

EQUITY }  
LAW } No

38

In Circuit Court,

Union County

*See Waddel*

Plaintiff

vs

*J W Tallmadge* <sup>and</sup>

*L W Tallmadge,*  
Defendant

*J H Crawford,*

Attorney for Plaintiff

Attorney for Defendant

2165267-2m 319 320 - P

series of Aug 21 1900  
in ref 2 per usual contract  
dated January 10 1901

June Road petitioned  
by Jas A. Peltier et al

Commencing at a pt on Co road  
No 396 on Sec line of Secs 27  
T. 26 S. R. 39 E thence running  
parallel with the railroad  
track over the ground from  
which the R. R. Co. took gravel  
to south end of Second St of  
the town of North Powder  
Mason Co Or, the town

# 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 to be, respectfully petition your Honorable body to lay out, alter <sup>locate</sup> and establish a County Road within said County, on the following line or route, to-wit:

Commencing at a Point on County Road # 396 petitioned for by L. S. Kelsey et al on the Section line of Sections 27 & 28 Township 6 S.R.39 E.W.M. at Point where said Road crosses said Section line, thence running parallel with the Railroad Track over the Ground from which the Railroad Co. took Gravel, to the South End of Second Street in the town of North Powder Union County State of Oregon

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

Dated at North Powder this third day of September 1900

NAMES:

NAMES:

Gas. A. Pilcher  
Herman Rothwell  
J. S. Davis  
Ed. Evans  
Thos. Tanner  
Ed. York  
L. B. Goodwood  
G. A. Casper  
A. Hutchinson  
E. A. Murphy  
T. Perridge  
Geo. Hume  
J. Carroll

Wm. Shewell  
M. S. Duff  
J. Vander  
Jack Plummer  
O. S. Sloan  
C. Wilson

*Earl Johnson*  
County Clerk

**FILED**  
NOV 7 1900

*Member bin*

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

I, G. W. Benson 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

~~Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the~~  
~~\_\_\_\_\_ day of \_\_\_\_\_ 1900, and that thereafter and thirty days previous~~  
~~to the presentation of said road petition therein mentioned, to-wit: On the~~ 25<sup>th</sup> day of  
September 1900, I posted <sup>the hereto attached</sup> ~~a true and correct copy~~ of said notice at the place of hold-  
ing Court for Union County, Oregon, to-wit: <sup>door</sup> 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 7<sup>th</sup> day of November 1900

G. W. Benson  
Geo. Beidelman  
Notary Public Oregon

**FILED**

NOV 7 1900

*W. H. Benson*  
County Clerk

# Notice of Road Petition.

**To All Persons Concerned:** You, and each and all of you, will take notice that the undersigned, householders for Union County, Oregon, residing in the vicinity where the hereinafter described road is proposed to be, will, at the next session of the County Court for Union County, Oregon, to-wit: On Wednesday, the ~~third~~ <sup>7th</sup> day of ~~October~~ <sup>November</sup> A. D. 1900, respectfully present to said Court a petition praying said Court to lay out, alter and establish a County road within said County, on the following line or route, to-wit: Commencing at a Point on County Road # 396 petitioned for by L.S. Kelsey et al, on the Section line between Sections 27 & 28 Township 6 S.R. 39 E.W.M. at a Point where said Road crosses said Section line thence running parallel with the Railroad Track over the Ground from which the Railroad Co. took Gravel, to the South End of Second Street in the town of North Powder Union County State of Oregon

Dated at North Powder, Oregon, the third day of September, A. D. 1900.

NAMES

NAMES.

Jas a. Pilcher  
 Herman Rothchild.  
 J. S. Davis  
 Ed. Evans  
 Thos Tanner  
 Ed. Jak  
 S. L. Garrison  
 B. A. Bayley  
 A. Hutchinson  
 E. W. Murphy  
 T. Beveridge  
 Geo. Howe  
 J. Carroll

Wm Shoup  
 M. S. Duff  
 S. Vandeen  
 Jack Plummer  
 O. G. Sloan  
 C. Wilson

RECORDED  
 SEP 25 1900  
 10

**FILED**

NOV 7 1900

*W. J. Johnson*

County Clerk



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

I, James A. Pilcher being first duly sworn, say that I posted three several notices, of which the notice hereunto attached is a true and correct copy, in three public places in said county in the vicinity of the proposed road therein described, to-wit: One at the beginning of said road attached to a Shingle, nailed to W.A. Longhanon fence and 2<sup>nd</sup> copy in same manner to A. Lun fence about half way along said road. 3<sup>rd</sup> copy near terminus of said road and attached in a similar manner to J.W. Plummer fence near his wind-mill.

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the 3<sup>rd</sup> day of Sept. 1900, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the \_\_\_\_\_ day of \_\_\_\_\_ 1900, 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 3<sup>rd</sup> day of Nov. 1900.

James A. Pilcher  
W.D. Thornblin  
Justice of the Peace

**FILED**

NOV 7 1900

*Wm. Johnson*  
County Clerk

BOND OF ROAD PETITIONERS.

Know all Men by These Presents, That we, Herman Rothchild and James A. Pilcher, 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 3<sup>rd</sup> day of September A. D. 1900

Now, the condition of the above obligation is such, That, whereas the above named Herman Rothchild and James A. Pilcher, and others, have petitioned the County Court of said County of Union, at the October Term, 1900 thereof for a County Road,

Commencing at a point on County Road No. 296, petitioned for by L. G. Kellogg et al on the Section line, between Sections 27 & 28 T 6 S R 29 E N. M. at a point where said Road crosses said Section line, thence parallel with the Rail Road track, passing over the ground owned which the Rail Road Co. took gravel for the South End of Second Street in the Town of North Park, Union County State of Oregon

NOW, if the above named Herman Rothchild and James A. Pilcher 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.

Herman Rothchild (L. S.)  
James A. Pilcher (L. S.)

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

I, Herman Rothchild and James A. Pilcher, 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.

Herman Rothchild  
James A. Pilcher

Subscribed and sworn to before me this 3<sup>rd</sup> day of November A. D. 1900.

O. D. Shoulvis  
Justice of the Peace - County Clerk

Board of James.  
A. Pickles and Newman  
Particulars

In matters of your  
particulars for by  
James A. Pickles, et al

Filed November 7<sup>th</sup> 1900  
By W. M. Brown  
By J. P. Edwards  
copy

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

In the Matter of the Road

petitioned for by John A. Pilcher  
et als.

Gomes new A. Lunn—the owner of the following described land  
over which the said road is petitioned to be established by the  
County Court of Union County, to wit:— NW 1/4 of NW 1/4 Sec. 27, Twp. 6 S. of  
S. 1/4 Section 22 in Township 6 South of Range 39 E. W. M.  
and in Union County, Oregon—and demands damages therefor as  
follows:—The said road will be 182 rods long on said land—and  
will take 364 rods of fence to fence each side of the road—  
costing the sum of \$ 150.00  
that the claimant herein is willing to accept said sum of \$150  
for damages—both for the land covered, and costs of fencing said  
road. He therefore claims and demands damages in the sum of  
\$150.00—by reason of the establishment of said public highway  
over his said land as proposed by said petitioners, viewers and  
county court as aforesaid.

Dated this the 3rd day of December A.D. 1900—

Andrew O. Lunn  
Claimant.

State of Oregon J.  
County of Union

I, Andrew O. Lunn  
being first duly sworn say that I  
am the claimant above named, and  
that the above claim for damages  
is true and correct as truly  
believe.

Andrew O. Lunn

Subscribed and sworn  
to before me this 4th day of Dec.  
A.D. 1900,

W. Benson. Clerk

Wade County Court  
of the

State of Oregon  
within County

Wade County of  
the said petition  
for by Geo. A. Miller,  
et al

Claim of  
Andrew J. Fox  
for damages

Filed Dec. 4. 1900.

Geo. A. Miller

Co. Clerk

S T A T E O F O R E G O N ,

ss:

County of Union.

We, Howard Campbell, W. C. Cusick and Wm. Ericson, having been appointed by the county court of Union county, Oregon, to appraise the damages that would accrue to Andrew O. Lun, by reason of the location and establishment of the proposed county road petitioned for by James A. Pilcher, et al., being first duly sworn say, each for himself, that we will faithfully and impartially perform our duties as such appraisers, and report to the court how much less valuable the premises ~~of~~ ~~of~~ of said claimant would be rendered by the location and establishment of said proposed road.

Howard Campbell  
W. C. Cusick  
Wm. Ericson

Subscribed and sworn to before me this 22<sup>nd</sup> day of Dec.

A. D. 1900.

O. W. Thomsen  
Justice of the Peace

# REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR JIMMIE COUNTY, OREGON:

We, the undersigned viewers heretofore on the 5<sup>th</sup> day of *Dec*, appointed to view out and assess the damages claimed by *Andrew O. Lunn* in the matter of the proposed county road,

~~between *James A. Blaine* and *Andrew O. Lunn*~~ they leave to report that on the 22<sup>nd</sup>

day of ~~*Dec*~~ 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 *Andrew O. Lunn*

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 *Andrew O. Lunn* would

be rendered *no* less valuable, and that the premises of complainant ~~\_\_\_\_\_~~ would be

rendered \$ ~~\_\_\_\_\_~~ less valuable, and the premises of the complainant ~~\_\_\_\_\_~~ would be ren-

dered \$ ~~\_\_\_\_\_~~ 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 establish-

ing said road as a public highway.

*A. P. Campbell*  
*W. C. Curick*  
*H. E. Ersson*

*This Dec. 24. 1900*  
*J. W. Bunker*  
*Co. Clerk*  
(over)





**FILED**  
DEC 5 1890  
*Wm. B. Brown*  
County Clerk

State of Oregon }  
County of Union } S.S

I hereby certify that in the matter of the County road petitioned for by Jas. A. Pileher and others, 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.

**FILED**  
DEC 5 1900  
*W. H. Johnson*  
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  
..... Jas. A. Pilleher ..... et al., beg leave to report that  
on the 26 day of Nov., ~~189~~<sup>1900</sup>, 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:

... Commencing at a point 760 Chs. South of North West Cor. Sec. 27, T. 6 South  
Range 39 East N. M. Thence North  $28^{\circ} 31'$  East Var  $19^{\circ}$  E.  
4.50 Chains to angle 1 a stake, Thence North  $50^{\circ} 30'$  E  
18.00 " " " 2 " " " " " 44 $^{\circ}$  30' E  
21.00 " " " 3 " " " " " 3 $^{\circ}$  E  
3.68 " " " Road Terminus a Rock set in center  
of line of <sup>3rd</sup> Street of North Powder  
The Road runs practically parallel with O. R. M. R. R.

.....  
A. Stuart Lewis  
County Surveyor.

*W. J. Johnson*  
County Clerk  
**FILED**  
DEC 5 1900

State of Oregon }  
County of Union } S.S.

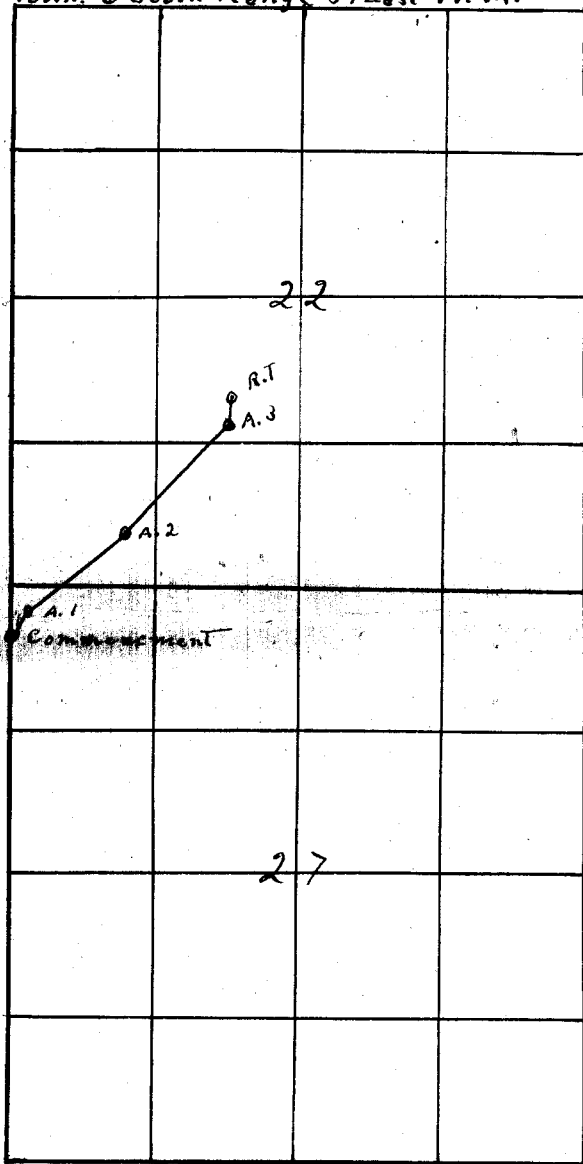
I hereby certify that the foregoing field notes made by me in the survey of the County road petitioned for by Jas. A. Pilcher and others are true and correct, and that the plat accompanying the same is a true and correct representation of <sup>the courses</sup> said road together with the angles and distances.

Arthur Curtis  
County Surveyor.

**FILED**  
DEC 5 1900  
*W. H. Johnson*  
County Clerk



Town. 6 South Range 39 East W. M.



**FILED**

DEC 5 1900

*W. H. Johnson*  
County Clerk