

EQUITY

No. 5

In CIRCUIT COURT  
UNION COUNTY

*Thomas Curtis*

*Plaintiff*

vs

*H. D. Spencer*

*Defendant*

*O. E. Cochran*

*Attorney for Plaintiff*

*Attorney for Defendant*

THE IRWIN HOBSON COMPANY P IN

N 3677

No 563

Road petitioned for by  
Wm. Ericson, et al.

Commencing at an angle of County

at the N. E. corner of section

17 of Twp 2 S. R. 29 E. Sec 17

and

ends east from the corner

of Twp 2 S. R. 29 E. Sec 17

to the

nos  
158

# 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 and establish a County Road within said County, on the following line or route, to-wit:

John Shaw, H.P. Campbell, Wm. Ericson & a number  
 Commencing at an angle of County Road at a point 36 rods  
 north from the south line N.E. quarter of the South East quarter  
 of sec 17 T. 5 S. R. 39 E. W. m. and N.E. R. 39 E. W. m. East from the West  
 line of the N.W. quarter of the South East quarter of sec 17  
 T. 5 S. of R. 39 E. W. m. thence running to the N.E. corner  
 of the N.E. quarter of the N.E. quarter of sec 20 T. 5 S. R. 39 E. W. m.  
 thence south 3/4 of a mile to County Road at the N.E. corner  
 of the South East 1/4 of the S.E. quarter of sec 20 T. 5 S. R. 39 E. W. m.  
 (And we petition to vacate from the present County Road between the  
 points above stated in sec 17 & 20 T. 5 S. R. 39 E. W. m. thence along County Road to the  
 N.W. corner of sec 4 T. 6 S. R. 39 E. W. m. thence south on sec line to the  
 County Road to the N.W. corner of sec 16 T. 6 S. R. 39 E. W. m. and to  
 vacate one mile on S.P. line S. 33. T. 6 S. R. 39 E. W. m.  
 And in duty bound your petitioners will ever pray, &c.

Dated at North Powder this 30<sup>th</sup> day of June 1902

NAMES:

NAMES:

Wm. Ericson  
 H.P. Campbell  
 & a number  
 John Shaw  
 W.O. Garbner  
 Andrew Lum  
 Tom Shaw  
 Hal Polen  
 G.M. Gilkison  
 J.W. Chumant  
 J.H. O'Bryant  
 J.E. Younce  
 J.V. Harrison  
 D.A. Richardson

C. Olson  
 Ed. Luis  
 O.D. Thomlinson  
 R.E. Harrod  
 H. Rothchild  
 J.T. Shaw  
 Char. Gibbs  
 Wm. Shaw  
 J.E. Gilkison  
 J.H. O'Bryant  
 F.W. Price  
 James Gilkison  
 J.M. Younce.

# 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 *6<sup>th</sup>* day of *August* A. D. 190*2*, 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 an angle of County Road at a point 89 rods north from the South line of the N.W. quarter of the Southeast quarter of sec 17, T. 5. S. of R. 39. E. 20<sup>th</sup> W. and 40 rods east from the West line of the N.W. quarter of South east quarter of sec 17, T. 5. S. of R. 39. E. 20<sup>th</sup> W. thence to running to the North West corner of the N.E. quarter of this N.E. quarter of sec 20, T. 5. S. of R. 39. E. 20<sup>th</sup> W. thence South  $\frac{3}{4}$  of a mile to the N.W. corner of the South East of the South East quarter sec 20, T. 5. S. of R. 39. E. 20<sup>th</sup> W. (and an Petition to vacate the Present County Road between these points above stated in sec 17 & 20, T. 5. S. of R. 39. E. 20<sup>th</sup> W.) thence along County Road <sup>Commencing</sup> at the N.W. corner of sec 4, T. 5. S. of R. 39. E. 20<sup>th</sup> W. thence south on sec line to Wolfcreek County Road at the N.W. corner of sec 16, T. 6. S. of R. 39. E. 20<sup>th</sup> W. and to vacate here mile on T. 6. S. of R. 39. E. 20<sup>th</sup> W.

Dated at *North Powder* Oregon, the *30<sup>th</sup>* day of *June* A. D. 190*2*

NAMES

NAMES

*Wm. Erivson*  
*H.P. Campbell*  
*G.A. Aggar*  
*John Shaw*  
*H.O. Garbner*  
*Andrew Linn*  
*Tom Shaw*  
*Hal Polen*  
*G. M. Gilchrist*  
*J.W. Cherrault*  
*J.H. Bryant*  
*J.E. Yauriss*  
*J.F. Harrison*  
*D. Richardson*

*C. Olson*  
*Ed. Lewis*  
*O.D. Thomlinson*  
*R.E. Hoar*  
*H. Rothchild*  
*J.J. Shaw*  
*Chas. Gibbs*  
*W. Shew*  
*J. E. Gilchrist*  
*J.H. Bryant*  
*F.W. Nee*  
*James Sullivan*  
*J.M. Younger*

Posted  
*July 2 1902*

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

I, B. Chancy 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 \_\_\_\_\_ 190...., and that thereafter and thirty days previous~~  
~~to the presentation of said road petition therein mentioned, to-wit: On the \_\_\_\_\_ day of~~  
July 190<sup>7</sup>, I posted <sup>that</sup> ~~a true and correct copy~~ <sup>the hereto attached</sup> of said notice at the place of hold-  
ing Court for Union County, Oregon, to-wit: On the front <sup>door</sup> 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 6th day of Aug. 190<sup>7</sup>  
B. Chancy  
J. W. Minnigh  
County Clerk

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

I, H. P. Campbell being first duly sworn, say that I posted <sup>a</sup> ~~three several~~ notices, of

which the notice hereunto attached is a true and correct copy, in <sup>a</sup> ~~three~~ public places in said county in the vicinity of  
the proposed road therein described, to-wit: ~~one~~ On a board nailed to

a stake at the commencement of  
said proposed road in  
plain view of the public

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the 6<sup>th</sup> day  
of July 1907, and that thereafter and thirty days previous to the presentation of said road

~~petition therein mentioned, to-wit: On the \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_, 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 notice remained posted thirty days previous  
to the presentation of said petition as I verily believe.~~

Subscribed and sworn to before me this 6<sup>th</sup> day of August 1907.

H. P. Campbell  
J. H. Munnough Clerk  
B. B. Schwan Deputy

BOND OF ROAD PETITIONERS.

KNOW ALL MEN BY THESE PRESENTS: That we H. P. Campbell and John Shaw, 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 paid, we bind ourselves, our heirs, executors and administrators firmly by these presents: Signed this 6<sup>th</sup> day of August A. D. 1902.

Now, the condition of the above obligation is such, that whereas the above named H. P. Campbell and John Shaw and others, have petitioned the County Clerk of said County of Union, at the August term, 1902, thereof for a County road,

as described in the petition of W<sup>m</sup> Ericson, et al, hereto attached

Now, if the above named H. P. Campbell and John Shaw 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 ~~say~~ prayer of said petitioners be not granted or allowed, then that this obligation shall be void, otherwise to remain in full force and virtue.

H. P. Campbell Seal.  
John Shaw Seal.

State of Oregon,  
County of Union, SS:

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

H. P. Campbell  
John Shaw

Subscribed and sworn to before me this 1<sup>th</sup> day of August

A. D. 1902.

J. H. Munnings, Clerk  
By E. P. School, Deputy

Ed 724

for the purpose of  
of the State of Georgia  
for the purpose of

for the purpose of  
of the State of Georgia  
for the purpose of

for the purpose of  
of the State of Georgia  
for the purpose of



#563

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

Petition for  
County Road,  
by New Enterprise

Dated August 6, 1902

J. H. Manning, Clerk  
J. B. Peterson, Deputy

Field Notes of  
Road Relieved for by Wm Ericson et, al.

Commencing at a point on County Road  
North  $17^{\circ} 30'$  West 28.75 Chs. from the N. W.  
Cor. of the N. E  $\frac{1}{4}$  of the N. E  $\frac{1}{4}$  of Sec. 20 T. 5 S.  
R. 39 E. W. M. at a rock marked R, then

chs	South $17^{\circ} 30'$ East
28.75	To Angle 1, a rock at N. W. Cor. of N. E $\frac{1}{4}$ of N. E $\frac{1}{4}$ Sec 20 T. 5 S R 39 E W. M. Thence South
<u>51.25</u>	To 1 Mile Rock ; " "
49.70	to Angle 2 a rock ; " East
20.00	" " 3 " " ; " South
<u>10.30</u>	" 2 mile Rock ; " "
<u>8.00</u>	" 3 " " ; " "
27.00	" Angle 4 a rock ; " South $34^{\circ}$ West
6.00	" " 5 " " ; " " $2^{\circ}$ "
6.00	" " 6 " " ; " " $35^{\circ}$ East
6.20	" " 7 " " ; " South (7 chs
	to N. W. Cor. Sec. 4 T. 6 S. R. 39 E W. M)
<u>3580</u>	" 4 mile Rock ; Thence South
<u>80.00</u>	" 5 mile " ; " "
50.60	" Road Terminus a point on Wolf creek County road at the N. W. Cor. Sec. 16 T. 6 S. R. 39 E. W. M. set a stone marked R, T, at Cor.

Arthur Curtis  
County Surveyor

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

In the matter of the county road  
petitioned for by Wm. Ericson et-al.

Comes now J.H. Rinehart and shows to  
the Court that he is the owner and in possession of the  
following described lands to-wit:-

The east half of the north-west quarter, the west half of  
the north-east quarter, the north-west quarter of south-east  
quarter, and north-east quarter of south-west quarter section  
(20) township 5 south range 39-E.W.M. through which the road  
petitioned for by Wm. Ericson et-al, as surveyed runs,

That by the location of said road as proposed his said  
lands will be rendered less valuable in the sum of \$ 300.00

Wherefore he the undersigned hereby makes claim against  
the county of Union for the sum of \$ 300.00 damages for and  
on account of the location of said road.

*J. H. Rinehart*  
*G. J. D. Luter*  
.....

Attorney for claimant.

to the order of the ...  
... ..

of a ... ..  
... ..

... ..

County Court  
Alameda County  
or your

for the ...  
... ..  
... ..  
... ..

... ..  
... ..  
... ..  
... ..

Given Oct 21 1903

... ..  
... ..  
... ..  
... ..

# REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

We, the undersigned, viewers heretofore on the 31 day of October,  
appointed to view out and assess the damages claimed by J. H. Reinhart  
J. W. Parker and N. B. Bonman  
in the matter of the proposed county road, petitioned for by  
Wm. Erickson et al.: ..... beg leave to report  
that on the 31 day of October 1902, we, after being duly sworn to dis-  
charge our duty faithfully and impartially, proceeded to view said proposed  
road the whole distance through the premises of J. H. Reinhart J. W. Parker  
and N. B. Bonman  
complainants and to assess and determine how much less valuable said prem-  
ises of said complainants would be rendered by the opening of said road, and  
we find that the premises of said complainant J. H. Reinhart would be  
rendered \$ any less valuable, and that the premises of complainant J. W.  
Parker would be rendered \$ 661 less valuable, and the  
premises of the complainant N. B. Bonman would be rendered \$ any  
less valuable by the laying out and establishment of said proposed road as a  
public highway of said county, and recommend that 661 be paid to said  
complainant before laying out and establishing said road as a public highway.

J. R. McLain  
Notary Public

J. S. Davis  
Albert H. ...  
J. W. ...

over

STATE OF OREGON,  
County of Union. ss:

*Filed Nov 4, 1902*  
*J. H. Minnigh*  
*Clk*  
*By E. Erickson*  
*W. M. M. M.*

We, J. S. Davis, Albert Hutchinson  
and I. W. Maharry, heretofore appointed by the County Court of s  
said County and State, to assess the damages that would accrue to  
the claimants, J. H. Rindhart, J. W. Parker and N. B. Bowman, by  
reason of the location and establishment of the proposed county  
road petitioned for by Wm. Ericson, et al., being first duly  
sworn, each for himself and not one for the other, say that we  
will faithfully and impartially appraise the damages that would  
accrue to said claimants by reason of the location and establish-  
ment of said proposed road and render our report accordingly.

*J. S. Davis*  
*Albert Hutchinson*  
*I. W. Maharry*

Subscribed and sworn to before me this 31 day of October  
A. D. 1902.

*J. A. Laum*  
*Nancy Public*

J. W. Parker.

160 rods fence at 1 <sup>00</sup> per rod	160 <sup>00</sup>
160 " double fence 2 <sup>00</sup>	320.
80 " single fence	80.
Land 160 rods 30 ft wide	
160 " 60	6 3/4 ac. at 101.25
80 " 30	<del>15<sup>00</sup> per ac</del> 661.25

H. B. Bowman.

Loss on land 30 ft - 160 rods.	16.30
Fence 80 rods 1 <sup>00</sup>	80. -
	<u>96.30</u>

Gain on land: 1/2 ac  
121 rods fence

* 1/2 ac. @ 100	50
120 -	
<u>127.60</u>	

J. S. Davis  
Albert Hutchinson  
J. W. Mahary

31.20

480  
450  
30

180  
60  
30

J. H. Reinhart would be benefited in the change of said road as follows...

Gained land 30 ft for $\frac{3}{4}$ of a mile	} Gains by moving fence $6\frac{3}{4}$ acres	
30 . . . . . 20 rods.		
30 . . . . . 80 rods. at $15^{\text{c}}$ per acre		
Double fence for 480 rods	{ 580.	\$ 101.25
Single fence for 100 "		
Fence 1 <sup>st</sup> for rod	1 <sup>00</sup>	
		\$ 580 -
		\$ 681.25

Value of Land on Proposed Road, north.

30 ft $\frac{3}{4}$ of a mile 240 rods, $2\frac{3}{4}$ acres at $15^{\text{c}}$ per acre	41.25
$\frac{1}{2}$ of sect line fence 120 rods. at	120
for moving fence 120 rods	18.00
	<u>179.25</u>

J. H. Reinhart is benefited by said road in that said road is moved on the  $\frac{1}{4}$  section line between him and Geo. Aughy. instead of running through or diagonally across his said land to the amount of Four Hundred two Dollars \$402<sup>00</sup>/<sub>4</sub>

J. S. Davis  
 Albert Hutchins on  
 J. W. Maharry  
 Viewers.

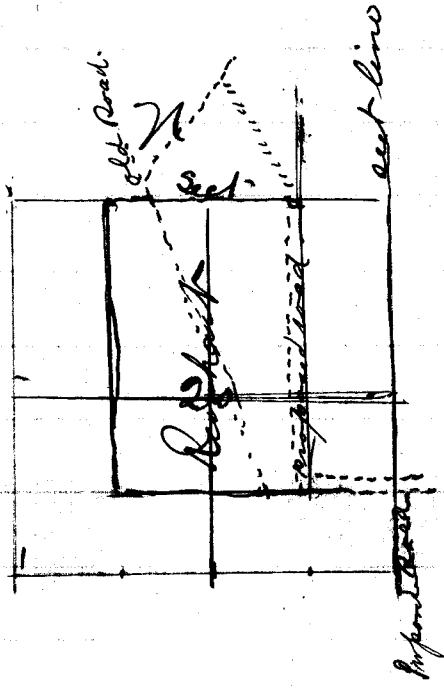


To the Hon<sup>ble</sup>

The County Court of New & Qu

We the viewers who have appraised, both the benefit, and the injury done to the lands through which said proposed road runs would say that so far as Mr Reinhard is concerned, the road would be ~~run~~ <sup>run</sup> to one side of his land, while at present, he has two fences to keep up and the road runs diagonally through his land. Mr Bowman, would be benefited in like manner, and as for John Parker we have appraised his damages at the very highest figures, we could ~~not~~ <sup>not</sup> ~~do~~ <sup>do</sup> ~~more~~ <sup>more</sup>.  
which is \$661 <sup>25</sup>/<sub>100</sub>

Dec 20 1853. R 39



Friend Mrs W. 1902

John P. Hammond - Old  
By W. H. Lewis  
1894

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

In the matter of the county road  
petitioned for by Wm. Ericson et-als.

Comes now J.W. Parker and represents to the Honorable Court that he is the owner of the following described lands situate in Union County, Oregon to-wit:-

All of section four (4) and the north half, and the north half of the south half, and the south east quarter of the south east quarter of section nine (9) all in township six (6) south of range thirty-nine (39) east of the Willamette Meridian, and which said lands adjoin the proposed county road on the east and extends along said proposed road a distance of one and three quarters ~~1/4~~ miles,

That if said proposed county road is ordered opened and established the said J.W. Parker will be compelled to build and construct a fence along the entire west line of his said described lands a distance of one and three fourths miles, which said fence will cost said J.W. Parker the sum of \$1200.00 and that said Parker will therefore be damaged by said location of said road on account of having to build said line of fence the said sum of \$ 1200.00- and if said road be established as proposed in said petition said Parker will be compelled to move his present fence the entire ~~1/4~~ distance along said lands back a distance of thirty feet, said present fence being on the section line where said road is proposed to be established- to said Parkers damage in the sum of \$ 250.00-

That if said road is established the same as proposed will deprive said J.W. Parker of about eight acres of land- which said land is of a value of eighty dollars, (\$80.00)- and that said Parker will be otherwise damaged by the location and establishment of said proposed county road, in the sum of

\$ 750.00- and that claimants said lands will be rendered less valuable in the sum of \$ 2280.00 on account of the location of said road as proposed in said petition.

Wherefore said J.W.Parker, claims as damages on account of the location of said proposed county road the sum of \$ 2280.00-and asks that the same be allowed as his damages if said proposed county road be established and located as prayed for in said petition.

*J. W. Parker,*  
.....

By Leroy Lomax, his attorney.

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

Shire  
for Peace County  
Road between  
and by  
The Excision, et al

Damn for Shire

Filed Oct 2 1902

J. W. Manning, Clerk  
By E. J. Stephens, Attorney

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

In the matter of the county road,  
petitioned for by Wm. Eric~~ts~~son, etal. }

M O T I O N .

Comes now J.W.Parker by his attorney Leroy Lomax, and appears specially and for the purposes of this motion only.- and moves the court to dismiss the petition herein, for the reason,

F i r s t . That the court has no jurisdiction of the subject matter herein.

S e c o n d . That the pretended petition herein does not state the initial point of ~~the~~ said pretended and proposed county road,-

T h i r d . That said pretended petition does not state or give the inter-mediate points of said proposed road,

F o u r t h . That said pretended petition does not give or designate the terminus of said proposed county road,

F i f t h . That no proper notice of the said ~~petition~~ pretended petition for said proposed county road has been given or published or posted as required by law.

That said J.W.Parker is the owner of the following described lands which are adjacent to the proposed county road, to-wit:- All of section four ( 4 ) in township six (6) south of range thirty-nine (39) east of the Willamette Meridian, and the north half-and the north half of the south half, and the south-east quarter of the south-east quarter of section nine (9) in said township six south, of range 39 E.W.M.-

And that said J.W.Parker as such adjoining land owner has had no proper and lawful notice of the said petition for said proposed county road,-

.....

Attorney for J.W.Parker.





# REPORT OF VIEWERS.



To the Honorable County Court for Union County, Oregon:

The undersigned viewers heretofore on the 3<sup>rd</sup> day of September 1902,  
 appointed to view, lay out and alter the proposed county road, of which the survey hereto at-  
 tached is a true and correct description, as petitioned for by Wm. Ericson,  
 et. al., beg leave to report that on the 25<sup>th</sup> day of September, 1902, 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 pub-  
 lic highway of Union county, Oregon. That the same.....is.....practicable and would  
 add greatly.....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. and vacate the present County Road between  
the commencement and N.W. cor. of S. 24 T. 39 E. 1/4 Sec. 20 Twp. 39 S. R. 39 E. 1/4, and vacate  
the County road on South  
line of Sec. 33 T. 39 S. R. 39 E,  
W. 1/4,

W. H. Gorham  
E. A. Barnes,  
Edw. Evans

Viewers.

10/102 Read 1<sup>st</sup> time

State of Oregon,

SS.

County of Union.

I hereby certify in the matter of the of the County road petitioned for by Wm. Eriesson and others, that the field notes made by me, are true and correct, and that the plat accompanying the same is a true and correct representation of said road, together with angles and distances.

Arthur Condit

County Surveyor.

State of Oregon.

SS.

County of Union.

I hereby certify in the matter of the County road petitioned for by Wm. Eriesson and others, that the viewers and each of them heretofore appointed by the Court were duly sworn by me to faithfully and impartially perform the duties pertaining to the viewing and laying out of said road, before entering upon the discharge of their said duties in that behalf.

Arthur Condit

County Surveyor.

# Report of Surveyor.

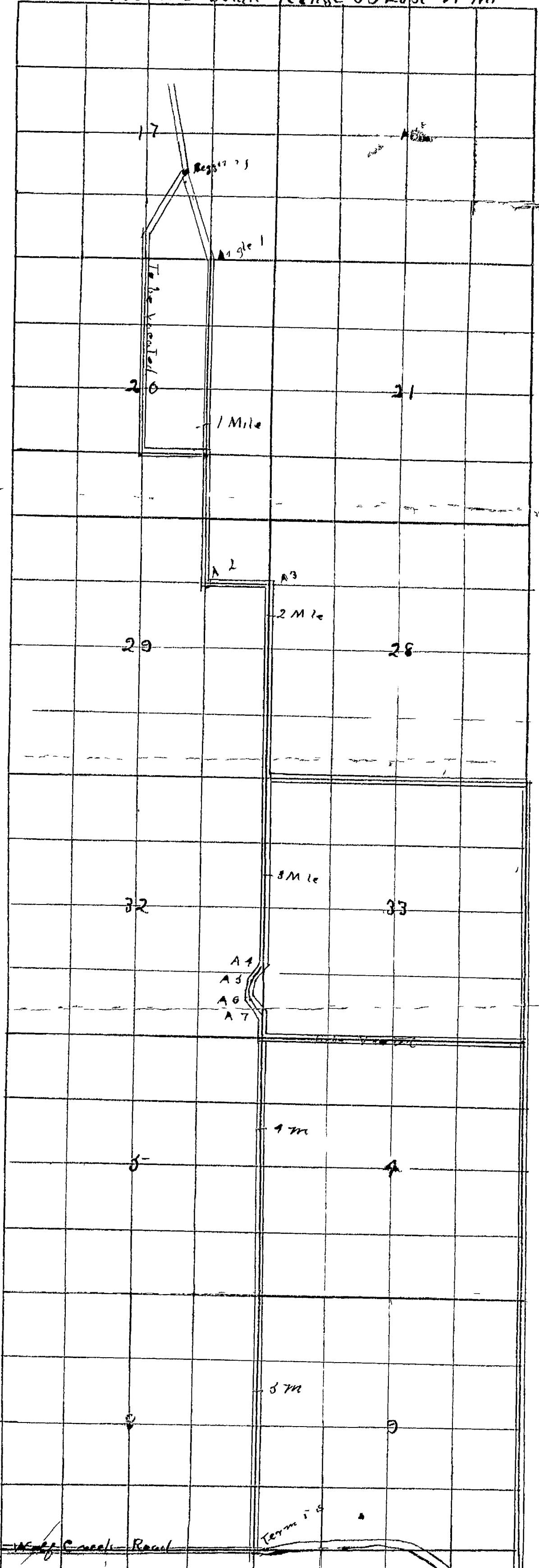
To the Hon. County Court of Union County, Oregon:

I, the undersigned, County Surveyor, appointed to survey the county road proposed by  
Wm Emerson et al., beg leave to report that  
on the 25 day of Sept, 1902-189, 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

County Surveyor.

Town 5 South Range 39 East W.M.



Report of  
Lewis and Clarke  
in the  
Wm. Ericson  
road

Approved  
John Bryant  
J. S. Davis  
Albert Hutchinson  
To meet at  
N.B. Co. Boarding  
Oct. 24-1902 at 11 A.M.

Filed Oct 1-1902

John Munn and Co  
By E. Johnson  
deputy

First Judicial Day

Wednesday, August 6, 1902

In the matter of the cancellation of  
County, Contingent and Scarp warrants  
and of credits to the County Treasurer

Comes now John Frawley, County Treasurer and presents to the Court, certain County, Contingent and Scarp warrants and School vouchers, showing that he has paid out certain moneys and the Court having examined same and found that all of said warrants were duly and regularly issued and paid out of the moneys applicable thereto. It is therefore ordered that said warrants be cancelled and said vouchers filed and the Treasurer have full credit on his account for the aggregate amount of warrants and vouchers as follows, to wit:

29	County warrants	439.38
	Interest on same	190.71
1	Scarp County warrant	2.00
12	Contingent warrants	497.08
1	Receipt S.D. No. 3.	21.41
3	" " " 11	202.04
1	" " " 13	.53
1	" " " 15	47.01
1	" " " 19	6.01
1	" " " 24	88.30
1	" " " 46	5.53
1	" " " 47	5.52
2	" City of LaGrange	182.30
		<hr/>
		\$1693.82.

In the matter of the proposed County  
road petitioned for by Wm. Ericson, et al

Comes now Wm. Ericson, 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, located as follows, to wit:

Commencing at an angle of County road at a point 36 rods North from the South line NW quarter of Southeast quarter of Sec 17 Twp 5 S. R. 39 E. 1/4 and 46 rods East from the west line of the NW quarter of the Southeast quarter of Section 17, Twp 5 S. R. 39 E. 1/4 thence running to the NW corner of the NW 1/4 of the NW 1/4 of Sec 20, Twp 5 S. R. 39 E. 1/4, thence South 3/4 of a mile to County road at the NW corner of the NW 1/4 of Sec 20, Twp 5 S. R. 39 E. 1/4. And we petition to vacate the present County road between these

First Judicial Day

Wednesday, August 6, 1902

plaints above stated in Secs 17 & 20. Tp 5 S R 39 EWMO thence along County road, commencing at the NW corner of Sec 4. Tp 6 South of Range 39 EWMO; thence South on Section line to Wolf Creek County road to the NW corner of Section 16. Tp 6 S R 39, EWMO and to vacate one mile on Tp line Sec 33, Tp 5 S R 39 EWMO. And it appearing to the Court that said petition is signed by more than twenty householders of this County, residing in the vicinity of said proposed road, and that said petition, <sup>properly</sup> specifies the place of beginning, intermediate points and place of termination of said road, and is satisfactorily appearing to the Court that notice has been given by advertisement posted at the place of holding 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 on a board nailed to a stake at the commencement of said proposed road, one on a fence corner at the NW of NW 1/4 of Sec 4. Tp 6 S R 39 EWMO at intermediate along line of proposed road and one at the terminal of said proposed road, all notices being in plain view of the public, for more than thirty days prior to the presentation of said petition to this County, notifying all persons concerned that application would be made to this Court at the present session of this Court; that all of said notices 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 J. A. Davis Ed Carnes and Wm Graham be appointed Viewers of said road and that Arthur Curtis be appointed Surveyor of said road and that they meet at Mr. Coanman's residence on the 25th day of August, A.D. 1902, 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 proposed  
County road petitioned for by  
W. S. Hamilton, et al

And now at this time this matter came on to be heard upon motion and application of petitioners for order opening up and setting aside the order of dismissal heretofore made herein. The petitioners appearing by Turner Oliver of counsel and remonstrators by O. A. Finn of counsel, and the Court being fully advised in the premises said application and motion is hereby denied.

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

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Thursday Sept 4, 1902

locut: One on the front door of the Postoffice at Stanley, Union County, Oregon; one on a board on a post at the forks of the two public roads; one leading to Pilot Rock and the other to Seal Springs, close to proposed road and in Union county, Oregon; and one on a board at the starting point of the proposed road and on the public road known as the old county road for Stanley County, in Union county Oregon, all of the notices being in plain view of the public and the most public places of that vicinity, 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 costs of this proceeding has been duly given. It is therefore ordered that J. D. Casey, W. H. Longley and J. S. Alder be appointed Viewers of said road, and that Arthur Curtis be appointed Surveyor of said road, and that they meet at Stanley Postoffice on the 27th day of Sept., 1902, 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 Wm Ericson et al }

Comes now Wm Ericson, one of the petitioners for the above named proposed county Road and presents to the Court the petition of himself and others, praying for the location and establishment of a County Road, described as follows, to wit:

Commencing at an angle of County Road at a point 36 rods north from the south line of the NW<sup>4</sup> of the SE<sup>4</sup> of Sec 17 Tp. 5 N. R. 39 E. 10m., and 46 rods east from the west line of the NW<sup>4</sup> of the SE<sup>4</sup> of Sec 17 Tp. 5 N. R. 39 E. 10m., thence running to the NW corner of the NE<sup>4</sup> of the NE<sup>4</sup> of Sec 20 Tp. 5 N. R. 39 E. 10m., thence south 3/4 of a mile to a county road at the NW corner of the SE<sup>4</sup> of the SE<sup>4</sup> of Sec 20 Tp. 5 N. R. 39 E. 10m. And we petition to vacate the present county road between these points, above stated in Secs. 17 and 20 Tp. 5 N. R. 39 E. 10m., thence along the county road commencing at the NW corner of Sec 4 Tp. 6 N. R. 39 E. 10m., thence south



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on the line to Wolf Creek County road to the NW corner of Sec 16 Sp. 6 & R. 29 E. 20m, and to vacate one mile on Sp. line Sec 33 Sp. 5 & R. 29 E. 20m.

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, town; 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, town;

One on a board nailed to a stake at the commencement of said proposed road, in plain view of the public; One on a fence corner at the NW corner of the NW<sup>4</sup> of Sec 4 Sp. 6 & R. 29 E. 20m at the intermediate point along line of proposed road and one at the terminus of said proposed road, posted notice on fence corner, both of said notices being in plain view of the traveling public, for more than thirty days prior to the presentation 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 costs of this proceeding has been duly given.

It is therefore ordered that Ed Barnes, Wm Gorham and Ed Evans be appointed Viewers of said road, and that Arthur Curtis be appointed Surveyor of said road, and that they meet at N. B. Bowman's residence on the 25th day of Sept. 1902 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 application  
of Mrs. Ella Mason for  
County aid.

This matter came on to be heard at this time on the application of Mrs. Ella Mason for county aid, from which it appears by the affidavit of M. H. Eaton, that the said applicant is a resident of Union County, Oregon; that she is a widow with 5 small children dependent upon her for support; that she is sickly and unable to support herself and

Be it Remembered, That 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 Wednesday the 1st day of October A.D., 1902, the same being the first Wednesday in the month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable M. A. Harrison, Judge  
 The Honorable Robert E. Lumenton, Commissioner  
 The Honorable Jas. A. Picher, Commissioner,  
 J. H. Minnaugh, Clerk  
 C. C. Dunnington, Sheriff.

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

In the matter of the application of certain citizens for the purchase of a rock crusher.

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

In the matter of the vacation of certain streets in W. Whinters and to the City of LaGrande.

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 County road petitioned for by Wm. Eason, et al.

This matter came on to be heard at this time on the report of the viewers and surveyor for a first reading and said report having been read in open Court as provided by law. It is hereby ordered that said report be laid on the table for a second reading on some other day of this term of Court.

In the matter of relocating of Road No. 550, petitioned for by W. H. Kuffman, et al.

This matter came on to be heard at

Second Judicial Day

Thursday, October 2, 1902.

In the matter of the appointment  
of a Road Supervisor for  
Road District, No 10.

It appearing to the Court at this time that a vacancy exists in the office of Supervisor of Road District, No 10, and that an appointment of Supervisor for this road district should be made, and it further appearing to the Court that, E. P. Long is a fit and proper person for such appointment. It is therefore hereby ordered that the said E. P. Long be and he is hereby appointed Supervisor of Road District, No 10, upon his filing his oath of office and bond in the sum of \$500<sup>00</sup>.

In the matter of the County road  
petitioned for by W<sup>m</sup> Ericson, et al

This matter having come on to be heard upon a second reading as provided by law, and upon motion of Leroy Lomas, Attorney for protestants, for the dismissal of said petition, and the Court not being fully advised in the premises, it is hereby ordered that said matter be and the same is hereby continued until to morrow morning at 10 o'clock.

In the matter of the proposed County  
road petitioned for by Thos. Walsh  
et al.

Comes now Thos. Walsh 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, decided as follows, to wit:

Commencing ten chains South of the Southwest corner of the Northwest quarter of Section Thirty Three in Township Two South of Range Thirty Eight, T. M. P., thence East twenty chains, thence North two chains, thence east along center line of Sections Thirty three and Thirty four said Township and Range, one hundred chains to the Southeast corner of the Northwest quarter of Section 34, said Township and Range 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

Third Judicial Day

Friday, October 3, 1902

In the matter of the proposed  
County road petitioned for by W<sup>m</sup> Ericson  
et al.

This matter came on to be heard at this time on the report of the assessors and surveyor filed herein for a second reading as provided by law and also upon the claims of J. H. Rinckhart, J. W. Parker and M. B. Bowman for damages on account of the location and establishment of said proposed road, the same being described as follows, to wit: Commencing at an angle of County road at a point 36 rods north from the South line of the West of the Sec of Sec 17, Tp 5 South R. 39 E. 1/4 and 46 rods east from the west line of NW 1/4 of Sec 17, Tp 5 S. R. 39 E. 1/4, thence running to the NW corner of the NW 1/4 of the NW 1/4 of Sec 20, Tp 5 S. R. 39 E. 1/4, thence S 3/4 of a mile to NW corner of the NW 1/4 of Sec 20, Tp 5 S. R. 39 E. 1/4 and we petition to vacate the present County road between these points above stated in Secs 17 & 20, Tp 5 S. R. 39 E. 1/4, thence along County road, commencing at the NW corner of Sec 4 Tp 6 S. R. 39 E. 1/4, thence South on section line to Wolf Creek, County road at NW corner of section 16 Tp 6 S. of R. 39 E. 1/4 and to vacate one mile on Township line. Section thirty three, Tp 5 S. R. 39 E. 1/4. And it appearing to the Court that J. H. Rinckhart, J. W. Parker and M. B. Bowman claim to be the owners of land over and across which the above proposed County road as surveyed and viewed extends; that J. H. Rinckhart will be damaged in the sum of \$300.00, J. W. Parker \$2280.00 and M. B. Bowman in the sum of \$75.00 by the location and establishment of said road, It is therefore considered and ordered by the Court, that J. S. Davis, Albert Hutchinson and J. O. Mahony be appointed appraisers to examine the premises of said claimants J. H. Rinckhart, J. W. Parker & M. B. Bowman, the entire distance through which said proposed road will pass and report to this Court how much less valuable the premises of the claimants would be rendered by the location and establishment of said road and that they meet at beginning of said road on Oct 24, 1902, at 10 o'clock, A. M. and after qualifying to proceed to view and assess the damage that would accrue to said claimants by reason of the location and establishment of said proposed road and render their report to this Court at the November Term, 1902,

First Judicial Day

Wednesday, May 5, 1902

In the matter of the County  
road petitioned for by  
B. L. Burnett, et al

This matter came on to be heard at this time on the report of the viewers and surveyor for a first reading, and, said <sup>report</sup> having been read in open Court as provided by law, It is hereby ordered that said report be laid on the table to be read on some other day of this term of Court.

In the matter of the proposed  
County road petitioned for  
by Wm Ericson, et al

This matter came on to be heard at this time on the report of the appraisers heretofore appointed herein to assess the damages that would accrue to J. H. Rinchart, J. W. Parker and M. B. Bowman by reason of the location and establishment of a County road petitioned for by Wm Ericson, et al - which report is in words and figures as follows, to wit:

Report of Viewers

To the Honorable County Court  
for Union County, Oregon.

We, the undersigned, viewers heretofore on the - day of October appointed to view out and assess the damages claimed by J. H. Rinchart, J. W. Parker and M. B. Bowman in the matter of the proposed County road petitioned for by Wm Ericson, et al, beg leave to report that on the 31 day of October, 1902, 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 J. H. Rinchart, J. W. Parker and M. B. Bowman, 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 complainants J. H. Rinchart would not be rendered any less valuable, and that the premises of complainant J. W. Parker would be rendered \$661<sup>25</sup> less valuable and that <sup>the</sup> premises of the complainant M. B. Bowman would not be rendered any less valuable by the laying out and establishment of said proposed road as a public

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highway of said County, and recommend that \$661<sup>25</sup> be paid to said complainants, before laying out and establishing said road as a public highway.

J. J. Davis  
Albert Hutchinson  
J. W. Maharry

whereupon it was ordered that said report of Viewers be accepted, and the viewers discharged from further consideration of this matter, and it appearing to the Court that said road will prove of great advantage to the residents in said road district, and to the general public, it is, <sup>therefore</sup> considered and ordered that upon the payment, by petitioners of the sum of \$661<sup>25</sup>, the Clerk of this County is hereby ordered to issue a warrant upon the General Fund of the County in payment of the balance of said amount awarded as damages, viz \$500<sup>00</sup>, in favor of J. W. Parker.

In the matter of the County  
road petitioned for by  
Wm Ericson, 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 3<sup>rd</sup> day of September, 1900, appointed to view, lay out, and alter proposed county road of which the survey hereto attached is a true and correct description, as petitioned for by Wm Ericson, et al, beg leave to report that on the 25<sup>th</sup> day of September, 1900, in pursuance with said appointments and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view 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 greatly to the convenience of the householders residing the vicinity thereof, we therefore recommend that said proposed road be laid out and declared a public highway of said county and to vacate the present County road between the commencement and No corner

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Wednesday - Nov 5, 1908

Sec 20. Tp 5 S. R. 39 E. 1/4 and vacate the County road on south line of Sec 33, Tp 5 S. R. 39 E. 1/4.

W. N. Graham }  
E. A. Barnes } Viewers  
E. W. Evans }

And said report of the viewers and the report of the surveyor having been now publicly read in open Court on two several days of the present and former term of the Court, and it appearing to the Court that said viewers report favorably thereon, and recommended 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 J. R. Rinchatt <sup>or</sup> M. B. Bowman which were by this Court disallowed and the claim of J. W. Parker for \$661<sup>25</sup> which claim was allowed by the Court and the recommendations of the viewers heretofore appointed by the Court to assess the damages that would accrue to said protestants by reason of the establishment of said proposed road, 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 reports of the viewers that said 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 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, upon payment by the petitioners of the sum of \$461<sup>25</sup>, and Union County, Oregon the sum of \$500<sup>00</sup> to J. W. Parker. 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 Union County, Oregon, and that John Shaw road supervisor of Road District No. 39, the same being the road district in which said road is located, be furnished with a copy of this decree and ordered to open up said road and place the same in repair for travel.