

No 349

in

Circuit

Court

Kettie Ackley

Plaintiff

vs

Ransom Ackley

Defendant

Action for

Divorce

Docket

Page

Geo H. Swan

Attorney for Plaintiff

Attorney for Defendant

REVEREND GREEN ENVELL
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Record of the Case:

310

WITNESSES

1898
 Nov 7 Petition rec. Deavers appeal
 Journal D p 438
 Jan 7 Appraisers appeal + 1st pending
 Journal D p 495
 Mar 6 Deavers opened own petition
 paying damages
 Journal D p 519

Road
 Beginning at S W cor Sec 4 T 6 S R 3 E
 to a point from which S W cor of S E 4
 Sec 12 in said T & R bears S 53 W 21 rods
 John Holdred et al

July 3rd ordered paid
 Jul D p 585
 Nov 7 89 Special order to
 Supervisor Jul D p 707
 to change in Jul D p 671

310

STATE OF OREGON
COUNTY OF UNION } ⁸⁸

I James Gillman being first duly sworn, say that I posted three several notices, 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 each of the place of beginning one at the terminus and one near Standarts Ford well on the line of said proposed road by tacking them and each of them up in a conspicuous place at said points on the line of said road

Thirty days previous to the presentation of the road petition therein mentioned to wit On the 7th day of October 1858 and that thereafter and thirty days

~~previous to the presentation of said road petition therein mentioned to wit on the~~
~~day of~~ 1858 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

7th

James Gillman
day of November 1858

A. J. Neill Clerk
By James O. Thomas Deputy

OFFICE OF THE
SECRETARY OF THE
STATE

2nd Nov 7th 1887
C. M. Wells clerk
Department of State

STATE OF OREGON
COUNTY OF UNION } 38

I, J. H. Shelton

being first duly sworn say that

~~posted three several notices, 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~~

~~thirty days previous to the presentation of the road petition therein mentioned to wit~~ On the
~~day of~~ 185 ~~and that this after and thirty days~~
previous to the presentation of said road petition therein mentioned to wit on the 3^d

day of October 1888, I posted a true and correct copy ^{of the} ~~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 notice remained posted thirty days previous to the presentation of said petition as I verily believe

Subscribed and sworn to before me this

^{7th} day of November 1888

J. H. Shelton

A. J. Keell Clerk
By James A. [unclear] Deputy

John White 9th 1844

John White Clerk
By W. O. Linn
Deputy

Road Notice

To All Persons Concerned

You and each of you will take notice that the undersigned householders of Union County State of Oregon, residing in the vicinity of the hereinafter described proposed County road will at the next session of the County Court of said County to wit on Wednesday the 7th day of November A.D. 1888 at ten o'clock A.M. of said day, present to said County Court a petition praying said Court to lay out and establish a County road in said County on the following described line to wit Beginning at the S.W. Corner of Section 4 Township 8 South of Range 38 East of the Willamette Meridian and running thence North 62° East 12 rods thence North $26^{\circ}30'$ East 8 rods thence North 55° East 12 rods, thence North 58° East 36 rods; thence North $34^{\circ}30'$ East 14 rods thence North 29° East 10 rods; thence North 38° East 18 rods thence North $25^{\circ}30'$ East 16 rods; thence North $32^{\circ}30'$ East 13 rods thence North 52° East 19 rods thence North $62^{\circ}30'$ East 20 rods thence North $49^{\circ}30'$ East 14 rods

Thence north $73^{\circ} 30'$ East 17 rods.
Thence North $33^{\circ} 30'$ East 11 rods
Thence North 39° East 8 rods
Thence South 62° East 20 rods. Thence
South $62^{\circ} 30'$ East 28 rods. Thence South
 55° East 22 rods. Thence South $67^{\circ} 45'$
East 22 rods. Thence South $67^{\circ} 45'$ East
12 rods. Thence South $34^{\circ} 30'$ East 16
rods. Thence South 39° East 14 rods.
Thence North $83^{\circ} 30'$ East 26 rods. Thence
(North $80^{\circ} 45'$ East 14 rods. Thence
South 76° East 18 rods. Thence South
 77° East 12 rods. Thence North $65^{\circ} 30'$
East 16 rods. Thence North 76° East
19 rods. Thence South 25° East 9 rods.
Thence North $76^{\circ} 30'$ East 20 rods.
Thence East 24 rods. Thence North 74°
East 12 rods. Thence North 39° East
9 rods. Thence North 79° East 65 rods.
Thence South 70° East 26 rods. Thence
South 83° East 8 rods. Thence South
 83° East 22 rods. Thence South 57° East
58 rods. Thence South 77° East 12
rods. Thence South 55° East 48 rods.
Thence South 26° East 30 rods. Thence
South 38° West 10 rods. Thence South
 57° West 11 Rods. Thence South 50°
West 8 rods. Thence South 29° West
5 rods. Thence South 6° East 6 rods.
Thence South 17° East 6 rods. Thence
South 40° East 8 rods.

Thence South 71° East 12 rods
 Thence South 60° East 22 rods,
 Thence South 58° East 8 rods
 Thence South 58° East 52 rods'
 Thence South 52° East 68 rods'
 Thence South 42° East 63 rods
 Thence South 40° East 47 rods'
 Thence South 22° East 33 rods
 Thence South 34° East 20 rods,
 Thence South 75° East 29 rods,
 Thence South 44° East 20 rods,
 Thence South 50° East 25 rods,
 Thence South $83^{\circ} 30'$ East 11 rods
 Thence North 72° East 4 rods'
 Thence North 72° East 40 rods'
 Thence North 80° East 12 rods ✓
 Thence North 63° East 20 rods ✓
 Thence South 75° East 20 rods ✓
 Thence South 86° East 20 rods ✓
 Thence South $77^{\circ} 30'$ East 44 rods ✓
 and Thence South 43° East 29 rods ✓
 terminating at a point from
 which the South West corner
 of the South East quarter of
 Section Twelve in said township
 and Range bears South 53° West
 27 rods ✓

Sept 26th 1888

John Stoddard
W E C Carner

John Henderson
Brig Scott
J G Lloyd
F M Shurtzoff
N J Farn

E D Salisbury
H H Salisbury
H Borden
J H Starbuck
B Bausley
A C Finch
Chas H Winchester
W B Bowman

C C Loggins
Sol Schell

J R Trapp
O R Kirkman
J G M Gilkison
D M C Nelson

A Reynard
Paul Lee
William Gardner
John Edwards
J E Carroll
A Schellauer
J Breening

James Gilkison
Gundlach

J L Locks
John R Anderson
Samuel Dye
Melburn

W W Powell
Pat McKenney
G Mary Stanford
W Frazier

J J Dean
J A Boyles
W R R Landreth
John Wilson

H H Duff
E A Charles
S R Charnell
J A Gurdeth

O H Watson
G O Gaskern
J J Gouch

Fred W Young
J M Boyart
S G Mann

J Linn
Ed Finner
Wesley Parker

J W Anderson

A J Davison
John M Gerson
J W Mahoney

April 10th 1885
D. J. Paul Clerk
Bryant's Office

Petition for County Road
To the Honorable County Court
for Union County Oregon.

The undersigned
householders of Union County Oregon
residing in the vicinity of where
the hereinafter described road
is proposed to be established
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
S W Corner of Sec 4 Township 6
South of Range 38 East of the
Willamette Meridian and running
thence North 62° East 12 rods, thence
North $26^{\circ} 30'$ E, 8 rods thence North 55°
East 12 Rods, thence North 58° East
36 Rods thence North $34^{\circ} 30'$ East
14 Rods thence North 29° East
10 Rods thence North 38° East
18 Rods thence North $25^{\circ} 30'$ East
16 Rods thence North $32^{\circ} 30'$ East
13 Rods thence North 52° East 19
Rods thence North $62^{\circ} 30'$ East
20 Rods thence North $49^{\circ} 30'$ East
14 Rods thence North $73^{\circ} 30'$ East
17 Rods thence North $53^{\circ} 30'$ East
11 Rods thence North 59° East
8 Rods thence South 62° East

20 Rods Thence South $62^{\circ} 30'$ East
 28 Rods Thence South 53° East
 22 Rods Thence South $67^{\circ} 45'$ East
 22 Rods Thence South $67^{\circ} 45'$ East
 12 Rods Thence South $34^{\circ} 30'$ East
 16 Rods Thence South 39° East
 14 Rods Thence North $83^{\circ} 30'$ East
 26 Rods Thence North $80^{\circ} 45'$ East
 14 Rods Thence South 76° East
 18 Rods Thence South 77° East
 12 Rods Thence North $65^{\circ} 30'$ East
 16 Rods Thence North 76° East
 19 Rods Thence South 25° East
 9 Rods Thence North $76^{\circ} 30'$ East
 20 Rods Thence East 24 Rods
 Thence North 74° East 12 Rods
 Thence North 39° East 9 Rods
 Thence North 79° East 65 Rods
 Thence South 70° East 26 Rods
 Thence South 83° East 8 Rods
 Thence South 83° East 22 Rods
 Thence South 57° East 58 Rods
 Thence South 77° East 12 Rods
 Thence South 26° East 48 Rods
 Thence South 26° East 30 Rods
 Thence South 38° West 10 Rods
 Thence South 57° West 11 Rods
 Thence South 50° West 8 Rods
 Thence South 29° West 5 Rods
 Thence South 6° East 6 Rods
 Thence South 17° East 6 Rods

Thence South	40° East	8 Rods
Thence South	51° East	12 Rods
Thence South	60° East	27 Rods
Thence South	38° East	8 Rods
Thence South	38° East	32 Rods
Thence South	32° East	68 Rods
Thence South	42° East	63 Rods
Thence South	40° East	47 Rods
Thence South	22° East	33 Rods
Thence South	34° East	20 Rods
Thence South	75° East	29 Rods
Thence South	44° East	20 Rods
Thence South	50° East	25 Rods
Thence South	83° 30' East	11 Rods
Thence North	72° East	4 Rods
Thence North	72° East	40 Rods
Thence North	80° East	12 Rods
Thence South North	63° East	20 Rods
Thence South	73° East	20 Rods
Thence South	86° East	20 Rods
Thence South	77° 30' East	44 Rods
Thence South	43° East	29 Rods

Ending at a point from where
the South West corner of the South
East quarter of Section Twelve
in said Township and Range
bears South 53° West 27 Rods
and in duty bound petitioners
will ever pray &c

The within petition granted
and late Stevens Joseph Humbell and
William R. Reges appeared to view
said road, and for Humbell Surveyor
and instructed to meet at the house
of John Simons, on Monday Nov 12
1888 at 10 o'clock a.m.

Filed Nov 7th 1888
W. J. Hubbs Clerk
"By" James H. H. Deputy

John Stoddard
W A Parker
John Henderson
Benj Scott
C H Logg
E M Murtry
N H Fair
E S Salisbury
A H Salisbury
A Burden
L W Wood
J B Bush
O C Kinsley
Chas R Finckh
W B Brown
C Kenfwell
Sol Schell
S W Turner
J P Lukner
G M Brigham
L W Nelson
A Reynolds
Wm Gardner
John Edwards
J C Carroll
O Shellman
J Berensky

James Gibson
G W Dolan
J Locks
John R Harlan
Samuel Dye
William
A W
Pat McKeon
Gymn Sempere
W Farley
J G Dean
D J Hayes
W R Lerdeth
John Nelson
H H Trapp
E A Charnes
S R Barnes
J G Goodrich
O H Watson
H O Graham
J J Boock
Fred Wozny
L M Bazarth
S O Mann
A L
A H
Missy Parker

W L Anderson
A T Davison
John Wickson
J W Mahoney

Know all Men by these Presents:

THAT WE, *James Gillison & James M. Boyarth* 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 *7th* day of *November* 188*8*

Now the condition of the above obligation is such, that whereas, if the County Road petitioned for by

John Studdard and others, and presented at the *November*
Term, 1888 of the County Court of said *Union* County, commencing at the *SW*
Cor of Sec 4 Township 6 South of Range 38 East
of the Willamette Meridian & terminating at
a point from which the South west
Corner of the S E 1/4 of Sec 12 in said
Township and range bears South 53°
West 27 rods to

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

James Gillison
J. M. Boyarth
Joe Wright

STATE OF OREGON,

County of *Union*

I *Joe Wright* and

being first duly sworn
do

each for himself say that I am worth the sum of
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.

Joe Wright

Subscribed and sworn to before me, this *7th* day of *November* A. D. 188*8*

A. T. Hieco Clerk,

By *J. O. Bell* Deputy.

Bond of Road Petitioners.

Petitioners.

Filed Nov 7th 1888

A. J. Mill

County Clerk.

By Turner Oliver

Deputy.

This bond examined
and approved this
Nov 7th 1888
O. P. Goodall
County Judge

REPORT OF VIEWERS.



TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 7 day of *November*, 1888, appointed to ~~view and lay out~~ and after the proposed County road, of which the survey hereto attached is a true and correct description, as petitioned for by *John Stoddard, et al.*, beg leave to report that on the 12 day of *November*, 1888, in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view out said proposed road for the whole distance thereof, and that in 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 householders residing in the vicinity thereof, we therefore recommend that said proposed road be _____ laid out *and* _____ declared a public highway of said county.

This Nov. the 13th 1888

*G. W. Riggs
Pasper H. Stevens.
J. M. Youngs.*

EXHIBIT 100-100000

Please ~~insert the~~ clips
for future use

O. P. Goodell

Filed June 17, 1968
AT Peace Center
By J. H. [unclear] Deputy

To the Hon County Court of Union County Oregon

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

Comes now John O Bryant
Guardian of Tho O Bryant and represents to the
Court that Tho O Bryant is the owner of 160
acres of land in Sec 7. T6 S R 38 E W M. That
the said proposed road if laid out and es-
tablished would run diagonally through
this land dividing it into three separate tracts.
That by reason of said road, ~~petitioner~~ ^{claimant} would
be compelled to construct two lines of fence
219 rods in length. That the cost of constructing
one line of this fence made of board & posts would
be \$240.¹³ and the cost of constructing the
other line made with posts, poles & wire would
be \$127.⁰⁰ making the whole cost of constructing
the fence which ~~petitioner~~ ^{claimant} would be compelled to
build by reason of said proposed road \$367.¹³
Claimant further avers that he would be special-
ly damaged by reason of the land appropriated by
said proposed road, and by the inconvenient
shapes of the several tracts, which said road
would leave claimants land, in the sum of \$100.⁰⁰
Wherefore claimant alleges that he would be damaged
in the sum of \$467.¹³ by said proposed road,
and prays the Court to appoint three dis-
interested householders of Union County to view
said premises and appraise claimants
damages herein and that in case said

road is ordered opened that claimant
be allowed said sum of \$467¹³ damages
John Bryant

State of Oregon }
County of Union } ss John Bryant being first
duly sworn says that he is the claimant above
named, that he makes this claim on behalf
of Thos O Bryant of whom he is the duly
qualified and acting guardian, and that
the facts set forth in the foregoing petition
and claim for damages herein are true
as he verily believes. John Bryant
Subscribed and sworn to }
before me Jan^y 8th 1889 }
A. F. Neill, Clerk
By Turner Oliver Deput

In the County Court
of
Union County Oregon

Claim of John O Bryant
for Damages, in

Stoddards Road

Filed Jan^y 8th 1889

A. F. Neill Clerk
By Turner Oliver Deput

In the County Court of Union County Oregon

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

To the Hon County Court of Union
County Oregon:-

Henry Bauer comes now and
represents to the Court that he is the owner
of 80 acre of land in Sec 11 T6 S R 38 E W 4 N
That if said proposed road is laid out and
established claimant would be compelled to
build 1/4 miles of fence which would take
8000 rails and would cost \$400⁰⁰. That
claimant would be damaged in said sum of
\$400⁰⁰ and claimant alleges that he would
be specially damaged by reason of the
land appropriated by said road and the
unhandy and inconvenient shapeⁱⁿ which
said road would leave claimant's land in
the sum of \$100⁰⁰. Wherefore claimant
prays that in case said road is ordered
~~opened~~ that three disinterested householders
be appointed to view said premises and appraise
the damages herein incurred and that in
case said proposed road is ordered
opened that claimant be allowed dam-
ages in the sum of \$500⁰⁰

Henry Bauer

State of Oregon

County of Union

Henry Bauer being duly sworn
says that he is claimant above named and

For the County Clerk
of Union County Oregon

In the matter of the
proposed County
road petitioned for
by John Woodcock et al

Claim of Henry
Duncan for Damages

Filed January 28th 1889

Wm M. Hall

Clerk

By Thomas O'Brien

Deputy

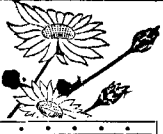
By Thomas O'Brien Deputy

Wm M. Hall Clerk

Subscribed and sworn
to before me this 28th day of Jan 1889

as he really believes
and that the facts therein set forth are true

Thomas O'Brien
Deputy



OFFICE OF
J. W. KIMBRELL,
 COUNTY SURVEYOR
 AND U. S. MINERAL SURVEYOR.

North Powder Or., Nov. 13 1888

Field Notes of Proposed County Road of John Stoddard and Others
 Started at the SW Corner of Sec. 4 in T6S R38 East of the Willamette Meridian

Thence N 62°	E 12 Rods to	A 1
" N 26° 30'	E 8 "	A 2
" N 55°	E 12 "	A 3
" N 58°	E 36 "	A 4
" N 34° 30'	E 14 "	A 5
" N 29°	E 10 "	A 6
" N 35°	E 18 "	A 7
" N 25° 30'	E 16 "	A 8
" N 33° 30'	E 13 "	A 9
" N 52°	E 19 "	A 10
" N 62°	E 20 "	A 11
" N 49° 30'	E 14 "	A 12
" N 73° 30'	E 17 "	A 13
" N 53° 30'	E 11 "	A 14
" N 55°	E 8 "	A 15
" S 62°	E 20 "	A 16
" S 62° 30'	E 28 "	A 17
" S 55°	E 29 "	A 18
" S 67° 45'	E 22 Rods	A 19

a Pine Tree 10 inches Marked
 1 M. A. 78

Thence S 67° 45'	E 12 Rods to	A 21
" S 34° 30'	E 16 "	A 22
" S 39° 30'	E 14 "	A 23
" N 83° 30'	E 36 "	A 24
" N 80° 45'	E 14 "	A 25
" S 76°	E 18 "	A 26
" S 77°	E 12 "	A 27
" N 65° 30'	E 16 "	A 28
" N 76°	E 19 "	A 29
" S 25°	E 8 "	A 30
" N 76° 20'	E 20 "	A 31
East	E 24 "	A 32
" N 74°	E 16 "	A 33
" N 39°	E 9 "	A 34
" N 79°	E 65 "	A 35
" S 70°	E 26 "	A 36
" S 83°	E 8 "	3 miles

a Post in Mound of Stone
 as by Law Required Marked 2 M.

Thence S 83°	E 22 Rods to	A 37
" S 57°	E 5 "	A 38
" S 77°	E 12 "	A 39
" S 55°	E 48 "	A 40
" S 26°	E 30 "	A 41
" S 38°	W 10 "	A 42
" S 57°	W 11 "	A 43
" S 50°	W 8 "	A 44
" S 29°	W 8 "	A 45
" S 60°	E 6 "	A 46
" S 70°	E 6 "	A 47
" S 40°	E 8 "	A 48
" S 57°	E 12 "	A 49
" S 60°	E 22 "	A 50
" S 58°	E 8 "	3 miles

a Post in Mound of Stone as
 by Law Required Marked 3 M.

Thence S 58°	E 52 Rods to	A 51
" S 52°	E 63 "	A 52
" S 42°	E 63 "	A 53
" S 40°	E 47 "	A 54
" S 22°	E 38 "	A 55
" S 34°	E 20 "	A 56
" S 75°	E 29 "	A 57
" S 44°	E 20 "	A 58
" S 57°	E 25 "	A 59
" S 83° 30'	E 11 "	A 60
" N 72°	E 4 "	4 miles

a Post in Mound of Earth
 as by Law Required Marked 4 M.

Thence N 72°	E 40 Rods to	A 61
" N 50°	E 12 "	A 62
" N 63°	E 20 "	A 63
" S 78°	E 20 "	A 64
" S 86°	E 20 "	A 65
" S 77°	E 44 "	A 66
" S 48°	E 29 "	and

terminating at a Post marked
 R.T. in Mound of Earth with
 Pts 4C as required from which the
 SW Corner of the S 8 by Sec 12 in T. 6 S.
 R. 38 E. W. m. Bears S 55° W 27 Rods distant

Surveyed November the 12th 13 1888
 by J. W. Kimbrell County Surveyor
 for Union Co. Or.

Filed Jan 17. 1888
Atty Genl Co-Clerk
By W. H. Hall Deputy

1 State of Oregon

2 Union County

3 Come now James Gilkison and
 4 J. M. Bozarth, two of the petitioners in the matter
 5 of the proposed County Road petitioned for by John
 6 Stoddard et al No 2 And present to the Clerk the
 7 receipt of John O'Bryant for \$120⁰⁰ already paid
 8 to him on the damages heretofore appraised herein
 9 And also pay to the Clerk \$330⁰⁰ balance in full
 10 of the damages appraised and awarded to
 11 John O'Bryant and Henry Bauer herein
 12 And being duly sworn they depose and say
 13 that they have now paid all the damages appraised
 14 herein and have constructed the stone culvert
 15 on the premises of Henry Bauer as recommended
 16 by said appraisers, And ask that the road
 17 be now opened up as heretofore ordered and
 18 made a public highway of Union County.

19 James Gilkison

20 J. M. Bozarth

21 Subscribed and sworn to before me this May 17th 1889

22 A. D. Neill Clerk

23 By Turner Oliver Deputy

Filed May 17th 1889
A. J. Merrill, Clerk
Register of Deeds

AA \$125.00

Received from

May 14th 1889

John Hoddard & Co
two hundred & twenty Dollars

In Lumber

In payment on acct of Road Damages

John. Bryant

Petition for County Road.

TO THE HONORABLE COUNTY COURT FOR Union COUNTY, OREGON:

The undersigned, householders of Union County, Oregon, ^{land owners of the land} ~~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 angle Stake No 40 on the County Road known as the John Stodard Road No. 2 said angle Stake No 40 being situated in the S.W. 1/4 S.W. 1/4 Sec. 2 in T. 6. S. R. 38. E. W. M. Running thence S 4° E 25 Rods A 1 thence S 53° W 20 Rods A 2 thence S 7 1/2° E 15 Rods A 3 thence S 80° E 10 Rods A 4 thence S 48° E 14 Rods A 5 thence S 36° E 13 Rods A 6 thence S 58° E 28 Rods A 7 thence S 88° E 13 Rods Terminating in the ~~the~~ Road at a stone 10x10x15 marked R. and situated in the S.E. 1/4 N.W. 1/4 Sec. 11 in T. 6. S. R. 38. E. W. M. and to vacate the present County Road intervening between two ends of the above described proposed County Road. The above proposed Road is on much better locality and no longer than the present Road,

And in duty bound your petitioners will ever pray, &c.

NAMES:

S. R. Charnes.
John Bryant

NAMES:

petition allowed by County Court
and road opened according to petition
Sept. 22nd 1889

Filed Sept 21st 1889
A. G. Neill Clerk
Capt James Oliver Roper

To The Honorable County Court
of Union County Oregon.

We the undersigned citizens of
Road District No 23. Would Respectfully
represent to your Honorable body that the
Supervisor of said District has not opened
up the John Stoddard Road according to the
Orders and instructions of the County Court.
(There being at least $\frac{3}{4}$ of a mile at the beginning
of said road that has not been worked in any manner
thereby defeating practically the object of our Road
(which is to reach the Timber in the Mountains)

We would respectfully ask that your Honorable
body issue such orders or instructions as will cause
said road to be put in condition for travel.
For which we your petitioners will ever pray

J. M. Boyer	N. J. Spivey
James Peterson	E. A. Barnes
G. M. Gillison	J. R. Clarke
W. A. Brown	Ola Olson
Godolan	J. W. Maharry
E. D. Robinson	Williamson
F. Shurtiff	
Wm. L. Wells	
H. H. Sabine	
T. J. Harrison	
J. H. Lloyd	

In Re Woodard & Bond

Filed Nov 7th 1887

W. H. Neill clerk

By James Oliver DePuy

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

We, the undersigned viewers heretofore on the 15th day of Jan, appointed to view out and assess the damages claimed by J. Bryant & Henry Bauer, in the matter of the proposed county road, petitioned for by J. Stoddard et al. beg leave to report that on the 23 day of Jan, 1889, we, after being duly sworn to discharge our duty faithfully and impartially, proceeded to view said proposed road the whole distance through the premises of Bryant & Bauer complainant, and to assess and determine how much less valuable said premises of said complainant would be rendered by the opening of said road, and we find that the premises of said complainant J. Bryant would be rendered \$250.⁰⁰ less valuable, and that the premises of complainant H. Bauer would be rendered \$200.⁰⁰ less valuable, and the premises of the complainant _____ would be rendered \$ _____ less valuable by the laying out and establishment of said proposed road as a public highway of said county, and recommend that \$450.⁰⁰ be paid to said complainant before laying out and establishing said road as a public highway.

a stock Culvert should be put in on the premises of Henry Bauer in addition to the above assessed damages similar to those on Bryant's place

Geo A Thompson
W. A. Carter
B. B. Shely

State of Oregon
Union County

I Geo. A. Thompson and I W. A. Cates
and I Bladon Ashby each for himself says that I
will ^{impartially} well and faithfully perform the duties of
Appraiser of damages sustained by Henry Bauer
and John Bryant by reason of any location of
a County Road petitioned for by John Stockland
& others to 2

Subscribed & sworn to before

me this 23rd day of January 1889

G. W. Sloan

Notary Public
Oregon

Geo A Thompson

W A Cates

Filed Feb 2nd 1889
A. M. Neill Clerk
By Sumner D. Linn
Deputy

Be it remembered that at a Regular Term of the County Court of the State of Oregon for the County of Union begun and held at the Court House in the City of Union on Wednesday the 7th day of November 1888, there being present the following officers:-

Wm O. P. Woodall County Judge
 " John McDonald Commissioners
 " G. W. Bennehoff "
 A. D. Neill Clerk
 A. N. Hamilton Sheriff-

Due proclamation of the opening of Court having been made, the following proceedings were had, to-wit:-

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

No 2 } Comes now James Kilkean, one of the petitioners for the above-named proposed County road, and presents to the Court the petition of himself and others, praying for the location and establishment of a County Road described as follows, to-wit:-

Beginning at the SW corner of section 4 Township 6 South, of Range 38 East of the Willamette Meridian and running thence North 62° East 12 rods; thence North 26° 30' East 8 rods; thence North 55° East 12 rods; thence North 29° East 10 rods; thence North 38° East 18 rods; thence North 25° 30' East 16 rods; thence North 32° 30' East 13 rods; thence North 52° East 19 rods; thence North 62° 30' East 20 rods; thence North 49° 30' East 14 rods; thence North 73° 30' East 17 rods; thence North 53° 30' East 11 rods; thence North 57° East 8 rods; thence South 62° East 20 rods; thence South 62° 30' East 28 rods; thence South 55° East 22 rods; thence South 67° 45' East 22 rods; thence South 67° 45' East 12 rods; thence South 34° 30' East 16 rods; thence South 39° East 14 rods; thence North 83° 30' East 26 rods; thence North 80° 45' East 14 rods; thence South 76° East 18 rods; thence South 77° East 12 rods; thence North 65° 30' East 16 rods; thence North 76° East 19 rods; thence South 25° East 9 rods; thence North 76° 30' East 20 rods; thence East 24 rods; thence North 74° East 12 rods; thence North 39° East 9 rods; thence North 79° East 65 rods; thence South 70° East 26 rods; thence South 83° East 8 rods; thence South 83° East 22 rods; thence South 57° East 58 rods; thence South 77° East 12 rods; thence South 55° East 48 rods; thence South 26° East 30 rods; thence South 38° West 10 rods; thence South 57° West 11 rods; thence South 50° West 8 rods; thence South 29° West 5 rods; thence South 6° East 6 rods; thence South 17° East 6 rods; thence South 40° East 8 rods; thence South 57° East 12 rods; thence South 60° East 22 rods; thence South 58° East 8 rods; thence South 58° East 52 rods; thence South 52° East

First Judicial Day

Wednesday Nov 7th 1888

68 rods; thence South 42° East 63 rods; thence South 40° East 47 rods; thence South 22° East 33 rods; thence South 34° East 20 rods; thence South 75° East 29 rods; thence South 44° East 20 rods; thence South 50° East 25 rods; thence South 83° 30' East 11 rods; thence North 72° East 4 rods; thence North 72° East 40 rods; thence North 80° East 12 rods; thence North 63° East 20 rods; thence South 75° East 20 rods; thence South 86° East 20 rods; thence South 77° 30' East 44 rods and thence South 43° East 29 rods terminating at a point from which the Southwest corner of the South East Quarter of section twelve in said township and range bears South 53° West 27 rods.

And it appearing to the Court that said petition is signed by more than twelve householders of this County residing in the vicinity of said proposed road, and that said petition properly specifies the place of beginning, intermediate points and place of termination of said road, and it satisfactorily appearing to the Court that notice has been given by advertisement posted at the place of holding County Court, to-wit: at the Court house door at Union, County of Union, State of Oregon, and, also in three public places in the vicinity of said proposed road, to-wit: One at the place of beginning, one at the terminus, and one near Stoddard's saw mill, on the line of said proposed road, by tacking them and each of them up in a conspicuous place at said points on the line of said road, for more than thirty days immediately prior to the presentation of said petition to this Court, notifying all persons concerned that application would be made to this Court at the present session of this Court; and that the notices so posted were in due form, and duly signed by the petitioners and that a bond for the cost of this proceeding has been duly given. It is therefore Ordered, that Jasper Stevens, Joseph Younce and W^m Riggs be appointed viewers and J. W. Kimbrell be appointed Surveyor of said road, and that they meet at the house of John Simons on the 12th day of Nov. 1888 at the hour of 10 o'clock A. M. and after qualifying to view, survey and lay out said road according to law.

In the matter of }
Road Supervisor

At this time it appearing to the Court that J. S. Clark was Supervisor of Road Dist No 14 for the year 1887, and made his report to the Court at the April Term 1888 thereof from which it appeared that the County owed him \$11⁰⁰ for said services and that through some inadvertance the order was never issued. The Court is now ordered to issue a warrant for the same.

First Judicial Day

Wednesday Jan 9th 1889

signed by the petitioners, and that a bond for the cost of this proceeding has been duly given. It is therefore ordered that C. W. Kean, Henry, Clyde Pennington and J. S. Bobbe be appointed Viewers of said road, and that J. W. Kimbrell be appointed surveyor of said road, and that they meet at the house of James H. Slater on the Big Ditch on the 18th day of January 1889 at the hour of 9 o'clock A.M. and after qualifying to view, survey and lay out said road according to law.

In the Matter of the
proposed County Road
petitioned for by John
Stoddard et al. No 2.

This matter came on to be heard at this time upon the report of the Viewers and surveyor heretofore appointed herein for a first reading as required by law. And said reports having been read in open Court as provided by law, and it appearing to the Court that claims for damages have been filed herein by Henry Bauer and John O'Bryant from which claims properly verified it appears that John O'Bryant thinks he would be damaged in sum of \$467¹³ and Henry Bauer thinks he would be damaged in the sum of \$500⁰⁰ for reason of the construction and establishment of the proposed road. It is therefore ordered that Geo. A. Thompson, W. A. Bates and Bladon Ashbey be appointed appraisers to view said premises and assess the damages as required by law and report to this Court at its next regular term how much less valuable the said premises of said claimant will be rendered by reason of the establishment and opening up of the said proposed road, and that they go before some qualifying officers and after being duly sworn to faithfully and impartially perform their duty that they meet at the beginning of said proposed road on Jan 23rd 1889 at 11 o'clock A.M. and proceed with their duty in this behalf.

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

First Judicial Day

Wednesday March 6th 1889

to the Court that there is at present no Justice of the Peace in said Precinct that such officer would add to the convenience of the Citizens of said Precinct, that petitioner S. D. Apple is a suitable person for such office. And his petition being largely signed by the citizens of said Precinct and no remonstrance having been filed herein or cause shown why said petition be not granted. It is therefore considered and ordered by the Court that S. D. Apple be and he is hereby appointed Justice of the Peace for Hilgard Precinct to serve until his successor is duly elected and qualified.

In the Matter of the
Proposed County Road
petitioned for by S. N.
Pancake et al.

This matter came on to be heard on the petition of S. N. Pancake et al. for a County road described as follows, to wit: - Commencing at the N.E. corner of S.E. 1/4 of S.E. 1/4 of Sec 2 T 8 R 46 E W.M. Thence West 2 1/4 miles, thence West 1/2 mile on the Joel Kerit Road. Thence West 3/4 mile to N.E. corner of S.E. 1/4 of N.W. 1/4 Sec 5 Thence N 1/4 rods thence NW along the bank of Clear Creek to the line running West on North side of S.E. 1/4 of N.W. 1/4 Sec 5 thence West to N.W. corner of S.E. 1/4 of N.W. 1/4 Sec 5 T 8 R 46 E W.M. Thence North 1/4 of a mile to the Township line thence West 2 1/2 miles, thence NW to N.W. cor. of Sec 35 T 7 R 45 E W.M., all of Joel Kerit road except the aforesaid one half mile to be abandoned. And it appearing to the Court that a Remonstrance has been filed herein with many more names or same than on the petition. It is ordered and adjudged that said petition be and the same is hereby dismissed.

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

This matter came on to be heard at this time on the Reports of the Viewers and Surveyor heretofore appointed herein and on the Report of the Appraisers heretofore appointed by the Court to assess the damages that would accrue to Henry Bauer and J. O. Bryant by reason of the construction of said proposed road. And said Reports of Viewers and Surveyor having been now read in open Court for the second time, and said Appraisers having reported that the premises of Henry Bauer would be damaged

First Judicial Day

Wednesday March 6th 1889

\$200⁰⁰ by the construction of said proposed road and that the premises of John P. Bryant would be damaged \$250⁰⁰ by reason of the construction of said proposed road, and recommend also that if said road is ordered opened that a "Street Culvert" or passage under the road for street to get water and back to pasture be constructed, in addition to the damages stated above, And the Court not deeming said road of sufficient public utility to warrant the County in paying said damages, It is therefore considered and ordered by the Court that said road be ordered opened and declared a public highway whenever the petitioners pay the damages appraised herein.

In the Matter of the
Proposed County Road
petitioned for by A. W.
Motley et al.

At this time is presented to the Court the petition of A. W. Motley et al for a County road described as follows, to-wit: Commencing at a point on the present County Road petitioned for by Wm McKinnell and others 74 rods East of the N. W. corner of T. 7 R. 46 E. W. M. on township line, thence West 74 rods to the N. W. corner of T. 7 R. 46 E. N. M. Thence North 101 Rods to said McKinnell road at Simon's and "we the petitioners pray your honorable body vacate the 128 rods lying between the place of beginning and ending of the said above proposed road." And it appearing to the Court that a Remonstrance has been filed herein having more names than are on the petition and it appearing also that of the citizens living in the vicinity of the proposed road, a majority are on the Remonstrance, It is therefore considered and ordered that said petition be and the same is hereby denied and dismissed.

In the Matter of the
Road petitioned for
by J. H. Slater et al.

This matter came on to be heard at this time on the Reports of the Surveyor and viewers heretofore appointed herein, and said reports having been read in open Court for the first time are laid over for a second reading on some other day of this Term.

First Judicial Day

Wednesday July 3rd 1889

yard, and that sealed bids be received by the Clerk of this Court up to July 20th 1889. at noon on said day.

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

At this time it appearing to the Court that the Road petitioned for by John Stoddard and others was heretofore viewed, surveyed, laid out according to law, that John O'Bryant and Henry Bauer presented to the Court claims for damages, that appraisers were regularly appointed to assess the damages that would accrue to said claimants by reason of said road, that said appraisers reported in writing, and the Court having duly considered the matter and the reports of the viewers and surveyor having been read on two different days of this Court and the Court not deeming the road of sufficient public utility to the people of the County to warrant the Court in paying said damages out of the County Treasury, ordered that the said proposed road be declared a public highway and opened according to law whenever the petitioners pay the damages awarded by said appraisers. And it now appearing to the Court that said petitioners have paid the said damages in full, It is therefore considered and ordered by the Court that said proposed road be declared a public highway and that the Supervisor of the Road District wherein said road is, to wit J. P. Gorch, Supervisor of Road Dist. No 25, be ordered to open up said road according to law, and the Clerk of this Court is hereby ordered to place the Surveyors plat and field notes on record.

In the Matter of a
Change in the County
Road petitioned for
by L. B. Rinehart

This matter came on to be heard upon the Report of the Viewers and Surveyor heretofore appointed herein and said reports having been read in open Court for the first time are laid over for a second reading on some other day of this term of this Court.

Sixth Judicial Day

Saturday Sept 21st 1889

In the Matter of the Application
of May Ladd, a pauper for
County aid

Comes now May Ladd, and files her petition for County aid, from which petition duly verified it appears that petitioner is a resident of Union County and has been for more than six months past, that she is 61 years old and in feeble health, and destitute circumstances and unable to bear a living, that she has no relatives in Union County able or willing to help her, nor any friends on whom she can depend for assistance and the petitioner asks the Court to make an order allowing her such assistance from the County as the Court thinks proper and right. And it appearing to the Court that petitioner is able to bear a partial subsistence and does not desire to be placed on the County Poor Farm. It is therefore considered and ordered that an allowance of \$40⁰⁰ per year be made for the assistance of said pauper and the Clerk is ordered to draw a warrant on the contingent fund for \$20⁰⁰ now in her favor and each six months hereafter a like warrant shall be drawn by said clerk for the assistance of said pauper until otherwise ordered by the Court.

In the Matter of a Change
in the County road, petitioned
for by S. R. Chames and John Bryant

Comes now S. R. Chames and John Bryant and ask the Court to make an order granting them permission to change the County road on their own lands as follows: Commencing at Angle Stake No 40 on the County road known as the John Stollard road No 2, said angle stake No 40 being situated in the Sth 1st of Nth Sec 2 in T6 S R 38 E N. M. Running thence S 4° E 25 rods to A 1 thence S 53° N 20 rods to A 2 thence S 7 1/2° E, 15 rods to A 3 thence S 30° E, 10 rods to A 4 thence S 48° E, 14 rods to A 5 thence S 36° E 13 rods to A 6 thence S 53° E 23 rods to A 7 thence S 88° E 13 rods terminating in the Co Road at a stone 10x16x18 marked R. and situated in the Sth Eth of Nth Sec 11 in T6 S R 38 E N. M. And to vacate the present County Road intervening between the two ends of the above described proposed County road, and it appearing to the Court from said petition that the above proposed road is on much better ground and no longer than the road to be vacated and that it would be to the best interest of the County and of the people living in the vicinity thereof to grant said petition. It is therefore ordered that said petition be allowed and said proposed change in County road granted and said new road declared a public highway of Union

Sixth Judicial Day

Saturday Sept 25th 1889

County whenever the petitioners shall have opened up the same and placed it in good repair and condition for travel at their own expense.

In the Matter of }
Bills allowed }

At this time it is ordered that the Bill of the Oregon Lumber Co. for \$15⁴⁰ for lumber for road Dist No 42 be allowed. It is further ordered that the Bill of S. L. McKenzie for \$54⁴⁰ for work done in repairing the Keeler Bridge across Willow Creek be allowed. It is further ordered that the Bill of Ed E. Coates for \$12⁶⁰ Constable fees in State or Madawath be allowed. It is further ordered that the Bill of B. D. Hubers for \$8⁵³ for Constable fees in serving papers in Union County or A. N. Hamilton be allowed, and it is further ordered that the Bill of A. N. Hamilton for \$479¹⁰ for expenses incurred in recapturing escaped prisoners be allowed.

In the Matter of allowing }
Contingent Bills }

At this time it is ordered that the bill of Geo. D. Barnard for stationery &c as per Bill \$103¹⁰ be allowed on the Contingent Fund, It is further ordered that the Bill of J. M. Doremus for \$7⁰⁰ for road blanks printed to order be allowed on the Contingent fund. It is further ordered that the Bill of D. Hamilton for \$12⁵⁰ for hauling ten loads of rock to the County bridge at Catherine Creek be allowed. It is further ordered that the Bill of L. W. Thompson for \$22⁰⁰ for nails & blacksmithing bridge work done for the County be allowed, and it is further ordered that the Bill of Charles Robins for \$66²⁵ for Building & furnishing materials for Pring or water dock at Court house be allowed.

In the Matter of issuing }
County warrants }

At this time it is ordered by the Court that all bills allowed and payments ordered at this day of Court be issued in warrants for amounts and numbers as follows:

Chc.	No	For Whom	For What	amt
W	1621	Oregon Lumber Company	Lumber for Road Dist No 42	15 40
"	1622	Ed E. Coates	Constable fees State or Madawath	12 60
"	1623	S. L. McKenzie	Labor repairing Keeler Bridge	54 40
"	1624	B. D. Hubers	Coroner fees in County or Hamilton	8 53

Second Judicial Day

Thursday Nov 7th 1889

In the Matter of the Road }
 petitioned for by John }
 Stoddard et al. No 2 } This matter came on to be heard upon the
 petition of citizens of Road Dist No 25 from which it appears that
 the former orders of this Court have not been fully complied with,
 and there is at least $\frac{3}{4}$ of a mile at the beginning of said road
 that has not been worked in any manner" and petitioners ask
 the Court to instruct the road supervisor of said road district No
 25 to put said road in repair for travel. It is therefore ordered
 that L. S. Kelsey Supervisor of said road district be instructed to
 open up said proposed road and place the same in repair for travel, and
 remove all obstructions therein for the full legal width thereof and
 throughout the entire length thereof, and that he levy such assess-
 ments on the taxpayers within his district as may be necessary to
 carry out this order.

In the matter of the Road }
 petitioned for by W. Robbs et al. } This matter came on regularly to be
 heard upon the report of the appraisers heretofore appointed herein
 from which it appears that said appraisers met on Sept 21st as
 directed their appointment and having first subscribed an oath
 to faithfully and impartially perform their duty as such appraisers,
 proceeded and thoroughly examined the premises of John Pedmore
 the claimant herein the whole distance through which said road
 would pass and report that the premises of said Pedmore would
 be damaged by the construction of said proposed road in the sum
 of \$100.⁰⁰ And comes now W. Robbs, one of the petitioners herein and
 deposits with the clerk of this Court \$100.⁰⁰ in County warrants to pay said
 damages. Thereupon the report of the viewers heretofore appointed
 herein, was read in open Court and laid over for a second read-
 ing on some other day of this term of this Court.

In the Matter of }
 Contingent Fund }

It appearing to the Court that the Contingent Fund has
 been exhausted and that there is considerable money in the General fund
 that might be used for contingent purposes and that it would
 be the best interest of the County to convert \$500- from the General