filed for 7. 1888  
A. S. Hill

# Know all Men by these Presents:

THAT WE, John Stoddard and  
James Gekinson of the County of Union  
 and State of Oregon, are 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 bind ourselves, our heirs, executors and administrators, firmly by these presents.

Signed this 7<sup>th</sup> day of March 1888.

Now the condition of the above obligation is such, that whereas, if the County Road petitioned for by  
John Stoddard and others, and presented at the March  
 Term, 1888 of the County Court of said Union County, commencing Beginning at the south  
west corner of section 4 Twp. 6. S. R. 38. E. 9. N. Union County Oregon and  
running in a north easterly direction on the most practicable  
route following Shingale gulch to John Stoddard's saw mill  
then in an easterly direction on the most practicable route on the  
south side of Wolf creek for a distance of about 3/4 of one mile then crossing  
to the north side of the creek and following the most practicable route in an  
easterly direction through the lands of James Charvo. to the lands of Thomas O' Bryant  
then in a south easterly direction on the most practicable route through  
the lands of Thomas O' Bryant to the lands of Henry Bauer then on  
the most practicable route through the lands of Henry Bauer and  
the lands of John Simmons to a stake marked R. on the County road  
running from Wolf creek to north Powder river, width of said  
road to be 40 ft.  
 be located and established, then this obligation to be void, otherwise to remain in full force and virtue in law.

John Stoddard  
James Gekinson

## STATE OF OREGON,

County of Union } ss.

I John Stoddard and  
James Gekinson 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, and that I am a resident and householder in said County and State.

John Stoddard  
James Gekinson

Subscribed and sworn to before me, this 7<sup>th</sup> day of March A. D. 1888.

A. S. Hill Clerk,  
 Deputy.

**Bond of Road Petitioners.**

Petitioners.

Filed *March 7<sup>th</sup>* 188*8*

*A. J. N. N. N.*

County Clerk.

By

Deputy.



## Notice of Road Petition

**To all Persons Concerned:** You and each and all of you will take notice that the undersigned householders for Union County Oregon residing in the vicinity where the hereinafter described road is proposed to be will at the next session of the County Court for Union County, Oregon to wit On Wednesday the 7<sup>th</sup> day of *March* 1886, respectfully present to said Court a petition praying said Court to lay out alter and establish a County road within said County on the following line or route to wit

Beginning at the south West corner of Section 4 T<sup>p</sup> 6 S R 38 E W<sup>m</sup> Union Co Oregon and running in a north easterly direction on the most practicable route following Shingle gutch to John Stoddard & Co saw mill then in an easterly direction on the most practicable route on the south side of Wolf Creek for a distance of about 3/4 of one mile then crossing to the north side of the creek and following the most practicable route in an easterly direction through the lands of James Charnes to the lands of Thomas O Bryant then in a south easterly direction, on the most practicable route through the lands of Thomas O Bryant to the lands of Henry Bauer. Then on the most practicable route through the lands of Henry Bauer and the lands of John Simmons to a stake marked A on the county road running from Wolf Creek to North Powder river. Width of said road to be 40 ft.

Dated this the 2<sup>nd</sup> day of Feb 1886

Names

John Stoddard  
 James R Gilkison  
 R B Roseberry  
 Charles Coalwell  
 L H Starbuck  
 Millooms  
 W Foster  
 J J Dwyer  
 J W Hall  
 A Burden  
 W G Guard  
 J H Jordan  
 Chas Parker  
 John Henderson  
 Frank Tackhunter  
 R J Atherton  
 L G Roseberry  
 J Wanis  
 M Riggs  
 E C Grey  
 C H Watson  
 W A Charnes  
 E A Charnes  
 S R Charnes  
 J S Harrison  
 C Harrison  
 John Edwards

Names

D Bennett  
 J A Webb  
 J G Carroll  
 David Lee  
 Geo W Babier  
 Pitt Kenawy  
 C Schodhan  
 W B Brown  
 H C Garbani  
 J M Boyer  
 Frank Statney  
 A E Trisby  
 J F Gock



We the undersigned viewers appointed by the  
County Court of Union County Oregon in the  
matter of The Proposed County Road of John  
Stodard and Others, after being duly  
sworn depose and say that we have carefully performed  
the duty assigned us. and find the aforesaid Proposed  
County Road to be a good and practicable Rout and  
would most respectfully recommend the same be  
Established as a Public Highway.

This the 15<sup>th</sup> Day of March 1888

W<sup>m</sup> Shaw, Jr. } Viewers  
James K. Graham }

Siemens Report  
on  
Proposed County Road  
of  
John Stearns

# Field Notes of The Proposed Conroy Road

Of John Stodard and Others

I started at the S.W. Corner of sec. 7, T. 5, S. R. 38, E. 4m, a Pine Tree 24 inches Diameter Marked R.

Hence N 62° E 12 Rods to Stake A 1  
 " N 26° 30' E 8 " " " A 2  
 " N 55° E 12 " " " A 3  
 " N 55° E 36 " " " A 4  
 " N 34° 30' E 14 " " " A 5  
 " N 25° E 10 " " " A 6  
 " N 38° E 20 " " " A 7  
 " N 25° 30' E 16 " " " A 8  
 " N 32° 30' E 13 " " " A 9  
 " N 52° E 19 " " " A 10  
 " N 62° 30' E 20 " " " A 11  
 " N 49° 30' E 14 " " " A 12  
 " N 72° 30' E 17 " " " A 13  
 " N 63° 30' E 11 " " " A 14  
 " N 59° E 8 " " " A 15  
 " S 62° E 20 " " " A 16  
 " S 62° 30' E 28 " " " A 17  
 " S 55° E 22 " " " A 18  
 " S 67° 45' E 22 " 1. M. " " A 19  
 " S 67° 45' E 12 " " " A 19  
 " S 34° 30' E 16 " " " A 20  
 " S 39° E 14 " " " A 21  
 " N 83° 30' E 26 " " " A 22  
 " N 80° 45' E 14 " " " A 23  
 " S 76° E 18 " " " A 24  
 " S 77° E 12 " " " A 25  
 " N 65° 30' E 16 " " " A 26  
 " N 26° E 19 " " " A 27  
 " S 25° E 7 " " " A 28  
 " N 76° 30' E 20 " " " A 29  
 " Cont 24 " " " A 30  
 " N 74° E 12 " " " A 31  
 " N 39° E 9 " " " A 32  
 " N 71° E 65 " " " A 33  
 " S 70° E 26 " " " A 34  
 " S 83° E 8 " 2. M. " " A 35  
 " S 83° E 22 " " " A 35  
 " S 57° E 58 " " " A 36  
 " S 77° E 12 " " " A 37  
 " S 55° E 48 " " " A 38  
 " S 26° E 30 " " " A 39

~~Then~~ S 38° W 10 Rods to Stake A 40  
 " S 57° W 11 " " " A 41  
 " S 50° W 8 " " " A 42  
 " S 29° W 5 " " " A 43  
 " S 6° E 6 " " " A 44  
 " S 17° E 6 " " " A 45  
 " S 40° E 8 " " " A 46  
 " S 57° E 12 " " " A 47  
 " S 60° E 22 " " " A 48  
 " S 58° E 30 " 3. M. " " A 49  
 " S 58° E 52 " " " A 49  
 " S 52° E 68 " " " A 60  
 " S 42° E 63 " " " A 61  
 " S 40° E 47 " " " A 62  
 " S 22° E 33 " " " A 53  
 " S 34° E 20 " " " A 54  
 " S 75° E 29 " " " A 55  
 " S 44° E 20 " " " A 56  
 " S 50° E 25 " " " A 57  
 " S 83° E 17 " " " A 58  
 " N 72° E 4 " 4. M. " " A 59  
 " N 72° E 40 " " " A 59  
 " N 80° E 12 " " " A 60  
 " N 63° E 20 " " " A 61  
 " S 75° E 20 " " " A 62  
 " S 86° E 20 " " " A 63  
 " S 77° 30' E 44 " " " A 64  
 " S 43° E 29 Rods to a Stake

Marked A on the County Road running from Wolf Creek to North Powder River, at which Point I Planted a Stake marked R.T. as per Instructions from which the S.W. Corner of the 8 E 1/4 of Sec 12 Bears S 53° West 27 Rods Distant. This is the 15<sup>th</sup> day of June, 1884

by J. W. Kainbrell Deputy  
County Surveyor

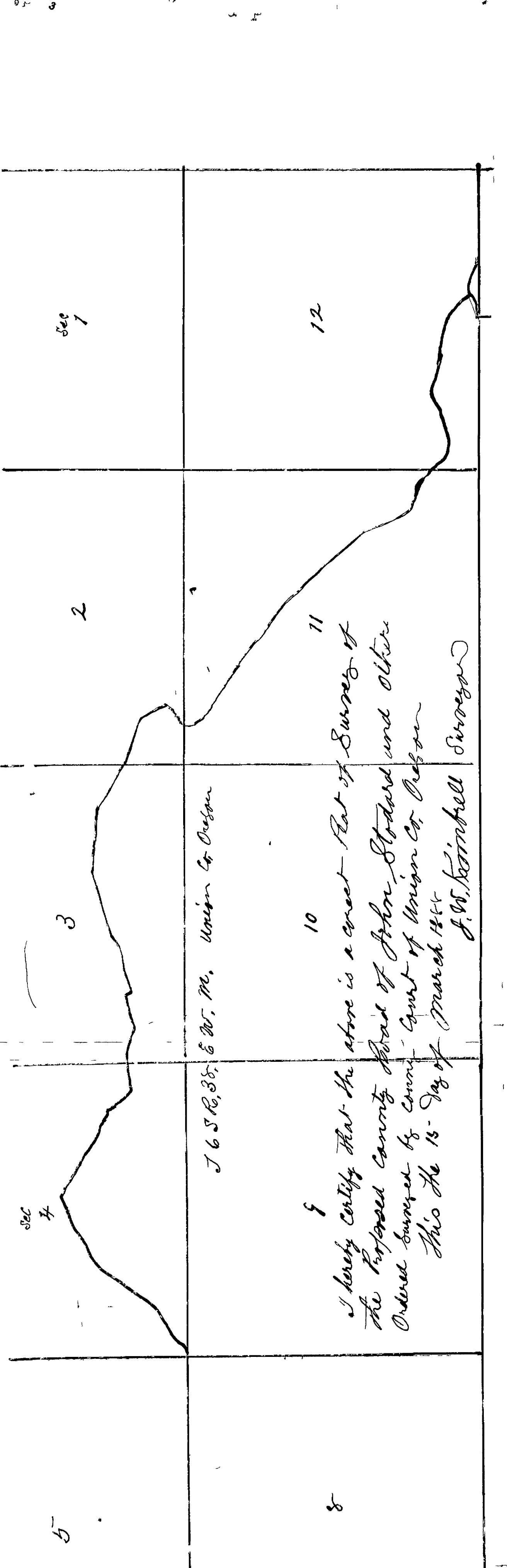
on A...  
to A...

Mc

Filed March 29<sup>th</sup> 1888

W. W. Neil Clerk

By: P. Oliver Deputy



Sec 4

3

2

Sec 7

5

J. W. M. Union Co Oregon

9

10

11

12

I hereby certify that the above is a correct Plat of Survey of  
 the Proposed County Road of John Stoddard and others  
 Ordered Surveyed by County Court of Union Co, Oregon  
 this the 15<sup>th</sup> day of March 1864

J. W. Kainfield Surveyor

8

In the County Court of Union County Oregon

In the Matter of the  
County Road petitioned  
for by John Stoddard  
and others

Do the Hon. County Court of  
Union County Oregon:

come now J. N. Mice  
and John Simonis and represent to the  
Court that they are the owners of the S. N. 4  
of S. E. 4 and S. E. 1/4 of S. N. 4 of Sec 12 T. 6 S. R. 35 E. N. 7. 1/2  
That the Road petitioned for by John Stoddard  
et al also and described in said petition  
as follows, viz: Beginning at S. N. corner  
of Sec 4 T. 6 S. R. 35 E. N. 7. 1/2. thence in an Easterly di-  
rection following <sup>the Shingle</sup> gulch to John Stoddard's  
saw mill, then Easterly on the most practicable  
route on the South side of Wolf Creek for a distance  
of about 3/4 of a mile, then crossing to the North  
side of the creek and in an Easterly direction  
through the lands of James Charnes to the lands  
of Thos. O'Bryant, then in a S. E. direction  
through the lands of Thos. O'Bryant Amy Baker,  
John Simonis to a stake marked A on the  
County road running from Wolf Creek to  
North Powder river, if established would  
cut through the lands above described for a  
distance of about 120 rods to petitioners  
great inconvenience and damage in  
the sum of One Hundred Fifty Dollars  
Therefore petitioners ask that the County



Court appoint three disinterested householders  
of Union County to view said premises and  
appraise the damages that would accrue in  
case said road should be opened & made a  
public highway and that we be allowed  
said damages before said road be ordered  
opened.

John M. Nico

Dated May 1<sup>st</sup> 1888

John Simmons & John M. Nico

Also comes Henry Barnes and represents  
to the Court that he is the owner of the N<sup>o</sup> 4 of N<sup>o</sup> 4 Sec 14,  
the S<sup>o</sup> 17 of E<sup>o</sup> 4 Sec 11 and S<sup>o</sup> 11 of S<sup>o</sup> 14 Sec 12 all in  
S. R. 38 E. N. M. and that said road petitioned  
for by John Stoddard and others would  
cut through petitioners lands for a distance  
of over half a mile to petitioners great in-  
convenience and damage in the sum  
of Five Hundred Dollars. Therefore petitioners  
prays that three disinterested householders  
be appointed to view <sup>said premises</sup> and appraise the  
damages that would accrue on account  
of the building of said road and that such  
damages be paid before said road is ordered  
opened.

Dated this May 1<sup>st</sup> 1888

Henry Barnes

In the County Court  
of Union County Oregon

In the matter of the  
proposed County Road  
petitioned for by John Stoddard  
and others

Plays of J. N. Nico  
& John Simmons  
and  
Henry Barnes for  
Damages

Filed April 1<sup>st</sup> 1888

R. P. Neil, Clerk  
By J. Thayer DeJoy

In the County Court for  
Union County Oregon  
In the matter of  
The County Road  
Petitioned for by  
John Stoddard et al

To The Hon  
County Court within and for  
Union County Oregon.

The Petition  
of John L. O'Bryen as guardian  
of Thomas O'Bryen an insane  
person respectfully shows:

II.

That petitioner is the duly qualified  
and acting guardian of Thomas  
O'Bryen an insane person  
and as such guardian acting  
for his said ward is in the  
possession and control of the  
following described tract of  
land to wit E 1/2 NE 1/4 & NE 1/4 of  
S 20 1/4 & N 1/2 of S 1/4 Sec 11 Township  
6 South of Range 38 East of the  
Willamette Meridian and that  
the said land is the property of  
his said ward he being the  
owner of the fee therein

III.

That the proposed County road  
petitioned for by John Stoddard

Also in the above entitled  
proceedings if established will  
run upon and through said  
tract of land for a distance  
of about 1450 yards  
and that said land will be  
injured and rendered less  
valuable by reason thereof  
as follows to wit: That said  
road if established will run  
through the middle of said land  
and will cut off about one half  
thereof from its supply of water.  
That said land so to be cut off  
from water is very valuable for  
pasturing purposes and will  
by reason of being cut off  
from said water be rendered  
almost valueless for said purpose  
and said Estate will be thereby  
damaged and said land  
rendered less valuable in the  
sum of at least ~~1000~~ ~~there~~  
\$500.00 that of said prop

That said proposed road  
if established will require said  
Estate to build two extra strings  
of fence for a distance of 1450 yards  
each and that said extra fence  
will cost at least \$480.00 whereupon  
said Estate will be damaged to the

required by the Establishment  
of said proposed road in the  
further sum of \$480.00  
wherefore said Guardian  
Prayer that Kinross may be appointed  
to assess said damages and  
that the same may be assessed  
and paid before said road  
shall be established  
Done at Union this 16<sup>th</sup> day of  
May 1888

John O'Byrne  
Guardian  
of Thos O'Byrne  
an insane person

Baring Camp  
Mining Camp

met at John Simons  
house May 28<sup>th</sup> 1888.  
At ten o'clock a.m.

Appraisers  
John Graham  
M. M. Speed Senior  
J. Howard P. Benwell

In the matter of  
The Baring Road  
petitioned for  
by John H. Hossers et al  
Application of  
Geo. D. Rogers  
for damages

Dated May 16<sup>th</sup> 1888  
A. H. Reill, Clerk.  
By James Oliver, Deputy.

To the Honorable

O. P. Goodall -

County Judge, Minn. Co. Oregon  
This certifies that by Virtue of an order  
issued out of the Honorable County  
Court of Minn. County Oregon, on the 17<sup>th</sup>  
day of May 1888, in the matter of a  
proposed County Road petitioned  
for by John Studdard, Et. al.  
Wherein John Graham, William  
Shaw, Secy., and Rev. P. Campbell were  
appointed to examine the business of  
John St. Rice, John Sincere, Henry  
Bauer, and Thomas W. Bryant, on account  
of damages of said proposed Road.  
The said John Graham, William Shaw  
Secy. and Rev. P. Campbell did appear  
before me, the undersigned, at the Prem-  
ises of the said John Sincere, on the  
30<sup>th</sup> day of May 1888 at the hour of 10.25  
A.M. of said day and were duly sworn  
by me, the undersigned to Faithfully  
and impartially perform the duties  
of such appraisers, according to law  
to the best of their abilities

Goodall

Justice of the Peace for Minn.

County Oregon

W. P. of Oregon

Filed June 6, 1888  
O. J. Mills  
Agent

Filed - \$120  
12 miles 20  
Successors 20  
Appraisals 20  
Expenses of same 20  
\$120  
G. J. Mills

6  
Cover Creek, Oregon.

May 30<sup>th</sup> 1888.

The Court of County of Olney,  
Sirs. We the Appointed Appraisers  
of the John Stoddard, road and damage  
assessors agreed to the following  
statements to wit

We allow Thos Obriant the ~~amount~~  
damage of Seventy Five Dollars  
~~75~~ and supply his field with stock water,

We agree to allow Henry Bowers  
Fifty Dollars ~~50~~

We consider other parties ~~not~~  
damaged to the best of our knowledge

William Shaw.

John Graham.

L. P. Campbell.



Filed June 6, 1888  
O. J. Mills  
Clerk

In the County Court of Union County Oregon

In the Matter of the  
Proposed County Road  
petitioned for by John  
Stoddard and others

To the Hon County Court:-

We, the appraisers heretofore appointed by your Honorable body to view the premises of parties claiming damages on account of the construction of the proposed County road petitioned for by John Stoddard et al. and report to the Court how much less valuable the premises of each of said claimants would be rendered on account of the building of said proposed County Road by leave to report as follows, to wit:-

After being first duly sworn by a Justice of the Peace to faithfully and impartially discharge our duty in this behalf we proceeded to view the premises of each of said claimants and find as follows:-

1<sup>st</sup> That the premises of Thos. O'Bryen would be rendered less valuable by the sum of \$ 75.00 on account of the construction of said proposed Road

2<sup>nd</sup> That the premises of Henry Bauer would be rendered less valuable by the sum of \$ 50.00 on account of the construction of said proposed Road

And We find that the premises of John N. Mice  
and John Simonis would not be damaged  
or rendered less valuable at all by the  
construction of said proposed County Road.

All of which is respectfully submitted

S. P. Campbell.  
Wm. Shaw  
John Graham.  
Appraisers

Clerk of County of Union

State of Oregon

Sirs The partitioners of Sec  
road bind them selves to supply  
the Thos Obriant Stock pasture  
with water by means of a conven-  
ient passage for stock under  
culvert of proposed Stoddard Ino  
road,

S. P. Campbell.  
Wm. Shaw

John Graham.

Attest  
G. M. Spruce 18<sup>th</sup> 1888  
Clerk  
Appraisers Obriant  
copy

In the County Court of Union County Oregon  
In the Matter of County Road petitioned for by John Stoddard et al.  
State of Oregon vs  
County of Union

I, James Siltkison, being first  
duly sworn say that, we, the petitioners for a  
certain proposed county road petitioned for by  
John Stoddard et al., have complied with  
the order of the court herein, made and entered  
on July 6<sup>th</sup> 1888, and have constructed two  
passages under the proposed road, for streets  
to go from pasture to water, and bring now  
and pay over to the clerk of this court the  
amount of damages appraised and  
allowed, to wit \$75<sup>00</sup> for Thos O Bryant and  
\$50<sup>00</sup> for Henry Bauer. making in all \$125<sup>00</sup> so  
turned over to the clerk.

Subscribed and sworn James Siltkison

before me this July 24<sup>th</sup> 1888

Wm Neill Clerk  
Esquire Ohio Deput

In Matter of Proposed  
County Road petitioned  
for by Geo. Stoddard & others

Report of Petitioners in  
Response to

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Dated July 24<sup>th</sup> 1888  
Geo. Stoddard clerk  
Respondent Oliver DeJoy

BE IT REMEMBERED, That at a Regular Term of the 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 24<sup>th</sup> day of September A. D. 1888, the same being the  
 Fourth Monday in said Month, and the time fixed by law for holding a regular term of said  
 Court, when were present:

The Hon. James A. Fee Judge, Presiding;  
 J. L. Raud Dist. Attorney,  
 A. G. Neill Clerk,  
 A. N. Houston Sheriff.

When, on Thursday the 4<sup>th</sup> day of October A. D. 1888  
 or the Fourth Judicial day of said Term, among others, the following  
 proceedings were had, to-wit:

Henry Bauer  
 vs

Union County } This cause came on to be heard at  
 this time on the writ of review heretofore issued out  
 of this Court to the Clerk of the County Court req-  
 uiring him to send up to this Court a complete  
 transcript of all the records in the matter of the  
 proposed County road petitioned for by John  
 Hodder et al that the same might be re-  
 viewed by this Court and upon the return of the said  
 County Clerk upon said writ of review the plain-  
 tiff appearing by T. H. Crawford of counsel and  
 the deft appearing by J. L. Raud Dist Atty and  
 by Baker, Shelton & Baker of counsel and after  
 argument of counsel and the Court being fully  
 advised in the premises, It is found that there  
 was an error in the proceedings of said County  
 Court as alleged and therefore it is considered  
 and ordered by the Court that this writ be sustained  
 that all the proceedings in this matter in County  
 Court be dismissed, And that plaintiff have and  
 recover off and from the Defendant herein his  
 costs and disbursements of this suit.

Signed } James A. Fee  
 Circuit Judge

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

I, A. P. Neill Clerk of the  
 Circuit  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  Cause  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  9  day of  Oct  A. D. 18 88

A. P. Neill  Clerk.  
 By Thomas Oliver Deputy

Second Judicial Day

Thursday March 8<sup>th</sup> 1888

Court met pursuant to adjournment, present the same Officers as on yesterday

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

O. B. Kendall  
County Judge

Thereupon the following proceedings were had, to-wit:

In the matter of a proposed  
County Road petitioned for  
by John Stoddard & others

Now at this time comes John Stoddard and presents to the Court the petition of himself and 39 others praying for the establishment of a County Road described as follows, to-wit: Beginning at the South West corner of Section 4. T<sup>p</sup>. 6. S. R. 38 SWW Union Co. Oregon, and running in a North Easterly direction, on the most practicable route following Shingle Gulch to John Stoddard & Co's saw Mill, then in an Easterly direction on the most practicable route on the South side of Wolf Creek for a distance of about  $\frac{3}{4}$  of one mile then crossing to the North side of the Creek and following the most practicable route in an Easterly direction through the lands of James Charles to the lands of Thomas O'Bryen then in a South Easterly direction on the most practicable route through the lands of Thomas O'Bryen to the lands of Henry Bauer then on the most practicable route through the lands of Henry Bauer <sup>and</sup> to the lands of John Simonis to a stake marked A on the County road running from Wolf Creek to No Powder river. Width of said road to be 40 feet. And it appearing to the Court that more than 12 of said petitioners are legal householders of Union County living in the vicinity of said proposed road, and proof having been filed herein from which it appears that legal notice of the pendency of this proceeding has been given and a good and sufficient undertaking having been filed herein as provided by law and no remonstrance having been filed herein or cause shown why such County road should not be surveyed It is therefore considered and ordered by the Court that J. K. Graham Wm. Shaw Jr. and Jasper H. Stevens Jr. be appointed Viewers and J. W. Kimbrell Surveyor to view, survey and report upon said proposed County road, and that they meet at the house of John Simonis on Wednesday March 14<sup>th</sup> 1888 at 10 o'clock A.M. and that they duly qualify according to law before entering upon the discharge of their duties in this behalf.



Second Judicial Day

Thursday May 17<sup>th</sup> 1888

our opinion said proposed road should be laid out and established as a public highway of Union County, Oregon. That the same is practicable and would add much to the convenience of the house-holders residing in the vicinity thereof, we therefore recommend that said proposed road be established as laid out and declared a public highway of said County.

W. R. Jasper  
J. P. De Long

In the matter of the proposed }  
County Road petitioned for }  
by John Stoddard et al. }

This matter came on for hearing on the Reports of the viewers and surveyor heretofore appointed herein and it appearing to the Court that claims for damages have been filed herein by John N. Nice, John Simonis, Henry Bauer and Thomas Bryant by his Guardian John O'Kryant on account of said proposed road, in which they all allege that they will be greatly damaged by the location and establishment of said proposed road, It is therefore ordered that three disinterested householders, viz: John Graham, William Shawler and Howard Campbell, be appointed appraisers to examine the premises of each of said claimants and report to this court how much less valuable the premises of each will be rendered on account of the construction of said proposed road, That after being first duly sworn by some Justice of the Peace or Notary Public to faithfully and impartially perform their duty in this behalf, they meet at the Residence of John Simonis on Monday May 28<sup>th</sup> 1888 at 10 o'clock A.M. and proceed with their duty above set out and report to this court according to Law.

In the matter of the }  
proposed change in }  
County Road petitioned }  
for by M. A. Stevenson }

This matter came on for hearing on the Reports of Viewers and surveyor heretofore appointed herein for a second reading, And it appearing to the Court that said reports are favorable, and no remonstrance having been filed herein or cause shown why such reports be not

Second Judicial Day

Friday July 6<sup>th</sup> 1888.

In the Matter of the Proposed  
County Road petitioned  
for by John Stoddard et al.

This matter comes on at this time for hearing  
on the Reports of the Viewers and surveyor heretofore appointed herein  
and said reports having been read in open court for the first  
time are passed over for a second reading on some other  
day of this court.

In the Matter of the Proposed  
County Road petitioned for  
by John Stoddard et al.

This cause came on to be heard upon  
the Report of the Appraisers heretofore appointed to appraise the dam-  
ages that will accrue to Thomas O'Bryant, Henry Bauer, John  
N. Nice and John Simonis claimants herein, on account of the Construc-  
tion of the proposed road, and It appearing to the court that said  
appraisers have performed their duty and reported to the court  
1<sup>st</sup> That the premises of Thos. O'Bryant would be rendered less valuable  
by the sum of \$75<sup>00</sup> on account of the construction of said proposed  
road.

2<sup>nd</sup> That the premises of Henry Bauer would be rendered less valu-  
able by the sum of \$50<sup>00</sup> on account of the construction of said  
proposed road.

3<sup>rd</sup> That the premises of John N. Nice and John Simonis would not  
be damaged or rendered less valuable at all by the Construc-  
tion of said proposed County Road.

And it appearing to the court that said report of appraisers is rea-  
sonable and just and that said damages ought to be paid; but  
that the proposed road will not be of sufficient public util-  
ity to warrant the court in paying said damages It is consider-  
ed and ordered by the court that the report of appraisers be ap-  
proved and that the petitioners be required to pay the damages so  
appraised and allowed And also to construct a passage or  
way under the road for stock to go from pasture to water as  
recommended by the appraisers. <sup>before</sup> said proposed road can  
be declared a public highway or <sup>ordered</sup> opened for travel as a  
County Road.

Whereupon it was ordered that court be now adjourned till tomorrow  
morning at 9 o'clock.

Court Judicial Day

Monday July 9<sup>th</sup> 1888

In the Matter of the  
Proposed County Road  
petitioned for by John  
Starkland et al

Now at this time it is ordered by the Court that the entry heretofore made on the 6<sup>th</sup> day of July 1888 and recorded on page 384 of this book be amended in the ordering part thereof so as to read as follows: It is considered and ordered by the Court that the report of the appraisers herein be approved, and that the petitioners be required to pay the damages so appraised and allowed and to construct a convenient passage or way ~~for~~ under the proposed road for streets to go from the pasture for water, as recommended by the appraisers and that the same be done within 18 days from said July 6<sup>th</sup> term or before July 24<sup>th</sup> 1888 and that satisfactory proof of the fulfillment of this order be filed with the clerk of this Court as soon after the said July 24<sup>th</sup> as convenient for said petitioners to do so.

In the Matter of the  
Allowance of Bills

At this time the following bills were presented and allowed and the clerk is now ordered to draw warrants on the County Treasurer for the following named persons for the amounts opposite their names respectively:-

| Am | No | For Whom         | For What                     | amt      |
|----|----|------------------|------------------------------|----------|
| 71 | 60 | D. P. Goodall    | Salary as Co Judge for June  | 50 00    |
| "  | 61 | John McDonald    | Commissioners fees July Term | 16 80    |
| "  | 62 | G. H. Benschhoff | " " " "                      | 20 20    |
| "  | 63 | A. J. Neill      | Clerks fees                  | 25 00    |
| "  | 64 | " "              | " "                          | 25 00    |
| "  | 65 | " "              | " "                          | 25 00    |
| "  | 66 | " "              | " "                          | 25 00    |
| "  | 67 | " "              | " "                          | 25 00    |
| "  | 68 | " "              | " "                          | 25 00    |
| "  | 69 | " "              | " "                          | 25 00    |
| "  | 70 | " "              | " "                          | 9 27     |
| "  | 71 | A. N. Hamilton   | Sheriffs fees                | 106 02   |
| "  | 72 | Arba Holbrook    | Chairman on Nelson Road No   | 5 80     |
| "  | 73 | " "              | " " " " No 2                 | 5 30     |
|    |    |                  |                              | 38 6 3 1 |

Tenth Judicial Day

Saturday Nov 10<sup>th</sup> 1888

In the matter of the }  
Proposed County Road }  
petitioned for by John }  
Stoddard et al No 1- } This matter came on to be heard at this time on  
the Mandate of the Circuit Court filed herein, and it appearing to the  
Court that this proposed road was heretofore viewed and surveyed and  
ordered opened by the Court, and a Writ of Review taken to the Circuit  
Court on certain alleged errors of this Court, and the Circuit Court  
having considered the matter, and made its decree herein as follows:-

"Be it Remembered, that at a Regular Term of the 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 24<sup>th</sup> day of September A.D. 1888, the same being the fourth Monday  
in said month, and the time fixed by law for holding a regular term of  
said Court, when were present:-

The Hon James A. Peck Judge, Presiding;  
E. S. Rands Dist. Attorney  
W. H. Neill Clerk  
A. N. Hamilton Sheriff.

When, on Thursday the 4<sup>th</sup> day of October A.D. 1888, on the Tenth Judicial  
day of said Term, among others, the following proceedings were had, to-wit:-  
Henry Bauer }

vs  
Union County }

This cause came on to be heard at this time on the  
Writ of Review heretofore issued by this Court to the Clerk of the County  
Court, requiring him to send up to this Court a complete transcript of  
all the record in the matter of the proposed County road petitioned for by  
John Stoddard et al that the same might be reviewed by this Court  
and upon the return of the said County Clerk upon said Writ of Re-  
view, the Plaintiff appearing by J. W. Crawford of Counsel and the  
Def't appearing by E. S. Rands Dist Atty. and by Baker Shelton & Baker  
of Counsel and after argument of Counsel and the Court being fully  
advised in the premises. It is found that there was an error in the  
proceedings of said County Court as alleged, and therefore it is  
considered and ordered by the Court that this Writ be sustained,  
that all the proceedings in this matter in County Court be dismissed  
and that plaintiff have and recover off and from the Defendant herein  
his costs and disbursements of this Suit.

signed } James A. Peck  
Circuit Judge



Fourth Judicial Day

Saturday Nov 10<sup>th</sup> 1888

It is therefore considered and ordered that all the proceedings herein be dismissed in accordance with said Decree of the Circuit Court. And it further appearing that there were costs on the trial of said cause in the Circuit Court as follows: Trial fees paid by the Cliff in said suit Henry Bauer \$600, Clerks fees \$170<sup>00</sup>, Sheriffs fees \$120 and Statutory atty fee \$100<sup>00</sup>, which costs are taxed up in said Judgment against the County. It is therefore ordered that the Clerk of this Court issue warrants on the Treasurer for Henry Bauer for said Trial and Atty fees, and for A. D. Neill for said Clerks fees and for A. N. Hamilton for said Sheriffs fees.

In the matter of the Proposed County Road petitioned for by Nathan Nelson et al No 1

This matter came on to be heard at this time on the mandate of the Circuit Court filed herein, And it appearing to the Court that this proposed road was heretofore regularly petitioned for reviewed & surveyed and ordered opened, and that afterwards a Writ of Review was sued out in the Circuit Court by G. H. M. P. Ames on certain alleged errors committed by this Court. And the Circuit Court having considered the matter and its <sup>made</sup> decree thereon as follows, viz:-

"Be it Remembered, that at a Regular Term of the 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 24<sup>th</sup> day of September A. D. 1888, the same being the fourth Monday in said Month, and the time fixed by law for holding a regular term of said Court, when were present:

The Hon James A. Dec, Judge, Presiding;  
 G. L. Rand Dist. Attorney,  
 A. D. Neill Clerk,  
 A. N. Hamilton Sheriff.

Then on Saturday the 6<sup>th</sup> day of October A. D. 1888 on the twelfth Judicial day of said Term, among others, the following proceedings were had, to-wit:-

G. H. M. P. Ames }  
 vs  
 The County of Union

Now at this time this cause came on to be heard upon the Petition for a Writ of Review and the Record of the County Court of Union County in said Cause, the Plaintiffs appearing by G. H. Crawford their attorney and the Defendant appearing by G. L. Rand.