

No. 108

IN

the Circuit Court,

UNION COUNTY

OREGON

Mr R A Davis

Plaintiff

vs

James H White

Defendant

Action for

Doc et

Page

J H Crawford

Attorney for Plaintiff

Attorney for Defendant

456  
" "  
Baker County

Petitioned for by ✓  
A Augustus et al

Beginning at NW corner of the NE 1/4 of  
NE 1/4 of Sec 26 T<sup>9</sup> S<sup>1</sup> R<sup>45</sup> E<sup>24</sup> M<sup>1</sup>  
running E on sec line bet Secs 23 + 26 +  
24 + 25 1/4 mi to middle of Co Rd down  
Border River

Viewers app'd Sept 5th 1895

Journal A page 263

Appraisers appointed Nov 7/95 26 297

Ordered opened Jul 26 page 373

PETITION FOR COUNTY ROAD.

To the Honorable County Court for Union County, Oregon:

The undersigned, householders for Union County, Oregon, residing in the vicinity wherethe hereinafter described read is preposed to be, respectfully petition your honorable body to lay out, alter and establish a County Road within said County on the following line or route, to-wit:

Beginning at the middle of the County Road at the northwest corner of the N.E. 1/4 of N.E. 1/4 of Section 26, Tp. 9, S. range 45, in Union Co. Oregon. Running thence east on the section line between sections 23 and 24, and section 24 and 25, one and one fourth (1-1/4) miles to township line; thence east 100 rods more or less to the middle of the Co. Road leading down Powder River, and there to terminate. Said road to be forty (40) feet wide.

and in duty bound your petitioners will ever pray, etc.

Names.

A. Augustus,  
W. F. Thompson,  
Joseph Hattey,  
C. H. Craig,  
F. L. Merris,  
Sam. Gever,  
John Fraser,  
J. D. Gever,  
W. H. Goodman,  
H. W. Holbreeck,  
M. B. Merris,  
W. A. Helbreeck, *Holcomb*  
Jes. P. Wilson,  
(No Filing)

Names.

William Cundiff,  
G. T. Perry,  
D. J. Saunders,  
W. L. Gever,  
G. B. Saunders,  
I. N. Young;  
Jas. Beck,  
I. W. Gever,  
H. B. Healey,  
Wm. Chandler,  
W. E. Simmons,  
W. Kneblaugh,  
E. A. Bennehoff,

NOTICE OF ROAD PETITION.

To all persons concerned: You and each and all of you, will take notice that the undersigned, householders for Union County, Oregon, residing in the vicinity where the herein after described road is proposed to be, will at the next session of the County Court for Union County, Oregon, to-wit: On Thursday the 5 day of Sept. A.D. 1895, respectfully present to said Court a petition praying said Court to lay out, alter and establish a County Road within said County on the following line or route, to-wit:

Beginning at the middle of the County Road at the northwest corner of the <sup>N.</sup>S.E. 1/4 of N.E. 1/4 Section 26, Township 9<sup>n</sup> S. range 45, in Union Co. Oregon, running thence east on the section line between sections 23 and 26 and sections 24 and 25, one and one-fourth (1-1/4) miles to Township line, thence east 100 rods more or less to the middle of the County Road leading down Powder River, and there to terminate said Road to be <sup>forty</sup> 40 feet wide,.

Names.

A. Augustus,  
W. F. Thompson,  
Joseph Hartey,  
C. H. Craig,  
T. L. Morris,  
Sam. Gever,  
John Fraser,  
J. D. Gever,  
W. <sup>N.</sup>K. Goodman,  
H. W. Holbrook,  
M. B. Morris,  
W. A. Holcomb,  
*Jol.* V. B. Wilson,

Names.

Wm. Cundiff,  
G. T. Perry,  
~~X.~~ D. J. Saunders,  
W. L. Gever,  
G. B. Saunders,  
I. N. Young,  
J. as. Beck,  
*J.* V. W. Gever,  
H. P. Healey,  
Wm. Chandler,  
W. E. Simenis, *Summers*  
W. Kneblough,  
E. W. Bennehoff,

Posted Aug. 6<sup>th</sup>, 1895. F. S. Slater.

(No filing)

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

I, Samuel Gover, being first duly sworn, say that I posted three several notices, of which the notice hereto attached is a true and correct copy, in three public places in said County, in the vicinity of the proposed road therein described, to-wit: One at commencement, one at the terminus, and one at the center of the road petitioned for. Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 6th day of August, 1895, and that thereafter, and thirty days previous to the presentation of said road petition therein mentioned, to-wit: \_\_\_\_\_, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

Samuel Gover,

Subscribed and sworn to before me this 4 day of Sept. 1895.

Oscar Kendall,

Justice of the Peace.

)No filing(

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

I, F. S. Slater, being first duly sworn, say that on the 6th day of August, 1895, I posted a true and correct copy of attached 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.

F. S. Slater,

Subscribed and sworn to before me this 5 day of Sept. 1895.

J. R. Oliver, County Clerk.

Endorsed:- Filed sept. 5, 1895.

J. R. Oliver, County Clerk.

BOND OF ROAD PETITIONERS.

Knew all men by these presents, that we, Andy Augustus and Sam'l Gover, & John Fraser, of the County of Union and State of Oregon, are 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 9th day of Sept. A. D. 1895.

Now, the condition of the above obligation is such, that, whereas, the above named Andy Augustus, Sam'l Gover and John Fraser, and others, have petitioned the County Court of said County of Union, at the September Term, 1895, thereof, for a County Road, commencing at the middle of the County Road at the northwest corner of the N.E. 1/4 of N.E. 1/4 of Sec. 26, Tp. 9, S. R. 45, E. in Union Co. Oregon, running thence east on the section line between sections 23 and 26 and sections 24 & 25, one and one-fourth miles, (1-1/4) to Township line, thence east 100 rods more or less, to the middle of the County Road leading down Powder River, and there to terminate. Said road to be 40 Feet wide.

Now, if the above named Andy Augustus, Sam'l Gover and John Fraser 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.

A. Augustus,  
Samuel Gover,  
John Fraser,

(Seal)

(Seal)

(seal)

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

I, Andy Augustus, Sam'l Gover, and John Fraser, each for himself, says, that I am worth the sum of One hundred

dollars over and above all debts and liabilities, and property exempt from execution. That I am a resident and householder in said County and State.

A. Augustus,  
Samuel Gover,  
John Fraser.

Subscribed and sworn to before me this 4 day of Sept. A. D. 1895,  
Oscar Kendall,  
Justice of the peace.

Endorsed:- In the County Court of the State of Oregon,  
Union County.

-----  
In the Matter of the  
A. Augustus Road.

-----  
Bond of Road Petitioners.

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Filed Sept. 5, 1895.  
J. R. Oliver, County Clerk.

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*Journal Entry  
Augustus Road*

BE IT REMEMBERED That at a regular term of the County Court of the State of Oregon, for Union County, begun and held at the Court House in the City of Union, in said County and State on Monday the ~~1st~~ <sup>2nd</sup> day of September, 1895, and from day to day thereafter during the continuance of said term, when on Wednesday the 4th day of September, 1895, or the third judicial day of said term, the said County Court opened for the transaction of business with the following officers present, to-wit:-

- Hon. I. N. Sanders, County Judge,
- Hon. W. D. Arnold, Commissioner,
- Hon. P. J. Brown, Commissioner,
- J. R. Oliver, Clerk,
- J. F. Phy, Sheriff.

When on Thursday the 5th day of September, A. D. 1895, or the Fourth judicial day of said term, among other proceedings the following was had, to-wit:-

In the matter of the proposed County Road )  
petitioned for by A. Augustus, et al. )  
----- )

Comes now A. Augustus, one of the petitioners for the above named County Road and presents to the Court the petition of himself and others praying for the location and establishment of a County road described as follows, to-wit:-

Beginning at the middle of the County Road at the northwest corner of the N.E.1/4 of N.E.1/4 of section 26, Township 9, S. Range 45, E. in Union Co. Oregon, running thence east on the section line between sections 23 and 26 and sections 24 and 25, one and one fourth, (1-1/4) miles to township line, thence east one hundred rods more or less to the middle of the Co. road leading down Powder River and there to terminate. Said road to be forty (40) feet wide.

And it appearing to the Court that said petition is signed by more than twelve householders of this County residing in the vicinity of said proposed road, and it satisfactorily appearing to the Court

that notice has been given by advertisement posted at the place of holding County Court, to-wit: At the Court House in the town of Union, County of Union, State of Oregon, and also in three public places in the vicinity of said proposed road, to-wit: One at commencement, one at the terminus and one at the center of the road petitioned for thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 6th day of August, 1895, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, and that said notices remained posted thirty days previous 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 had been given.

It is therefore ordered that Louis Furgason, W. N. Young, and W. D. Nash, be appointed viewers of said road and that W. B. Blakeslee be appointed surveyor of said road and that they meet at the beginning of said proposed road on the 30th day of Sept. 1895, at the hour of 9 o'clock, A. M. and after qualifying, to view, survey and lay out said road according to law.

(Signed) I. N. Sanders,  
County Judge.

The foregoing order is entered in Comr's Jul.

'H' at page 263 thereof.

REPORT OF VIEWERS.

To the Honorable County Court for Union County:

The undersigned viewers heretofore on the 2<sup>nd</sup> day of september, 1895, appointed to view and lay out and alter the proposed County road of which the survey hereto attached is a true and correct description as petitioned for by A. Augustus, et al; beg leave to report that on the 30 day of sept. 1895, in pursuance with said appointment and order after being duly sworn to faithfully and impartially discharge the duties of said appointment we proceeded to view out said proposed road for the whole distance thereof, and that in our opinion said proposed road should be laid out and established as a public highway of Union County, Oregon; that the same is practicable and would add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be laid out and declared a public highway of said County.

Louis Furgason,

W. N. Young,

W. D. Nash,

Viewers.

Endorsed:-

Filed oct. 7, 1895.

J. R. Oliver, County Clerk.

T 9 South of Range 45 E N 7 M.

T 19 South of Range 45 E N 7 M.

23

24

19

24

25

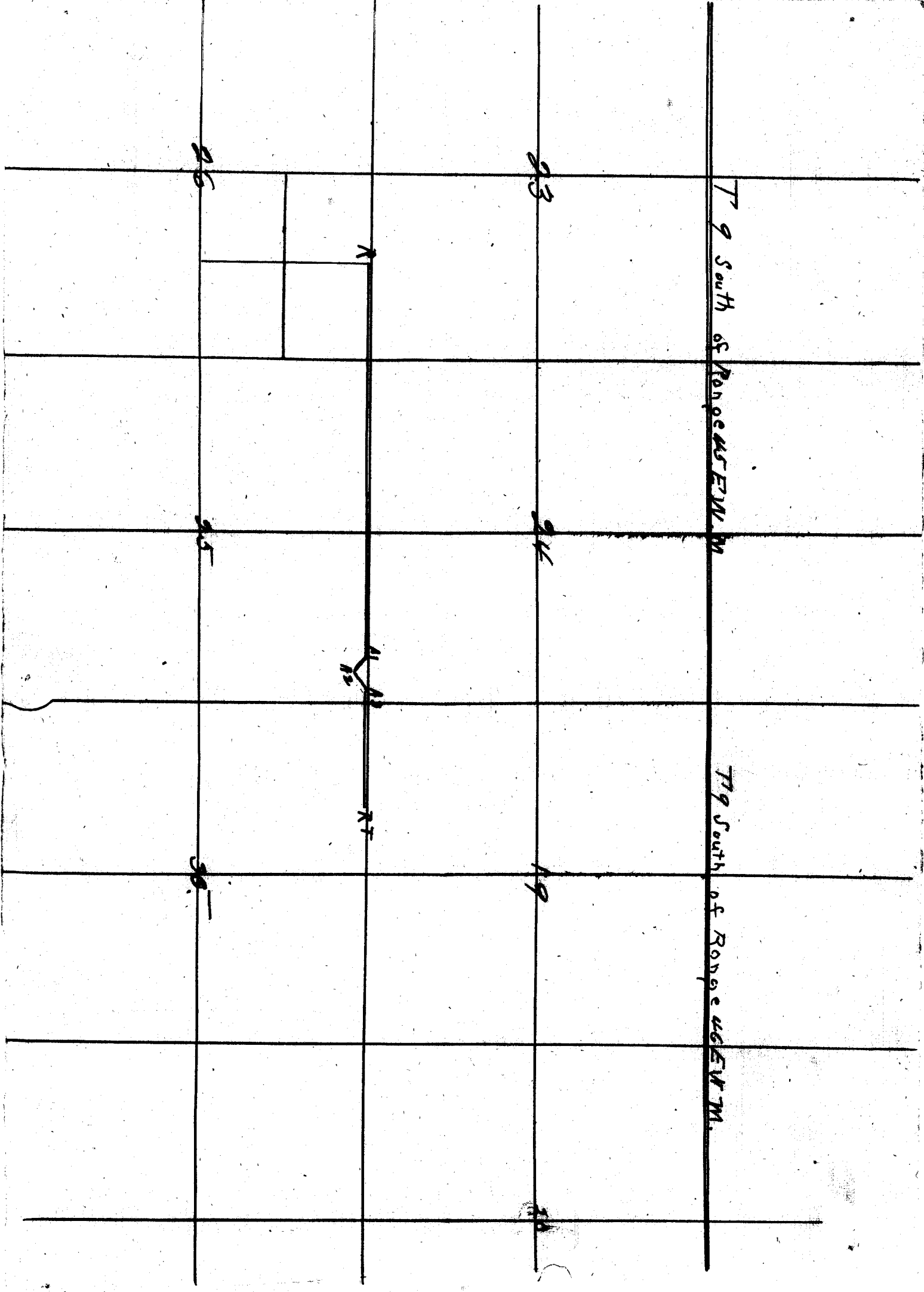
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A  
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REPORT OF SURVEYOR.

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

I, the undersigned, County Surveyor, appointed to survey the county road proposed by A. Augustus, et al, beg leave to report that on the 30 day of september, 1895, in pursuance of said appointment and order, I surveyed said proposed road for the whole distance thereof, the following being the field notes of said survey:

Beginning at the northwest corner of the Northeast 1/4 of the northeast 1/4 Section 26, Town. 9, S. of R. 45, E. W. M. thence East 90 chains,  
" " 37° South, 4 Chs. 24 lks.  
" " 35° North 5 " 50 "  
" " " 26" 25 " intersecting a County road leading down Powder River.

W. B. Blakeslee,  
County Surveyor.

Endorsed: Filed oct. 7, 1895.

J. R. Oliver, County Clerk.

NOTICE.

Notice to the County Court for Union County, State of Oregon:

I hereby give your Hon. Body notice that the road now being surveyed commencing at R. B. Gibsons and terminating at the Powder River Road at my place damages me if ordered open the amount of three hundred Dollars \$300.00 and I do hereby put in my claim for <sup>same</sup> such.

Preston Beyer.

Endorsed:- Filed Oct. 7, 1895.

J. R. Oliver, County Clerk.

NOTICE.

Notice to the County Court for Union County, State of Oregon:

We hereby give your Hon. body notice that the road being now surveyed, commencing at R. B. Gibson's and terminating at the Powder River Road at Preston Beyer's place damages us if ordered open the amount of one hundred and fifty Dollars (\$150.00) and we do hereby put in our claim for same.

C. E. Helcomb,

L. L. Helcomb,

Endorsed:-

Filed Oct. 7, 1895.

J. R. Oliver,

County Clerk.

BE IT REMEMBERED That at a regular term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of Union, in said County and State, on Monday the 7th day of October, 1895, and from day to day thereafter during the continuance of said Term, when on Wednesday the 9th day of October 1895, or the 3rd judicial day of said term, the said County Court opened for the transaction of business with the following officers present, to-wit:

- The Hon. I. N. Sanders, County Judge,
- Hon. W. D. Arnel, Commissioner,
- Hon. P. J. Brown, commissioner,
- J. R. Oliver, Clerk,
- J. F. Phy, Sheriff.

When on Wednesday the 9th day of October, A.D. 1895, of the Third Judicial day of said term, among other proceedings the following was had, to-wit:

In the matter of the road )  
petitioned for by A. Augustus, et al. ( )  
- - - - - )

This matter came on to be heard at this time on the report of the viewers and surveyor heretofore appointed herein for a first reading, and the 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 someother day of this term of Court.

(Signed) I. N. Sanders,  
County Judge.

The foregoing order is entered in Court's Jul.  
'H' at page 268 thereof.



BE IT REMEMBERED That at a regular term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of Union, in said County and State, on Monday the 7th day of October, 1895, and from day to day thereafter during the continuance of said term, when on Wednesday the 9th day of October 1895, of the 3rd judicial day of said term, the said County Court opened for the transaction of business with the following officers present, to-wit:-

The Hon. I. N. Sanders, County Judge,  
Hon. W. D. Arnold, Commissioner,  
Hon. P. J. Brown, Commissioner,  
J. R. Oliver, Clerk,  
J. F. Phy, Sheriff.

When on Thursday the 10th day of October, A.D. 1895, or the Fourth Judicial day of said term, the following, among other proceedings was had, to-wit:

In the matter of the proposed County Road )  
petitioned for by A. Augustus. )  
----- )

Now at this time this matter came on to be heard upon the report of the viewers and <sup>the</sup> surveyor heretofore appointed herein, and the Court not being fully advised in the premises it is therefore hereby ordered that the same be continued for the term.

(Signed) I. N. Sanders,  
County Judge.

The foregoing order is entered in Comr's Jul.

at page 287 thereof.

BE IT REMEMBERED That at a regular term of the County Court of the state of Oregon, for Union County, begun and held at the Court House in the City of Union, in said County and State on Monday the 4th day of November, 1895, and from day to day thereafter during the continuance of said term, when on Wednesday the 6<sup>th</sup> day of November, 1895, or the third judicial day of said term, the said County Court opened for the transaction of business with the following officers present, to-wit:

The Hon. I. N. Sanders, County Judge,  
" W. D. Arnold, Commissioner,  
" P. J. Brown, Commissioner,  
J. F. Phy, Sheriff,  
J. R. Oliver, Clerk.

When on Wednesday the 6th day of November, A. D. 1895, or the third judicial day of said term, among other proceedings the following was had, to-wit:

In the matter of the road petitioned for by A. Augustus, et al. )  
----- )  
----- )

This matter came on to be heard at this time on the report of the viewers and surveyor heretofore appointed herein for a first reading and the said report having been read in open Court for the first time, it is therefore considered and ordered that the said report of viewers be laidover for a second reading on some other day of this present term of Court.

(Signed) I. N. Sanders,  
County Judge,

The foregoing order is entered in Comr's Jul.  
'H' at page 291 thereof.

BE IT REMEMBERED That at a regular term of the County Court of the State of Oregon, for Union County, begun and held at the Court House in the City of Union, in said County and state on Monday the 4th day of November, <sup>A.D.</sup> 1895, and from day to day thereafter during the continuance of said term, when on ~~Wednesday~~ <sup>Thursday</sup> the ~~6<sup>th</sup>~~ <sup>7<sup>th</sup></sup> day of November 1895, or ~~third~~ <sup>fourth</sup> judicial day of said term, the said County Court opened for the transaction of business with the following officers present, to-wit:

- The Hon. I. N. Sanders, County Judge,
- " W. D. Arnold, Commissioner,
- " P. J. Brown, Commissioner,
- J. F. Phy, Sheriff,
- J. R. Oliver, Clerk.

When on Thursday the 7th day of November, A. D. 1895, or the fourth judicial day of said term, among others ~~proceedings~~ <sup>proceedings were</sup> the following ~~was~~ had, to-wit:

In the matter of the proposed County road )  
petitioned for by A. Augustus. *et al* )  
----- )

Now at this time this cause came on for hearing upon the report of the viewers and surveyor for a second reading as required by law and also upon the claims of Preston Boyer, C. E. Holcomb, and L. L. Holcomb, for damages by reason of the location and establishment of said proposed road; and it appearing to the Court that said Preston Boyer claims that he will be damaged in the sum of \$300.00 and that said C. E. and L. L. Holcomb, claim that they will be damaged in the sum of \$150.00 by reason of the location and establishment of said proposed road: It is therefore considered and ordered by the Court that G. W. Bennehoff, W. N. Young and C. F. Slade, be appointed appraisers to examine the premises of each of claimants the entire distance through which the said road will pass and after taking into consideration the advantages that will be derived by reason of the location of the said road as well as the disadvantages to report to

this Court how much less valuable the premises of each of said claimants Preston Boyer, C . E. Holcomb, and L. L. Holcomb would be rendered by reason of the construction of said proposed road and that they meet at <sup>R.</sup> A. B. Gibson's blacksmith shop on Saturday the 23<sup>rd</sup> day of November, A. D/ 1895, at 10 o'clock, A. M. and after qualifying to proceed to view and render their report accordingly.

(Signed) I. N. Sanders,  
County Judge.

The foregoing order is entered in Comr's Jul.

'H' at page 297 thereof.

*Attesty J. Adams Clerk*

REPORT OF APPRAISERS.

To the Honorable County Court for Union County, Oregon:

We the undersigned viewers heretofore on the 7 day of Nov. 1895, appointed to view out and assess the damages claimed by Preston Beyer, C. E. & L. L. Helcomb, in the matter of the proposed County road, petitioned for by A. Augustus, et al, we beg leave to report that on the 23 day of November, 1895, 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 Preston Beyer, C. E. and L. L. Helcomb, complainants, and to assess and determine how much less valuable said premises of said complainants would be rendered by the opening of said road, and we find that the premises of said complainant Preston Beyer would be rendered \$10.00 less valuable, and that the premises of complainant C. E. & L. L. Helcomb, would be rendered \$30.00 less valuable, by the laying out and establishment of said proposed road, as a public highway of said County, and recommend that the above sums be paid to said complainants before laying out and establishing said road as a public highway.

G. W. Benneheff,

W. H. Young,

Chas. F. Slade,

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

I, G. W. Benneheff, W. H. Young and C. F. Slade, having been appointed on the 6th day of November, 1895, to view and appraise the damages that would accrue to Preston Beyer, C. E. Helcomb and L. L. Helcomb, by reason of the construction of the proposed County Road petitioned for by A. Augustus, et al, being first duly sworn, say each for himself, that I will faithfully and impartially perform my duty as such appraiser and report to the Court how much less valuable the said premises of Preston Beyer and C. E. Helcomb and L. L. Helcomb will be rendered by the opening up and establishment of the said proposed road.

up and construction of the said preposed road.

G. W. Benneheff,

W. N. Young,

Chas. F. Slade.

Subscribed and sworn to before me this 23 day of November, A.D. 1895,

Oscar Kendall,

Justice of the Peace.

Endorsed: Filed Nov. 27, 1895.

J. R. Olinger,

County Clerk.

BE IT REMEMBERED That at a regular term of the County Court of the State of Oregon, for Union County, begun and held at the Court House in the City of Union, in said County and State, on Monday the 2nd day of Dec. A. D. 1895, and from day to day thereafter during the continuance of said term, when on Wednesday the 4th day of Dec. 1 1895, or the Third Judicial day of said term, the said County Court opened for the transaction of business with the following officers present, to-wit:

- The Hon. I. N. Sanders, County Judge,
- " W. D. Arnold, Commissioner,
- " P. J. Brown, Commissioner,
- J. R. Oliver, Clerk,
- J. F. Phy, Sheriff,

When on Wednesday the 4th day of December, A. D. 1895, or the Third Judicial day of said, term, among other proceedings the following was had, to-wit:

In the matter of the proposed County road )  
petitioned for by A. Augustus, et al. )  
----- )

This matter came on to be heard at this time upon the report of the appraisers, heretofore appointed herein, to assess the damages that would accrue to Preston Boyer, C. E. and C. L. Holcomb, by reason of the establishment of said proposed road, the report of said appraisers being as follows, to-wit:

REPORT OF VIEWERS:-

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

We the undersigned viewers heretofore on the 7 day of Nov. 1895, appointed to view out and assess the damages claimed by Preston Boyer, C. E. and C.L. Holcomb, in the matter of the proposed County road petitioned for by A. Augustus, etal. beg leave to report that on the 23 day of November, 1895, we, after being duly sworn to discharge our duty faithfully proceeded to view out said proposed road the whole distance through the premises of Preston Boyer, C . E. and

A. L. Holcomb, complainants and to assess and determine how much less valuable said premises of said complainants would be rendered by the opening of said road, and we find that the premises of said complainant Preston Boyer would be rendered \$10.00 less valuable and that the premises of the complainant C. E. & A. L. Holcomb would be rendered \$30.00 less valuable by the laying out and establishment of said proposed road as a public highway of said County and recommend that the above sums be paid to said complainants before laying out and establishing said road as a public highway.

G. W. Bennehoff,  
W. N. Young,  
Chas F. Slade.

Thereupon it was ordered that said report being approved and it appearing to the Court that said proposed road would be of great public utility and it also appearing that the petitioners for the above entitled road have expended a large amount of money in the construction of fences on either side of the said road; that if the said damages assessed are paid by the County the claimants will accept the same and allow said road to be opened up and placed in repair for travel, It is therefore considered and ordered by the Court that the said forty dollars damages be paid out of the County Fund, and the clerk of this Court is instructed to draw a warrant on the treasurer in favor of Preston Boyer for \$10.00 and one in favor of C. E. & A. L. Holcomb for \$30.00.

(Continued) Same heading as above.

In the matter of the proposed County road )  
petitioned for by A. Augustus, etal. )  
- - - - - )

This matter came on to be heard at this time upon the report of the viewers heretofore appointed herein for a first reading as by law required, and the 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 at some other day of this present term of this Court.

(Signed) I. W. Sanders,  
County Judge.

the foregoing orders are entered in Comr's Jul.

'H' at page 325 & 326 thereof respectively.

BE IT REMEMBERED That at a regular term of the County Court of the State of Oregon, for Union County, begun and held at the Court House in the City of Union, in said County and State on Monday the 2nd day of Dec. A. D. 1895, and from day to day thereafter during the continuance of said term, when on Wednesday the 4th day of Dec/ 1895, or the third judicial day of said term the said County Court opened for the transaction of business with the following officers present, to-wit:

The Hon. I. N. Sanders, County Judge.

" W. D. Arnold, Commissioner,

" P. J. Brown, Commissioner,

J. R. Oliver, Clerk,

J. F. Phy, Sheriff,

When on Thursday the 5th day of December, A. D. 1895, or the fourth judicial day of said term, among other proceedings the following was had, to-wit:-

In the matter of the proposed County Road )  
petitioned for by A. Augustus, et al. )  
----- )

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

REPORT OF VIEWERS.

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

The undersigned viewers heretofore on the 2<sup>nd</sup> day of Sept. 1895, appointed to view and lay out and alter the proposed County road of which the survey hereto attached is a true and correct description as petitioned for by A. Augustus, et al. beg leave to report that on the 30<sup>th</sup> day of Sept. 1895, in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment we proceeded to view out said proposed road for the whole distance thereof, and that in our opinions

said proposed road should be laid out and established as a public highway of Union County, Oregon, that the same is practicable and would add to the convenience of the Householders residing in the vicinity thereof, we therefore recommend that said rproposed road be laid out and declared a public highway of said County.

Louis Furgason,

W. N. Young,

W. D. Nash,

And said report of the viewers and the report of the surveyors having been now publicly read in open Court on two several days of the present term of the Court, and it appearing to the Court that said viewers report favorably thereon, and recommend that said proposed road be established as a county road and 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 claims of Preston Boyer for \$300.00 and of C.E. & L.L. Holcomb for \$150.00 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 report of the viewers be approved and adopted by the Court, and that said proposed road be declared a public highway of Union County, Oregon, and ordered opened up and placed in repair for travel according to law. It is further ordered that the report of the viewers be placed on record in this journal and that the surveyors 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 W. D. Nash Road Supervisor of Road District No. 30, 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.

(Signed) I. N. Sanders,

County Judge,

The foregoing order is entered in Comr's Jul.

'H' at page 333 thereof.

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

In the matter of the road  
petitioned for by ..... )  
A. Augustus ..... )  
et al. )  
- - - - - )

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

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

IN TESTIMONY WHEREOF, I have hereunto set my hand and the  
seal of the County Court, this 5th day of July, A. D. 1902.

G. W. Benson Clerk.

Walter  
County Court

of the  
State of Oregon  
for

Union County

In the matter

of the road petition  
for by A. Augustus,  
et al

Executives of  
papers transferred  
to Baker County,  
Oregon

Filed July 25, 1902

Geo. Benson

County

Fourth Judicial Day

Thursday Sept 5<sup>th</sup> 1895.

Class No.	To Whom Issued	For what Issued	Amount
D.D. 1064	Harry Oliver	Constable fee Shores Rockwood	32.40
1065	Wm. Scott	Deputy Constable fee do	14.00
1066	Dr G. F. Acers	Professional Services, Eva Allen August	5.00
1067	J. W. Bloom	Witness Eva Allen August	17.00
No. And the following on the Contingent Fund.			58.10
D-1411	Thomas Bates	Aid for Sept	10.00
1412	Mrs Mary Martin	do	8.00
1413	J. W. Barrett	do	14.00
1414	Mrs A. Ingram	do	10.00
1415	Amos Martin	do	3.00
1416	Wm. Stafford Jr	do	10.00
1417	Geo D Barnard & Co	do Stationery	46.5
1418	J. A. Jones	Shingles for poor farm	5.40
1419	Eastern Oregon Pub Co	Stationery & printing	48.72
1420	Oregon Scrub	do	30.78
1421	J. R. Oliver	Stationery for Shuffo Office	117.95
1422	The Grand Chronicle	Printing	18.45
1423	P. Basche	Office for Rd Dist No 28	5.00
1424	Union Telegraph Co	Telegrams on Co. Bus	31.62
			316.57

In the matter of  
the proposed County Road  
petitions for by A  
Augustas et al

Come now A Augustas, one of the petitioners for the above named County Road, and presents to the Court the petition of himself and others, praying for the location and establishment of a County Road, described as follows to wit: Beginning at the middle of the County Road at the Northwest corner of the NE 1/4 of NE 1/4 of Section 26 Township 9-S Range 45E in Union Co, Oregon running thence East on the section line between sections 23 and 26 and sections 24 and 25, one and one fourth (1 1/4) miles to Township line, thence East 100 rods more or less to the middle of the Co road leading down Powder River and thence to terminate, said road to be forty (40) feet wide; and it appearing to the Court that said petition is signed by more than twelve householders of this County, residing in the vicinity of said proposed road, and it satisfactorily appearing to the Court that notice has been given by advertisement posted at the place of holding County Court, to wit: At the Court house, in the

Fourth Judicial Day      Thursday Sept 5<sup>th</sup> 1895.

town of Union, County of Union, State of Oregon, and also in three public places in the vicinity of said proposed road, to wit: One at commencement, One at the terminus and one at the center of the road petitioned for, thirty days previous to the presentation of the road petition therein mentioned, to wit: On the 6<sup>th</sup> day of August 1895 and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to wit: And that said notices remained posted thirty days previous 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 one form and duly signed by the petitioners, and that a bond for the cost of this proceeding has been given. It is Therefore Ordered that Anna Ferguson, W. M. Young and W. D. Nash be appointed viewers of said road, and that W. B. Beardslee be appointed surveyor of said road, and that they meet at the beginning of said proposed road on the 30<sup>th</sup> day of Sept 1895 at the hour of 9 O'clock A.M. and after qualifying to view, survey and lay out said road according to law.

In the Matter of the  
Sheriff's return on the delin-  
quent Tax Roll of 1894 and  
previous years

This matter came on to be heard at this time on the Sheriff's return on the Delinquent Tax Rolls and it appearing to the Court that the Sheriff had levied on the property for the delinquent taxes, <sup>for all rolls previous to 1894</sup> but has not yet advertised the property for sale. It is therefore considered and ordered that a new warrant for the collection of all said Delinquent Taxes be issued by the clerk returnable in sixty days and this matter is continued for the term.

Thereupon the Journal of today's proceedings was read approved and is here now signed and it is ordered that Court be now adjourned for the term

W. Beardslee  
County Judge



Third Judicial Day

Wednesday Oct 9th 1895

interests of the County to accept the said proposition of J. D. Casey It is therefore considered and ordered that the said proposition of J. D. Casey be accepted and the Clerk is ordered and directed to draw a Warrant in favor of the said Robert Childs at the beginning of each <sup>month</sup> for \$10.00 and send to the said J. D. Casey until further ordered here

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

This matter came on to be heard at this time on the Report of the Viewers and Surveyor heretofore appointed herein for a first reading and the 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 this term of Court

In the matter of the  
Road petitioned for by  
George Kemler et al }

This matter came on to be heard at this time on the Report of the Viewers and Surveyor heretofore appointed herein for a first reading and the said report having been read in open Court for the first time It is therefore ordered that the same be laid over for a second reading on some other day of this term of Court as by Law required

In the matter of the  
petition of Ed Remillard  
for Liquor License }

This matter came on to be heard at this time on the petition of Ed Remillard for Liquor License and the Court not being fully advised in the premises It is therefore considered and ordered that this matter be continued for the term

In the matter of the  
Petition of Fred Dill for  
Liquor License }

This matter came on to be heard at this time

Fourth Judicial Day. Thursday Oct. 40<sup>th</sup> 1895.

In the Matter of the proposed  
County Road, petitioned for  
by A. Augustus

Now at this time this matter  
came on to be heard upon the report of the Viewers and  
the Surveyor heretofore appointed herein, and the Court not  
being fully advised in the premises, it is therefore  
hereby ordered that the same be continued for the term.

Thereupon the Journal of today's proceedings was read, ap-  
proved and is hereupon signed and it is ordered that  
Court be now adjourned until for the term.

J. S. Sanders  
County Judge

Third Judicial Day.

Wednesday Nov 6<sup>th</sup> 1895

In the matter of a petition for a Bridge over Grand Ronde River South of Shum Beethes.

This matter having been heretofore continued by this Court for investigation and the Court being fully advised, It is therefore considered and ordered by the Court that the petition herein be and the same is hereby overruled and denied.

In the matter of the road petitioned for by A. Augustine, et al.

This matter came out to be heard at this time on the report of the Viewers and surveyer heretofore appointed herein for a first reading. And the said report having been read in open Court for the first time, It is therefore considered and ordered that the said report of Viewers be laid over for a second reading on some other day of the present term of Court.

In the matter of the Insurance on the Court House & County House.

This matter came on to be heard at this time on the proposition of J. J. Raymond, Agent for the Royal Insurance Company of Liverpool, and the Phoenix Insurance Company of Hartford Conn. to re-insure the Court House property and the County House property. And it appearing to the Court that the present Insurance Policies expire at noon on November the 8<sup>th</sup> 1895, that said property ought to be reinsured and that it would be to the best interests of the County to insure jointly in the Royal Insurance Company of Liverpool and in the Phoenix Insurance Company of Hartford. It is then considered and ordered by the Court that the Court House be insured in the Phoenix Insurance Company in the sum of \$2500.00 and in the Royal Insurance Company for \$7000. and the building on the County Loan Farm be insured for the sum of \$150.00 in the Phoenix for the period of three

Fourth Judicial Day

Thursday Nov 7<sup>th</sup> 1895

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 yesterday's proceedings was read, approved and is here now signed.

J. Vander  
County Judge.

Thereupon the following proceedings were had, to wit:

In the matter of the proposed  
County Road petitioned for by  
A Augustus.

Now at this time this cause came on for hearing upon the report of the viewers and surveyor for a second reading as required by law and also upon the claims of Preston Boyer, C. E. Holcomb and L. L. Holcomb for damages by reason of the location and establishment of said proposed road; and it appearing to the Court that said Preston Boyer claims that he will be damaged in the sum of \$300. and that said C. E. and L. L. Holcomb claim that they will be damaged in the sum of \$155.00 by reason of the location and establishment of said proposed road; It is therefore considered and ordered by the Court that G. W. Bernhoff, W. M. Young and C. F. Kade be appointed appraisers to examine the premises of each of claimants the entire distance through which the said road will pass and after taking into consideration the advantages that will be derived by reason of the location of the said road as well as the disadvantages to report to this Court how much less valuable the premises of each of said claimants, Preston Boyer, C. E. Holcomb and L. L. Holcomb would be rendered by reason of the construction of the said proposed road and that they meet at A. B. Gibson's Blacksmith Shop on Saturday the 23<sup>rd</sup> day of November A. D. 1895 at 10 O'clock A. M. and after qualifying, to proceed to view and render their report accordingly.



Third Judicial Day      Wednesday Dec 4<sup>th</sup> 1895.

Survey of said road, and that they meet at the beginning of the road on the 20 day of Dec 1895, at the hour of 10 o'clock A.M. and after qualifying, to view, survey and lay out said road according to law.

In the matter of the proposed  
County Road petitioned for  
by A. Augustus et al.

This matter came on to be heard at this time upon the report of the appraisers, heretofore appointed herein to assess the damages that would accrue to Preston Boyer, et al. and to L. Holcomb, by reason of the establishment of said proposed road, the report of said appraisers being as follows, to wit:

Report of Appraisers.

To The Honorable County Court For Union County, Oregon:  
We the undersigned viewers heretofore on the 7 day of Nov 1895, appointed to view out and assess the damages claimed by Preston Boyer, et al. and L. Holcomb in the matter of the proposed county road, petitioned for by A. Augustus et al. we beg leave to report that on the 29 day of November 1895, we, after being duly sworn to discharge our duty faithfully, proceeded to view said proposed road the whole distance through the premises of Preston Boyer, et al. & L. Holcomb, complainants, and to assess and determine how much was valuable said premises of said complainants would be received by the opening of said road, and we find that the premises of said complainant Preston Boyer would be rendered \$10<sup>00</sup> less valuable, and that the premises of of complainant L. & L. Holcomb would be rendered \$30.00 less valuable by the laying out and establishment of said proposed road as a public highway of said County and recommend that the above sums be paid to said complainants before laying out and establishing said road as a public highway.

G. W. Bennehoff  
W. N. Young  
Chas. F. Kelle

Therefore it was ordered that said report be approved, and it appearing to the Court that said proposed road would be of great public utility and it also appearing that the petitioners for the above matter had expended a large amount of money in the construction of fences on either side of the said road; that if the said damages assessed are paid by the County

Third Judicial Day Wednesday Dec<sup>r</sup> 1895.

The claimants will accept the same and allow same road to be opened up and placed in repair for travel. It is therefore considered and ordered that the said Forty dollar damages be paid out of the County Fund and the Clerk of this Court is instructed to draw a warrant on the Treasurer in favor of Proctor Boyer for \$10<sup>00</sup> and one in favor of C. E. & L. L. Holcomb for \$30<sup>00</sup>.

In the matter of the proposed }  
County Road, petitioners for by }  
A. Augustus et al }

This matter came on to be heard at this time upon the report of the Viewers heretofore appointed herein for a first reading as by law required, and the 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 at some other day of this present term of this Court.

In the matter of the proposed }  
County Road petitioners }  
for by W. D. Arnold et al }

This matter came on to be heard at this time upon the report of the Viewers heretofore appointed herein for a first reading as by law required, and the 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 upon some other day of this present term of this Court.

In the matter of the }  
petition to vacate the }  
County Road East of Equi }

This matter came on to be heard at this time upon the petition of J. D. Gould et al to vacate the County Road East of Equi, and the Court not being fully advised in the premises, It is ordered that the same be continued for the term.