

Record of the Case.

Petition Inl EP 618

Viewers Appd 619

Report F 9

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403

Petitioned for by
the
Grande Ronde Lumber Co
3 certain Logging Roads
up Grande Ronde River

WITNESSES.

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

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

In re application of "The
Grande Ronde Lumber Co.,
(a private corporation) to
establish certain logging
roads in Union County, Oregon.--

To the Hon. County Court-Union County, Oregon:-

The Grande Ronde Lumber Company respectfully represents:-

• THAT it is a private corporation duly organized under the laws of the State of Oregon-having its principal office at La Grande-in said county of Union and State of Oregon.

THAT its principal business and occupation is that of manufacturing lumber-and for that purpose is required to obtain vast quantities of timber and do extensive logging.

THAT the mills and other works of said corporation are situated at a point four miles west of La Grande as aforesaid-called Perry on the Grande Ronde River-which river is navigable for the floating of logs for more than fifty (50) miles above and just before reaching said mills of said Lumber Company-the said petitioner.-

That your petitioner-The Grande Ronde Lumber Co.,-is the owner of the following described lands in Union County, Oregon-towit:-
The N hf SW qr;-N hf SE qr;- S hf NE qr;-NE qr NE qr Section 9;-
The SW qr SW qr & SW qr NW qr Section 10;- N hf NW qr;-SE qr NW qr;-E hf SW qr;-SW qr SE qr Section 13;-and NE qr NW qr;-NW qr NE qr-&-S hf NW qr Section 24--all in Township 3 south of Range 36 East W.M.and valuable only for the timber growing thereon.--

THAT the timber growing on said lands suitable for Lumber will aggregate the amount of about Two Millions feet-and unless the said timber can be marketed it is valueless-and that the best and only market for said timber is some point along said Grande Ronde River-and the best market is the conversion of the same at your petitioner's mills-into lumber.

THAT owing to the hilly condition of the country thereabouts-and of said lands-it is impossible to get said timber to market-or to your petitioner's mills-or the lumber from the same if sawed on the lands-to market-except by short hauls by wagon to the river and then by floating the same down said Grande Ronde River to such points as the roads are good or there is rail transportation

THAT to get said timber to market or to your petitioner's mills or to get any lumber from said lands to same points-it will require the construction of logging roads and landing places on the said river on the lands belonging to Mrs Lou Mahaffey and her children-Maggie D. and Earnest P. Mahaffey (infants) whose said lands are between your petitioner's said timber lands and said River-in which it is sought to float said logs and lumber.

THAT there are no roads or passways of any character leading from said lands of your petitioner and that the only feasible routes or roads which can be constructed so as to make the necessary outlets from your petitioner's said lands for said timber purposes are as follows:- One logging road leading from a point on the East line of the NE NE Sec. 9--running in a southeasterly direction across the N hf NW-NW NE--SE NE^{SE} 10--and NW SE of 11--terminating on the Grande Ronde River on the SW SW Sec. 11 all in Tp 3 south of Range 36 East--being about one mile long; another road commencing at a point on the west line of the NE SE Sec. 9 thence running in a SE direction across the NW SW^{SE} and SW SE Sec 10 and NW NE Sec 15 terminating on the NE NE Sec 15--on said Grande Ronde River all in same tp and range--being about hf mile in length; a third road commencing on the north line of NW Sec. 13 running in a NW direction across the NE SE Sec. 11 and terminating on said Grande Ronde River in SE NE Sec 11--all in said Tp 3 south Range 36 east--being about a fourth mile long--as will more fully show by the map and plat accompanying this petition.

THAT the N hf NW-NW NE- &- SE NE & NE SE Sec. 10--&--W hf SW Sec. 11 & SE SW--& SW SE Sec. 10 & NW NE Sec. 15 & SE NE--& NE SE Sec 11 Tp 3 south Range 36 east through which said proposed logging roads are to run are claimed by said Mahaffey's and in which J.H. Hunter and C.L. Fox--claim some rights.

That said lands last described are ordinary timber lands of no value except for timber--uncultivated and unimproved; and said claimants --although offered by petitioners full value for the privilege of hauling logs across said lands--refuse the same and seek to render your petitioner's lands valueless--by refusing said outlets and seek further to extort large sums of money for the right to cross their said lands because of your petitioner's necessity--in obtaining said roads--which would work no injury to said claimants' lands.

THAT your petitioner desire said roads for use as logging roads only not to exceed a period of five years--and are willing to pay all expenses of constructing and maintaining such roads--and will further pay all damages as are found by your honorable court to be sustained by the owners of said lands over which the said roads will pass.

WHEREFORE your petitioner--THE GRANDE RONDE LUMBER CO., pray your honorable body to survey--view and order such logging roads to be constructed and maintained for the period of five years for this petitioner's use and benefit across the land aforesaid--as per the Act of the Legislature of the State of Oregon--for said purpose Approved Feb. 25--1889--and it will ever pray.

The Grande Ronde Lumber Company,
(incorporated)
C.H. Finn--Atty for petitioner.

STATE OF OREGON, }
COUNTY OF UNION, } ss.

I, Robert Smith - do swear that I
am Managers of the Gaudet-Ronde Lumber Co ^{the pet. over} and the
foregoing Petition is true as I verily believe.

R. Smith

Subscribed and sworn to before me, this July 30th 1891

C. H. Ginn
Notary Public
for Oregon

I do hereby certify that the foregoing is a true copy of the original ~~pleading~~ and the
whole thereof as prepared and compared by me as _____ attorney.

No.

County
IN THE CIRCUIT COURT

OF THE STATE OF OREGON,

COUNTY OF UNION.

*The Grande Ronde
Lumber Co* PLAINTIFF
vs.
(Merchants)

DEFENDANT

*Petition
for logging
roads*

FILED *July 31st* 1891

Opinel Chover

COUNTY CLERK.

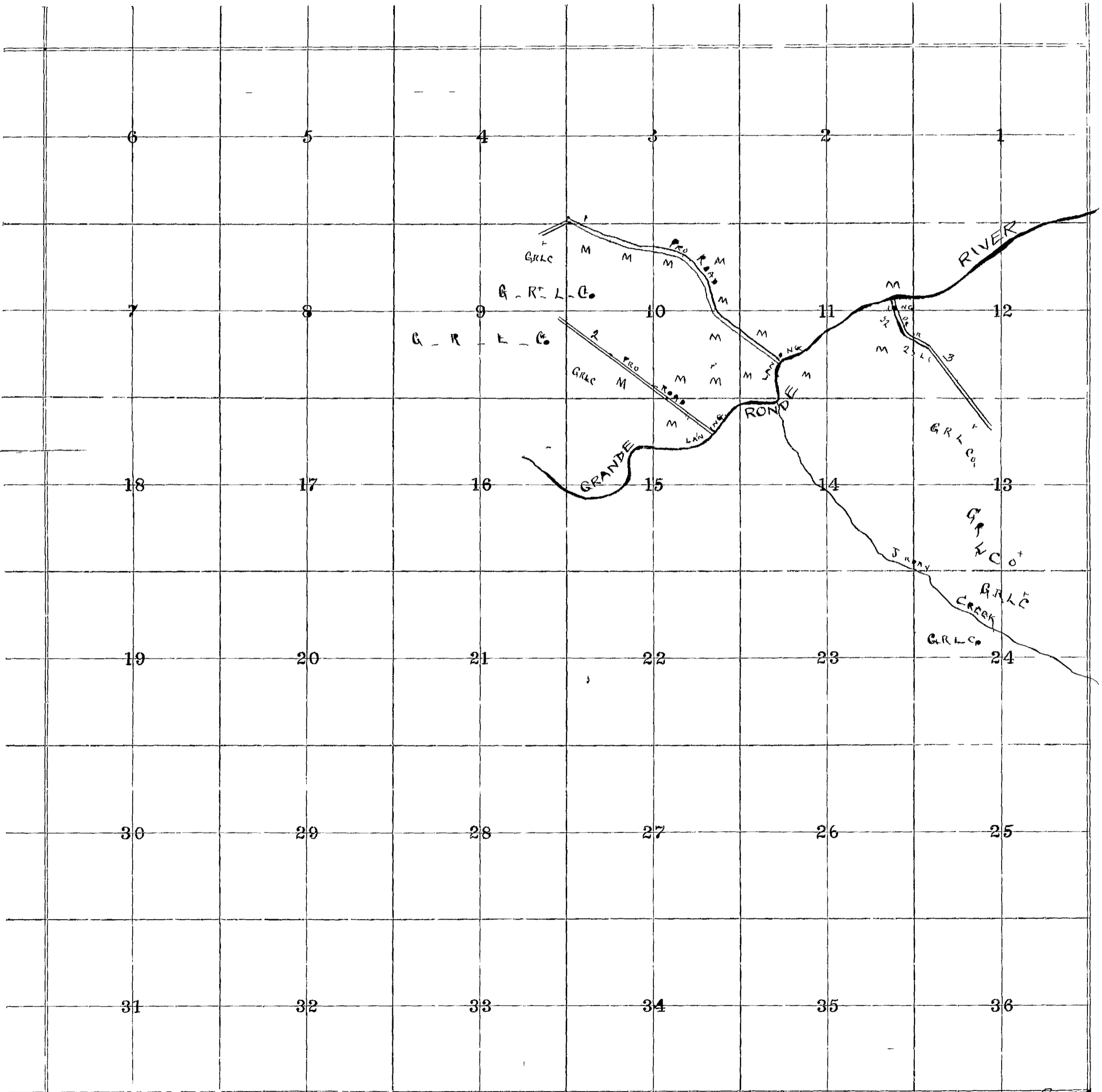
BY _____ DEPUTY.

C. H. FINN, Attorney at Law,

LA GRANDE, OREGON.

Proposed Logging Roads petitioned for by
The Grande Ronde Lumber Co,
in

Township No Three (3) South Range No Thirty Six (36)



Red - Indicates lands belonging to - The Grande Ronde Lumber Co
which they desire to log
Green - Indicates lands belonging to Mahaffey or claimed by them
and Hunter Fox
on which the proposed roads are to
be built

Rate of Portland Cement
County Clerk
James Owen

PLI, JLD.
Township No. 1
1891

Map of
Coppered Logging
Roads - picture
for by the
Roads &
Coppered



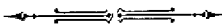
Small handwritten notes or labels in the lower left area of the grid.

Very faint handwritten notes at the bottom of the page, possibly describing the map or the data.

NOTICE OF LOGGING ROADS

NOTICE IS HEREBY GIVEN TO
Whom it may concern
Grand Lumber Company
to the County Court
Union County Oregon
to the effect that
the said road
and to the effect that
the said road
and to the effect that

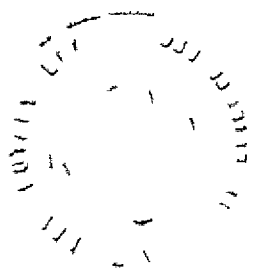
AFFIDAVIT OF PUBLICATION



State of Oregon
County of Union } SS

I J. L. Devine being first duly sworn say that I am one
of the printers of the "La Grande News" a weekly newspaper published
every Friday at La Grande Union County Oregon that the Notice for Publica
tion hereto attached was printed in said newspaper proper and not in any sup
plement thereof for the period of five consecutive weeks beginning with the
issue of Aug 7 1891 and ending with the issue of
Sept 4 1891 and that during said time said newspaper
was duly circulated among its subscribers in Union County and (also here through
out the State

J. L. Devine, Jr
Subscribed and sworn to before me this
day of Sept 4 1891.
Wm. A. Green
Notary Public
For Oregon



NOTICE OF LOGGING ROADS

NOTICE IS HEREBY GIVEN TO Whom it may concern That the Grande Ronde Lumber Company (incorporated) has applied to the county court of Union county Oregon for license to construct logging roads described as follows to-wit

One logging road leading from a point on the east line of the N E 1/4 of N E 1/4 Sec 9 near the N L corner of said tract thence in south easterly direction as follows N 1/4 of N W 1/4 and N W 1/4 of N E 1/4 and E 1/4 of N E 1/4 and N E 1/4 of Sec 9 and Sec 10 and W 1/4 of W 1/4 of Sec 11 and terminating at the Grande Ronde river near the N E corner of S W 1/4 of W 1/4 of said Sec 11 Another logging road commencing at a point on the east line of the N E 1/4 of Sec 9 thence running in a south easterly direction as follows S W 1/4 of Sec 10 and the N W 1/4 of Sec 11 and terminating at the Grande Ronde river on the N E 1/4 of N W 1/4 of said Sec 11 A third road commencing at a point on the north line of the N W 1/4 of Sec 13 and passing the N W corner of N E 1/4 of N W 1/4 of Sec 13 running thence in a north westerly direction across the S W 1/4 of Sec 12 and the N E 1/4 of Sec 11 and terminating at the Grande Ronde river on the S E 1/4 of S W 1/4 of said Sec 11 All said roads and public lands belong to Township 34 north of range 28 east of Willamette Meridian in Union county Oregon and that said application will come up for hearing and the presentation of views on Wednesday September 5th 1891 at 1 o'clock p m and that to testify any and all persons having or

AFFIDAVIT OF PUBLICATION



State of Oregon, }
County of Union } SS

I *J. Devine* being first duly sworn say that I am one of the printers of the ~~La Grande Union~~ *La Grande Union* a weekly newspaper published every Friday at La Grande Union County Oregon that the Notice for Publication hereto attached was printed in said newspaper proper and not in any supplement thereof for the period of *four* consecutive weeks beginning with the issue of *Aug 24* 1891 and ending with the issue of *Sept 4* 1891 and that during said time said newspaper was duly circulated among its subscribers in Union County and elsewhere throughout the State

J. Devine
Subscribed and sworn to before me this *9th* day of *Sept* A D 1891.
C. H. Quinn
Notary Public
La Grande

(1) in the event of a...
 (2) in the event of a...
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James Owen

SEP 8 1891

ELTT

It is to be
 sent to him

NOTATION OF SUBSCRIPTION

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claiming any...
through which...
located...
said Union county...
and file their...
court...
asked by said...

Witness my hand and the seal of the
County Court of Union county this August
1st, 1881.

Thomas Quinn, J.

County Clerk.

O. H. Finner,
Attorney for petitioners.



County Clerk

James Owen

SEP 6 1881

HILL

Handwritten notes and scribbles in the top right corner.

Handwritten text at the bottom of the page.

1 State of Oregon
2 County of Union)^{es}

3 In the County Court of Union County.

4 In the matter of
5 application of ^{the} Grande
6 ~~Ronde~~ Lumber Co. (a
7 private Corporation) to
8 establish certain Log-
9 ging Roads in Union
10 County, Oregon

11 To Mrs Len Mahaffey and to
12 Maggie S Mahaffey and Ernest V. Ma-
13 haffey, minors and to Mrs Lou Mahaf-
14 fey Guardian of said minors and to J. H.
15 Hunter and C. L. Fox:

16 You and each of you will please take
17 notice that the Grande Ronde Lumber Company
18 (Incorporated) has this day filed a petition
19 and a map in the County Court of Union
20 County, providing for the location of a right
21 of way for ^{certain} Logging Roads or Chutes through
22 lands now in your possession or in which
23 you claim some interest in Sections 10, 11
24 and 15 in Township 3 South of Range 36
25 East W. M. in said Union County, and said
26 application will come to be heard before
27 said County Court at the regular September
28 Term thereon for the appointment of Viewers
29 to locate said Road or Chute in said County,
30 Court. On Wednesday the 9th day of September
31 1891, at 1 o'clock P.M. at which time
32 you are required to appear and file your

1 claim for any damages that you may
2 consider that you will sustain in case
3 said right of way is located as by said
4 map shown and in said petition prayed
5 for; and, further, you do then show cause,
6 if any you have, why said right of way
7 should not be located as by said map
8 shown and projected.

9 Witness my hand and the seal of the
10 County Court of Union County this 1st
11 day of August A.D. 1891.

12 James Oliver Clerk

13 State of Oregon)
14 County of Union) ss

15 J. W. C. Martin, Constable
16 of La Grande Precinct - Union Co Oregon
17 hereby certifies that I did serve the within
18 notice on the within named defendants
19 except C. L. Fox in person in La Grande
20 Union Co Oregon by delivering to each
21 of them in person a true and certified
22 copy of the original on the 1st day of
23 August 1891.

24 W. C. Martin
25 Constable

26 State of Oregon } ss of Sec 2, 2nd & 3rd
27 County of Union) J. W. C. Martin
28 being first duly sworn say that I
29 make service according to the above
30 returns W. C. Martin

31 Subscribed and sworn to before me this
32 9th day of Sept. 1891

33 J. P. Williams
Notary Public
for Oregon

Original for
Return of same

FILED

SEP 9 1891

James Owen
County Clerk

In County Court of Union
County, Oregon.

In re. Petition
of The Grande
Ronde Lumber
Company, for
Logging roads

Comes now the petitioner
and represents that of the
parties interested in, and
made defendants herein,
Earnest P. Mahaffey and Maggie
D. Mahaffey
all minors, and have been
served with Notice as the
law provides. The petitioner
therefore prays the appoint-
ment of a Guardian Ad-
Litem to appear for them,

The Grande Ronde
Lumber Company
Petitioner
by C. J. Finley,
atty.

This Sept 9th 1891.

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W County Ok

Union County

Oregon

Woni Logging

Cooper Mays

Inc

Steeple Rock

Charles Scudder

Co

For approval

James J. Grant

Jan 18 1891

Jan 18 1891

James Charles
Clerk

In the County Court of Union County State of Oregon

In Re Application of
"The Grande Ronde Lumber Co"
(a private corporation) to
Establish certain logging
roads in Union County Oregon.

Oath of
Guardian ad Litem

State of Oregon
County of Union

I A.C. Williams do solemnly
swear that I will support the constitution of the
United States and of the State of Oregon and will
perform the duties of Guardian ad Litem for
the infants Maggie J Mahaffey and Earnest P Mahaffey
to the best of my ability So help me God

A.C. Williams

Subscribed and Sworn to before me this 11th day
of Sept 1891

James Owen

Jlct

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In the County Court
of Union County
State of Oregon

That Robert H. Weston of
the Grande Ronde sheweth
(a private corporation) &
that said certain logging
roads in Union County Oregon

City of ~~Woodburn~~
and ~~Woodburn~~

FILED

SEP 11 1891

James Olson
County Clerk.

In the County Court of the
State of Oregon for Union
County
In the matter of
the logging roads
petitioned for by
the Grande Route
Lumber Company.

Now at this time comes
J. H. Hunter and shows
to the court that he
is the owner of the N2 1/4
Sec 11 + N8 1/4 18 1/4 + E2 1/4 N8 1/4 + N1/4
N8 1/4 + N2 1/4 Sec 10 T. 3 S. R. 36
E. 1/4. Through which the
above entitled proposed
logging roads extend
That about 120 acres of
said lands are enclosed
and are used by claimant
for meadow & pasture
purpose and are of the
annual value of \$350
to claimant for such
purpose and that the
balance of said lands
are unimproved timber
lands and that the
establishment of said
roads across said
will cut up & destroy a
large amount of said
meadow and grass lands

and necessitate a large
amount of additional spe-
ring in ~~to~~ to keep the same
enclosed and out of
detriment and appropriate
a large amount of said
timber lands and the
timber growing thereon
to claimants damage
in the sum of \$1500⁰⁰
which amount claimant
claims as damages
herein of H Hunter

State of Oregon, ss
County of Union, W. J. H.
Auditor being first and
sworn said claimant
above named and that
the foregoing claim is
true and he truly believe

of H Hunter
Subscribed and sworn to before
me this September 11th 1891

James Choe
Clerk

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FILLER

SEP 21 1891

James Oliver

Library Clerk

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

In the matter of
the Logging Roads
petitioned for by
the Grand Road
Lumber Company

Now at this time comes
L. L. Fox and shews to
the court that he is
the owner of N. W. 1/4 Sec 15
S. 2 184 + S. 2 184 N. W. 1/4 Sec 10 + N. 2 184 + S. 2 184
N. 2 184 Sec 11 & 3 S. R. 36 & N. W.

through which the roads
petitioned for by the Grand
Road Lumber Company
in the above entitled
proceeding extend
That said lands are
pasture land and
are all well owned and
used by descent for
pasturing purposes
and that the same are
of great value for
such purposes to
claimant and that
the establishment of
said roads across
said lands will appro-
priate a large amount
of said lands and

1 practically destroy said
2 lands for pasture
3 purpose without addi-
4 tional fencing at
5 great expense and
6 trouble to claimant
7 That said roads will
8 cost off about half said
9 pasture lands from
10 water and render the
11 same worthless for
12 pasturing purpose
13 That said lands are
14 of the annual value
15 of \$300 to claimant
16 for pasturing purpose
17 and that claimant
18 will be damaged by
19 the location of said
20 Roads across the
21 same in the sum
22 of \$1500 with such
23 tasks or damages
24 thereon C. L. Fox,

25 State of Oregon ss
26 County of Union I C. L. Fox
27 being first duly sworn
28 say that claimant
29 above named & that the
30 foregoing claim is true
31 and verily believe
32 C. L. Fox,

33 Subscribed and sworn before
34 me this Sept 11th 1891

James Oliver
clerk.

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Handwritten initials

FILL IN.

SEP 11 1891

James Oliver

County Clerk

In the County Court of the
 State of Oregon for Union County.
 In the matter of the
 application of the
 Grand Road Lumber Co
 To establish certain
 logging roads in Union
 County Oregon

Now at this time comes J. H.
 Hunter and C. L. Fox the
 owners and in possession
 of lands through which
 said proposed logging
 Roads extend and return
 shall against the establish-
 ment of said proposed Roads
 and now the Court deny
 said application and dis-
 miss this proceeding for
 the reasons:

1st That this is an attempt
 to take private property for
 a private use and the Court
 has no jurisdiction of the
 subject matter

2nd That the Court has no
 jurisdiction of the person
 of the parties owning the
 land sought to be taken
 and appropriated

3rd That this is an applica-
 tion to establish in one pro-
 ceeding three separate and

distinct private roads
and that the court has no
jurisdiction.

J. H. Brownford
att'y for Hunter & Fox

County Court
Main County

In re Application
of The R. L. Co.
to establish certain
logging roads
between to
Linn

Filed Dec 7th 1911
James Oliver
Clerk

J. H. Brownford
att'y for Hunter & Fox

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In the County Court of Union County, Oregon.

In re Petition of the Grande Ronde Lumber Company
for logging roads and landing places-over certain
lands in Union County, Oregon

To the Hon. County Court-Union County, Oregon:-

We the undersigned-Viewers appointed to view the proposed logging roads and landings petitioned for by The Grande Ronde Lumber Co., and also to report on the damages that would accrue to the claimants for damages-Henry Hunter & C.L. Fox-who claim to own the land over which the same would pass by reason of the establishment of said proposed roads and landings-beg leave to report that in pursuance of said order that we met on the grounds and proposed beginnings of said proposed roads on September 21 1891- and after taking and subscribing to the attached oath-we viewed and located said roads severally according to the map filed by the petitioners and as asked by them in their petition-and as laid out and according to the plat and field notes herewith submitted by the surveyor; that we find that there are no other roads or acquired right of way or feasible way or road from the petitioners' lumber or timber lands to drivable waters and we are of the opinion that said proposed roads are necessary to enable the petitioner or applicant to remove the timber described in its said petition and we therefore recommend that said petition be in all things allowed-and that the petitioner be licensed and allowed to construct said roads and landings-as hereinafter mentioned-to wit-at the river ^{and} ~~end of each road~~ a space of ground not to exceed one acre, ^{Each road}
~~to be 30 feet wide!~~
That in regard to the claims for damages for the grounds over which said roads are run and said landings we find as follows:-

The road designated by the county surveyor in his plat and field notes as No. 1-is run and located over land wholly uncultivated and ordinary thinly timbered land-being fenced for pasture.

No timber need be cut for its location. If used only in the winter months of the year-to-wit-November-December-January-February and first half of March-the time of year usually used for logging the owner of the land would sustain damages as follows for road and landing of one acre-the sum of \$17.00 for each year so used; but if used the other months of the year then the sum of \$50.00 for each year so used.

That the road designated by the county surveyor in his plat and field notes as No 2-is run through a ravine used principally for other logging roads-except the last quarter of a mile next to the river where there is an inclosed field having been cultivated except the bank of the River not used. This road will not destroy any timber or improvements of any kind if used only in the winter months of Nov-Dec-Jan-Feb-& first half of March-and if so used the owner of the land will suffer not to exceed the damages as follows:- The sum of \$17.00 for each year so used for road and landing; if used other portions of the year then the sum of \$50.00 for each year so used.

That the road desognated by the County surveyor on his plat and field notes as No 3-is over rough uncultivated and unfenced lands mostly on the sidehill, crossing but about two acres of inclosed land near the river. If used in the winter months-of Nov-Dec.-Jan-Feb-and first half of March only the damage the owner will sustain will not exceed the sum of \$17.00 but if used the other portions of the year then the sum of \$50.00 for each year so used for said road and landing.

Neither of these roads will interfere with buildings or other

permanent or valuable improvements and will deprive the owners of any privileges of water.

We report these damages for the different parts of the year because of the difference in the damages accruing -because timber is principally used and hauled in those months and because the petitioner insists that he wants the roads and landings of No's 1 & 3 only for the coming winter and No 2 for the coming two winters. The said surveyor's plat is made a part hereof.

Respectfully submitted-

D H Starbuck
E P Staples
W R Bank

October 1st 1891.

Viewers.---

State of Oregon
Union County

We the undersigned, having been appointed by the County Court of Union County Oregon as Viewers and Appraisers in the matter of Logging Roads petitioned for by the Grande Ronde Lumber Company being first duly sworn say that we will faithfully and impartially discharge our duties as such to the best of our ability so help us God.

Signatures

Subscribed and sworn to } E.P. Staples
before me this Sept 21st 1891 } L.H. Sturbin
C.H. [unclear] } W.R. Banks
Notary Public

In the County Court of Union County, Oregon,
We the undersigned, Viewers appointed to view the proposed Logging Roads petitioned for by The Grande Ronde Lumber Co. and also to report on the damages that would accrue to Henry Sturtes & C. L. Fox by reason of the establishment of said proposed roads, by leave to report that we have reviewed and located ^{said} several roads according to the Plat and Field Notes herewith submitted by the Surveyor; that ~~our~~ our opinion said proposed roads are necessary to enable the applicants to remove the timber described in its petition and we therefore recommend that said petition be allowed, and that petitioners be licensed allowed to construct said roads. In regard to the claims for damages we find

Report to forward placed word
not blank spaces

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Field notes of Logging Roads as
 Petitioned for Grand Ronde Lumber Company
 Done on Sept 21st and 22nd 1891

Road No 1

Commencing at a Pine Tree 12 inches in Diameter
 marked R
 standing on the Bank of Grand Ronde River in
 the NW⁴ of the NE⁴ of Sec 15, T. 3, S. R. 36 East
 and running thence N 65° 30' W

- | | | | | |
|-------|---|--|-------|---|
| 6 28 | Chs To A 1 | " | N 35° | " |
| 10 19 | " " " 2 | " | N 17° | " |
| 8 44 | " " " 3 | The 1/4 Sec Corner between Secs 10 and 15 | | |
| | | bearing West 1.98 Chs distant thence N 47° W | | |
| 15 00 | " To A 4 | " | N 69° | " |
| 12 48 | " " The Terminus of the Road at a Pine Tree | | | |
| | | 24 inches in Diameter marked "R" marking | | |
| | | the whole Distance 52.39 Chains | | |

Road No 2

Beginning at a Point 5.35 Chs North of the
 NW corner of Sec 10, T. 3, S. R. 36, East at a Pine
 Tree 30 in in Diameter marked "R" and running
 thence N 70° East

- | | | | | |
|------|--------|---|-----------|---|
| 5 00 | To A 1 | " | N 86° 30' | " |
| 4 70 | " " 2 | " | S 80° | " |
| 5 00 | " " 3 | " | " 42° | " |
| 6 66 | " " 4 | " | " 50° 30' | " |
| 2 40 | " " 5 | " | " 62° | " |
| 5 00 | " " 6 | " | " 75° 30' | " |
| 4 64 | " " 7 | " | " 52° 30' | " |
| 3 50 | " " 8 | " | " 64° 30' | " |

6 30	To A 9	Thence S 85° East
10 00	" " 10	" " 77° "
8 35	" " 11	" " 53° "
6 45	" " 12	" " 39° "
11 00	" " 13	" " 46° 30' "
1 00	" " 1 Mile Stake	" " " " "
11 39	" A 14	" " 31° "
14 35	" " 15	" " 36° "
6 00	" " 16	" " 59° "
7 30	" " 17	" " 82° 30' "
5 40	" " 18	" N 82° "
2 25	" " 19	" " 49° "
4 20	" " 20	" " 53° "
3 35	" " 21	" " 74° "

1 80 To the Terminus of the Road at a Post set in the County Road marked "R.T." in the SE⁴ of SW⁴ Sec 11 T. 3. S. Range 36 East making the whole distance one mile and 56.04 Chs

Road No 3

Beginning at a Point on the River Bank being N 20° West and 4.20 Chs distant from the 1/4 Sec corner between Sec's 11 and 12 T. 3. S. Range 36. East and running

Thence S 38° W

6 65	To A 1	" " 19° 30' E
5 21	" " 2	" " 34° "

6 72 " The Terminus of the Road at a Post marked "R.T." on the East line of C L Fox's Land making the whole distance 18.08 Chs

J. L. Curtis
Surveyor

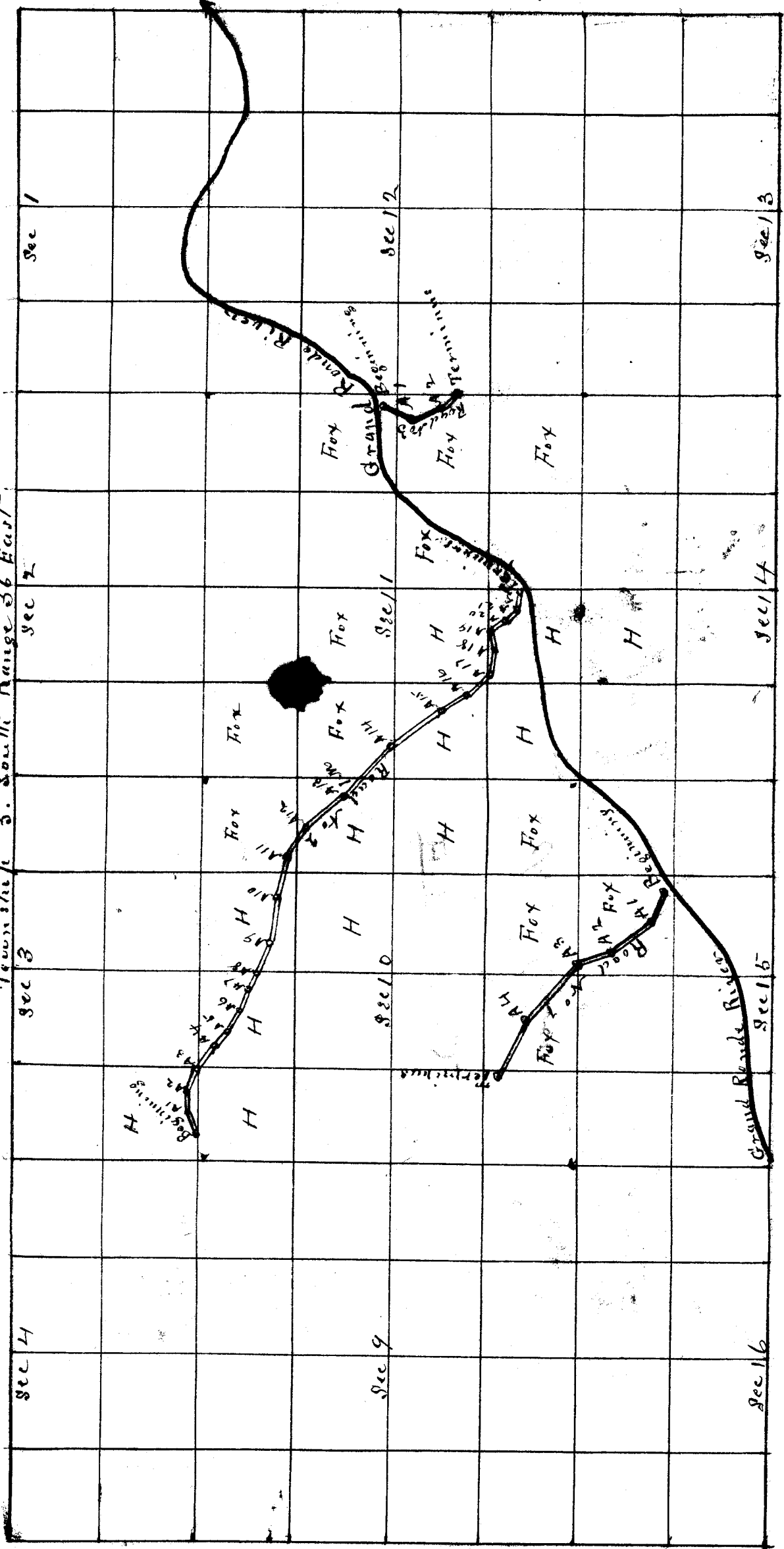
PAYED.

OCT 6 1891

James Davis

Overseer Clerk

Township 3. South Range 36 East



True Meridian
Scale 3 in to the Mile
Jan 20 East

FILLED.

OCT 6 1891

James Oliver

County Clerk

Report of Viewers
in
The Grande Ronde
Lumber Co's
Application

FILLED.

OCT 9 1891

James Cloer
County Clerk.

~~James Cloer~~
Attorney-at-Law;
~~James Cloer~~

In the County Court of Union County-Oregon.

In re application of The Grande
Ronde Lumber Company, for logging
reads in said County-

Comes now the said applicant and petitioner for the location of
certain logging reads in said County-and for the acceptance of
the viewers report-and

Offer and consent that an order of the Honorable County Court
may be entered restricting the applicant to the use of said three
logging reads and landings as set out in the viewers' report and
the plat filed in said cause-to the months of November-December-
1891-and January-February and first half of March 1892-with the
privilege of the last half of October 1891 for preparing the read
and net logging-as to reads numbered 1 & 3; and the same months
of this winter and of next winter for read numbered 2-as it will
be impossible to move the timber tapped by read no-2 this season
but by the other reads all the timber may be removed in the four
months of this winter when the ground is frozen and will not be
injured.

The Grande Ronde Lumber Company



Petitioners-by
their Attorney.

In County Court
Marion County

Oregon

James Grande
Rural Secunder
Compton

offer by petition

James Oliver
County Clerk.

OCT 9 1891

FILED

From the Office of

C. H. FINN, Attorney at Law,
LA GRANDE, OREGON.

REPUBLICAN PRINT, LUNDA, OREGON.

In the County Court, Union
County, Oregon

In the matter of the
logging roads and
landings petitioned
for by The Grande
Ronde Lumber Co
(Incorporated)

Answer to
Ch. Fox

Comes now the Grande Ronde Lumber Co, the petitioners and replying to the claim of Ch. Fox say that they deny that ~~J. H. Hunter~~ ^{Ch. Fox} is the owner of the ~~NE 1/4 Sec 10~~ ^{NE 1/4 Sec 10} ~~SE 1/4 Sec 10~~ ^{SE 1/4 Sec 10} ~~SW 1/4 Sec 10~~ ^{SW 1/4 Sec 10} ~~NE 1/4 Sec 11~~ ^{NE 1/4 Sec 11} ~~SE 1/4 Sec 11~~ ^{SE 1/4 Sec 11} ~~SW 1/4 Sec 11~~ ^{SW 1/4 Sec 11} or any part thereof the said lands being the same through ^{which} said proposed road will run and allege that at the filing of the petition of the petitioners they thoroughly examined the records of Union County, Oregon and none of said lands were in the name of said Ch. Fox or his partner J. H. Hunter but in the name of the National Lumber Co - who were duly served with notice and they had no

Knowledge of any ownership by
Ch. Fox or his said partner of any
of such lands; the petitioners deny
that the annual value of said lands is
\$300 or any greater sum than \$20
per year for the use of said proposed
logging roads and landings; deny
that the establishment of the pro-
posed roads across said lands will
destroy or cut up any meadow or grass
lands or necessitate any additional
expense as the petitioners will not
use said lands only in the winter
time for such logging purposes
when the grass is not growing or can be
pastured or lands cultivated; deny
that said roads will injure any
growing timber or cut off or appropriate
any of said timbered lands either to the
damage of said Ch. Fox or the owner
of said lands, or cut them off from
waters in the sum of \$500 or any
other sum or at all

Therefore petitioners pray as in
the petition

Ch. Fox

Att. for petitioners.

The Grand Jurors &

STATE OF OREGON
COUNTY OF UNION
COURT OF THE CIRCUIT COURTS

STATE OF OREGON,
COUNTY OF UNION, } ss.

I, Chas. Ginn do swear that I
am petitioner and the
foregoing copy is true as I verily believe. that made
this affidavit because I have personal
knowledge of the knowledge thereof

Chas. Ginn

Subscribed and sworn to before me, this 20th 1897

James Oliver
Clerk

I do hereby certify that the foregoing is a true copy of the original pleading and the
whole thereof as prepared and compared by me as _____ attorney.

No.....

County
IN THE CIRCUIT COURT

OF THE STATE OF OREGON,

COUNTY OF UNION.

The Grande Roche
Lumpkin Co PLAINTIFF
vs.
Peckham

DEFENDANT

Reply to claim
of C. H. Finn

FILED *Oct 14th* 189*1*

James Oliver
COUNTY CLERK.

BY _____ DEPUTY.

C. H. FINN, Attorney at Law,

LA GRANDE, OREGON.

J. H. Peckham
REGISTERED PRINTER, UNION, OREGON.
Peckham

In County Court Union County Oreg

In the matter of the logging
roads petitioned for by
The Grand Round Lumber
Company (Incorporated) } answered
&
J. H. Hunter

Comes now the Grand Round
Lumber Co. the petitioners
and replying to the claim of
J. H. Hunter say:
That they deny that J. H. Hunter
is the owner of the $N\frac{1}{2}S\frac{1}{2}$ Sec 11,
 $NE\frac{1}{4}SE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$,
 $N\frac{1}{2}NW\frac{1}{4}$ Sec 10 - Tp 3SR36 E
w. m., or any part thereof
which land, the logging roads
will cross and allege that
at the ~~commencement~~^{filing of petition} of the
petitioners, they thoroughly
examined the records of the
office of County Recorder of
Union County Oregon and
also that of the County Clerk
of said County and none of said
lands stood in the name of J. H. Hunter
but in the name of the McWhorter
only who ~~was~~^{was} ~~known~~^{was} with a belief
and they had no knowledge of any
ownership by J. H. Hunter of any of said lands

The petitioners deny that the annual
value of said lands ^{is} ~~are~~ \$300 or
any greater sum than \$25 per
year for the use of said proposed
logging roads ^{lawfully} - deny that the
establishment of the proposed
road across said lands will
destroy or cut up any meadow
or grass lands or necessitate
any additional fencing as
the petitioners will use said lands
only in the winter time for such
logging purposes - when the grass
is not growing or can be pastured
or lands cultivated; denies that
said roads will in any way
grow any timber, or cut off or
appropriate any of said timber lands
either to the damage of said
J. H. Hunter or the owner of said
lands in the sum of \$1000 or
any other sum or at all

Wherefore petitioners pray as
in their petition.

C. S. Friend
Att. for petitioners
The Grand Jurors
Lumber Co

STATE OF OREGON
COUNTY OF UNION
COURT OF PROBATE
IN AND FOR THE COUNTY OF UNION
STATE OF OREGON

STATE OF OREGON, }
COUNTY OF UNION, } ss.

I, C. H. Furr do swear that I
am petitioner's attorney and the
foregoing Reply is true as I verily believe. that I make
this affidavit because of own personal
knowledge of the contents thereof
C. H. Furr

Subscribed and sworn to before me, this Oct 14th 1897

James Oliver
Clerk

I do hereby certify that the foregoing is a true copy of the original pleading and the whole thereof as prepared and compared by me as _____ attorney.

No.

County

IN THE CIRCUIT COURT

OF THE STATE OF OREGON,

COUNTY OF UNION.

The Grande Ronde

PLAINTIFF

vs. Peter

DEFENDANT

*Reply & claim
of J. W. Hunter*

FILED.....1891

Oct 14th

James Oliver

COUNTY CLERK.

DEPUTY.

BY

C. H. FINN, Attorney at Law,

LA GRANDE, OREGON.

for Peter

REPUBLICAN PRINT, UNION, OREGON.

In the County Court of Union County
Oregon

In re application of the
Grand Road Lumber Com
pany for logging
roads in said County

Now at this time come
J. H. Hunter & C. L. Fox the owners
and in possession of lands through
which said proposed logging roads
extend and object to the adoption
of the views and surveyor's report
filed herein for the reason
that the Court has no jurisdiction
of the subject matter.

T. H. Crawford
Attorney
at Law for Respondents

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County Court
Union County
State of Oregon

For R. Howard
Grand Juror
Campbrey
etc.

Attorneys & the
Deputies of Union
County

Dated Oct 14th 1891
James Owen Clerk

J. H. Kinsinger
W. B. Watson
Clerks for the

Second Judicial Day

Thursday Sept. 10th 1891

In the Matter of the Logging
Roads petitioned for by the
Grande Ronde Lumber Company }

This matter came on to be heard at this time upon the petition of the Grande Ronde Lumber Company for certain Logging Roads in Union County and upon the appointment of Viewers and appraisers for the same, and it appearing to the Court that this is a proceeding under an act of the Legislature of the State of Oregon entitled an act "Locating, Opening and Maintaining Roads and Chutes to be Used for Lumbering and Logging Purposes, and Providing Compensation of the Use of Lands Condemned for such Purposes" approved February 25th 1889, that notice of this proceeding has been given to each of the parties who own or claims any interest in the lands across which said proposed roads would extend, by personal service of a copy of said notice upon each of said parties except C. L. Fox proof of which has been duly made and filed herein and by publication thereof in the ~~La Grande~~ ^{Ronde} ~~Journal~~ ^{Chronicle} a weekly newspaper of general circulation in Union County Oregon for 5 consecutive weeks proof of which has been duly filed herein and comes now C. B. Dinn Attorney for petitioner and files his motion for the appointment of a Guardian ad Litem to protect the rights of Earnest O. Mahaffey and Maggie D Mahaffey minors. It is therefore considered and ordered by the Court that A. C. Williams an attorney of this Court be appointed Guardian ad litem to represent and protect the rights of said minors.

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

Third Judicial Day
Court met pursuant to adjournment with the same officers as on yesterday.
One proclamation of the opening of Court having been made the Journal of yesterday
proceedings was read approved and is held now as usual.

Friday Sept 11th 1891

J. N. Starbird
County Judge

Thereupon the following proceedings were had, to-wit:

In the Matter of the Logging
Roads petitioned for by the
Grande Ronde Lumber Company }

COMMISSIONERS JOURNAL "E"
PAGE 619

This matter comes on at this time to be heard upon the appointment of Viewers and Surveyor and appraisers of damages, the petitioner appearing by C. H. Fain of Counsel and the minors Maggie D. Mahaffey and Corney P. Mahaffey, appearing by A. C. Williams their duly appointed qualified and acting Guardian ad-litem, And the defendants Henry Kometer and C. H. Fox appearing in person and by J. H. Crawford of Counsel, and said J. H. Kometer having filed a claim for damages in which he alleges that he is the owner of the W² of SW⁴ Sec 11 and N² of S² and E² of N² and NW² of N² and N² of NW² Sec 10 T³ R. 36 T² W. M. through which the said proposed logging road would extend, to the damage of said claimant as he alleges in the sum of \$1500⁰⁰. And said C. H. Fox having filed a claim for damages in which he alleges that he is the owner of NW² of N² Sec 15 and S² of S² + S² of SW² Sec 10 + N² of S² + S² of N² Sec 11 T³ R. 36 T² W. M. through which the said road would pass to the damage of said claimant, as he alleges in the sum of \$1500⁰⁰. And no other party interested having made any appearance, and only the two claims for damages having been filed, and this being the term of Court heretofore set for hearing of said application for Logging Roads, the Court proceeded to hear the allegations of all persons interested, and said Guardian ad-litem having announced in open Court that he had investigated the matters so far as related to the interest of said minors, and that it would not be to their interest to claim any damages, and the Court finds that said roads are necessary, feasible and advisable. It is therefore considered and ordered by the Court that Jan Starbird, W. P. Baults and E. P. Staples, three disinterested householders, and competent to serve as viewers, be appointed Viewers and J. L. Curtis Surveyor, to view and locate said

Third Judicial Day.

Friday, Sept 11th 1891

proposed logging roads, and that they meet on Monday Sept 21st 1891, at 10 o'clock A.M. at the beginning of one of said proposed roads and proceed to view and locate said proposed logging roads as provided by Law, having first taken and subscribed an oath, before some officer qualified to administer oaths to discharge their duties as viewers faithfully and impartially. And said viewers at the time of locating said roads, shall fix and determine the damages that will be suffered by H. Wray Hunter and C. L. Fox, claimants herein, and render a report of their doings herein to this Court on or before the next regular term of this Court, and the Court hereupon files Wednesday the 7th day of October 1891. the same being the Third day of the next regular term of this Court, and the first day that the County Commissioners will be in session for County business, for receiving and hearing said report of viewers.

In the matter of the
Delinquent Tax Rolls

It appearing to the Court that this is the time heretofore fixed by this Court for the return of the Delinquent Tax Rolls and that the Sheriff has levied upon and advertised a large amount of property to be sold for delinquent taxes, and is not yet ready to return said rolls, It is considered and ordered by the Court that the sheriff be allowed until the regular term of this Court in November to sell said property and make proper returns on said Delinquent Tax Rolls, and that the clerk of this Court put new warrants on said Rolls returnable on November 1st 1891 and the settlement with the sheriff is continued until said November Term of this Court.

In the matter of the
allowance of Mrs. Callan's Bills
against the County

At this time it is ordered by the Court that the Bill of S. Albrson for \$10⁰⁰ for J^r fees in

First Judicial Day

Wednesday Oct 7th 1891

hearing at this time, the petitioners appearing by R. Eakin of Counsel and the Objector appearing by J. W. Crawford of Counsel and after argument of Counsel and the Court being fully advised, in the premises It is considered and ordered that said motion be sustained and that this proceeding be dismissed.

In the Matter of the Road
petitioned for by John W.
Cowan and others

At this time it appearing to the Court that the appraisers heretofore appointed by this Court to assess the damages that would accrue to Geo. S. Foster by reason of the establishment of said proposed road have not yet made a report of their doings as such appraisers. It is ordered that this matter be continued for the term.

In the Matter of the proposed
Logging roads petitioned for by
the Grand Ronde Lumber Co.

This matter came on to be heard at this time on the reports of the viewers heretofore appointed herein, and it appearing to the Court that only two of said viewers have signed said report, on motion of C. W. Finn, atty for petitioners, It is considered and ordered that petitioners be allowed until tomorrow to have the third viewer sign said report. Thereupon the Remonstrators J. N. Hunter and L. B. Fox by J. W. Crawford, their attorney file their motion to dismiss this proceeding for want of jurisdiction of the Court herein, and said proceeding came on for argument on said motion, the petitioners appearing by C. W. Finn of Counsel and the Remonstrators appearing by J. W. Crawford of Counsel and after argument of Counsel, and the Court being fully advised in the premises, It is considered and ordered that said motion be overruled and denied.

In the Matter of the proposed
County road petitioned for
by R. D. Ruckman.

This matter came on to be heard at this time on the motion of E. J. Cooper to dismiss this proceeding for the want of jurisdiction of this Court, the petitioners appearing by C. W. Finn

Grand Judicial Day

Thursday, Oct 8th 1891.

days of the present term of the Court, and it appearing to the Court that said viewers report favorably therein, and recommend that said proposed road be reestablished as a County road and be 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 except the claim of G. M. Walk which has been heretofore disposed of, 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 L. P. Kelley Road Supervisor of Road District No 25 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 x

In the Matter of Logging
Roads petitioned for by the
Grand Runo Lumber Co. } It appearing to the Court that this
matter was continued until today for hearing on the Report
of Viewers herein, so that the 3rd viewers could sign the report
and the Court not having time to hear further arguments
today and being about to adjourn, It is considered and
ordered that this matter be continued and set for hearing
on Wednesday Oct 14th 1891, and the petitioners is allowed
until that time to have viewers report completed and
filed.

Third Judicial Day.

Wednesday Oct 14th 1891.

Court met pursuant to adjournment.

The same officers were present as on the last Judicial Day.

Just proclamation of the opening of Court having been made the Journal of the last days proceedings was read, approved and is herewith signed.

D. N. Sanders
County Judge.

Thereupon the following proceedings were had, to-wit:

In the matter of the application of the Grande Ronde Lumber Company, (a private corporation) for the reestablishment of certain logging roads etc in Union County Oregon over the lands of others

And now at this time - the same being the time fixed by the Court for the hearing thereof - this matter came on to be heard on the report of the viewers heretofore appointed by the Court, to-wit: J. H. Sterbird, E. P. Staples and H. R. Banks filed herein and other matters including the objections to said report respecting the establishment of the certain roads and landing places prayed for by the applicants - The Grande Ronde Lumber Company the said applicants appearing by C. H. Firm of Counsel and the respondents by J. A. Crawford and R. F. Nelson their attorneys, and it appearing to the Court that said Viewers had met at the points designated on the petitioners map on September 21st 1891. for viewing and locating said roads prayed for and after duly qualifying according to law had carefully examined the several routes set out and proposed by the applicant and fixed on its map filed with the petition and that accompanied by the County Surveyor they had located the said routes not deviating materially from those petitioned for and duly assessed the damages due the parties owning the lands affected or due complainants, which roads so located are fully set out and described in the

Third Judicial Day

Wednesday Oct 14th 1891.

map and field notes of the Surveyor referred to and which appears to be made a part of said report and fixed at a width of 30 feet each and had selected a space and frontage on the Grande Ronde River for each road of one acre to enable the applicants to remove the timber described in their petition. And the Court ^{now} being fully advised in the premises find said report is in all things regular and that the same should be adopted and confirmed and that the objections thereto be denied, and the Court now being satisfied that the several proposed roads are necessary feasible and advisable for the removal to market of the timber described in the applicants petition, It is ordered that the damages assessed by the said viewers and set out in their report to-wit: \$17⁰⁰ for each of the three roads per year be paid by the applicant - The Grande Ronde Lumber Company - and in case the complainants or either of them refuse the amount so assessed for them, then that the same be deposited with the Clerk of this Court subject to the order of the parties entitled to the same, And it is further ordered that said viewers report and map with field notes be filed and the said logging roads as therein specified together with the several landings or frontages specified by the viewers are hereby allowed and authorized and the same may be opened, built and used by the said applicants as prayed for. And it further appearing to the Court that the applicant has filed herein its offer and proposal to pay for said roads and landings only in the winter months of the year when it will be of the least damage to the owner of said lands crossed and used and that they desired the term reduced for their use to one year for roads numbered one and three in the report and field notes and to two years for road numbered two of said report and notes, It is hereby ordered that the said applicant be restricted to the use of road numbered one running across NW 1/4 Sec 15, SW 1/4, SE 1/4 SW 1/4 Sec 10 all in Twp 3 South of Range 36 East end of road numbered 3 running across NW 1/4 Sec 12 + NW 1/4 SW NW 1/4 Sec 11 all in Twp 3 South of Range 36 East as described in said report and notes with the landings of one acre to each on the Grande Ronde River for the months of November + December of 1891. and the months of January

Third Judicial Day

Wednesday Oct 14th 1891.

February and first half of March 1892, and in case through the fault of other persons the applicants shall be prevented from using said roads and landing, the said jurist, then the said applicant shall have the same months of the following winter to use the said grounds for the removal of the timber so owned by said corporation; that further in the use of the road numbered 5 of said report and notes, the applicant shall be restricted in the use thereof in crossing the N^o 20, W^o 20, N^o 20, Sec 11 + 12 N^o 20, N^o 20, N^o 20, Sec 10 SW cor. Sec 3 all in Twp 3 South of Range 36 East in Union County, Oregon as described in said report and notes and said landing of land here to the months of November & December 1891, January and February, November & December 1892 & January, February and first half of March 1893, and that the costs of this proceeding be taxed to the applicants as provided by Law.

In the matter of letting
the contract for saw-
ing Wood for Court house

This matter came on to be heard at this time on the letting of the contract for sawing Wood for Court house, and it appearing to the Court that M. D. L. M. Linn has offered to saw the wood for use of Court house twice in two for .75 cts per cord + J. M. Minnick has offered to saw the same for .65 cts per cord twice in two and once in two for .45 cts per cord, and it appearing to the Court that J. M. Minnick's bid is for the best interest of the County it is therefore considered and ordered that the contract be let to J. M. Minnick and that he saw 2 cords in two once + the remainder in two twice for the prices stated in his bids.

In the matter of
Calculating the
Court House

This matter came on at this time on the opening of bids to calculate and paint the interior of the Court house, and upon opening said bids it appears to the Court that James A. Bell offers to paint all inside work

Fifth Judicial Day

Friday January 8th 1892

Constable fees State vs Antney be allowed

It is further ordered that the bill of J. D. Slater for 5⁰⁰ for Dist atty fee State vs Antney be allowedIt is further ordered that the bill of Dan Starbird for \$6⁸⁰ for View onIn the matter of the bill of }
Summing the Logging Roads }
of Grande Ronde Lumber Co }

This matter came on to be heard at this time on the bills of View and Survey etc in the matter of Logging Roads petitioned for by the Grande Ronde Lumber Co and it is considered and ordered that the bill of Dan Starbird for \$6⁸⁰ be allowed. It is further ordered that the bill of E. P. Staples for \$5²⁰ be allowed. It is further ordered that the bill of W. R. Banks for \$5²⁰ be allowed. It is further ordered that the bill of W. H. Stanley for 6⁰⁰ be allowed. It is further ordered that the bill of J. H. Hunter for \$4²⁰ be allowed. It is further ordered that the bill of Arthur Curtis for \$6⁸⁰ be allowed. It is further ordered that the bill of J. L. Curtis for \$15⁰⁰ be allowed. And it appearing to the Court that said claims are for services on Roads for the special benefit of the Grande Ronde Lumber Co and that they aggregate \$49⁰⁰ and that in addition thereto the Clerks fees in said proceedings amount to \$19⁴⁷. It is considered and ordered by the Court that said Company reimburse the County for said several sums of money so paid out aggregating the sum of \$68⁴⁷ and that the clerk send a copy of this order to said Company.

In the Matter of Allowance of Contingent Bills }

at this time it is ordered that the bill of John Rynearson for \$4⁵⁰ for tools on Co road be allowedIt is further ordered that the bill of Hall Bros for \$9⁸⁰ for Supplies for Court house be allowedIt is further ordered that the bill of F. W. Reynolds for \$5⁰⁰ for Automatic Postal scale be allowedIt is further ordered that the bill of Glass Predmore for \$6²⁰ for Pens etc for Court house be allowed

It is further ordered that the bill of Hall Bros for 25c for Blotter be allowed