

No 242

<sup>in</sup>  
Circuit

Court

C. R. Drake

Plaintiff

vs

R. W. Deal

Defendant

Action for Money

Docket A Page 424

Bell and Coles

Attorney for Plaintiff

Attorney for Defendant

RECEIVED  
JUN 20 1914  
U.S. DEPT. OF JUSTICE

**Record of the Case**

1888

Left to Petitioner per ~~Warrants~~ and  
dismissed being irregular  
Journal to p 487

309

Road

Commencing at S E cor of N<sup>1</sup>/<sub>4</sub> of N<sup>1</sup>/<sub>4</sub> sec 5  
S 2 & R 39 E to S E cor of N<sup>1</sup>/<sub>4</sub> sec 5  
S 2 & R 39 E

**WITNESSES**

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

309

# 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, alter and establish a County road within said County on the following line or route to wit

commencing at a point on the road petitioned for by O H Fay and others and filed in County Court Sep 9<sup>th</sup> 1886. At the southeast corner of the northeast quarter of the northeast quarter of section eight township two south range thirty seven east W M thence 32 rods due west thence south 80 rods thence west 128 rods to the southeast corner of the northwest quarter of section eight township 2 south range 37 east W M.

and in duty bound your petitioners will ever pray, &c

NAMES

NAMES

Robt Oliver  
O. H. Fay  
J. G. Fisher  
H. M. G. Cook  
W. M. Cornell  
E. J. Cameron  
J. H. Staudley  
J. Morda M. L. G. Gald  
W. J. Ferris  
John Shaw  
J. M. Gorman  
Jesse G. Miller  
E. K. & G. G. G. G.

J. N. Reinhart  
Kael Harker  
C. W. Hamilton  
J. J. G. G.  
W. J. Sailing  
C. C. Fraser  
R. S. McKeen  
J. Brown  
J. M. Hammack  
Daniel Hammack  
see

Ellie Reinhart  
G. W. Kuckman

Nathan L. Gray  
Geo. G. Gray  
B. W. Miller  
E. P. Miller  
J. J. Flannery  
G. D. Childers  
Wm. Robbs  
G. W. Stansell  
R. J. Childers

Filed Sept 0<sup>th</sup> 1888  
R. M. Bell clerk  
Superior Power Dept

STATE OF OREGON,  
 COUNTY OF UNION. } ss.

I J. C. Oliver 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 West end of the proposed road on a board nailed to the fence, the same being by the side of the public road, One near the East end of the proposed road on a board nailed to the fence, the same being by the side of the public County road leading from Sunnysville to Union, and the 3<sup>rd</sup> at the crossroads South of Union, it being also on a board nailed to the fence.

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 3<sup>rd</sup> day of August 1888, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: on the 3<sup>rd</sup> day of August 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 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 6<sup>th</sup> day of September 1888

J. C. Oliver  
 Attest: W. Hill clerk  
By James Oliver Deputy

Filed Sept 6<sup>th</sup> 1888

W. M. Will clerk

By James Oliver Deary

Notice of Road Petition

To all persons concerned you and each and all of you will take notice that the undersigned householders of Union County Oregon, residing in the vicinity where the hereinafter described road is proposed to be built at the Sep. term of the County Court of Union County Oregon to wit On Wednesday the fifth day of Sep 1888 resp. fully 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:

Commencing at a point on the road, petitioned for by O. H. Fay and thence and filed in County Court Sep 9th 1888 at the southeast corner of the northeast quarter of the northeast quarter of Section 8 Township 2, south range 39 east 1st Pm thence west 32 rods thence south 80 rods thence west 128 rods to the southeast corner of the northwest quarter of Section 8 Township 2 south range 39 east 1st Pm

- |                 |                 |
|-----------------|-----------------|
| R. M. Oliver    | J. N. Penick    |
| O. H. Fay       | Paul Hooper     |
| L. B. Blum      | C. W. Hartman   |
| A. Mc Galbraith | W. J. Sealing   |
| W. M. Bonnell   | T. J. Harber    |
| E. J. Cameron   | R. L. Mackenzie |
| J. H. Starkey   | J. Crow         |
| W. S. Hammett   | J. M. Hammar    |
| John Shum       | Daniel Hammar   |
| Wm. German      | Nathan L. Gray  |
| Jesse Imbler    | Geo. G. Gray    |
| E. K. Sperry    | B. Miller       |
| L. B. Frazer    | E. P. Miller    |
| Woods McDonald  | J. F. Flary     |
| Wm. Lee         | G. J. Childers  |
| Ellen Penick    | Wm. Robb        |
| G. W. Kuchman   | G. W. Stansell  |
|                 | R. J. Childers  |

Protestants  
 J. N. Penick  
 1888

State of Oregon  
County of Union

I, J. B. Glover, being first  
duly sworn say that I posted this notice on  
the Court house door in Union on the 3<sup>rd</sup>  
day of August 1888, and that I verily believe  
the same has remained posted continuously  
ever since, till this date, when it was  
taken down to make this proof of posting  
the same dated this 6<sup>th</sup> Sept 1888

Subscribed and sworn  
to before me this 6<sup>th</sup> Sept  
1888 -

A. P. Neill clerk  
By James Glover Deputy

Filed Sept 6<sup>th</sup> 1888  
A. P. Neill clerk  
By James Glover Deputy



# Know all Men by these Presents:

THAT R. M. Oliver —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 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 Sixth day of September 1888

Now the condition of the above obligation is such, that whereas, if the County Road petitioned for by R. M. Oliver and others, and presented at the Sept

Term, 1888 of the County Court of said Union County, commencing at a point on the road petitioned for by W. J. Day and others, and and filed in the Co. Court Sept 9 - 1885, at the S.E. corner of N.E. 4 of N.E. 4 Sec 8 22 S R 39 EMM; thence 32 rods due West thence N. 80 rods thence N. 12 rods to the S.E. corner of the N.W. 4 Sec 8 22 S R 39 EMM.

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

R. M. Oliver

## STATE OF OREGON,

County of Union } ss.

I R. M. Oliver —and

~~each for himself~~ say 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.

R. M. Oliver

Subscribed and sworn to before me, this 6<sup>th</sup> day of September A. D. 1888

A. D. Neill Clerk,

By James Oliver Deputy.

**Bond of Road Petitioners.**

In the matter of  
the Road petitioned  
for by R. M. Quinn  
et al.

Petitioners.

Filed Sept 6<sup>th</sup> 1888

R. D. Nail

County Clerk.

By Turner Quinn

Deputy.

within petition dismissed  
as being irregular  
September 6<sup>th</sup> 1888

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

In the Matter of the County }  
Road petitioned for by }  
M. L. Carter, C. W. Hamilton et al -

Now Comes J. A. Richardson  
and Represents to the Court that he is  
the owner in fee of the following  
described land.

North East  $\frac{1}{4}$  of Sec 11 T. 2 S. of  
Range 39 E. W.M., and in Union  
County Oregon.

That the County road as petitioned for  
by M. L. Carter, <sup>C. W. Hamilton</sup> et al commencing at  
W. E. Cor of Sec 27 T. 2 S. R. 39 E. - W.M.

passes through the said land above  
described a distance of \_\_\_\_\_ rods -  
(exclusive of that portion thereof situated  
on the Cove Summerville Road)  
and divides the said land of petitioner  
necessitating \_\_\_\_\_ rods of extra  
fencing, and a portion thereof being  
cut off by said road from water during  
the dry season -  
and occupies \_\_\_\_\_ acres of said ground  
whereby petitioner is damaged in  
the sum of \$ 300.00

And prays that the Court appoint  
appraisers of damages as by law  
required  
J. A. Richardson.

County Court  
Union T.

Read petitions for  
by subscribers et  
al

claim for Damages

by J. P. Richardson

Filed Aug 4. 1888

Chas. H. Rice Clerk

By C. H. Rice Atty

State of Oregon vs J. P. Richardson  
County of Union ss J. P. Richardson  
being first duly sworn say that  
on the claimant's written demand  
that the foregoing statement believe  
to be true, J. P. Richardson.  
Subscribed and sworn to  
before me this 2 day  
Aug 1888.  
James A. Denton  
Notary Public for  
Oregon

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

In the Matter of the  
County Road petitioned for }  
by W. S. Carter ... }

C. W. Hamilton et al

Now Comes J. M. Jones and Represents  
to the Court that he is the owner in fee of  
the following described real estate  
viz North  $\frac{1}{2}$  of the South East  $\frac{1}{4}$  of sec 7  
and the N.W.  $\frac{1}{4}$  of the S.W.  $\frac{1}{4}$  and the S.W.  $\frac{1}{4}$   
of the N.W.  $\frac{1}{4}$  of Sec 8. T. 2 S. R. 40 E -  
N. M. and in Union County Oregon

That the County Road petitioned for by  
W. S. Carter, <sup>C. W. Hamilton</sup> et al and commencing at  
the North East Cor. of Sec 27 T. 2 S. R. 39 E -  
N. M.,

As surveyed and located by the viewers  
crosses and divides the land above  
described a distance of  $\frac{3}{4}$  of a mile  
on a direct line, but as located lies  
therein a distance of rods -  
necessitating the making of 1  
rod of extra fencing

and divides the said land in angles  
and into small fields, to the great  
damage thereof

and occupies acres thereof

and petitioner claims damage  
for the location of the road as now  
revised and surveyed \$600<sup>00</sup>

Wherefore petitioner prays that the  
Court appoint appraisers of said  
damages thereon - as by law  
provided -

J. M. Jones

State of Oregon }  
County of Union } ss. I J. M. Jones being  
first duly sworn say that I am the  
claimant within named that the  
foregoing statement I believe to  
be true -

Subscribed and Sworn to J. M. Jones  
before me this 2 day  
Aug: 1888.

James A. Carter  
Notary Public  
for Oregon

County Court  
Union Co.

Road petitioned for  
by C. W. Hamblin et  
al.

Claim for Damages  
by J. W. Jones

Filed Aug 14, 1888

W. H. Jones Clerk  
D. S. Smith Notary

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

In the Matter of the County  
Road as petitioned for  
by M. S. Carter ~~et al~~ }  
C. W. Hamilton et al -

Now Comes Jackson Wright and  
represents to the Court that he is the  
owner in fee of the following descri-  
bed land viz,

West  $\frac{1}{2}$  of S.W.  $\frac{1}{4}$  of Sec 7 T 2 South of  
Range 40 East, W.M. and in Union  
County Oregon

That the County Road as petitioned  
for by M. S. Carter, <sup>C. W. Hamilton</sup> ~~et al~~ and  
Commencing at the N.E. Cor. of Sec 27  
T. 2 S R 3 E W. M.

as surveyed and located by its view-  
ers. Crosses and divides the said  
land above described at distance  
of 80 rods necessitating the making  
of 160 rods of fence and occupying  
two acres of said land  
to the damage of petitioners in the  
sum of \$150.<sup>00</sup>

And petitioners pray that  
viewers of said damage be appointed  
as by law provided to assess the  
said damage. Jackson Wright



County Court  
Munson G.

Co Road - petition for  
by ~~the~~ Carl Munson  
et al.

Claim for Damages  
of Jackson Wright

Filed Aug 4. 1888  
A. J. Heise Clerk  
By D. P. Bell Notary

State of Oregon } ss Jackson Wright  
County of Union } say that I am  
being first duly sworn say that I am  
claimant above named, that the  
foregoing statement therein to be  
true - Jackson Wright  
Subscribed and sworn to }  
before me this 2<sup>nd</sup> day }  
Aug 1888. }  
James A. Carter  
Notary Public  
for Oregon

STATE OF OREGON,

COUNTY OF Union } SS.

I, J. J. Glenn, Thomas Wade and Oliver Kuhn having been severally appointed by the Hon. County Court of Union County as appraisers to assess the damages which will accrue to J. M. Jones and Jackson Wright by laying out County Road petitioned for by C. W. Hamilton do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Oregon and the laws thereof; and will faithfully, honestly and impartially discharge the duties of said office, during my continuance therein according to the best of my ability, so help me God.

Subscribed and sworn to before me this 6th day of October 1888

Thomas Wade  
J. J. Glenn  
O. Kuhn

James Collins  
Justice of the Peace

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

In the matter of the proposed  
County Road petitioned for }  
by C. W. Hamilton et al. }

We the undersigned having been duly  
appointed as Appraisers to view and assess  
the damages which will accrue to J. J. A.  
Richardson, J. W. Jones and Jackson Knight,  
in case a certain proposed County Road  
petitioned for by C. W. Hamilton et al.  
should be ordered opened would respect-  
fully report to the Court that we after  
being duly sworn proceeded to view  
said proposed road through the premises  
of the several claimants and we find  
that the premises of the said J. J. A.  
Richardson will be damaged in  
the sum of \$300 <sup>00</sup>/<sub>100</sub>

That the premises of the said J. W. Jones  
will be damaged in the sum of \$00 <sup>00</sup>/<sub>100</sub>

That the premises of the said Jackson  
Knight will be damaged in the  
sum of \$150 <sup>00</sup>/<sub>100</sub>

Thomas Wade Appraisers  
J. J. Glenn  
C. K. Kuhn

Mid Oct 1888

Ed Meil clerk  
By James Oliver O'By

Second Judicial Day

Thursday Sept 6<sup>th</sup> 1888

nature, or character, the full width of all such roads and the whole length thereof. And that they be required to open out the roads in their respective Road Districts the full and legal width thereof by the removal of all fences or other obstructions from the roads the whole legal width thereof and further that they prevent the running of water for irrigation or other purposes along the County roads, whenever and wherever the same will in any manner damage or be detrimental to any public County road in any of their respective road districts. It is further ordered that the Clerk notify the various supervisors of the action of the Court herein, by sending a copy of this order to each of them.

In the Matter of the Proposed }  
County Road petitioned for }  
by R. M. Oliver et al. }

This matter came on to be heard at this time and it appearing that there is a defect in the description of the road petitioned for. It is ordered that the same be dismissed.

In the Matter of the Petition }  
of B. D. Potter for a Liquor License }

At this time comes B. D. Potter and presents to the Court his petition for a license to sell Spirituous, Malt and Various Liquors in quantities less than one quart for the period of one year in the precinct of Pine Valley. And it appearing to the Court from proof filed herein that due and legal notice of the pendency of this proceeding has been given, and the petitioner having paid into the County Treasury the sum of One Hundred Dollars, being the price required by law therefor, and having produced and filed the Treasurer's receipt therefor and having filed a good and sufficient undertaking herein and in all things else complied with the law. And no remonstrance having been filed herein or cause shown why such petition be not allowed, It is therefore considered and ordered by the Court that the petition be allowed and that a license issue to said petitioner authorizing and empowering him to keep and sell spirituous malt and various liquors in the precinct of Pine Valley for the period of one year from the date hereof.