

No 318

<sup>in</sup>  
Circuit

Court

Thomas Wilberson

Plaintiff

vs

James McCoy and  
Wm. Held

Defendant

Action for

Money

Docket

Page

Eakin & Baker

Attorney for Plaintiff

Attorney for Defendant

RECEIVED  
FEBRUARY 10 1881  
U.S. DISTRICT COURT  
NEW YORK

1889  
Mar 6 Dr. dismissed  
Journal A of 520

Road

Commencing 74 rods E of S W Cor of  
T 7 R 46 to intersect McKinnell  
road

Pine Valley Feb 28<sup>th</sup>, 1889

Sir, Pennehoff Esq  
County Commissioner

Dear Sir

I herewith transmit to you a remonstrance against the altering of the road petitioned for by McMinnell and others said road having been established and ordered open by the Hon. Court of Union County. You will confer a favor on a great number of your constituents by presenting same before your honorable board, when I have no doubt favorable action will be taken in the matter. Personally you may not know the full details, in regard to the establishment of aforesaid road, There are no extenuating circumstances on Mr. Motley's part. He being the first man to urge and petition for the establishment of said McMinnell road. It is true the road as established runs diagonally through every ranch from its beginning to its terminus running parallel with Pine Creek the entire distance on the most practicable road-bed in the Valley. Should the Hon. Court and Commissioners of Union County concede to Mr. Motley the proposed change then with the same

propriety each and every settler along the line of the  
McKinnell road might urge the same measure as  
for myself. I could urge that same measure as the  
road runs diagonally across 3 forty's of my land thereby  
causing me to construct one and one half miles of  
fence. But taking everything into consideration it is  
better for ourselves and far better for the general public  
that the road should remain as established by the  
Honorable T Board. Trusting I am not occupying  
too much of your valuable time on this road question  
I remain

Very Respectfully Yours

J<sup>m</sup> McKinnell

---

# 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

Comencing at a point on the present County Road petitioned for by Messrs Mc Kinnell and others, 74 Road East of the S W corner of T 7 R 46 E W 11<sup>th</sup> thence West 74 Road to the S W corner of T 7 R 46 E W 11<sup>th</sup> thence North 101 Road to said Mc Kinnell Road and we the petitioners pray your Honorable body to vacate the 125 rods lying between the place of beginning and ending of the above prospective Road

And in duty bound your petitioners will ever pray &c

NAMES

NAMES

John A W Malley  
 Andrew Lee  
 John Clark  
 J. J. Lee  
 J. H. Chandler  
 J. W. Proffitt

J. H. Hewitt  
 J. K. Scott  
 J. V. Seep  
 H. D. Sandman  
 Freeman Steele  
 R. S. Mills  
 John S. Carey  
 James Robb  
 C. P. Staeker  
 A. J. Porter

John Brown  
 John Morrison  
 Henry Clark  
 J. M. Pancake

J. E. Hoopengardner  
 C. D. Morgan  
 H. H. Mubb  
 D. Seep  
 George Rexroth  
 J. R. Seep  
 E. Seep

W. Steedman  
 W. W. Duke  
 R. S. Whipple  
 R. A. Torrey  
 John W. Swin  
 J. B. Swin  
 J. H. Thayer  
 James Menutt  
 K. B. Seep

This is to Certify that this is a true and correct Copy of the original Notice Posted by me on the 30<sup>th</sup> day of January 1889, said notice being posted for thirty days as provided by Law said Notice remaining posted, from the 30<sup>th</sup> day of January 1889 until the second day of March 1889, making a total of thirty days as required by the law.

A. W. Malley

Subscribed and Sworn to  
 before me this 2<sup>nd</sup> day of March 1889,

M. W. Burt

Justice of the Peace

# Notice of Road Petition

To all persons concerned You and each and all of you will take notice that the undersigned householders for Union Co Oregon residing in the vicinity where the herein after described Road is proposed to be laid at the next session of the County Court for Union County Oregon to wit on Wednesday the 5th day of March 1889

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 lines to wit—

commencing at a point on the present county road (petitioned for by Geo. Kimmel and others) 7 rods East of the S. E. corner of a 40 acre tract more or less west of the road to the corner of the said Kimmel's place then North 1/2 rods to said W. E. corner of said road

This being the line desired and we pray your Honorable body to vacate the said road lying between the place of beginning and ending of said prospective Road

Names	Names
A. W. Miller	H. W. Holt
John Comer	Joel Howell
Andrew M. Lee	J. R. Seel
John Clarke	J. V. Sepp
J. J. Lee	J. H. Sepp
H. L. Hamrick	Freema - see
E. J. Paffit	R. J. Mills
John Brown	John S. Loring
John Morrison	James Robbins
Henry Clark	A. R. Statler
J. L. Parake	A. Jaster
E. Stehman	J. L. Hoopman
M. C. Hopkins	C. D. Morgan
R. D. Hinkle	H. C. Gable
J. A. Deming	J. Sepp
John H. Green	Serge Besseth
J. R. Irwin	J. R. Sepp
J. M. Hayson	E. Sepp
James McNeill	
R. A. Sepp	

Filed March 6<sup>th</sup> 1889  
O. J. Nell clerk  
Superior Court  
D. C.

To the Honorable Court of County Commissioners  
of Union County Oregon  
Gentlemen The Undersigned citizens and resident  
householders of Pine Valley Union County Oregon  
Would respectfully represent that on the 5<sup>th</sup> day of March <sup>1884</sup>  
or at the March term of the County Court a Petition  
will be presented to your honorable body to  
establish and alter the following described road  
to wit Commencing at a point on the present  
County road petitioned for by Wm McKinnell and  
others 74 Rods east of the S W. Corner of Township 7  
Range 46 E N. W. Thence west 14 Rods to the S W  
Corner of Township 7 Range 46 E N. W. Thence north  
101 Rods to said McKinnell road this being the  
terminus and we your petitioners pray your  
honorable body to vacate the 128 Rods lying between  
the place of beginning and ending of said prospective road

We your petitioners would therefore respectfully represent  
to your honorable body that the road petitioned for  
by McKinnell et al established and ordered  
open by the Now Court of Union County is the  
principal highway in the Valley and that by  
altering said road as petitioned for by A W Motley  
and others would thereby cause an un-necessary  
amount of travel to the general public and that the  
irrigation required to produce crops on the adjacent  
land would make the proposed road almost  
impassable Your petitioners hereby remonstrate against  
the proposed change and ask your honorable  
body to deny the measure, for which we will  
ever pray &c



Names

Robert A. Wilkinson  
 Thomas Courson  
 Robert Macadam  
 James Lard  
 F. M. Officer  
 G. W. Hurst  
 Wm. McTinnell  
 I. Lloyd  
 E. Bayford  
 J. Shepard  
 O. Hayford  
 J. W. McTadden  
 William Hest  
 C. A. Oliver  
 R. W. Pardee  
 J. C. Peck  
 J. B. Good  
 Henry J. Baker  
 C. E. Dillition  
 J. C. Brooks  
 E. Estie  
 C. P. Moxley  
 J. M. Mule  
 W. F. Buchanan  
 Wm. Spencer  
 John Buchanan  
 L. Larry

Names

L. C. St. Bassette  
 J. H. Holstino  
 A. Rosenberg  
 Louis Zofik  
 E. G. McFarvey  
 A. Hopkins  
 F. Kauffman  
 C. E. Layford  
 George Oliver  
 Jas. Bragg  
 Henry Foster  
 John Eckborn  
 James Morrison  
 Ben Macke  
 Edw. Howard  
 Wm. Edwards  
 Joseph Judiken  
 M. H. Scott  
 C. C. Moxley

Remonstrance Against  
Matley Road petition

Filed March 6<sup>th</sup> 1889  
At Newell Clark's  
By James Oliver  
Deputy

First Judicial Day

Wednesday March 6<sup>th</sup> 1889

\$200<sup>00</sup> by the construction of said proposed road and that the premises of John P. Bryant would be damaged \$250<sup>00</sup> by reason of the construction of said proposed road, and recommend also that if said road is ordered opened that a "Stock Culvert" or passage under the road for stock 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.