

No 6

^m

Exhibit

Court

State of Oregon

Plaintiff

vs

Mr^m Raley

Defendant

Action for Contempt

Docket

1

Page 370

J. L. Rand

Attorney for Plaintiff

Attorney for Defendant

RECEIVED
MAY 1 1891
CLERK OF COURT

Record of the Case.

Mar 7/90 Viewers Survey
appointed Jul 8 of 821

July 7th 1890 viewers report
1st reading of &

July 11 1890 viewers report
approved and road
ordered opened Jul 8, 84

501

No 347

Road
petitioned for by Geo F Wall et al

Commencing 200 ft West of the
SE corner of Sec 13 T4 SR 39E
thence West to the Union Depot
thence NW part West Lake to
School house No 19 in NW 4
of SE 4 Sec 2 T4 SR 38 E 1/4 M

WITNESSES.

J. W. KIMBRELL.

County Surveyor and Deputy U. S. Mineral Surveyor.

UNION COUNTY, OREGON.

North Powder, Oreg.

Oregon, 3rd / 18 1890

Field Notes of Survey of The Proposed County Road of G. F. Hall and others.

I Commenced at a Point on Sec. Line bet Sec. 18 & 19 = 13 & 24 in T 4 S R 39 East W. M. 230 Feet West of the Corner to Sec. 18 & 19 = 13 & 24 T 4 S Ranges 39 & 40 E W M

a Stone 7x12x22 inches marked	Hence N 39° W 34 Pds	A 27	Hence S 67° 30' W 12 Pds	A 53	
Hence S 87° 51' W 212 Pds	" N 72° 45' W 51 "	A 28	" N 85° W 116 "	A 54	
" S 70° 18' W 16 "	A 2	a Stone 10x12x23 inches marked	4 M.	a Stone 8x9x28 inches marked	7 M.
" S 88° 40' W 8 "	7 Miles	Hence N 68° 45' W 10 Pds	A 29	Hence West 320 Pds	a Stone 10x12x22 inches marked
a Stone 6x12x24 inches marked	1 M.	" N 58° 30' W 36 "	A 30	inches marked	8 M.
" S 88° 40' W 102 "	A 3	" N 65° W 18 "	A 31	Hence West 182 Pds	A 55
" S 57° 50' W 87 "	A 4	" N 72° 30' W 40 "	A 32	" N 5° E 48 "	A 56
" S 85° 10' W 116 "	A 5	" N 40° W 48 "	A 33	" N 85° W 90 "	A 57
" N 71° 45' W 17 "	A 6	" N 38° W 72 "	A 34	a Stone 6x11x23 inches marked	9 M.
a Stone 10x11x22 inches marked	2 M.	" N 14° 30' W 25 "	A 35	Hence N 81° W 35 Pds.	a Stone 8x10x25 inches marked
" N 70° 15' W 21 "	A 7	" N 7° 30' E 36 "	A 36	P. T.	and situated in Co. Road South
" N 37° 15' W 29 "	A 8	" N 28° 30' W 21 "	A 37	of School House in S.W. 1/4 N. 8. 1/2	Sec. 2. in T 4 S. R. 38 E. W. M.
" N 57° 55' W 19 "	A 9	" N 53° W 14 "	A 38	J. W. Kimbrell County Surveyor for Union Co. Oregon	
" N 68° 30' W 45 "	A 10	a Stone 8x9x23 inches marked	5 M.		
" N 73° 30' W 54 "	1/4 Sec. A 11	Hence N 53° W 18 "	A 38		
" N 10° 15' W 48 "	A 12	" N 88° W 31 "	A 39		
" N 40° 30' W 31 "	A 13	" N 30° W 59 "	A 40		
" N 17° 45' W 28 "	A 14	" N 34° W 66 "	A 41		
" N 2° E 17 "	A 15	" N 44° W 13 "	A 42		
" N 4° W 18 "	A 16	" N 70° W 73 "	A 43		
" N 22° 30' W 15 "	A 17	Hot water House 30 feet North			
a Stone 10x12x32 inch marked	3 M.	" West 61 "	A 44		
" N 25° 30' W 28 "	A 18	a Stone 8x11x24 inch marked	6 M.		
" N 15° W 27 "	A 19	" N 87° W 14 "	A 45		
" N 26° 30' W 15 "	A 20	" N 75° W 26 "	A 46		
" S 57° 15' W 31 "	A 21	" N 82° W 10 "	A 47		
" N 65° W 23 "	A 22	" West 26 "	A 48		
Hence N 49° 45' W 36 "	A 23	" N 79° W 22 "	A 49		
" N 15° 45' W 48 "	A 24	" N 70° W 56 "	A 50		
" N 32° W 15 "	A 25	" N 52° W 16 "	A 51		
" N 3° 15' W 12 "	A 26	" N 74° W 22 "	A 52		

J. W. Kimbrell

County of Rowan

Geo. J. Hall

Filed April 2nd 1890

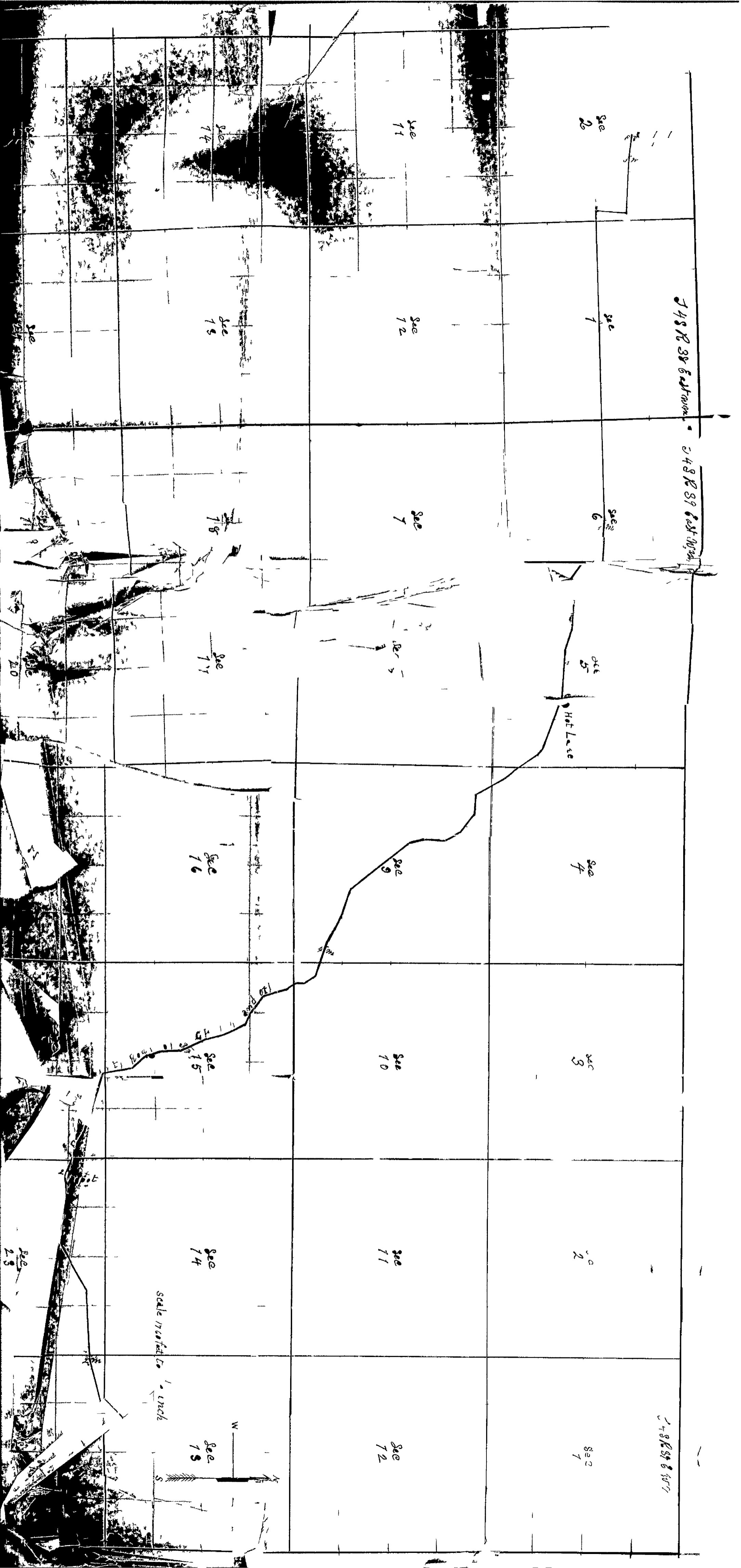
A. J. Willis clerk

By Thomas Oliver
Deputy

T48R 38 East 100m

T48R 39 East 100m

T48R 38 & 39



Sec 20

Sec 1

Sec 6

Sec 11

Sec 12

Sec 7

Sec 14

Sec 13

Sec 8

Sec 15

Sec 16

Sec 17

Sec 18

Sec 19

Sec 5

Sec 4

Sec 3

Sec 2

Sec 1

Sec 10

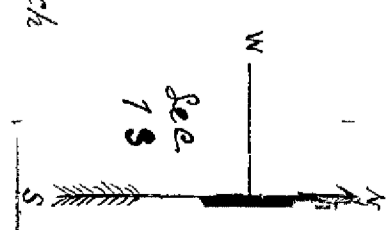
Sec 9

Sec 8

Sec 20

Sec 19

Scale 1 inch = 100 feet



N

S

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 230 feet due west of the Section corner at the S E corner of Sect 13 T 4 S of R 39 E W M thence West and South West on the present traveled road to the Union Depot thence in a North Westly direction on the present traveled road along the foot hills to a point known as Hot Spalle thence in a North Westly and Westly direction to a point South of the School House in School District No 19 situated in the N W 1/4 of the S E 1/4 of Sect 2 T 4 S of R 38 E W M Union County. Open all of which shall be located on the present traveled road Dated this 1st day of Feb 1890

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

NAMES:

Geo. Hall
 Geo. Kennedy
 John S. Bennett
 Ed. Reinhardt
 Robt. Brown
 Jas. Wright
 Geo. Knight
 S. C. [unclear]
 A. Schronover
 A. M. Wilson
 W. J. Stacker
 W. M. Crawford
 E. F. Springer
 J. J. Hunter

NAMES:

Stitt Hall
 John Odell
 S. M. Haynes
 J. A. White

Board of Directors
Petroleum Products Co.
St. Louis, Mo.

Notice of Road Petition.

To all Persons Concerned: You, and each and all of you, will take notice that the undersigned, householders for Union County; Oregon, residing in the vicinity where the hereinafter described roads are proposed to be, will at the next session of the County Court for Union County, Oregon, to wit: On Wednesday, the 1st day of July A. D. 1894, respectfully present to said Court a petition praying said Court to lay out, alter and establish a County road within said County on the following line or route, to wit:

Commencing at a point 230 feet due west of the ~~intersection~~ corner of the S E corner of Section 13: 3 4 S of Range 39 East Willamette Meridian State of Oreg. Union West and South West on the present traveled road to the Union Depot thence in a N Westerly direction on the present traveled road along the foot hills to a point known as Hot Spake thence in a North Westerly and Westerly direction to a point South of the School House in School District No 19 situated in the N W 1/4 of the S E 1/4 of Sect 2 3 4 S of R 38 W W Union County Oreg. All of which shall be located on the present traveled road

Dated this 1st day of July 1894

NAMES:

NAMES:

Geo. F. Hall
 Geo. Kennedy
 John D. Elliott
 Col. Bennett
 Robt. Brown
 J. W. Smith
 W. H. Smith
 S. O. Spackman
 N. Schornover
 B. F. Wilson
 A. J. ...
 W. M. ...
 E. F. Springer
 S. J. ...

Whit-Shell
 J. J. Odell
 S. M. Hayes
 J. H. White

STATE OF OREGON,
County of Union. } ss. 17

I, Joseph W. Wilkinson

being first duly sworn, say that I posted three several notices, of which the notice hereunto 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 O.R.V.C. Depot ^{about 2 1/4 miles West of the town of Union} on the East side of the Depot Building One by the Road side at the North End of the McKeay lane on the gate post, and the third on a fence post by the Road side near Mrs Benson's house about one quarter of a mile West of Union and on the public road leading to the depot

thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the ^{about} 1st day of Feb'y 1890, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 1st day of February 1890, 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 City of Union, in said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

Joe Wilkinson

Subscribed and sworn to before me this 4th day of March 1890.

A. Neill Clerk
By James Sherwood Depy

Know all Men by these Presents:

THAT WE, Geo F. Hall 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 6th day of March 1890

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

Geo F. Hall and others, and presented at the March

Term, 1890 of the County Court of said Union County, commencing at a point

230 feet due West of the Section Corner at the S.E. Corner of Sec 13 T4 S R 39 E N.M. Thence West to the O.R.N. Depot more fully described in the notice hereto attached

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

Geo F. Hall

STATE OF OREGON,

County of Union } ss.

Geo F. Hall and

each for himself says that I am worth the sum of One Hundred Dollars over and above all debts and liabilities and property exempt from execution, and that I am a resident and householder in said County and State.

Geo F. Hall

Subscribed and sworn to before me, this 6th day of March A. D. 1890

W. A. Neill Clerk,
By James Oliver Deputy.

Bond of Road Petitioners.

George H. Hallett

Petitioners.

Filed *March 6th 1890*

A. J. Neill

County Clerk.

By *James Oliver*

Deputy.

*Witnessed at Hamilton Tenn
28 Feb 1890 W. C. [unclear]*

*E. D. Miller
G. Y. Blakely
and Robert Shaw*

*Quartermaster
of the Federal
Government at Fort
Starr, at 9 o'clock
am. March 17, 1890*

REPORT OF VIEWERS.



TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 5 day of March, 1880, 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 *Geo F. Hall*, et al, beg leave to report that on the 17 day of March, 1880, 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.

W. A. Blumley
G. S. Miller
Robert Shaw

Third Judicial Day

Friday March 7th 1890

for witness fees in State vs Ed Smith be allowed, It is further ordered that the Bill of G.M. Moody for \$12⁵⁰ for witness fees in State vs Reed be allowed, It is further ordered that the Bill of Eagle Moody for \$12⁵⁰ for witness fees in State vs Reed be allowed, It is further ordered that Bill of Ed Engleater for \$84⁰⁰ for Constable fees in State vs Arnold be allowed, It is further ordered that the Bill of J. Thinn, Peter Kuhn, N. Blum, David Bay, Frank Childers and A. P. Sheets for \$1⁰⁰ each for Juror fees in Justice Court be allowed, It is further ordered that Bill of Jos Jones for \$1⁷⁰ for witness fees in J.P. Court be allowed, It is further ordered that Bill of G.M. Bennhoff for \$20²⁰ Commissioners fees be allowed, It is further ordered that the Bill of John McDonald for \$22⁸⁰ for Commissioners fees be allowed, It is further ordered that Bill of N.C. Martin for \$6²⁰ Constable fees in State vs Humble be allowed, It is further ordered that Bill of N.C. Martin for \$6⁴⁰ Constable fees in State vs Havel be allowed, It is further ordered that Bill of N.C. Martin for \$5⁴⁰ for Constable fees in State vs Stacy be allowed, It is further ordered that Bill of N.C. Martin for \$5⁴⁰ for Constable fees in State vs Stacy (No 2) be allowed, It is further ordered that Bill of N.C. Martin for \$10²⁰ Constable fees in State vs Stacy (No 3) be allowed, It is further ordered that Bill of N.C. Martin for \$6⁰⁰ for Constable Fees in State vs Lee be allowed, It is further ordered that the Bill of N.C. Martin for \$30⁹⁰ for Constable fees in State vs Milde and Roundtree be allowed, It is further ordered that the Bill of N.C. Martin for \$5⁰⁰ for Constable fees in State vs Carrie Slump be allowed and It is further ordered that the Bill of N.C. Martin for \$1⁷⁰ for witness fees in State vs Stacy be allowed, It is further ordered the Bill of Ben Ceasing for 7²⁰ Constable fees in State vs Caley be allowed.

In the matter of a Settlement
with A. N. Hamilton J.P.

This matter came on to be heard upon the Bill of A. N. Hamilton \$686⁸² for Sheriff fees and the Court having considered said Bill finds that certain sums aggregating \$84²¹ are not properly due from the county, but that the sum of \$602⁴⁴ is due from the county to said A. N. Hamilton, It is therefore considered and ordered that said Bill be and the same is hereby allowed to the extent of \$602⁴⁴ and disallowed as to the remainder.

4 In the matter of the }
Road petitioned for }
by Geo. T. Hall et al } comes now Geo. T. Hall, one of the petitioners

Third Judicial Day

Friday March 7th 1890

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: - Commencing at a point 230 feet due West of the Section Corner at the S.E. Corner of Sec 13 T4 S of R 39 E. N. M. Thence West and South West on the present traveled road to the Union Depot, thence in a North Westely direction on the present traveled road along the foot hills to a point known as Hot Lake, thence in a North Westely and Westely direction to a point South of the School House in School District No 19 situated in the N.W.⁴ of the S.E.⁴ of Sec 2 T4 S R 38 E. N. M. Union County Oregon, and all being on the line of the present traveled road. And it appearing to the Court that more than twelve of said petitioners are 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 proposed 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 at the O. R. & N. Co's Depot about 2 1/4 miles West of the Town of Union on the East side of the Depot Building, one by the Road side at the North end of the McLean lane on the gate post, and the third on a fence post by the Road side near Mrs Benams house about one quarter of a mile West of Union and on the public road leading to the depot 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 the Court at the present term of the Court and that the notices so posted were in due form, and duly signed by the petitioners. And that a Bond for the costs of the proceeding has been duly given. It is therefore ordered that C. S. Miller, C. S. Blakeslee and Robert Shaw be appointed Viewers of said Road and that J. N. Kimbrell be appointed Surveyor of said road, and that they meet at Jos Wright's store at 9 o'clock A. M. on March 17th 1890 and after qualifying to view, lay out and survey said road according to law.

Fifth Judicial Day

Tuesday April 27th 1890

the Bill of George Bay for \$9⁰⁰ for witness fees in J.P. Ct be allowed
 It is further ordered that the Bill of Mary J. Ward for \$9⁰⁰ for witness fees in J.P. Ct. be allowed. It is further ordered that the Bill of John Lannon for \$6⁰⁰ for witness fees in J.P. Ct be allowed
 It is further ordered that the Bill of B. West for \$7⁵⁰ for witness in J.P. Ct. be allowed. It is further ordered that the Bill of Mrs Frank M. Westcott for \$9⁰⁰ witness fees in J.P. Ct be allowed
 It is further ordered that the Bill of J. W. Saling for \$4⁷⁰ for witness fees in State vs Arnold J.P. Ct be allowed. It is further ordered that the Bill of Frank M. Westcott for \$30³⁰ witness fees & use of team in State vs Arnold in J.P. Ct. be allowed. It is further ordered that the Bill of W^m Probst for \$200⁰⁰ for salary of Stock Inspector Jan 1st to Apr 1st be allowed.

In the matter of the }
 Proposed County Road }
 petitioned for by Geo. F. Wall } This matter came on to be heard upon the
 Bill for expenses in laying out said proposed road, and it is
 ordered that said bills be allowed as follows:-
 G. L. Blakeslee Viewer \$44⁰⁰ Robt Shaw Viewer \$44⁰⁰
 G. S. Miller Viewer & use of team \$9⁰⁰ Lindsey Roberts Chairman \$44⁰⁰
 Dick Hamilton Chairman \$44⁰⁰ and J. W. Kimbrell Surveyor \$16⁰⁰

In the matter of the }
 proposed Co Road }
 petitioned for by J. D. Delaney et al } This matter came on to be heard upon
 the bills for expenses in surveying and laying out said road and
 it is ordered that said bills be allowed as follows, to wit:-
 P. W. Miles Viewer \$7⁰⁰, Geo. N. Wright Viewer \$6⁰⁰
 W. M. Lee Viewer \$6²⁰, John Grimm Chairman \$4⁶⁰
 J. B. Sams Chairman \$4⁶⁰ and J. W. Kimbrell Surveyor \$17⁰⁰

In the matter of allowing }
 Miscellaneous Contgt. Bills }
 On this time it is ordered that the
 Bill of J. C. Miller for \$8²⁵ for Wood Mattress & Pillow for poor household
 be allowed. It is further ordered that the Bill of S. J. Allen for \$48²⁰
 for hired labor and Supplies used on Poor Farm be allowed. It is further
 ordered that the Bill of J. M. Chy & Co for \$4⁸⁵ for feed for

Second Judicial Day

Thursday July 10th 1890

In the matter of the
Proposed County Road
petitioned for by Geo. F. Wall, 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 5th day of March 1890 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 Geo. F. Wall, et al, beg leave to report that on the 17th day of March 1890, 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 opinions 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.

G. L. Blakelock

G. S. Miller

Robert Shaw.

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 thereof, and recommend that said proposed road be established as a County road and be declared a public

Second Judicial Day

Thursday July 10th 1890

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 open according to law, and the Court being satisfied from the report of the viewers that such road will be of public utility. 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 Co. 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 notes of the survey thereof be placed on record in the book of Plats of County roads of Union County, Oregon, and that C. E. Miller, Road Supervisor of Road District No. 5 and John J. Pebler, Supervisor of Road Dist No. 2, the same being the road districts in which said road is located be each 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 J. B. Weaver 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.