

No 40 L
IN
Circuit Court,
UNION COUNTY
OREGON

George Ott -

Plaintiff

vs

A Shaw

Defendant

Action for

Docket

Page

N. C. McLeod
Attorney for Plaintiff

Attorney for Defendant

Session held Sept 3 1911

447

Minutes appointed G 54

Retained for by
Wm Hull et al

Appraisers " 585

Dismissed " 626

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 and establish a County road within said County on the following line or route to wit

Commencing at the North east corner of the North west quarter of Section 29 in Township 1 South of Range 39 East of Willamette Meridian and running thence due east on the section line about 90 rods thence South across Grande Ronde River about 20 rods more or less to the North bank of said river within the bend thereof thence east along the North bank of said river North of Wm Hull's orchard to the North east corner of said orchard, thence nearly south to the 6th line of the Northeast 1/4 of North west 1/4 of Section 28, T 1, S R, 39 E, W M thence along said line east about one mile thence making a curve to the right or south from said line around the hill-side near the fence of Joseph Harris returning again to said line about 60 rods east from the point of leaving said line thence following the said line East to the South east corner of the North east quarter of the North west quarter of Section 27, in Township 1 South of Range 39 East of the Willamette Meridian and there terminating

And in duty bound your petitioners will ever pray &c

| NAMES | NAMES |
|-------------------|--------------------|
| Wm Hull | Thos B Gilham |
| E D Gann | Ben McDonald |
| H H Elmer | M B Mitchell |
| J J Glenn | Wm German |
| Jesse Imbler | J S Macdell |
| J N Rinsant | J A McKenzie |
| Wm [unclear] | V S [unclear] |
| William [unclear] | A [unclear] |
| J G Roe | W A Parker |
| Samuel Cochran | Wm Long |
| Chas S Coffe | Joseph E [unclear] |
| Thos M Kuckman | R C O Pitzer |
| E F Stewart | J E Weaver |
| J A Strop | Abner Cobb |
| Asberry Stansell | J A Woodell |
| C C Welch | J J Frawley |
| Rodman [unclear] | William Barnett |
| M G Neville | R D Kuckman |
| Geo B [unclear] | C A Imbler |
| C P Wiley | J S [unclear] |
| A [unclear] | E J Flanery |
| | H Barber |
| | W B Johnson |

Filed July 31 1974
J.R. Brown
Clerk

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Notice of Road Petition



To all Whom it Concerns 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 road is proposed to be will at the next session of the County Court for Union County Oregon to wit on Wednesday the 5th day of September A D 1894 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 the Northeast corner of the North West quarter of Section 29 in Township 1, South of Range 39 East of Willamette Meridian, and running thence due east on the Section line about ninety rods, thence South across the Grande Ronde River about twenty rods more or less, to the North bank of said River within the bend thereof, thence east along the North bank of said River to the North East corner of said quarter thence nearly south to the South 1/4 line of the Northeast 1/4 of North West 1/4 of Section 28, T 1, S R 39 E W M, thence along said line east about one mile thence making a curve to the right or South from said line around the hill-side near the fence of Joseph Harris, returning again to said line about 60 rods east from the point of leaving of said line thence following the said line East to the South East corner of the North East quarter of the North West quarter of Section 27, in Township 1, South of Range 39 E W M, and thence terminating

NAMES

NAMES

Wm Bull

Thos Gilham

O D Gam

Peter McDermott

H H Elmer

M B Mitchell

T J Gilman

Wm Gorman

Jesse Imbler

J S Marshall

J W Birchard

J A McKim

Henry Stoop

V S Danner

William Stoop

A Keyer

J L Roe

W A Parker

Barnes Cochran

Wm Lang

Chas L Coffe

Joseph Jones

Thomas A. Buckman

E W Jones

R B Oliver

O W Collier

E F Stewart

J A Woodell

L A Stoop

J A Woodell

Aberry Starnell

William Bennett

L C Welch

R D Rickman

Rocwell McKim

E A Imbler

W G Neville

J C Stanley

Geo Behrens

E J Henry

C P. W. A.

H B Barber

Wm Goldsmith

T B Johnson

Passed
July 21/1894

STATE OF OREGON,
County of Union, } ss.

I, F. S. Slater being first duly sworn, say that I posted ^a ~~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~~

~~Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the~~ day of ~~18~~, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 31 day of July, 1894, 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.

Subscribed and sworn to before me this 5 day of Sept 1894

F. S. Slater
J. R. Oliver
Ct. Clerk

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

I, Wm Hull

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 Beginning of the road on corner of San Morris fence One on the Subler Post office by side of door and one at the terminus of road on the fence by side of public road

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 1st day

of August 1894, and that thereafter and thirty days previous to the presentation of said road petition

therein mentioned, to-wit: On the _____ day of _____ 18____, 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.

Wm Hull

Subscribed and sworn to before me this 5 day of Sept 1894

*J.R. Oliver
Clerk*

BOND OF ROAD PETITIONERS.

Know All Men by These Presents, That *Wm Hull*

and _____, of the County of Union and State of Oregon, am held and firmly bound unto 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 *5* day of *Sept* A. D. 189*4*

Now, the condition of the above obligation is such, That, whereas the above named *Wm Hull*

and _____, and others, have petitioned the County Court of said County of Union, at the *September* Term, 189*4*, thereof for a County Road, commencing

Described in petition hereto attached

Now, if the above named *Wm Hull* and *others*

shall well and truly pay, or cause to be paid, all costs and expenses that may be incurred by reason of the view or review of said Road, in case the prayer of said petitioners be not granted or allowed, then that this obligation shall be void, otherwise to remain in full force and virtue.

Wm Hull (L. S.)

(L. S.)

STATE OF OREGON, }
County of Union. }

I, *Wm Hull* and _____

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

Wm Hull

Subscribed and sworn to before me this *5* day of *Sept* A. D. 189*4*

J R Oliver
County Clerk.

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

IN THE MATTER OF THE

Opie Duce
ROAD.

BOARD OF ROAD PETITIONERS.

Approved..... 189.

County Judge.

Filed

Sept 11 1894
J.P. Shwin
County Clerk.

By

Deputy.

W. H. Houser
Geo. Moore
A. J. Herington

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

In the matter of the road)
petitioned for by William)
Hull, et-al.)

Now at this time comes Joseph Harris, Samuel
Morris, et-al, and ^{object} ~~consents~~ hereto and remonstrates against
the allownace of the road herein petitioned for, for the
reason that the same is impracticable ^{and of} ~~to~~ no public utility
and will be great expense to the County and out of propor-
tion to its utility.

Samuel Morris.....
Joseph Harris.....
.....

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

In the matter of the road)
petitioned for by William)
Hall, et-al.)

Now at this time comes Joseph Harris and Samuel Morris and move the Court to strike out the report of the viewers and surveyor herein, *and to desist this proceeding on account of the insupportability of the said road.* The said viewers report being filed by A. J. Hughes and James Moss, and the surveyor's report being attached thereto signed by W. P. Blakeslee, County Surveyor.

On the following grounds:

First: That said report does not disclose that all three of said viewers met and viewed said road, and the same is only signed and purports to be the report of two of said viewers. For the further reason that the said surveyor's report is not a formal report of any character and is unintelligible, is not certified or otherwise authenticated; it does not disclose the establishment of mile posts and angle stakes, as required by law, and said surveyor's report is not sufficient or definite to identify the survey with the lines purposed by the petition, and bases this motion upon the petition and the said report.

Samuel Morris
.....
Joseph Harris
.....

County Court
for Clerk J. D. Ryan
for Maria D. Kelly

June Road
Return for B
on Street

FILED

NOV 7 1894

W. R. Williams
COUNTY CLERK.
COUNTY CLERK.

John D. Williams
John Williams
Return for Maria

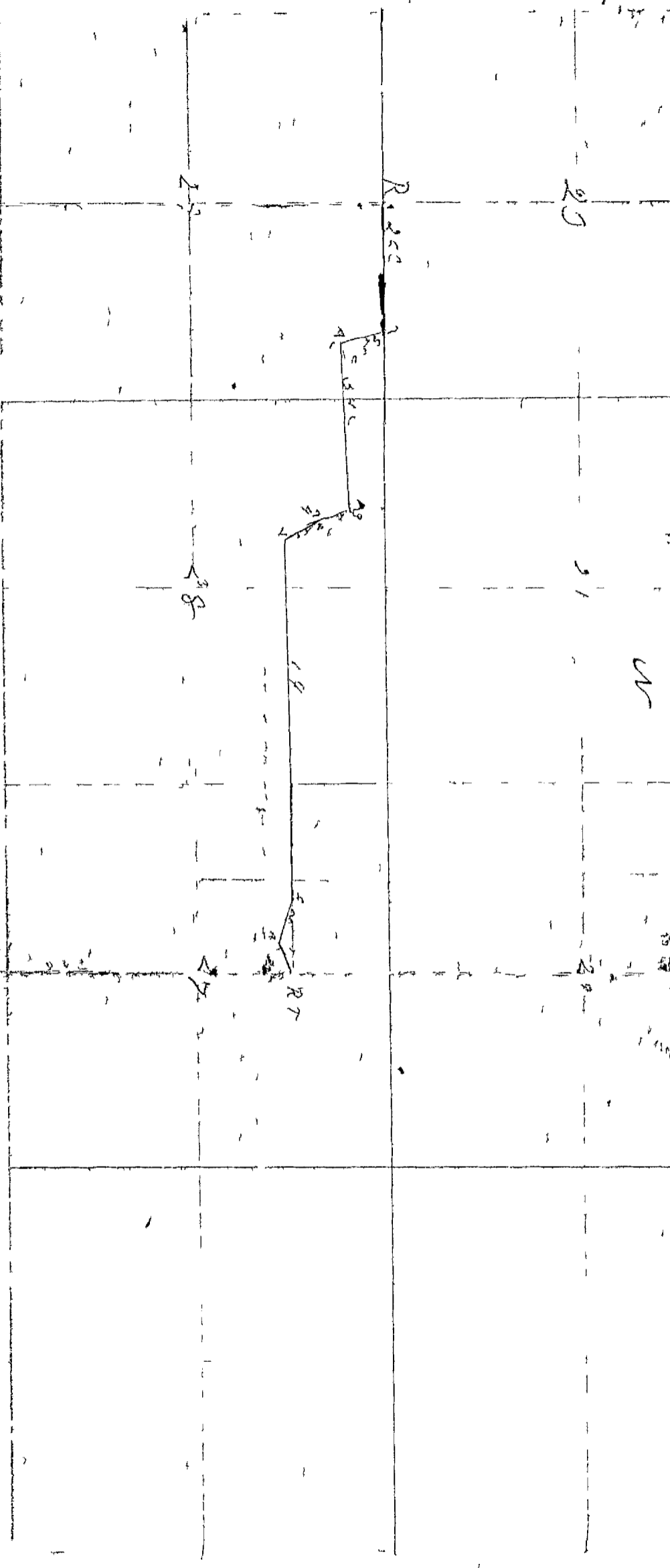
10

25

21

28

N



South T 1 S of R 89 E nr m

3

Hull Road

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 15th day of Sep, 1894, 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 Wm. Hull, et al, beg leave to report that on the 10th day of Sept, 1894, 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~~ be laid out established as a public highway of Union County, Oregon; that the same is practicable and would greatly add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be ~~laid out~~ laid out declared a public highway of said county.

A. J. Hughes
James H. ...

VIEWERS.

Union Oregon Oct 14 1894

In the matter of the Road petitioned for by
Wm Hull I do
allow me to submit the following Report

commencing at the N E corner of the
N W 1/4 of Section 29 T 1 S of R 39 E W 1 M

Running East- 20 chain. To angle one

Thence S 17° E 9 $\frac{50}{100}$ 2

.. E 2° N 34 3

.. S 15° E 5 $\frac{50}{100}$ 4

.. " 20° .. 2 $\frac{50}{100}$ 5

.. E .. 74 6

.. " 12° S 8 7

.. " 13° N 5 To Post in center of Road

on at the S E corner
of the N E 1/4 of the N W 1/4 of Section 27 T 1 S
of R 39 E W 1 M

W B Blakeslee
County Surveyor

IN THE COUNTY COURT OF THE STATE OF OREGON

FOR UNION COUNTY.

In the matter of county

road petitioned for by

William Hull and others.

Now comes Joseph Harris, the objector in the above premises and moves this court that the report of the viewers and appraisers in said premises be set aside and the petition be denied for the following reasons, to-wit:-

I. That said road is within one half mile of the county road ordered open on petition of Henry Striker and which road serves the same purpose as the proposed road.

II. That two bridges across Grande River one half mile from each other must be built at the expense of the county.

III. That with both the Striker road and the proposed road, an enormous expense will be incurred to this county in the future.

IV. That the report of the viewers and the appraisers of damage on the proposed was biased, unfair and totally in contrast with the facts.

Clas E. Cochran
Attorney for
objector
Joseph Harris.

Beulah county
County of the
State of Oregon
for county of Marion

By the master of court
now returned for
by you shall receive

FILED

OCT 4 1894

J. R. Quinn
COUNTY CLERK.

Robert Johnson
Attorney for
applicant

State of Oregon
County of Union

W^o E. D. Springer,
Nels Schoonover and Samuel Pursel being first
duly sworn say, each for himself, that I
will honestly and impartially ~~the~~ appraise
the property of the claimant ^{named} in the written order
of the County Court which will be damaged by
the location and establishment of the within
mentioned proposed County Road to the
best of my knowledge and ability.

E. D. Springer
N. Schoonover
S. A. Pursel

Subscribed and sworn to
before me this 27th day of October 1894

J. R. Oliver, Clerk
By G. W. Benson, Deputy

STATE OF OREGON,
County of Union. } ss

I, J. R. OLIVER, County Clerk for Union County, State of Oregon, and ex-officio Clerk of the County Court for said County and State, do hereby certify that the foregoing Transcript of Order of the County Court has been by me compared with the original and that it is a true and correct copy of said original order of Court and of the whole thereof, as the same appears of record in my office and custody.

WITNESS, my hand and Seal of the said Court, this 16th day

of October 1894
J. R. Oliver Clerk.

By Deputy.

Be it Remembered, That at a Regular Term of the County Court, of the State of Oregon, for the County of Union, in Probate sitting, begun and held at the Court House in the City of Union, in said County and State, on Monday, the _____ day of _____ A. D., 189____, the same being the first Monday in said month, and the time fixed by law for holding a regular term of said Court, when were present:

The HON. L. N. SANDERS, Judge.

TURNER OLIVER, Clerk.

J. F. HOLLES, Sheriff.

When, on _____ the _____ day of _____ A. D., 189____

or the _____ judicial day of said Term, among others the following proceedings were had in Probate, to-wit:

In the matter of the _____

And petitioned for by _____

Hull, et al.

This matter came on to be heard at this time on the report of the appraisers heretofore appointed herein and on the motion of Joseph Harris to set aside said report of appraisers; the petitioner _____ appearing in person, and Joe Harris appearing by Chas H. Cochran of counsel

and after argument of counsel the court being fully advised in the premises, it was ordered that said motion be set aside, the report of the appraisers be sustained, and the said report set aside and held for _____

_____ and it appearing to this Court that the said Joseph Harris, claims that he will be damaged in the sum of \$1000.00 by the location of the said road, and it appearing that _____ claims, that he will sustain damages in the sum of \$500.00 by reason of the laying out and _____

_____ of said proposed road; it is therefore _____ and ordered that E. F. Springer, Nels Schoonover and S. A. Fussel be appointed appraisers to examine the premises of each of the above named claimants

the entire distance through which the said proposed road will pass and after taking into consideration the advantages that will be derived by reason of the location and establishment of said road as well as the disadvantages, to report to this Court how much less valuable the premises

of each of said claimants Joseph Harris and Saniel Morris, will be rendered by reason of the location of the said proposed road and that they

_____ at Union, Or on the 30th day of October A.D. 189____, and after qualifying proceed to view and render their decision accordingly.

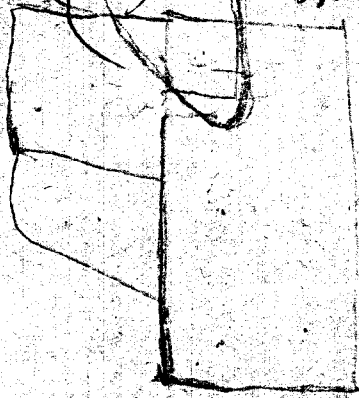
L. N. Sanders Co Judge

~~S. S. W.~~

J. S. & Brooks

objection
to
By Hull

Chas Myers
Henry Striker
John McKinstry



C. C. Fraser
Jas M^d Call
Haskell

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

We, the undersigned viewers heretofore on the 5 day of Sept, appointed to view out and assess the damages claimed by Jos Harris in the matter of the proposed county road, petitioned for by Wm Deuge et al. beg leave to report that on the day of Sept 27, 1894, we, after being duly sworn to discharge our duty faithfully and impartally, proceeded to view said proposed road the whole distance through the premises of Jos Harris complainant, and to assess and determine how much less valuable said premises of said complainant would be rendered by the opening of said road, and we find that the premises of said complainant Jos Harris would be rendered \$200 less valuable, and that the premises of complainant Jos Harris would be rendered \$ less valuable, and the premises of the complainant would be rendered \$ less valuable by the laying out and establishment of said proposed road as a public highway of said county, and recommend that Nothing be paid to said complainant before laying out and opening said road as a public highway.

FILLED
OCT 2 1894
J. D. Oliver
COUNTY CLERK.

A. J. Hughes
W. G. Hunter
James Ross

State of Oregon)
 SS
County of Union)

I, A.J. Hughes, W.G. Hunter and James Moss having been appointed on the 5th day of Spetember, 1894, to view and appraise the damages that would accrue to Joseph Harris by reason of the construction of a proposed road petitioned for by Wm Hull, & et al, being first duly sworn say, each for himself that I will faithfully and impartially perform my duty, and report to the Court how much less valuable the said premises of Joseph Harris will be rendered by the opening up and construction of said proposed road.

A. J. Hughes

W. G. Hunter

James Moss

Subscribed and sworn to be fore me, this 20th day of Sept 1894.

M. A. Harrison
Justice of the Peace

In the County Court of the
State of Oregon for Union County,
On the Matter of County
road petitioned for by (affidavit of
Wm Hull and others)

I D. M. Perkins being first
duly sworn depose and say, that
I am now, at this time, a resident
in the vicinity of the proposed road
to wit: within one half mile.

I That said road begins at the south
side of town of Embler, and extends
Easterly to ^{a state} County road at S.E. corner
of NE⁴ of the NW⁴ Twp. 1. S R. 39 E. 10. m.

II That Grand Ronde river in its main
channel flows across the line of
the proposed road

III That said road could not be altered or
changed in any manner ~~so~~ as to
avoid said river.

IV That the land near said river is
low and Marshy and is in fact below
the high water mark of said river

V That said road is situated within
one half mile of County road #435

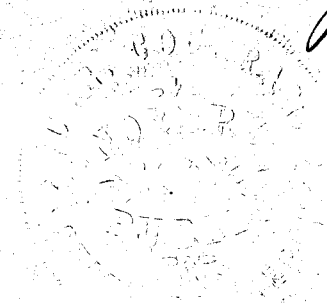
known as the Striker road
VII That the purpose of the proposed
road is fully and satisfactorily
by the Striker road

VIII That I am not interested in the said
proposed road, except as herein
before stated, in any manner.

J. M. Conklin

Subscribed and sworn to before me this
the 20th day of October A.D. 1894.

Geo. C. Cochran
Notary Public for Oregon.



1
In the County
Court of the State
of Oregon for the
County of

On the matter of a
County road petition
for the purpose of

affidavit

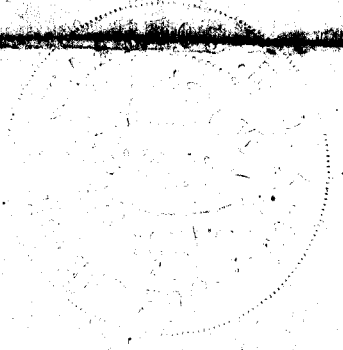
S M Ombler

FILED

NOV 7 1894

J. R. Allen,
COUNTY CLERK.

W. E. Johnson attorney
for applicant.



In the COUNTY COURT OF THE STATE OF OREGON
FOR UNION COUNTY.

In the matter of the
road petitioned for by
Wm. Hull et al.

Now comes Joseph Harris and complains and represents
to this honorable court;

- I. That said road is not a road that would accommodate the public.
- II. That a bridge would of necessity, have to be built across the
granderonde river at a small distance from ~~XXXXXX~~ a road now laid
out and bridge ordered built by this court on petition of Henry Striker
and others.
- III. That said road prayed for by Wm. Hull and others, if opened would
shut off from water(200) Two hundred acres of land now in my homestead
farm,
- IV. That I would, if said road is ordered open, sustain damage in the
reasonable sum of ~~\$2000.00~~ \$1000.00.

Wherefore , your complainant prays that said road be disallowed,
but if said petition be allowed and the said road ordered open then
your complainant prays that he be allowed \$1000.00, as damages ~~prayed for~~
and your complainant will ever pray,

Joseph Harris
Complainant.

Shelby County Court
for the State of Oregon
for Union County.

In the matter of Paul
Anderson for by
Newhall et al

Bills for charges

Mrs Oct 4. 94
J. P. Stone, et al
vs you Union Co

FROM THE OFFICE OF

J. E. Lockman

Attorney at Law

EASTERN OREGON PAPER CO., UNION PAPE

Conclainments

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

E. F. Springer and Neb Schoonover
We, the undersigned viewers heretofore on the *29th* day of *Oct*, appointed to view out and assess the damages claimed by *Geo Harris and Saul Morris* in the matter of the proposed county road, petitioned for by *Wm Hall* et al. *together with S. A. Burnett* beg leave to report that on the *29th* day of *October*, 18*94*, we, after being duly sworn to discharge our duty faithfully and impartially, proceeded to view said proposed road the whole distance through the premises of *Geo Harris and Saul Morris* complainant, and to assess and determine how much less valuable said premises of said complainant would be rendered by the opening of said road, and we find that the premises of said complainant *Saul Morris* would be rendered \$ *250⁰⁰* less valuable, and that the premises of complainant *Geo Harris* would be rendered \$ *100⁰⁰* less valuable, and the premises of the complainant *Geo Harris and Saul Morris* would be rendered \$ *350⁰⁰* less valuable by the laying out and establishment of said proposed road as a public highway of said county, and recommend that *said sums* be paid to said complainant *before* laying out and establishing said road as a public highway.

E. F. Springer
N. Schoonover

FILED

NOV 1 1894

J. R. Oliver
COUNTY CLERK.

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

S. A. Pursell and *W. H. Hull*, the undersigned viewers heretofore on the 4th day of Oct, appointed to view out and assess the damages claimed by *Jos Harris and Saul Morris* in the matter of the proposed county road, petitioned for by *Wm Hull* et al.

beg leave to report that on the 29th day of Oct, 1894, *I with C. S. Spriggs & Nels Johnson* after being duly sworn to discharge ~~our~~ ^{my} duty faithfully and impartially, proceeded to view said proposed road the whole distance through the premises of *Jos Harris and Saul Morris*

complainant, and to assess and determine how much less valuable said premises of said complainant would be rendered by the opening of said road, and we find that the premises of said complainant *Saul Morris* would not

be rendered ~~any~~ ^{any} less valuable, and that the premises of complainant *Jos Harris* would be ~~not~~ rendered ~~any~~ ^{any} less valuable, *provided Wm Hull build a chute or pass way to cross under the road* and the premises of the complainant would be rendered ~~any~~ ^{any} less valuable

*and if said Wm Hull does not build said chute then find that the premises of Jos Harris will be rendered less valuable by the laying out and establishment of said proposed road as a public highway of said county, and recommend that *Saul Morris* be paid to said complainant *Jos Harris* before laying out and establishing said road as a public highway.*

S. A. Pursell
W. H. Hull
Viewers

181

[Handwritten signature]

2
11
11
11
3
22
270

FILED

NOV 1 1894

J. R. Oliver
COUNTY CLERK.

In the matter of the road)
petitioned for by William) ENTRY.
Hall, et-al.)

Now at this time this matter comes on for hearing upon the report of the Appraisers of damages upon the claims of Joseph Harris and Samuel Morris.

And it appearing from the said reports that said Appraisers have failed to agree in regard to the amount of damages to be allowed; two of them making a majority report and one a minority report.

And it appearing to the Court that the Court cannot confirm their report unless they agree.

And it also coming up for hearing upon the report of the viewers and surveyors herein and upon the remonstrance of Joseph Harris and Samuel Morris, against the granting of said road, and also upon their motion to dismiss this proceeding, for further

the reason that the said viewers report does not conform to

law. *and that the said road is impracticable and not of sufficient public utility to justify the expending the same*
Said report disclosing the fact that but two of said viewers

met or viewed said road and the report being the report of but two of them, and the surveyor's report being insufficient and not conforming to the provision of the Statute.

And it appearing to the Court that said viewers report is insufficient and it being the report of but two of said viewers.

And it further appearing to the Court that there is another road parallel with the proposed road within a half-mile thereof, which has just been laid out, and the County is now con-

structing a bridge thereon at great expense, and that the proposed road will also require a bridge across Grande Ronde

River, with great expense to the County and impracticable, *and not of sufficient public utility to justify opening the same*
It is therefore hereby ordered adjudged and decreed by the Court that the petition herein be dismissed.

... ..

... ..

... ..

... ..

... ..

Calley

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

In the matter of the
County road petitioned
for by ~~Wm. H. Hill~~, and
others } affidavit of
Saul Morris.

I, Saul Morris, being first duly
sworn, depose and say, that I
am the owner of the following
described premises to wit:—

N²W²E² of sec 29 and East part containing
35 acres of N²W² of sec 20. Tp 10 R 39
E 2 W.

I That said road cuts of 35 acres of
my land from the west and would
not benefit me at all.

II That the said road begins at the south
side of the town of Imbler and extends
Easterly to county road on side hill
of the East Mountain at SE cor of N²W²E²
Tp 10 R 39 E 2 W.

III That Grande Ronde river in its
main channel flows across the line
of the proposed road.

IV That said road could not be altered
or changed in any manner so as to
avoid the crossing of said river.

V That said road is situated within

one half mile of the county road
#435 known as the Striker road
VII. That the purpose of the proposed
road is fully and satisfactorily
filled by the Striker road
which thereby saves the expense
of both roads to the county.

VIII. That I am not interested in
any manner in the proposed road
except as herein before stated.

Saml Morris

Subscribed and sworn to before me
this 19th day of October A.D. 1894

Chas C. Walker

Notary Public for Oregon.



1 On the County
Court of the State
of Oregon for the County
of Washington
On the matter of County
and petition for the
probate of a will.

affidavit.

Dea
Wm

FILED

NOV 7 1894

J. R. Oliver
COUNTY CLERK.

J. R. Oliver
per Register



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

IN THE MATTER OF A COUNTY ROAD PETITIONED FOR BY)
WILLIAM HULL AND OTHERS.)
-----)

Now comes Joseph Harris, by his attorney, and moves the court to disallow the said road mentioned in the above entitled proceeding and based on the objections of Joseph Harris heretofore filed with the clerk of this court and the affidavits of Samuel Morris and D. M. Conklin, parties who live in the vicinity of said road, for the following reasons, to-wit:-

I.

That the said road is altogether too close to the county road heretofore laid out by this court No. 435. *and therefore impracticable.*

That to build a bridge across the said river would be an expense too great for the county to bear, because the said proposed bridge is within one half mile of the bridge now under construction on the said county road No. 435. *and therefore impracticable.*

And also see the said objections of Joseph Harris and the affidavits of Samuel Morris and D. M. Conklin, for a more full statement of reasons.

Chas E. Cochrane
atly for
objector

County Court
Union County
State of Oregon

In ~~the~~ Road
petitioned for by
appellee;

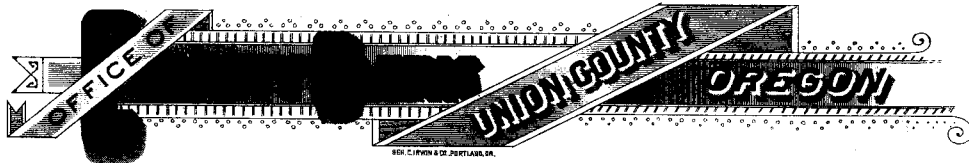
instants;

FILED

NOV 7 1894

J. R. Oliver
COUNTY CLERK.

J. E. Lechner



TURNER OLIVER, CO. CLERK.
J. R. OLIVER, DEPUTY.
G. W. BENSON "

Union, Or _____ 189

JAS. A. FEE,)
MORTON D. CLIFFORD,) CIRCUIT JUDGES.
CHAS. F. HYDE, DIST. ATTY.
I. N. SANDERS, CO. JUDGE.
W. D. ARNOLD,)
P. J. BROWN,) COMMISSIONERS.

To the Ho County Court :
Gentlemen :

I beg leave to report that I am the owner of the N²NE⁴ Sec 29 & 35 acres in SE⁴ of Sec 20 T¹S R 39 E That the road petitioned for by Tom Hume et al. will run through my lands and will cut off 30 acres from the balance. That if said road is laid out and established as a public highway my lands will be rendered less valuable in the sum of \$600⁰⁰ as I will be entirely shut out from the water.

Wherefore I ask that you allow me \$600⁰⁰ should said road be ordered opened up and established as a public highway

Samuel Morris

Third Judicial Day

Wednesday Sept. 5th 1894.

It is therefore considered and ordered that the said bond be approved and placed on file.

In the Matter of letting }
Contract for cutting Wood }

This Matter coming on to be heard at this time upon the bids of Elisham Bros, Azarah Jones E. S. Jones and John W. Minnie. And it appearing to the Court from said bids and propositions that Azarah Jones offers to saw the County's wood twice into for 60 cents per cord in County warrants, and that he is the best and cheapest bidder, that the said price is reasonable, that it is to the best interest of the County to accept said bid of Azarah Jones. It is therefore considered and ordered that the said Azarah Jones be awarded the contract for sawing the said wood.

In the Matter of the proposed }
County Road petitioned for }
by J. H. Wilson et al }

This Matter coming on to be heard upon the former order of this Court made and entered at the last regular term thereof, continuing said matter till this term and until the petitioners herein shall have paid the expense of surveying said road heretofore made; And it appearing to the Court that such payment has not been paid, It is therefore ordered that said petition be and the same is hereby dismissed.

In the Matter of the proposed }
County Road petitioned for }
by Wm. Hull et al. }

Comes now Wm. Hull one of the petitioners for the above named ^{proposed} County Road, and presents to the Court the petition of himself and others, praying for the location and establishment of a County road, described as follows to wit: Commencing at the Northeast corner of the Northwest quarter of Section 29 in Township 1 South of Range 39 East of Willamette Meridian, and running thence due east on the section line of about 90 rods; thence south across Grande Ronde River about 20 rods more or less to the North bank

Third Judicial Day

Wednesday September 5th 1894.

of said river within the bend thereof: thence east along the north bank of said river and north of Wm Stull's orchard to the northeast corner of said orchard; thence nearly south to the south line of the Northeast 1/4 of Northwest 1/4 of section 26, T. 1. S. R. 39. E. N. M.; thence along said line east about one mile; thence making a curve to the right or south from said line around the hill side near the fence of Joseph Harris, returning again to said line about 60 rods east from the point of leaving said line; thence following ^{the} said line east to the Southeast corner of the Northeast quarter of the Northwest quarter of section 27, in Township 1 South of Range 39 East of the Willamette Meridian and then terminating.

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, 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 advertisements posted at the place of holding County Court, to wit: At the Court House, in the town of Union, State of Oregon, and also in other public places in the vicinity of said proposed road, to wit: One at beginning of the road on corner of Sam Morris' fence One in the Dubur Post Office by side of door and one at the terminus of the proposed road on the fence by side of public road for more than thirty days immediately prior to the presentation of said petition to this Court, notifying all persons concerned that application would be made to this Court at the present session of this Court; and that the notices so posted were in due form and duly signed by the petitioners, and that a bond for the cost of this proceeding has been duly given.

It is therefore ordered that W. G. Hunter, Jas. Moss and A. J. Hughes be appointed viewers of said road, and that W. B. Blakeson be appointed surveyor of said road and that they meet at the beginning of the road on the 15th day of Sept. 1894 at the hour of 9 o'clock A.M. and after qualifying, to view, survey and lay out said road according

Third Judicial Day

Wednesday September 5th 1894.

to law. And it further appearing to the Court that Joseph Harris has filed a claim for damages of \$1000⁰⁰ herein by reason of the location and establishment of said road, It is therefore ordered that the viewers above named examine the premises of the said Joseph Harris the entire distance through which the said proposed road will pass and report to this Court how much less valuable the said premises will be rendered by reason of the laying out and establishment of the said proposed road.

In the Matter of }
County Aid to }
Wm. Ogden }

This matter coming on to be heard at this time upon the affidavit of Wm. Ogden for County aid from which it appears that the said Wm. Ogden is destitute and unable to earn a living; that he is sick and cannot work; that he has no relatives or friends living in the State of Oregon who are able and willing to help him; that the length of time he has been in Oregon is 5 months, and that he has been in the County about 20 days; that he is a resident and inhabitant of the State of California and has in the County of Humboldt Cal. about 2 years, And it further appearing to the Court that it would be to the better interest of, and cheaper for the County to, make the said Wm. Ogden a monthly allowance than to admit him to the County home, It is therefore considered and Ordered that an allowance of \$10⁰⁰ per month be made out of the contingent fund for the relief of the said Wm. Ogden, And the Clerk is hereby ordered to issue said a warrant for said amount in his favor each month until further ordered by this Court.

In the Matter of Allowance }
for County Aid to Andrew }
Martin }

This Matter coming on to be heard upon the affidavit and petition of W. H. Moore from which it appears that the said Andrew Martin and his wife are an aged couple that they are in destitute circumstances and are unable to work

Third Judicial Day

October 3rd 1894, Wednesday.

the March term of this Court 1895, and that it would be to the best interests of the County to postpone the letting of the contract for employment of a County Physician that term, It is therefore considered and ordered that this matter be continued under the present contract until the March term of this Court 1895.

In the matter of the
resignation of A. S. Powell
Road Supervisor of Dist No 24 }

This matter came on to be heard upon the resignation of A. S. Powell Supervisor of Road Dist No 24, heretofore appointed as such by this Court, and it appearing to this Court that the said A. S. Powell is about to remove from the County and that he cannot serve as such officer without great inconvenience, It is therefore ordered that the said resignation be and the same is hereby accepted.

In the matter of the
appointment of a
Supervisor for Road
District No 24 }

At this time it appearing to the Court that the office of Road Supervisor for Dist. No 24 is made vacant by the resignation of A. S. Powell, and that W. D. Powell is a suitable and proper person to appoint to such office, It is therefore considered and ordered that W. D. Powell be and he is hereby appointed as Supervisor of Road Dist No 24.

In the matter of the proposed
County Road petitioned for
by Wm. Stull et al }

This matter coming on to be heard upon the report of the report of the ^{viewers} heretofore appointed herein, and the report of said viewers and appraisers being in words as follows to wit:

Third Judicial Day Wednesday Oct 24 1894.

Report of Viewers.

To the Honorable County Court for Union County, Oregon
 We the undersigned viewers hereof on the 5th day of
 Sept. appointed to view out and assess the damages claimed
 by Jos Harris in the matter of the proposed County road
 petitioned for by Mrs Hull et al. by leave to report that on
 the 27 day of Sept 1894, we, after being duly sworn to dis-
 charge our duty faithfully, proceeded to view said pro-
 posed road the whole distance through the premises
 of Joseph Harris complainant, and to assess and
 determine how much less valuable said premises
 of said complainant would be rendered by the opening
 of said road, and we find that the premises of said
 complainant Jos Harris would be rendered no less valuable
 by the laying out and establishment of said proposed
 road as a public highway of said county, and recom-
 mend that nothing be paid to said complainant
 before laying out and establishing said road as
 a public highway.

A. J. Hughes
 W. G. Hunter
 James Mass

In the matter of the proposed
 County Road petitioned for
 by Mrs. Hull et al

This matter came on to be heard
 upon the report of the viewers heretofore appointed herein, at the
 last regular term of this Court, for the first reading, and
 the said report of viewers and surveyors having been read in
 open Court for the first time It is therefore ordered
 that the same be laid over for a second reading at
 some other day of this Court as by law required.

Towith Judicial Day

Thursday Oct 4th 1894

Court met pursuant to adjournment

The same officers were present as on yesterday

Due proclamation of the opening of Court having been made the journal of yesterdays proceedings was read approved and is here now signed

J. W. S. S. S.

County Judge

Thereupon the following proceedings were had, to wit:

In the Matter of the Road
petitioned for by Wm. Skell et al }

This matter came on to be heard at this time on the Report of the appraisers heretofore appointed herein and on the motion of Joseph Harris to set aside said report of appraisers, the petitioner Wm. Skell appearing in person and Joe Harris appearing by Chas. Cochran of counsel and after argument of counsel the Court being fully advised in the premises it was ordered that said motion to set aside the report of appraisers be sustained and the said report set aside and held for nought and it appearing to this Court that the said Joseph Harris claims that he will be damaged in the sum of \$1000⁰⁰ by the location of said road and it further appearing that Saml. Morris claims that he will sustain damages in the sum of \$600⁰⁰ by reason of the laying out and establishment of said proposed road. It is therefore considered and ordered that E. F. Springer, Nels Schoonover and S. A. Ormsel be appointed appraisers to examine the premises of each of the above named claimants the entire distance through which the said proposed road will pass and after taking into consideration the advantages that will be derived by reason

Tenth Judicial Day

Thursday Oct 4th 1894

of the location and establishment of said road as well as the disadvantages, to report to this Court how much less valuable the premises of each of said claimants Joseph Harris and Samuel Morris will be rendered by reason of the location of the said proposed road and that they met at Union Ore on the 20th day of October A.D. 1894 and after qualifying proceed to view and render their decision accordingly

In the Matter of the }
Assessment Roll for 1894 }

Now on this day the Court continued the examination of the Assessment Roll and having completed the same It was ordered that the Clerk make copies for the Secretary of State, ~~Assessment~~ and a copy to be used for the Tax Roll and the Court not being yet ready to make the Tax Levy for the year 1894 the same was continued until the next regular Term of this Court

In the Matter of Repairs }
on the Wallowadeille Road }

It appearing to the Court at this time that the County Road known as Wallowadeille Road is in a very bad condition and that it is absolutely necessary that the said road be repaired It is therefore considered and ordered that Leon D. N. Sanders County Judge be authorized and instructed to investigate and report to this Court at its next regular session what will be necessary to be done and the probable cost of same

Third Judicial Day

Wednesday Nov 7th 1894

of \$4⁰⁰ per month on said allowance instead of admitting them to the County Home. It is therefore ordered that said allowance of \$10⁰⁰ per month heretofore made be increased to \$14⁰⁰ per month until further ordered.

In the matter of the }
application of William }
Stafford Sr for Co Aid }

This matter came on to be heard at this time on the affidavit of Robert Gibson for County Aid for Wm Stafford Sr from which it appears that the said Wm Stafford Sr is destitute and unable to earn a living that he is sick and can not work that he has no relatives or friends living in the State of Oregon who are able and willing to help him that he has resided in the State of Oregon about 15 years and in Union County about that length of time and it further appearing to the Court R. B. Gibson will take care of the said Wm Stafford Sr for 10⁰⁰ per month and that this is cheaper than the County could board him if admitted to the County Home, that it would be to the best interests of the County to make an allowance of \$10⁰⁰ per month for his support instead of admitting him to the County Home.

It is therefore considered and ordered that he be granted an allowance of 10⁰⁰ per month until further ordered and the clerk is instructed to issue a warrant on the contingent fund for said amount and send same to R. B. Gibson at New Bridge.

In the matter of the }
proposed County Road }
petitioned for by Wm Hall }
et al }

This matter came on to be heard at this time on the Report of the Viewers and

Third Judicial Day

Wednesday Nov 7th 1894

Surveyor heretofore appointed herein for the first reading and said report having been read in open Court for the first time It is ordered that the same be laid over for a second reading on some other day of the present term of Court

In the Matter of the
Report of Benj Machie
Supervisor of Road Dist No 47

Comes now Benj Machie and files his report as Supervisor of Road Dist No 47 and asks that the same be approved and it appearing to the Court that said supervisor is about to remove from said road Dist No 47 and can no longer attend to the duties as Supervisor It is therefore ordered that the said report be approved and the bill for \$14⁰⁰ allowed

In the Matter of the
Petition for an Approp-
riation on Powder River Road

At this time the Court being fully advised It is considered and ordered that the petition heretofore filed herein be dismissed

In the matter of
the application of
Mrs S. D. Derringer for County
aid

This matter came on for further hearing at this time on the Report of W. O. Arnold County Commissioner heretofore appointed to investigate this matter and report to this Court at this time and it now appearing from the said report that the husband of Mrs S. D. Derringer has returned and is able to work and support his family It is therefore ordered that all the proceedings herein be now dismissed

Third Judicial Day

Wednesday Nov 7th 1894

Thereupon it was ordered that the Court be now adjourned until tomorrow morning at 9 O'Clock AM.

Fourth Judicial Day

Thursday Nov 8th 1894

Court met pursuant to adjournment:

The same officers were present as on yesterday.

Our proclamation of the opening of Court having been made, the journal of yesterday's proceedings was read, approved and is here now signed

W. Sanders
County Judge

Thereupon the following proceedings were had to wit:

In the Matter of the road
petitioned for by William
Hull, et al

Entry

Now at this time
this matter comes on

for hearing upon the report of the appraisers of damages upon the claims of Joseph Harris and Samuel Morris. And it appearing to the Court that the Court cannot confirm their report unless they agree. And it also coming up for hearing upon the report of the viewers and Surveyors herein and upon the remonstrance of Joseph Harris and Samuel Harris, against the grant of said road, and also upon their motion to dismiss this proceedings for the further reason that the said viewers report does not conform

Fourth Judicial Day

Thursday Nov 7 1894

to law, and that the said road is impracticable and not of sufficient public utility to justify the expense of the same: Said report disclosing the fact that but two of said viewers met or viewed said road and the report being the report of but two of them, and the surveyor's report being insufficient and not conforming to the provisions of the Statute. And it appearing to the Court that said viewers report is insufficient and it being the report of but two of said viewers.

And it further appearing to the Court that there is another road parallel with the proposed road within a half mile thereof, which has just been laid out, and the County is now constructing a bridge thereon at great expense, and that the proposed road will also require a bridge across Grand Grove River, with great expense to the County and impracticable, and not of sufficient public utility to justify opening the same.

It is therefore hereby ordered adjudged and decreed by the Court that the petition herein be dismissed.

In the Matter of the petition of
Nellie M Stevens for allowance
of salary and fees as County
Superintendent of Public
Schools.

Now at this time the matter came on for hearing upon continuance from last term, and the matter having been argued by T. H. Crawford for petitioner and R. E. Eason against the same, and the Court not being fully advised in the premises it is ordered that the said cause be and is hereby continued for the term.