

No 211

Circuit

Court

J. R. Ladd

Plaintiff

C. G. Emloe  
and Jas Ackles -

Defendant

Action for Money

Docket A Page 450

Eakin and Baker

Attorney for Plaintiff

Attorney for Defendant

REVENUE DEPARTMENT  
LIBRARY  
1471 ST LOUIS  
MO  
U.S.S.

**Record of the Case.**

1889  
July 3 Pet rec News Appd  
July 5 Jnl D p 582  
Sept 4 Reading Rep H & S  
July 5 Jnl D p 629  
Sept 6 Order opened  
July 5 Jnl D p 636

329

Road  
Petitioned for by A. J. Nicholson et al

Commencing at Mile Post No 36 on  
the Pine Creek wagon road in  
Sec 11 T6 R 44 E N 7th. Hence N & E  
to Cornucopia

**WITNESSES.**

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

PETITION FOR COUNTY ROAD.

To the Honorable County Court for Union County, Oregon:-

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

Commencing at or near Mile Post No. 36, on the Pine Creek Wagon Road, according to the plat of said road as made by D. D. Griffith's survey thereof, now of record in the office of the County Clerk of Union County, Oregon, the same being situate in section 11, Township 6, South of Range 44, east of the Willamette Meridian, thence in a northeasterly direction to the town of Cornucopia, situate in the N. W. Cor. of N.W.1/4 of N.E/1/4 of Sec. 34, township 6, south of range 45, east of the Willamette Meridian.

And as in duty bound your petitioners will ever pray, etc.

Names,

A. J. Nicholson,  
S. M. Gilmore,  
M. B. Brown,  
Mike Kelley,  
Jeff. Redman,  
F. Bundy,  
R. F. Fullerton,

Names,

P. W. Fallagher,  
Don. Solding,  
G. T. Benson,  
Harry Robertson,  
N. D. Boley,  
M. J. Duffy  
Jas. Cunningham.

Endorsed:- Petition for road by A. J. Nicholson, et al.

Filed June 6th, 1889.

A. T. Neill, Clerk,

By Tirner Oliver, Deputy.

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 laid out, will at the next session of the County Court of Union County, Oregon, to-wit: On Wednesday the 3rd day of July, A. D. 1889, respectfully present to said Court, a petition praying said Court to lay out and establish a County Road within said County on the following line or route, to-wit:

Commencing at or near mile post No. 36 on the Pine Creek Wagon Road, according to the plat of said road as made by D. D. Griffiths' survey thereof, now of record in the office of the County Clerk of Union County, Oregon, the same being situated in Sec. 11, Township 6, South of Range 44, East of the Willamette Meridian, thence in a northeasterly direction to the town of Cornucopia, situate in the N. W. Corner of N.W.1/4 of N.E.1/4 Sec. 34, Township 6 south of range 45, East of the Willamette Meridian,

Names.

A. J. Nicholson,  
S. M. Gilmore,  
M. B. Brown,  
Mike Kelly,  
Jeff. Redman,  
F. Bundy,  
R. F. Fullerton,

Names.

P. W. Gallagher,  
Don. Solding,  
G. T. Benson,  
Harry Robertson,  
N. D. Boley,  
M. J. Duffy,  
Jas. Cunningham,

Endorsed:- Filed July 3rd, 1889,

A. T. Neill, Clerk,

By Turner Oliver, Deputy.

State of Oregon,)   
 ( ss.   
 County of Union,)

I, J. W. Shelton, being first duly sworn, say that I posted a notice of which the notice hereto attached is a true copy at the place of holding County Court for Union County, Oregon, to-wit: On the Court house door, in the town of Union, in said County, thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 29th day of May, 1889, and that said notice remained posted thirty days previous to the presentation of said petition, as I verily believe.

J. W. Shelton,

Subscribed and sworn to before me this 2nd day of July, 1889.

J. M. Carroll,

Notary Public for Oregon.

Notarial Seal.

Endorsed:- Filed July 3rd, 1889,

A. T. Neill, Clerk,

By Turner Oliver, deputy.

State of Oregon,)
( ss.
County of Union,)

I, G. W. Dillin, being first duly sworn, say that I posted three several notices of which the notice 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 on the front door of Thos. Babington's Black-smith shop, at Cornucopia, One on the front of the J. H. Hooker saloon, building, at Allentown, and one at a tree at the beginning point of said proposed road all of said places being on the line of said proposed road. Thirty days previous to the presentation of the road petition therein mentioned; to-wit: On the 29th day of May, 1889, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

Geo. W. Dillin,

Subscribed and sworn to before me this 2nd day of July, 1889,

J. M. Carroll,

/ Notary Public for Oregon.

Notarial Seal.

Endorsed:- County Court, Union County,

In the matter of the road petitioned for A. L. Nicholson, et als.

Proof of Posting.

Filed July 3rd, 1889,

A. T. Neill, Clerk,
By Turner Oliver, deputy.

**KNOW** ALL MEN BY THESE PRESENTS: That we, A. J. Nicholson, and James W. Dray, 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 3rd day of July, 1889.

Now, the condition of the above obligation is such, that whereas, if the County road petitioned for by A. J. Nicholson and others, and presented at the \_\_\_\_\_, term, 1889, of the county Court of said Union County, commencing at or near <sup>mile post</sup> No. 36, ~~mile~~ Post on the Pine Creek wagon road, according to the plat of said road as made by D. D. Griffiths' survey thereof, and terminating at the town of Cornucopia, in said county. be located and established, then this obligation <sup>to</sup> ~~will~~ be void, otherwise, to remain in full force and virtue in law.

A. J. Nicholson,

By J. W. Shelton, atty.

James W. Dray.

State of Oregon,) ( ss.  
County of \_\_\_\_\_)

I, \_\_\_\_\_, says 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.

James W. Dray,

Subscribed and sworn to before me this 3rd day of July, A.D. 1889.

James M. Carroll,

Notary Public for Oregon.

Notarial Seal.

Endorsed:-

BOND OF ROAD PETITIONERS,

A. J. Nicholson, et al, petitioners.

Filed July 3rd, 1889,

A. T. Neill, County Clerk,

By Turner Oliver, deputy.

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REPORT OF VIEWERS.

To the Honorable County Court for Union County, Oregon:-

The undersigned viewers heretofore on the 3rd day of July, 1889, appointed to view and lay out and alter the proposed County Road, of which the survey hereto attached is a true and correct description, as petitioned for by A. J. Nicholson, et al, beg leave to report that on the 27 <sup>after</sup> day of July, 1889, in pursuance with said appointment, and order, 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.

E. F. Ballard,

O. E. Werts,

Endorsed:- Filed Aug. 27th, 1889,

A. T. Neill, Clerk,

BY Turner Oliver, deputy.

*Done*

Field Notes of survey of the proposed County Road of A. J. Nicholson and others,

I commenced on the Union and Cornucopia Road Marked a Pine 16 inches diameter, S. 44-3/4° E. 506 links, from the 36 mile Tree a Fir, 7 inch diameter, on aforesaid Co. Road,

Thence	S	89°	E.	40 rods,	A.	1,
"	N.	79°	E.	53 "	A.	2,
"	N.	62°	E.	23 "	A.	3,
"	N.	42°	E.	38 "	A.	4,
"	N.	50°	E.	13 "	A.	5,
"	N.	70°	E.	61 "	A.	6,
"	N.	38-1/2°	E.	52 "	A.	7,
"	N.	14-1/2°	E.	40 "	A.	8,

1 Mile, a fir 5 inch diameter,

12 feet	Thence	N.	72°	E.	12 rds.	A.	9,
11 "	"	N.	84-3/4°	E.	12 "	A.	10,
12 "	"	N.	77°	E.	8 "	A.	11,
12 "	"	N.	26°	E.	12 "	A.	12/
13 "	"	N.	8°	W.	16 "	A.	13,
13 "	"	N.	34-1/2°	W.	16" "	A.	14,
15 "	"	N.	6-1/2°	W.	52 "	A.	15,
	"	N.	10-1/2°	E.	16 "	A.	16,
	"	N.	34°	E.	17 "	A.	17,
	"	N.	28°	E.	27 "	A.	18,
12-1/2 ft."	"	N.	4-1/2°	E.	16 "	A.	19,
12-1/2 " "	"	N.	44-1/2°	W.	10 "	A.	20,
12-1/2 " "	"	N.	30°	W.	12 "	A.	21,
11-1/2 " "	"	N.	40-3/4°	W.	11 "	A.	22,
12 " "	"	N.	5°	W.	9 "	A.	23,
12 " "	"	N.	23°	E.	22 "	A.	24,
12 " "	"	N.	12 °	E.	10 "	A.	25,
13 " "	"	N.	5-1/2°	E.	10 "	A.	26,
12 " "	"	N.	18°	W	8 "	A.	27,
12 " "	"	N.	7-1/4°	W.	7 "	A.	28,

Cont'

11	"	"	N.	15°	W	9	"	A.	29,
12	"	"	N.	17-1/2°	W.	8	"		
2	M.	a	fir 20 inch Diameter,						
12	"	"	N.	17-1/2°	W.	12	"	A.	30,
9	"	"	West			7	"	A.	31,
12	"	"	N.	72-1/2°	W.	9	"	A.	32,
12	"	"	N.	58°	W.	12	"	A.	33,
8	"	"	N.	66°	W.	9	"	A.	34,
12	"	"	N.	34°	W.	9	"	A.	35,
12	"	"	N.	13°	W.	16	"	A.	36,
12	"	"	N.	2°	E.	5	"	A.	37,
12	"	"	N.	6-1/2°	E.	17	"	A.	38,
14	"	"	N.	2-1/2°	E.	24	"	A.	39,
12	"	"	N.	2°	W.	16	"	A.	40,
12	"	"	N.	1-1/2°	W	11	"	A.	41,
12	"	"	N.	7-1/2°	W.	21	"	A.	42,
12	"	"	North			9	"	A.	43,
12	"	"	N.	8°	E.	6	"	A.	44,
12	"	"	N.	19-3/4°	W.	13	"	A.	45,
12	"	"	N.	1°	E.	16	"	A.	46,
12	"	"	N.	21°	E.	10	"	A.	47,
12	"	"	N.	10°	E.	9	"	A.	48,
12	"	"	N.	17°	W.	9"	"	A.	49,
12-1/2	"	"	N.	50°	W.	9	#	A.	50,
12-1/2	"	"	N.	68-1/2°	W.	8	"	A.	51,
12-1/2	"	"	N.	88°	W.	15	"	A.	52,
12-1/2	"	"	N.	42-1/2°	E.	14	"	A.	53,
12	"	"	N.	38°	E.	14	"	A.	54,
12	"	"	N.	88-1/2 °	E.	11	"	A.	55,
12	"	"	S.	82-1/2°	E.	9	"		
	3	M.	a Spruce 9 Inch diameter,						
12	"	"	S.	82-1/2°	E.	5	"	A.	56,
8	"	"	S.	69°	E.	13	"	A.	59,

"	N.	8-1/2°	E.	35 "	A.	58,
"	N.	16-1/2°	E.	21 "	A.	59,
"	N.	19°	E.	18 "	A.	60,
"	N.	17 °	E.	8 "	A.	61,
"	N.	2°	E.	10 "	A.	62,
Thence	N.	26°	E.	13rds,	A.	63,
"	N.	<del>11°</del> <sup>11 3/4°</sup>	E.	22 "	A.	64,
"	N.	1-3/4°	W.	29 "	A.	65,
"	N.	25-1/2°	W.	9 "	A.	66,
"	N.	38°	W.	13 "	A.	67,
"	N.	58-1/2°	E.	62 "	A.	68,
"	S.	53°	E.	15 "	A.	69,
"	S.	45°	E.	18 "	A.	70,
"	S.	<del>77°</del> <sup>77°</sup>	E.	5 "	A.	71,
"	N.	82°	E.	14 "	A.	72,
"	N.	13°	E.	10 "	A.	73,

4 M. a Fir 14 inch Diameter,

"	N.	8°	E.	14 "	A.	74,	
"	N.	10-1/2°	E.	17 "	A.	75,	
"	N.	32°	E.	13 "	A.	76,	
"	N.	37°	E.	16 "	A.	77,	
"	N.	40-1/2°	E.	10 "	A.	78,	
"	N.	80°	E.	14 "	A.	79,	
9 feet	"	N.	39°	E.	24 "	A.	80,
"	"	N.	30°	E.	18 "	A.	81,
"	"	N.	45°	E.	14 "	A.	82,
"	"	N.	17-1/2°	E.	16 "	A.	83,
"	"	N.	22°	E.	44, "	A.	84,
9 feet	"	N.	39°	E.	32 "	A.	85,
12 "	"	N.	42-1/2°	E.	23 "	A.	86,
12 "	"	N.	66°	E.	22 "	A.	87,
13 "	"	N.	72°	E.	15-1/2	A.	88,
9 "	"	East		8-1/2	A.	89,	
13-1/2°"	"	N.	68-1/2°	E.	7 "	A.	90,

*Thence*

	N.	89°	E.	12 "	A.	91,
5 M. a	Pine 16 inches Diameter					
"	N.	82°	E.	12 "	A.	92,
11 feet	S.	67°	E.	53 "	A.	93,
12 "	S.	57°	E.	15 "	A.	94,
12-1/2 "	S.	44°	E.	32 "	A.	95,
12 "	S.	30°	E.	19 "	A.	96,
14 "	S.	41°	E.	17 "	A.	97,
12 "	S.	51°	E.	32 "	A.	98,
16 "			East	2 "	A.	99,
11 "	N.	44°	E.	22 "	A.	100,
11-1/4 "	S.	31-1/2°	E.	11 "	A.	101,
10-1/2 "	S.	26°	E.	21 "	A.	102,
8-3/4 "	S.	41-1/2°	E.	24 "	A.	103,
5 "	S.	39-1/2°	E.	46 "	A.	104,
4 "	S.	59°	E.	34 "	A.	105,
6 M.	a post 6 inch diameter,					
"	S.	85°	E.	34 "	A.	106,
"	N.	61-1/2°	E.	52 "	A.	107,
"	summit of mountain,					
"	N.	26-1/2°	E.	26 "	A.	108,
"	N.	87°	E.	48 "	A.	109,
11 ft.	S.	63-1/2°	E.	36 "	A.	110,
12 "	S.	26°	W.	11 "	A.	111,
10-1/2 "			East	18 "	A.	112,
9-1/2 "	S.	29-1/2°	E.	14 "	A.	113,
9-1/2 "	S.	50°	E.	6 "	A.	114,
10-1/2 "	S.	60°	E.	27 "	A.	115,
8 "	S.	66-1/2°	E.	16 "	A.	116,
13-1/2 "	S.	61-1/2°	E.	8 "	A.	117,
7 "	N.	3-1/2°	E.	8 "	A.	118,
9 "	N.	58°	W.	4 "	A.	119,
<del>10 "</del>	<del>N.</del>	<del>26°</del>	<del>W.</del>	<del>11 "</del>	<del>A.</del>	<del>120,</del>

*9 1/2* feet thence N. 20° E. 11 <sup>rds.</sup> ~~Dir.~~ A. 120

8-3/4 "	"	N.	8°	E.	4 "	A.
7 M.	a	fir 18 inch diameter,				
8-3/4 "	"	N.	8°	E.	8 "	A. 120
8	"	N.	14°	E.	8 "	A. 121,
13-1/2	"	N.	43°	E.	6 "	A. 122,
12	"	S.	41-1/2°	E.	5 "	A. 123,
12	"	N.	81°	E.	2 "	A. 124,
12 ft	thence	N.	18°	E.	4 rds.	A. 125,
12	"	N.	6°	E.	6-1/2 "	A. 126,
12	"	N.	54°	E.	11-1/2 "	A. 127,
12	"	N.	31°	E.	29 "	A. 128,
12	"	S.	66-1/2°	E.	9 "	A. 129,
12	"	S.	81-1/2°	E.	4 "	A. 130,
12	"	S.	83°	E.	5 "	A. 131,
12	"	N.	79°	E.	18 "	A. 132,
12	"	S.	89°	E.	13 "	A. 133,
12	"	N.	69°	E.	10 "	A. 134,
12	"	S.	89-1/2°	E.	13 "	A. 135,
12	"	N.	46°	E.	5 "	A. 136,
12	"	N.	85°	E.	2 "	A. 137,
12	"	S.	43°	E.	5 "	A. 138,
12	"	S.	69-1/2°	E.	4-1/2	A. 139,
12	"	N.	86°	E.	7-1/2	A. 140,
12	"	N.	<del>45°</del> <sup>49°</sup>	E.	4-1/4	A. 141,
12	"	S.	52°	E.	5 -3/4	A. 142,
12	"	N.	88°	E.	5-1/2	A. 143,
12	"	S.	70-1/2°	E.	12-1/2	A. 144,
12	"	S.	63°	E.	8 "	A. 145,
13	"	N.	53°	E.	16 "	A. 146,
12	"	N.	13-1/4°	E.	4 "	A. 147,
12	"	N.	64-3/4°	E.	4 "	A. 148,
12	"	N.	51°	E.	10-1/2	A. 149,
12	"	N.	6°	E.	5-1/2	A. 150,

12	"	"	N.	19°	W.	3 "	A. 151,
12	"	"	N.	8°	E.	5 "	A. 152,
12	"	"	N.	15°	W.	4 "	A. 153,
11	"	"	N.	51-1/2°	E.	4 "	A. 154,
12	"	"	S.	72-1/4°	E.	13 "	A. 155,
12	"	"	S.	82-1/2°	E.	8-1/2	A. 156,
L2	"	"	S.	86°	E.	1 "	A. 157,
12	"	"	N.	23-1/2°	E.	8 "	A. 158,
12	"	"	N.	23°	W:	8 "	A. 159,
12	"	"	N.	75°	E.	5 "	A. 160,
12	"	"	N.	53°	E.	3 "	A. 161,
12	"	"	N.	2°	W.	3 "	A. 162,
12	"	"	N.	28-1/2°	E.	2 "	8 M. a fir 16 in Dia
12	"	"	N.	28-1/2°	E.	2 "	A. 163,
12	"	"	N:	14°	E.	7 "	A. 164,
12	"	"	S.	45°	E.	42 "	A. 165,
12	"	"	N.	89°	E.	6-1/2	A. 167,
12	"	"	S.	52°	E.	4-1/2	A. 168,
12	"	"	S.	67-3/4°	E.	14-1/2	A. 169,
12	"	"	N.	57-1/2°	E.	1-1/2 <sup>p</sup>	A. 170,
12	"	"	N.	35°	E.	5 "	A. 171,
12	"	"	N.	49°	E.	5 "	A. 172,
12	"	"	N.	30-1/2°	E.	2-1/2	A. 173,
12	"	"	N.	19-1/2°	E.	4-1/2	A. 174,
12	"	"	N.	14-1/2°	E.	7-1/2	A. 175,
12	"	"	S.	87-1/2°	E.	6-1/2	A. 176,
12	"	"	S.	89-1/2°	E.	6-3/4	A. 177,
12	"	"	N.	36-1/2°	E.	3-3/4	A. 178,
12	"	"	N.	9-1/2°	E.	6-1/4	A. 179,
12	"	"	S.	52°	E.	10-3/4,	A. 180,
12	"	"	N.	42°	E.	6 "	A. 181,
12	"	"	S.	72 °	E.	5-3/4	A. 182,

12	"	"	N.	74°	E.	4 "	A. 183,
12	"	"	N.	<sup>10°</sup> 72°	E.	6-1/4	A. 184,
12	"	"	S.	70°	E.	3-3/4	A. 185,
12	"	"	S.	<sup>77°</sup> 70°	E.	9 "	A. 186,
12	"	"	N.	78°	E.	13 "	A. 187,
12	"	"	N.	75°	E.	10 "	A. 188,
13	"	"	N.	67°	E.	8 "	A. 189,
12	"	"	N.	53°	E.	5-3/4	A. 190,
12	"	"	S.	16-1/4°	W.	10-1/4	A. 191,
12	"	"	S.	44°	W.	4 "	A. 192,
14-3/4	"	"	N.	71-1/2°	E.	13 "	A. 193,
9	"	"	S.	30°	E.	10 "	A. 194,
14-1/2	"	"	S.	28°	E.	11 "	A. 195,
12	"	"	S.	75°	E.	3 "	A. 196,
12 feet	thence		S.	45°	E.	3 rds	A. 197,
12	"	"	S.	13°	E.	2 "	A. 198,
12	"	"	S.	14-3/4°	E.	5-1/2	A. 199,
12	"	"	S.	62-1/2°	E.	10-1/2	A. 200,
12	"	"	S.	16°	E.	3 <sup>rds.</sup> "	A. 201,
12	"	"	S.	44°	W.	3 "	A. 202,
12	"	"	S.	72°	W.	3-1/2	A. 203,
12	"	"	N.	84-1/2°	W.	3-1/2	A. 204,
12	"	"	N.	87°	W.	11 <sup>rds.</sup> "	A. 205,
12	"	"	N.	56°	W.	9 "	A. 206,
12	"	"	N.	53-1/2°	W.	6 "	A. 207,
12	"	"	S.	70-1/2°	W.	3 "	9 M. a post in
Mound of stone,							
12	<sup>feet thence</sup> "	"	S.	70-1/2°	W.	2 "	A. 208,
20	"	"	S.	11-1/2°	E.	2 "	A. 209,
12	"	"	S.	74-1/2°	E.	3 "	A. 210,
12	"	"	S.	17°	E.	6 "	A. 211,
12	"	"	S.	39-1/2°	E.	18 "	A. 212,
12	"	"	S.	84°	E.	5 "	A. 213,



12	"	"	S.	26°	E.	9 "	A. 214,
12	"	"	S.	63-1/2°	E.	5 "	A. 215,
12	"	"	S.	85°	E.	10 "	A. 216,
12	"	"	S.	58°	E.	5 "	A. 217,
12	"	"	S.	65-1/2°	E.	4-1/4	A. 218,
12	"	"	S.	61°	E.	3-3/4	A. 219,
13	"	"	N.	84-1/2°	E.	2 "	A. 220,
12	"	"	N.	65°	E.	12 "	A. 221,
12	"	"	S.	72°	E.	10 "	A. 222,
12	"	"	S.	65°	E.	3 "	A. 223,
13	"	"	S.	76°	E.	4 "	A. 224,
12	"	"	N.	86°	E.	5 "	A. 225,
14	"	"	S.	20°	W.	2 "	A. 226,
14	"	"	S.	48°	W.	2= 18	A. 227,
14	"	"	S.	66-1/2°	W.	2- 21	A. 228,
14	"	"	S.	80-1/2°	W.	2- 2	A. 229,
14	"	"	N.	82°	W.	2 - 8,	A. 230,
14	"	"	N.	85°	W.	6 - 15,	A. 231,
14	"	"	S.	61-3/4°	W.	3 - 18,	A. 232,
14	"	"	S.	26-1/2°	W.	5 - 18,	A. 233,
14	"	"	S.	54°	W.	5 - 5	A. 234,
14	"	"	S.	73°	W.	5 - 21,	A. 235,
14	"	"	S.	63-1/4°	W.	3 - 4,	A. 236,
14	"	"	S.	58°	W.	3 - 12,	A. 237,
14	"	"	S.	11°	E.	2 - 2	A. 238,
15-1/5	"	"	S.	74°	E.	39 rds,	A. 239,
13	"	"	S.	69°	E.	13 "	A. 240,
14	"	"	S.	79-1/4°	E.	12 "	A. 241,
12	"	"	S.	69-3/4°	E.	16 "	A. 242,
19-1/2	"	"	S.	67°	E.	18 "	A. 243,
16-1/2	"	"	S.	46°	E.	4 "	A. 244,

16-1/2	" "	S.	75°	E.	23,	"	A. 245,
15	" "	N.	64°	E.	7	"	A. 246,
15	" "	N.	42-1/2°	E.	4	"	A. 247,
15	" "	N.	21°	E.	6	"	A. 248,
12	" "	S.	65°	E.	4	"	A. 249,
14-3/4	" "	S.	44-1/2°	E.	3	"	A. 250,
14-3/4	" "	S.	15°	E.	15	"	A. 251,
10 M. a <del>Mile</del> <sup>foot</sup> post at Davis Mill,							
16-1/2	" "	S.	54°	E.	4	"	A. 252,
14-1/2	" "	N.	74-3/4°	E.	6	"	A. 253,
16-1/2	" "	S.	64°	E.	12	"	A. 254,
10-1/2	" "			East	10	"	A. 255,
14-3/4	" "	S.	83-3/4°	E.	14	"	A. 256,
9-1/2	" "	S.	54°	E.	19	"	A. 257,
14	" "	S.	72°	E.	7	"	A. 258,
11-1/2	" "			East	15	"	A. 259,
10	" "	N.	8-3/4°	E.	55	"	R.T. the 1/4 Section
corner between Sec. 27 & 34, in T. 6, S.R. 45, E. W. M.							

J. W. Kimbrell, Co. Surveyor,  
 Aug/ the 5th, 1889.

Endorsed:- Filed Aug. 27th, 1889,

A. T. Neill, Clerk,

By Turner Oliver, deputy.

Processed by Roadjet AJA Systems

Johnston Road  
Cape Cod  
Massachusetts

JKS 446.2m  
JKS 447.1m  
JKS 456.5m  
JKS 455.2m

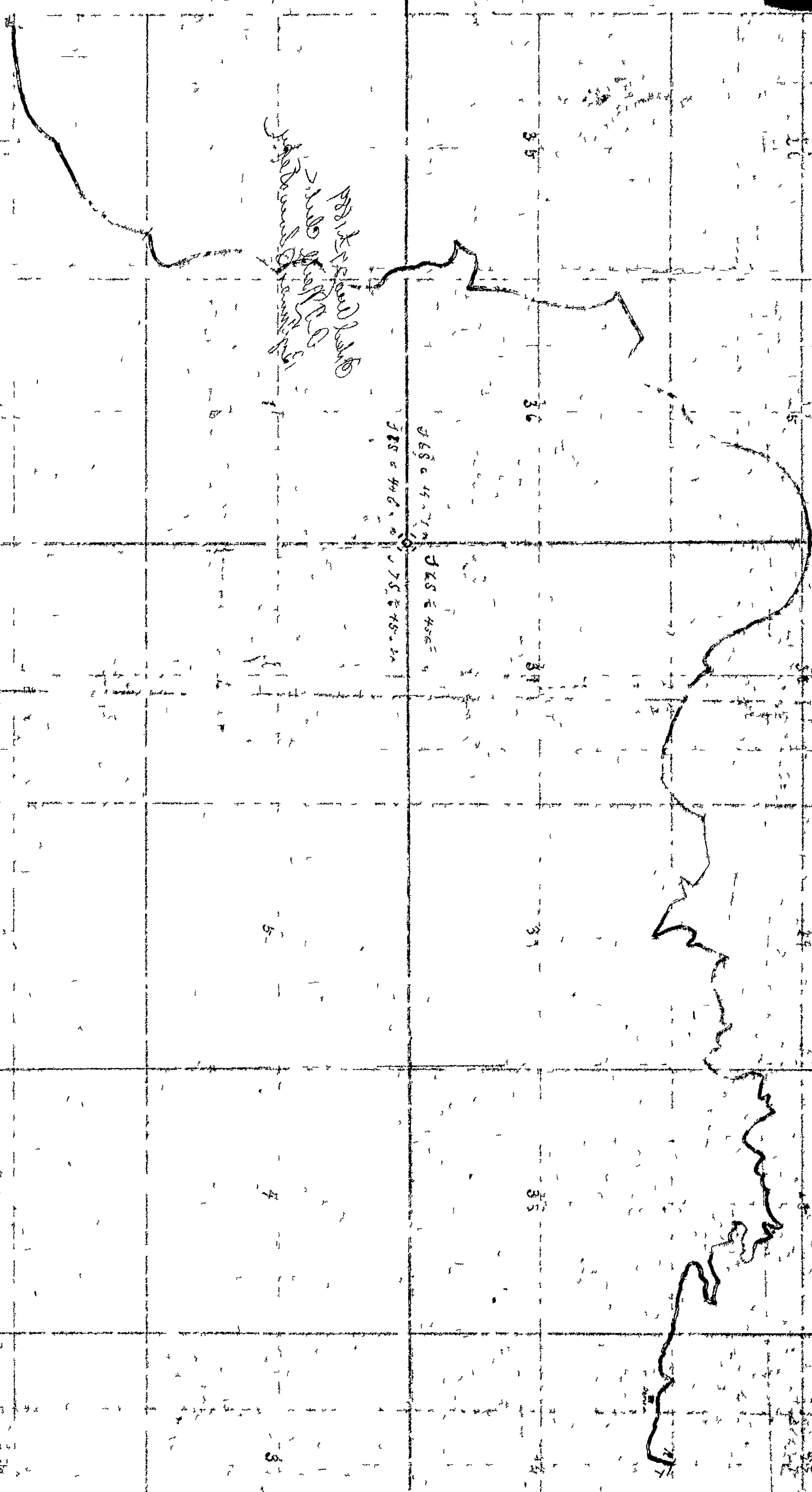
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IN THE COUNTY COURT OF THE STATE OF OREGON,  
FOR UNION COUNTY.

In the matter of the County Road                     )  
petitioned for by A. J. Nucholson,                     )  
                                                                   )  
                                                                   )  
-----) )

S T A T E O F O R E G O N,                     ss:  
County of Union.

I, G. W. Benson,  
County Clerk of Union county, Oregon, do hereby certify  
that the foregoing is a true and correct transcript of the  
original papers in the above entitled road matter transferred  
to Baker county, Oregon.

IN TESTIMONY WHEREOF, I have hereunto set my hand  
and affixed the seal of the County Court,  
this 27th day of June, A. D. 1902.

G. W. Benson Clerk.

In the County Court  
of the  
State of Oregon, for Wagon  
County.

Do the matter of the  
County Road Districts  
for say of Richardson  
et al

Manuscript of papers  
transferred to  
Basin County,  
Oregon.

Filed June 27, 1902.  
G. M. Brown  
Clerk.

First Judicial Day

Wednesday July 3<sup>rd</sup> 1889

of this proceeding has been duly given. It is therefore ordered that D. L. Collier, Edwin Frazier and Wm Frazier Jr. be appointed viewers of said road, and that J. M. Massickell be appointed surveyor of said road, and that they meet at the foot of Lyons Hill on the 24<sup>th</sup> day of July 1889 at the hour of 10 o'clock A.M. and after qualifying do view, survey and lay out said road according to law.

In the Matter of the Proposed County Road petitioned for by A. J. Nicholson et al.

Comes now A. J. Nicholson, one of the petitioners for the above named proposed county road, and presents to the Court the petitions of himself and others, praying for the location and establishment of a county road described as follows, to-wit:-

Commencing at or near milepost No 36 on the Pine Creek wagon road according to the plat of said road as made by D. D. Griffiths survey thereof now of record in the office of the County Clerk of Union County Oregon, the same being situate in Section 11 Township 6 South of Range 4 East of the Willamette Meridian, thence in a North easterly direction to the Town of Cornucopia, situate in the N.W. cor of NW<sup>4</sup> of N E<sup>4</sup> Sec 34 T6 S R 45 E N.M. 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 places of beginning, intermediate points and places 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 Union, County of Union, State of Oregon and also in three public places in the vicinity of said proposed road, to-wit: One on the front of Thomas Babington's blacksmith shop at Cornucopia, One on the front of the J. W. Hooker Saloon building at Allentown, and one on a tree at the beginning of said proposed road, for more than thirty days immediately prior to the presentation of said petition to the 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 Frank Ballard, Lon Simmons and Oscar Wintery be appointed Viewers of said road, and that J. M.

Pl. 40 miles

First Judicial Day

Wednesday July 3<sup>d</sup> 1889

Kimbrell be appointed Surveyor of said road, and that they meet at beginning of said proposed road on the 27<sup>th</sup> day of July 1889 at the hour of ten o'clock A.M. and after qualifying to view, survey and lay out said road according to law. It is further ordered that the said viewers meet at least four days before the said 27<sup>th</sup> day of July and make a careful examination of the route and a preliminary view thereof, so that they will be better able to point out to the Surveyor the most practicable route therefor.

In the Matter of the proposed }  
County Road petitioned for by }  
Rudolph Hong and others }

Comes now Rudolph Hong one of the petitioners for the above named 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 S.W. corner of the S.W.<sup>4</sup> of section 9 T. South R. 39 E. N. M. at or near the Gittle bridge on the Public Highway from Summerville to Wallowa; running thence North one half mile, thence West one quarter of a mile, thence North three quarters of a mile, thence West one quarter of a mile, thence North one mile and a half, thence West one quarter of a mile, thence North about 20 rods to the Public Highway running through the Hong School District from near Summerville to Elgin. 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 Union, County of Union, State of Oregon, and, also in three public places in the vicinity of said proposed road, to-wit: One notice at or near each terminus of said proposed road and one near the middle thereof 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 Charles Hallgath, S. L. McKenzie and J. M. Nowal be appointed Viewers of said road, and that J. W. Kimbrell be appointed Surveyor of said road, and that they meet at the beginning of said proposed road on the 20<sup>th</sup> day of July

First Judicial Day

Wednesday Sept 4<sup>th</sup> 1889

pass and determine how much less valuable the premises of said claimants, in Union County, would be rendered by reason of the construction of said proposed road and report the same to this Court in writing. And the further consideration of this matter is continued for the term.

In the matter of the }  
Road petitioned for }  
by A. Good et al. }

This matter came on to be heard at this time and it appearing to the Court that the viewers and surveyor heretofore appointed failed to report on said proposed road and the surveyor in person came before the Court and stated that said proposed road is impracticable and would be impossible to make a road as prayed for in the petition. It is therefore ordered that the whole matter be dismissed.

In the matter of the }  
Road petitioned for by }  
J. J. Turner et al. }

This matter came on to be heard on the Report of the Viewers and surveyor heretofore filed 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.

In the matter of the }  
Road petitioned for by }  
A. J. Nicholson et al. }

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

In the matter of the }  
Road petitioned for by }  
Rudolph H. H. H. et al. }

This matter came on to be heard at this time 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 laid over for a second reading on some other day of this Court.



Second Judicial Day

Thursday Sept 5<sup>th</sup> 1889

Survey thereof be placed on records in the Book of Plats of County Roads of Union County Oregon and that Joshua Bradford, Road Supervisor of Road District No 42, the same being the road district in which said road is located, be furnished with a copy of the Petition herein, and a copy of this decree and ordered to open up said road and place the same in repair forthwith.

In the matter of the  
Roads petitioned for  
by A. J. Nicholson et al.

This matter came on to be heard at this time on the Reports of the Viewers and Surveyors heretofore appointed herein for a second reading as provided by law by law. And the Report of Viewers being in words following, to-wit:-

Report of Viewers.

To the Honorable County Court for Union County, Oregon:-

The undersigned viewers heretofore on the 3<sup>rd</sup> day of July 1889, appointed to view and lay out and alter the proposed County road, of which the survey hereto attached is a true and correct description, as petitioned for by A. J. Nicholson, et al. big leave to report that on the 27, day of July 1889, 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 should 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.

E. J. Ballard  
O. E. West

And said report of the Viewers and the Report of the Surveyors having been now publicly read in open Court on two several days of the present Term of the Court, and it appearing to the Court that said Viewers report favorably thereon and recommend that said proposed road be established as a County road and declared a public highway of Union County Oregon. And all the proceedings herein having been regular and according to law, and no remonstrance or claim for damages having been filed herein. And there having been no cause shown why this proposed road should not be declared a public highway and ordered opened according to law, and the Court being satisfied from the Report of the Viewers that such road will be of public utility.

Second Judicial Day

Thursday Sept 5<sup>th</sup> 1889

It is therefore considered and ordered by the Court that said reports of the Viewers and Surveyor be approved and adopted by the Court, and that said proposed road be declared a public highway of Union County Oregon, and ordered opened up and placed in repair for travel according to law. It is further ordered, that the report of the Viewers be placed on record in this Journal and that the Surveyor's Plat of the proposed road, and his Field Note of the Survey thereof be placed on record in the Book of Plats of County Roads of Union County Oregon, and that N.D. Boly Road Supervisor of Road District No 28, the same being the road district in which said road is located, be furnished with a copy of the Petition herein, and a copy of this decree and ordered to open up said road and place the same in repair for travel.

In the Matter of the Proposed }  
County Road petitioned for }  
by Rudolph King et al. }

This matter came on to be heard at this time on the Reports of the Viewers and Surveyor heretofore appointed herein for a second reading as provided by law, and the Report of Viewers being in words following, to wit:-

## Report of Viewers.

To the Honorable County Court for Union County, Oregon:-

The undersigned viewers heretofore on the 3<sup>rd</sup> day of July, 1889, appointed to view and lay out and alter the proposed County road, of which the survey hereto attached is a true and correct description, as petitioned for by Rudolph King, et al. beg leave to report that on the 20<sup>th</sup> day of July, 1889, 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.

Chas Hallgath, J. W. Norval, S. D. McKenzie.

And said report of the Viewers and the Report of the Surveyor having been now publicly read in open court on two several days of the present Term of the Court, and it appearing to the Court that said Viewers report favorably thereon and recommend that said proposed road be established as a County road and declared a public highway of Union County

Third Judicial Day

Friday September 6<sup>th</sup> 1889

In the Matter of the Road }  
 petitions for by A. J. }  
 Nicholson and others }

This matter came on to be heard at this time and it appearing to the Court that the ~~County~~ Road petitions for by A. J. Nicholson and others is one of vast importance to the people of a large portion of Union County, but that the County is not able to appropriate sufficient money to place said road in repair for travel at the present time, and being anxious to save the survey thereof and prevent the same from being obliterated and lost it is ordered and adjudged by the Court that the sum of \$250<sup>00</sup> be appropriated out of the County Treasury to be expended in clearing said road of timber and brush and that the same be expended under the supervision of Nelson Schorover as Superintendent and the Clerk is hereby instructed to issue warrants for the same.

In the Matter of the Appropriation }  
 on the County Road North from Island City }

It appearing to the Court at this time that under the conditions of the Appropriation heretofore made on the County road running North from Island City, viz that the County would appropriate the sum of \$300<sup>00</sup> to apply thereon whenever the people of Island City and vicinity would raise by subscription and donation the sum of \$200<sup>00</sup>. The people of said Island City and vicinity present now their subscription list showing that they have subscribed the sum of \$270<sup>00</sup> for such purpose and ask that warrants do now issue for the amount of the appropriation. It is therefore ordered that the Clerk issue warrants for the amount of said appropriation and that the same be turned over to County Commissioner John McDonald who will sell the same for the best price obtainable and the proceeds over to T. E. Jones Road Supervisor and Superintendent of the work for which this appropriation is made, and that the same be expended judiciously on the road as hereinbefore provided, and provided in the order heretofore made.

In the Matter of Improvements }  
 on Court House Property }

At this time it appearing to the Court that the sidewalk in front of the Court House property and the walk leading from the Court house to said walk are in very bad condition and the fence in front of Court house is out of repair and very inferior besides, and that the water closets on said Court house property are in very bad condition and

Fourth Judicial Day

Saturday Sept 7th 1889

To Edward Hellman	Chairman	2 days 4 <sup>00</sup>	Milage .50	\$4 <sup>50</sup>
To Isaac Curry	Chairman	1 day 2 <sup>00</sup>	Milage .20	2 <sup>20</sup>
To J. W. Kimbrell	Surveyor	2 days 8 <sup>00</sup>	Plat 4 <sup>00</sup> Milage 1 <sup>00</sup>	13 <sup>00</sup>

I hereby certify that the above Bills are correct.

J. W. Kimbrell Co-Surveyor

It is therefore now ordered that said bills be approved and allowed by the Court.

In the Matter of the Road }  
petitioned for by A. J. Nich- }  
olson and others }

Comes now J. W. Kimbrell County Surveyor and presents to the Court the bill of Viewers chairman etc on proposed County Road petitioned for by A. J. Nicholson and others as follows.

"North Powder" Or Aug 12, 1889

In the Matter of the Proposed County Road of A. J. Nicholson and others  
Union County Oregon Or

To Frank Ballard	Viewers	11 Days		\$22 <sup>00</sup>
To Oscar West	"	11 Days		\$22 <sup>00</sup>
To Ed Kearney	Chairman	6 days		\$12 <sup>00</sup>
To J. A. Becker	"	6 days		\$12 <sup>00</sup>
To Wm. Harkrader	Marker	6 days		\$12 <sup>00</sup>
To J. A. Ballard	Pack horses	6 days		\$18 <sup>00</sup>
To J. W. Kimbrell	Surveyor	6 days	\$24 <sup>00</sup> Plat 4 <sup>00</sup> Milage 8 <sup>00</sup>	\$36 <sup>00</sup>

I hereby certify that the above Bills are correct.

J. W. Kimbrell County Surveyor

And it is now hereby ordered that said report and statements be approved and said bills allowed by the Court.

In the Matter of the Road }  
petitioned for by W. Robbo et al }

Comes now J. W. Kimbrell Co-Surveyor and presents to the Court his report Expenses and bills of Viewers Chairman &c on survey of the proposed County road petitioned for by W. Robbo et al as follows to-wit:-

"North Powder" Or July 16, 1889

In the Matter of Surveying the proposed County Road of W. Robbo  
Union County Oregon Or

To A. J. Hughes	Viewers	2 days 4 <sup>00</sup>	Milage 2 <sup>40</sup>	\$6 <sup>40</sup>
" Thos. Quiley	"	2 days 4 <sup>00</sup>	Milage 1 <sup>00</sup>	5 <sup>00</sup>
" Wm. Mast	"	2 days 4 <sup>00</sup>	Milage 1 <sup>60</sup>	5 <sup>60</sup>