

EQUITY }
LAW } No

In Circuit Court,

Union County

vs Plaintiff

Defendant

Attorney for Plaintiff

Attorney for Defendant

J 94, 122, 127, 157

Presented March 7, 1900

Ordered Opened May 10, 1900

524

Petitioned for by
D. Soummeral

Commencing about 135
yards west from the
NW cor of SW quarter of
N.E. 1/4 Sec 16 T₁₇ R₃₀
E and terminating on
the Woodard road

Petition For County Road

To the Honorable County Court For Union County Oregon

The undersigned holders of Union County Oregon residing in the vicinity where the hereinafter described road is 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 in the center of the county road where the road turns north west between the Harper place and Alon G. Gums place, and about 100 yards west from the north west corner of the south west quarter of the south east section 16 to some north range 59 east W. 1/2 thence to + 144 yard to a stake marked "A" thence in a south-westerly direction about 400 yds to a stake placed on your sides and marked "B" and about 25 feet north from the center of Phillips Creek thence in a westerly direction along the north bank of said Phillips Creek above high water mark to a point about 50 feet north from the point where the Summerville and Willa Walla road crosses Phillips Creek,

thence crossing said Phillips Creek intersecting with said Summerville and Scallabralla Wagon road and thence terminating said road to be 40 feet wide

And in duty bound your petitioners will ever pray &c

NAMES

NAMES

J. D. Simpson
 Geo. Arms
 J. A. Westerman
 James McElroy
 Wm. Phillips
 A. C. McKee
 H. M. Monlock
 Albert Adams
 J. H. Hallgates
 D. B. Dick
 J. A. [unclear]
 W. E. Brownell
 Henry Procter
 Robert B. Blumenthal
 Sil. Hallgates
 Henry Bader
 E. A. Wheel

P. C. Wilson
 C. H. [unclear]
 G. Y. Taylor
 J. E. Bass
 J. C. Christman
 J. M. [unclear]
 Frank [unclear]
 C. H. [unclear]
 A. L. Bunnell
 D. A. Procter
 G. C. Beckler
 J. H. Bull
 E. M. Howard

J. P. [unclear]

R. L. May
 W. R. H. ...
 W. R. H. ...
 S. S. ...
 H. B. ...
 J. C. ...
 J. S. ...
 W. H. ...
 A. D. ...
 E. B. ...
 J. C. ...
 W. B. ...
 M. H. ...
 Frank ...
 J. S. ...
 A. P. ...
 A. W. ...
 D. D. ...
 Peter ...
 W. ...
 C. H. ...
 Charles ...
 Benjamin ...
 John ...
 John ...

W. A. Grigg
 J. H. Cowan
 GOODNOUGH MURPHY & SONS CO
 A. R. Tuttle
 Wm. F. ...
 L. H. ...
 W. H. ...
 E. B. ...
 E. S. ...
 J. ...
 Bert ...
 W. M. ...
 M. C. ...
 C. A. ...
 J. ...
 Chas. ...
 M. ...
 R. R. ...
 J. ...
 J. ...
 J. ...
 J. ...

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

I, M. E. Henderson being first duly sworn, say ~~that I~~^{that} 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

~~Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the~~ _____ day of _____, and ~~that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the~~ 31st day of January 1900, I posted ~~a true and correct copy of said~~^{the hereto 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.

Subscribed and sworn to before me this 8th day of March 1900.
M. E. Henderson
G. W. Benson
Co. Clerk

FILED

MAR 8 1900

W. H. Johnson
County Clerk

Votue of Road Petition.

© 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 Wednesday

the *7th* day of *March* A D 19*00* 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 in the center of the County road, where the road turns North west between the Harper place and Albert Ohm's place and about 135 yards west from the North west corner of the South west quarter of the North East quarter of Section sixteen, Township one North range thirty nine east W M Thence west about 144 yards to a stake marked "A" thence in a south westerly direction ⁴⁶⁵ yards to a tree placed on four side and marked "B" and about 26 feet north from the center of Philips Creek, thence in a westerly direction along the north bank of said Philips Creek above high water mark to a point about 50 feet North from the point where the Summerville & Walla Walla Road ^{comes down to} Philips Creek, ~~and there terminate, the proposed road to be forty feet wide~~

thence Crossing said Philips Creek intersecting with said Summerville and Walla Walla Wagon road and thence terminate said road to be 40 feet wide

Dated at *Ogden* Oregon the *28th* day of *January* A D 19*00*

NAMES

NAMES

D. Sommer
J. S. Wain
J. A. Weston
John Halgorth
Samuel H. Strog
Wm. Patton
J. P. Wood
N. M. Morlock
~~*Albert Ohm*~~
J. W. Halgorth
D. R. Beckwith
H. W. Bean
W. E. Brownell M. D.
Nerry Procter
~~*John Halgorth*~~
~~*Nerry Procter*~~

P. C. Melton
~~*C. S. ...*~~
G. G. Taylor
J. E. Best
J. C. Christensen
J. W. ...
Frank ...
~~*...*~~
W. H. Halgorth
H. L. Buell
D. P. ...
F. C. Baker
John H. Buell
~~*...*~~

A. W. Miller
L. Parks
H. C. May
W. H. Parker
J. R. Rhodes
S. B. Thompson
H. G. Becker
J. C. Shelton
J. S. Yandlin
W. B. Hines
B. P. Curdley
E. B. Morelock
J. C. Hutchinson
W. B. Hines
m. H. North
Frank Hampman
S. G. Ewman
A. Deane

R. Spencer
D. D. Northman
Peter Glum
Wm. Eubanks
W. H. Hines
C. F. Chatter
Charles Town
Benjamin Hug
John G. Gley
John Niederer

W. H. Hines
J. H. Hines
JANU 1 1880

A. R. Fulle
W. H. Hines
J. H. Wilhelm
W. H. Russell
S. B. Bunnell
J. B. Keeney
Bert Ruffington
J. H. Mc Donald
M. E. Hutchinson
C. H. Roney
W. H. Hines
Chas. Hallgarth
Stilling, Co

N. R. Parks
A. G. Hoffman
J. H. Hines
Joe Hinds
George J. Rodgers
M. G. Storms
C. H. Hines
J. N. Keown

Post
Jan 31 1880
M. H. Hines

Affidavit of Posting Notices.

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

I,

D. Sommer

being duly sworn, depose and say that I posted three notices, of which the attached is a true and correct copy, on the line of the within described and proposed County Road in and for ~~Umatilla~~ ^{Umatilla} County, Oregon. Said three notices were posted as follows, to-wit.:

One at the initial point One on the tree along and on the line of the said proposed road. And one on a tree at the place of termination the same being three of the conspicuous places on the line of the said proposed road

All of said notices were securely posted in plain view of the public, and remained so posted from and including the 3rd day of February, ~~1899~~ ¹⁹⁰⁰, until the 7th day of March ~~1899~~ ¹⁹⁰⁰

Subscribed and sworn to before me this

D. Sommer

7th day of March ¹⁹⁰⁰ ~~1899~~

A. C. M. Chesd
Notary Public for Oregon ^{Deputy} ~~Notary~~

Chas Hug
Allen Baker
August Hug -

Viewers

W. A. Benson
County Clerk

FILED
MAR 8 1900

BOND OF ROAD PETITIONERS.

Know all Men by These Presents, That we,

S. Sommer

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 *8th* day of *February* A. D. ~~1890~~ 1900.

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

and *S. Sommer*

the County Court of said County of Union, at the *March* Term, ~~1890~~ ¹⁹⁰⁰ thereof for a County Road, Beginning in the center of the county road where the road turns northwest between the Sturper place and Albert Ohms place and about 135 yards west from the northwest corner of the southwest quarter of the northeast quarter of section 16 2d one north range 39 East 10m. thence west 144 yards to a stake marked "A" thence in a southeasterly direction about 465 yards to a tree blazed on four sides and marked "B" and about 25 feet north from the center of Phillips creek; thence in a westerly direction along the north bank of said Phillips creek above high water mark to a point about 50 feet north from the point where the Quimmerville and Walla Walla road comes down to Phillips creek; thence crossing said Phillips creek intersecting with said Quimmerville and Walla Walla wagon road and there terminate. Said road to be 40 feet wide.

NOW, if the above named

S. Sommer and

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.

S. Sommer (L. S.)
(L. S.)



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

I, *S. Sommer* 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.

S. Sommer

Subscribed and sworn to before me this *8th* day of *March* A. D. ~~1890~~ 1900.

G.W. Bevan
County Clerk.

Board
of

Real Estate

Trustees of
the Board of
Real Estate
for the City of
New York

Filed Nov. 8, 1900

J. W. Brown
Co. Secy

BE IT REMEMBERED, That at a regular term of the Honorable County Court of Union county, state of Oregon, begun and held at the Court House in Union, in said county and state, on Monday of 2nd day of April, A. D. 1900, and from day to day thereafter during the continuance of said term, when on Wednesday, the 4th day of April, 1900, or the third judicial day of said term, said County Court opened for the transaction of business with the following officers present, to-wit:

Hon. B. F. Wilson, County Judge.

Hon. R. T. Langrell, Commissioner,

Hon. Henry Hag, Commissioner,

G. W. Benson, Clerk.

D. X. K. Deering, Sheriff.

When on Saturday, the 7th day of April, 1900, the same being the sixth judicial day of said term, among others, the following proceedings were had, to-wit:

In the matter of the road
petitioned for by D. Somner, et al.

This matter came on to be heard at this time on the report of the viewers and surveyor herein for a second reading, as required by law, and also upon the claim of J. E. Moore for damages on account of the location and establishment of said proposed road, the same being described as follows: "Beginning in the center of the county road where the road turns northwest between the Harper place and Albert Gums place, and about 135 yards west from the northwest corner of the southwest 1/4 of the northeast 1/4 of section 18, Tp one, north range 89 East W. M., thence west 144 yards to a stake marked "A," thence in a southwesterly direction about 485 yards to a tree blazed on four sides and marked "B" and about 85 feet north from the center of Phillips Creek, thence in a westerly direction along the north bank of said Phillips Creek above high water mark, to a point about 50 feet north from the point where the Sumnerville and Walla Walla road comes down to Phillips Creek, thence crossing said Phillips Creek, intersecting with said Sumnerville and Walla Walla wagon road, and there terminate." And it appearing to the court that said claimant J. E. Moore claims that said proposed road, as surveyed, runs through his land for a distance of about 120 rods diagonally from northeast to southwest, and that he will be damaged in the sum of \$120 by the location and establishment of said proposed road. It is therefore considered and ordered by the court that W. B. Hindman, Jas. Hill and W. P. Hag be appointed appraisers to examine the premises of said claimant, the entire distance through which said road will pass, and report to this court how much less valuable the premises of said claimant would be rendered by the location and establishment of said road, and that they meet at Elgin, Oregon, on Saturday, April 21, 1900, at 10 o'clock A.M., and after qualifying proceed to view and assess the damages that would accrue to said claimant by reason of the location and

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

We, the undersigned viewers heretofore on the 21 day of April, appointed to view out and assess the damages claimed by J. E. More in the matter of the proposed county road, petitioned for by H. Summer et al. beg leave to report that on the day of 21 April we, after being duly sworn to discharge our duty faithfully and impartfully, proceeded to view said proposed road the whole distance through the premises of J. E. More 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 ~~J. E. More~~ would be rendered ~~\$ 95~~ less valuable, and that the premises of complainant ~~J. E. More~~ would be rendered ~~\$ 40~~ less valuable, and the premises of the complainant ~~J. E. More~~ would be rendered ~~\$ 50~~ less valuable by the laying out and establishment of said proposed road as a public highway of said county, and recommend that \$ 41.66 be paid to said complainant before laying out and establishing said road as a public highway.

James Hill
W. B. Hindman
Walter F. Burg

Notary Public
James Hill
Notary Public
Swearing appointed
\$1.00
A. C. McLeod

STATE OF OREGON,
County of Union. SS:

Filed April 23 1900
Walter F. Hug
De Clerk

I, W. B. Hindman, Jas. Hill and W. F.

Hug, having been appointed by the county court of Union county,

Oregon, to view and appraise the damages that would accrue to J.E.

by reason of the location and establishment of the road petitioned for by D. Bonner, et al
Moore, being first duly sworn say: each for himself, that I will

faithfully and impartially perform my duty and report to the county

court
how much less valuable the premises of said claimant would be

rendered by the location of said proposed road.

W. B. Hindman
James Hill
Walter F. Hug

Subscribed and sworn to before me this 21st day of

April, A. D. 1900.

A. M. Lead
Notary Public for Oregon

establishment of said road and render their report to this court at the May term 1900.

(Sd) B. F. Wilson, County Judge.

Henry Hug, Commissioner.

R. T. Langrell Commissioner.

Attest:

County Clerk.

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

In the matter of proposed County road, petitioned for by D. Sommer and others.

Comes now the undersigned, and complains to the Court, alleging as follows.

That he lives on the line of said proposed road; that the same as surveyed runs through his land, for a distance of about 120 rods, diagonally from North East to South West, cutting the plow land, into ~~###~~ ^{three} pieces; and taking up and occupying 2 1/4 acres of the most valuable farming land, owned by complainant; that the said farming land is fenced and cleared ready for cultivation.

That the establishment of said road, will cause complainant to build ^{extra} 280 rods of fence, not needed unless the road is located on the line as surveyed. That the road is not needed for the general public, and will not be of any benefit to complainant.

That the reasonable cost of the extra fence which complainant will be compelled to build, on account of said road, is \$ 75.

The value of said 2 1/4 acres of land taken up by the said road is 45.

Total damage,

45.
\$120.

J. E. Moore

Complainant.

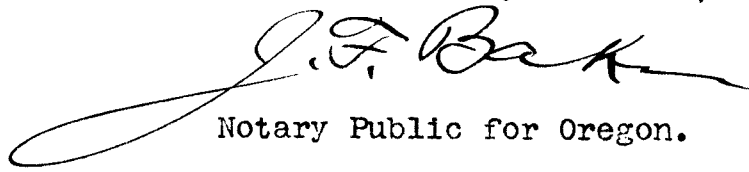
State of Oregon,

ss

County of Union. I, J. E. Moore being first duly sworn say: that I am the complainant herein, and that the foregoing complaint is true as I believe.

J. E. Moore

Subscribed and sworn to before me this 30th day of March, 1900.

A handwritten signature in cursive script, appearing to read "J. F. Baker". The signature is written in dark ink and is positioned above the typed name.

Notary Public for Oregon.

County Court, Union County.

In the matter of County road petitioned for by D. Sommer et als.
~~#####~~

Complaint for damages by

J. E. Moore.

This April 2, 1900

G. W. Beaman

Co. Clerk

State of Oregon
County of Union s.s

I hereby certify that in the matter of the county road petitioned for by D. Sommer et al. that the viewers and each of them heretofore appointed by the court to view and lay out said road, were duly sworn by me to faithfully and impartially perform the duties pertaining to the viewing laying out and establishing of said road before entering upon the discharge of their said duties, in that behalf

Arthur Curtis
County Surveyor.

F I L E D

APR 5 1900

W. J. Benson
County Clerk

REPORT OF VIEWERS.



To the Honorable County Court for Union County, Oregon:

The undersigned viewers heretofore on the 5th day of March 1900 appointed to view, lay out and alter the proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by Dan Sommer, et. al., beg leave to report that on the 19 day of March, 1900, 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 proposed road be laid out and declared a public highway of said county.

Charles Hug
Allen Baker
August Hug

Viewers.

FILED

APR 5 1900

Wm. B. Brown
County Clerk

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
..... *D. Summers* et al., beg leave to report that
on the *19* day of *March* ¹⁹⁰⁰ ~~189~~, 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:

attached

..... *Arthur L. Curtis*
County Surveyor.

FILED

APR 5 1900

W. H. Benson
County Clerk

State of Oregon

County of Union, ss

I hereby certify that the foregoing field notes made by me in the survey of the county road petitioned for by D. Summers and others, are true and correct and that the plat accompanying the same is a true and correct representation of the course of said road together with the angles and distances.

Arthur Curtis
County Surveyor

FILED
APR 5 1890
Wm. Johnson
County Clerk

Field Notes

Road as petitioned for by D. Sommer and others
 Commencing at a point 6.50 chains West from the
 N. W. Cor. of the S. W. $\frac{1}{4}$ of N. E. $\frac{1}{4}$ Sec. 16. T. 1 North

Chains	Range 39 East W. M.	Thence South	88° West
6.50	To Angle 1 a Stake.	"	" 73° "
9.00	" " 2 a Stump.	"	" " 54° 30' "
10.50	" " 3 a Tree	"	North 89° "
6.20	" " 4 a Rock	"	South 74° "
14.00	" " 5 a Rock	"	" " 64° "
6.10	" " 6 "	"	" " 46° "
5.00	" " 7 "	"	" " 57° "
2.40	" " 8 a Tree	"	" " 78° 30' "
4.00	" " 9 "	"	" " 75° "
3.25	" " 10 a Stump	"	" " 76° "
4.60	" " 11 "	"	" " 72° "
4.00	" " 12 "	"	" " 89° "
<u>4.45</u>	" 1 Mile tree	"	" " " "
0.55	" Angle 13 Stump	"	North 69° "
9.00	" " 14 "	"	" " 60° "
8.75	" " 15 a Rock	"	" " 65° "
8.00	" " 16 a Stump	"	" " 56° 30' "
7.00	" " 17 Rock	"	" " 70° "
7.75	" " 18 "	"	" " 85° "
16.80	" " 19 Stump	"	South 40° "
12.70	" " 20 "	"	" " 80° "
4.00	" " 21 Rock	"	" " 64° "
4.60	" " 22 Tree	"	" " 77° West
2.60	" " 23 "	"	" " 82° "
3.60	" " 24 "	"	" " 88° "

FILED

APR 5 1900

E. W. Benson
County Clerk

Chains

0.20 To 2 Mile Tree Thence South 88° West
2.80 " angle 25° at tree " " 68° "
2.00 " Road Terminus a Stamp a point on the
Summerville and Walla Walla road

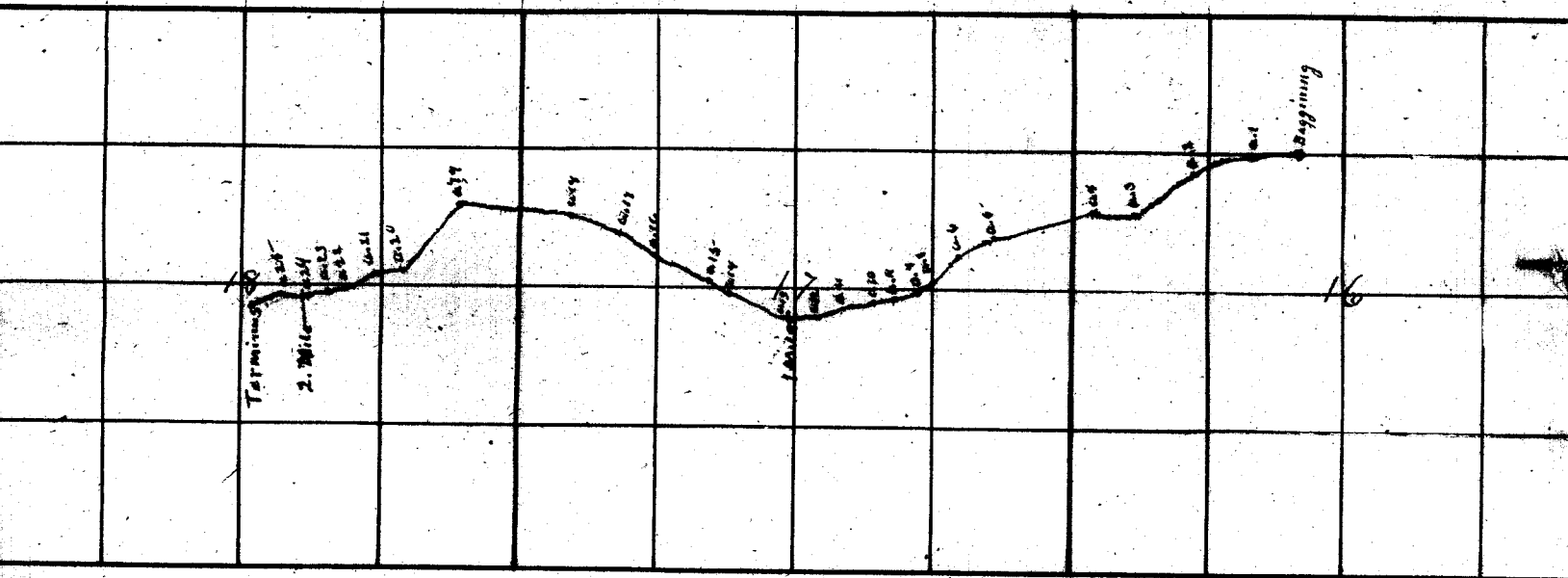
FILED

APR 5 1900

W. J. Benson
County Clerk

Road as Petitioned for by D. Sommer et al.

Township 1 North Range 39 East W. M.



FILED

APR 5 1900

W. H. Harrison
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 5th day of March A.D. 1900 and from day to day thereafter during the continuance of said term when on Wednesday the 7th day of March 1900 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 B.F. Wilson County Judge

" R.T. Langrell Commissioner

" Henry Stuyg Commissioner

Due proclamation of the opening of Court having been made the following proceedings were had, to-wit;

In the matter of the proposed
County road petitioned for by
D Sommer et. al.

Comes now D Sommer 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;

Beginning in the center of the County road where the road turns north west between the Harper place and Albert Ahms place and about 135 yards west from the north west corner of the south west quarter of the north east quarter of section 16 T¹ P¹ one north range 39 East N.M. then e west 144 yards to a stake marked 'A' thence in a South westerly direction about 465 yards to a tree blazed on four sides and marked "B" and about 25 feet north from the center of Phillips Creek, thence in a westerly direction along the north bank of said Phillips Creek above high water mark to a point about 50 feet north from the point where the Sumnerville and Walla Walla road comes down to Phillips Creek

And it appearing to the Court that said petition is signed by more than twelve householders of this County residing in the vicinity of said proposed road and that said petition properly specifies the place of beginning intermediate points and place of termination of said road and it satisfactorily appearing to the Court that notice has been given by advertisements posted at the place of holding County Court, to-wit; at the

Third Judicial Day

Wednesday March 7th 1900

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, towns.

One at the initial point, one on the tree along and on the line of the said proposed road and one on a tree at the place of termination the same being three of the conspicuous places on the line of the said proposed road for more than thirty days immediately prior to the presentation of said petition to this Court notifying all persons concerned that applications 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 Char Heng, Allen Baker and August Heng be appointed viewers of said road and that Arthur Curtis be appointed surveyor of said road and that they meet at the Sommer Heng Mercantile Co Store on the 19th day of March A.D. 1900 at the hour of 1:30 o'clock P.M. and after qualifying to view survey and lay out said road according to law.

In the matter of the
petition for an appropriation
for improvement of Mallowa
Kell Road

This matter came on to be heard at this time on the petition of the citizens of Celina and vicinity for an appropriation for the improvement of Mallowa Kell road and the Court not being fully advised in the premises it is ordered that the said petition be continued for the term

In the matter of the application
of Tarter and Gallagher for
a Liquor License

This matter came on to be heard at this time on the application of Tarter and Gallagher for a license to sell spirituous malt and vinous liquors in less quantities than one gallon in Comucopia precinct for a period of six months from this date and it appearing to the Court that due and legal notice of the presentation of said petition to this Court has been given proof of which has

Fourth Judicial Day

Thursday April 5th 1900

Court met pursuant to adjournment

The same officers were present as on yesterday

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

R. F. Wilson
County Judge
Commissioner
Commissioner

Thereupon the following proceedings were had to-wit:

In the matter of the Road
petitioned for by O. Summers

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

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

Sixth Judicial Day

Saturday April 7th 1900

Court over pursuant to adjournment

The same officers were present as on yesterday

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

B. F. Nelson
County Judge
Commissioner
Commissioner

Thereupon the following proceedings were had, to-wit:

In the matter of the Road
petitioned for by W. Sommerel

This matter came on to be heard at this time on the report of the viewers and surveyor herein for a second reading as required by law and also upon the claim of J. E. Moore for damages on account of the location and establishment of said proposed road the same being described as follows: Beginning in the center of the County road where the road turns northward between the Harper place and Alben Ohms place and about 135 yards west from the northwest corner of the southwest 1/4 of the northeast 1/4 of section 16 T₁P₁ one north range 39 East 4th Nth there were 144 yards to a stake marked "A" thence in a southwesterly direction about 465 yards to a tree blazed on four sides and marked "B" and about 25 feet north from the center of Phillips Creek thence in a westerly direction along the north bank of said Phillips Creek above high water mark to a point about 50 feet north from the point where the Sumnerville and Walla Walla road comes down to Phillips Creek thence crossing said Phillips Creek intersecting with said Sumnerville and Walla Walla wagon road and there terminate" and it appearing to the Court that said claimant J. E. Moore claims that said proposed road as surveyed, runs through his land for a distance of about 120 rods diagonally from northeast to south west and that he will be damaged in the sum of \$120.00 by the location and establishment of said proposed road, It is therefore considered and ordered by the Court that W. B. Hindman Jas. Hill and W. F. Berg be appointed appraisers to examine the premises of said claimant the entire distance through which said road will pass and report to this Court how much less valuable

Sixth Judicial Day

Saturday April 7th 1900

the premises of said claimant would be rendered by the location and establishment of said road and that they meet at Elgin, Oregon, on Saturday April 21, 1900 at 10 o'clock A.M. and after qualifying proceed to view and assess the damages that would accrue to said claimant by reason of the location and establishment of said road and render their report to this Court at the May term 1900

In the matter of the proposed
County Road petitioned for by
John Neiderer et al

Comes now John Neiderer 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: To change the following described County road now laid out and running from the SW corner of sec 24 T¹ N R 38 E W¹ M running thence N. west to the NE corner of the N¹/₂ of SE¹/₄ of sec 23 T¹ N R 38 E W¹ M thence W to the NW corner of N¹/₂ of SE¹/₄ of sec 23 T¹ N R 38 E W¹ M thence south to SW corner of SE¹/₄ of sec 23 T¹ N R 38 E W¹ M to run straight through west from the SW corner of sec 24 T¹ N R 38 E W¹ M on section line to the SW corner of SE¹/₄ of sec 23 T¹ N R 38 E W¹ M

And it appearing to the Court that said petition is signed by more than twelve householders of this County, residing in the vicinity of said proposed road and that said petition properly specifies the place of beginning, intermediate points and place of termination of said road and it satisfactorily appearing to the Court that notice has been given by advertisement posted at the place of holding County Court to-wit: at 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 the commencement and one at the terminus of said road and one on the Summerville & Walla Walla wagon road some distance from said 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 Jos. Woodell J. O. Smith and Dick Gurifel be appointed Viewers of said road and that

Fourth Judicial Day

Thursday May 10th 1900

In the matter of the application
of Luther LLOYD to be appointed
to geld stallions in Pine
Valley Iron Dyke precincts

This matter came on to be heard at this time on the application of Luther LLOYD to be appointed to geld stallions, stud colts and Jackasses running at large in Pine Valley and Iron Dyke precincts in accordance with an act of the Legislative assembly of the State of Oregon approved February 18, 1899 and in appearing to the Court that the said Luther LLOYD is a suitable and proper person to be appointed by the Court to said position It is therefore considered and ordered that the said Luther LLOYD be and he is hereby appointed to geld stallions stud colts and Jack asses running at large in the aforesaid precincts as required by law

In the matter of the proposed
County road petitioned for by
Dan Sommer et al.

This matter came 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 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 5 day of March 1900 appointed to view lay out and alter the proposed county road of which the survey hereto attached is a true and correct description as petitioned for by Dan Sommer et al. by leave to report that on the 19th day of March 1900 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 house-holders residing in the vicinity thereof we therefore recommend that said proposed road be laid out and declared a public highway of said County

Charles Heng }
Allen Baker } viewers
August Heng }

Fourth Judicial Day

Thursday May 10th 1900

And said report of the viewers and the report of the surveyor having been now publicly read in open court and having been publicly read on two several days of the previous term of this 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 a claim for damages having been filed herein by J. E. Moore and the same duly assessed at \$41⁶⁶ 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 and surveyor be approved and adopted by the Court and that said proposed road be declared a public highway of Union County, Oregon, and ordered opened up and placed in repair for travel according to law, when the petitioners shall have paid the said damages, to-wit: 41⁶⁶ to said J. E. Moore or to the Clerk of this Court for him.

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 Plate of County Roads of Union County, Oregon and that E. E. Jones and John Niedler, road supervisors of road districts Nos 6 & 7 respectively the same being the road districts in which said road is located be furnished with a copy of the petition herein and a copy of this decree and ordered to open up said road and place the same in repair for travel.

In the matter of the proposed
County road petitioned for by
E. P. Cranston, et al.

This matter came 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 viewers being in words following, to-wit:

Report of Viewers.

To the Honorable County Court for Union County, Oregon:

Fourth Judicial Day

Wednesday, July 10, 1901.

highways of Union County for the purpose of erecting poles and stringing wire thereto, to erect such poles along the outer edge of such highways so as to not interfere with the road way in any manner or with the grading and improvement thereof, and shall at all points where individuals are maintaining gates or may desire to maintain gates in order to have ingress to, and egress from their premises to put in poles of such length and place the wires thereon at such height as to permit the free passage through such gate or other entrance way of any and all farm machinery including derricks, threshing outfits and any and all apparatus used up or about the farm, and that any such Company who fails or neglects to comply with this requirement within a reasonable time after notice by the individual owner of any such premises, or any failure in any other respect to comply with the requirements of this order shall be deemed a forfeiture of the right herein granted.

In the matter of works on
County road leading north
from Galloway Bros Saw Mill

This matter came on to be heard at this time upon the complaint filed before this Court alleging that the road running north from Galloway Bros Saw Mill is in bad condition and unfit for travel; that a large number of those entitled to perform road works in the road district, in which said road is located, have not been warned out to do the necessary road works required of them by law.

And it appearing to the Court that said road should be placed in good repair. It is therefore considered and ordered by the Court that West Place Supervisor of said District No 2, be and he is hereby instructed to at once utilize all the available road works in his road district in improving the road leading north from Galloway Bros Saw Mill.

In the matter of the
road petitioned for by
D. L. Lumber, et al

At this time it is ordered by the Court that this matter be and the same is hereby continued for the term to allow petitioners to file bond and proof of posting of notices.

First Judicial Day.

Wednesday, Aug 7, 1901.

In the matter of the }
road petitioned for by }
D. Soumerai, et al. }

At this time it is ordered by the Court that this matter be and the same is hereby continued for the term.

In the matter of the }
road petitioned for by }
G. M. Saal, et al. }

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

Commencing at a point forty rods North of the North East corner of Section Thirty (30) Township Two (2) South of Range Thirty Eight (38) E. 4th M., and thence South on the section line, between Sections Nineteen and Twenty, Twenty Nine, Thirty, Thirty one and Thirty Two, said Township and Range to intersect the County Road running through said sections 31st and 32nd, and there terminating. Said proposed road to be forty feet in width. And it appearing to the Court that said petition is signed by more than twelve householders of this County, residing in the vicinity of said proposed road, and that said petition properly specifies the place of beginning, intermediate points and place of termination of said road, and it satisfactorily appearing to the Court that notice has been given by advertisement posted at the place of holding County Court, to-wit: At 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: 1 at the point of beginning of said proposed road to-wit: at a point 40 rods North of the corner of Sec 30. Tp 2 S. R. 38 E. 4th M. and 1 at the terminal of said proposed road, to-wit, where said proposed road intersects the County road running east and west through Sections 31st and 32nd Tp 2 S. R. 38 E. 4th M., intersects the County road known as Probstel Lane, for more than thirty days immediately prior to the presentation of said petition to the

Be it Remembered, That at a regular term of the County Court of Union County, State of Oregon, begun and held at the Court House in Union in said County and State on Wednesday the 4th day of September, A. D. 1901, the same being the first Wednesday in said month and time fixed by law for holding a regular term of said Court, when were present:

Hon. J. F. Wilson, County Judge
 Hon. Harry King, Commissioner
 J. W. Damon, Clerk
 S. H. Deering, Sheriff

Due proclamation of the opening of Court having been made, the following proceedings were had, to-wit:

In the matter of the petition
 of J. B. Thomson and E. S. McConis
 to have Catherine Creek between
 certain points declared navigable

At this time it is ordered by the Court that this matter be and the same is hereby continued for the term.

In the matter of the proposed
 County road petitioned for
 by S. Linnier, et al.

At this time it is ordered by the Court that this matter be and the same is hereby continued for the term.

In the matter of the resignation of
 E. L. Quads as Justice of the Peace
 of Lalpau's (North) District

At this time it is ordered by the Court that this matter be and the same is hereby continued for the term.

In the matter of the application
 of Inez Guild for County aid

This matter came on to be heard at this time on application of Inez E. Guild for County aid, from which it appears that she has been a resident of Union County for 18 years; that she is sick and unable to work;

Second Judicial Day

Thursday, October 3, 1901

Court with pursuant to adjournment

Clerk-

Hon B. F. Wilson, County Judge
 Hon Henry Hoop, Commissioner
 J. W. Pearson, Clerk
 A. W. Derrin, Sheriff

See proclamation of the opening of Court having been made the following proceedings were had.

In the matter of the petition of }
 J. B. Shannon ^{and} E. A. W. Conner }
 to have Catherine Creek between }
 certain points declared navigable }

At this time it is ordered by the Court that this matter be and the same is hereby continued for the term

In the matter of the resignation of }
 E. L. Brooks as Jof of North }
 Galpandy District }

At this time it is ordered by the Court that this matter be and the same hereby is continued for the term

In the matter of the road }
 petitioned for by S. Sumner, et al }

At this time it is ordered by the Court that this matter be and the same hereby is continued for the term.

In the matter of the cancellation }
 of the Lien against E & W Sec 34, 27 }
 & S. P. 37 E for the year 1896 }

At this time it is ordered by the Court that this matter be and the same hereby is continued for the term.

In the matter of the cancellation of }
 Mortgage Lien against W & W }
 N & NW, Sec 8, 27 & 17. R 40 E, owned by W. Gordon }

At this time it is ordered by the Court, that this matter be and the same hereby is continued for the term.

It is remembered, that, at regular term of the ^{County} Court of Union County, State of Oregon, begun and held at the Court House in Union in said County and State on Wednesday the 6th day of November, A.D. 1901, the same being the first Wednesday in the month and time fixed by law for holding a regular term of said Court, when were present:

Hon. J. H. Wilson, County Judge
 Hon. Harry Hays, Commissioner
 C. W. Benson, Clerk
 W. M. K. Steering, Sheriff

Thereupon the following proceedings were had, to wit:

In the matter of the petition of J. B. Thompson and E. S. McCannas to have Catherine Creek between certain points declared navigable, etc.

At this time it is ordered by the Court that this matter be and the same hereby is continued for the term

In the matter of the resignation of Ch. Brooks, as Jof P of North Lawrence District

At this time it is ordered by the Court that this matter be and the same hereby is continued for the term.

In the matter of the road petitioned for by D. Sauney, et al.

On motion of petitioners it is hereby ordered that the petition be and the same hereby is dismissed.

In the matter of the cancellation of Tax Lien against against Ex Sec 34, Op & S. P. 37 Evm for year 1895.

This matter came on to be heard upon the petition of the Grand Port & Lumber Company for the cancellation of the Tax Lien against the Ex Sec 34, Op & S. P. 37 Evm for the year 1895. From which it appears that the said Company is the owner of property described; that said property was assessed to said Company for the year 1895, and the taxes thereon were paid for said year; that through error in transcribing from the assessment

Fifth Judicial Dist

Monday, April 7, 1902,

east corner of the Sec of said section 7.

In the matter of the road petitioned
for by D. Summer, et al

At this time it is ordered by the Court
that this matter be and the same is hereby continued for the term.

In the matter of the road petitioned
for by W^m Spencer, et al

Comes now W^m Spencer 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 estab-
lishment of a County road, described as follows, to wit:

Commencing on the County road at the SW corner of the
SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, T³S R³⁹ E¹M⁴, thence North
as near as practicable on the line between the East and West
half of the SE $\frac{1}{4}$ of said Section 19, to the SW corner of the
SE $\frac{1}{4}$ Sec 19, thence West to the SW corner of the NW $\frac{1}{4}$
of Sec 19, thence North to the SW corner of the SE $\frac{1}{4}$ of Section 18,
thence North to the County road at the Northwest corner of the
NW $\frac{1}{4}$ of Section 18, All in Township 3 South of Range 39 E¹M⁴ in
Union County, Oregon.

And it appearing to the Court that said petition is signed by
more than twelve householders of this County, residing in the vicinity
of said proposed road, and that said petition properly specifies the
place of beginning, intermediate points and the place of termination of
said road, and it satisfactorily appearing to the Court that notice
has been given by advertisement posted at the place of holding County
Court, to wit: At the Court House in the town of Union, County of Union
State of Oregon, also in three public places in the vicinity of said proposed
road, to wit; one on a board nailed to a fence post at or near the com-
mencement of said ^{proposed} road, one on a board nailed to a post in the North
west corner of the yard fence of what is known as the Mahaffey place,
about one mile west of the proposed road, and one on a board nailed to a
fence post at or near the terminus of said proposed road for more
than 30 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 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 Order-
ed that Joseph Anson, J. J. Pecker and W. B. Campbell be appointed