

No 23 Law

in

Circuit

Court

Baer & Church

Plaintiff

vs

John O Lambert

Defendant

Action for Money

Docket

Page

Baker Shelton & Baker
Attorneys for Plaintiff

Attorney for Defendant

Jan 24

Record of the Case

1875
Sept 6 Petition re. Weaver's appeal
filed at ca 1 729
Nov 2 Petition dismissed
filed at ca 1 142

73

WITNESSES.

Road

Beginning at S E cor of lot 16 S 6 E
R 39 E to Bridge at R 39 or 40 W

DIRECTIONS—Place papers on TOP OF RUBBER
Fold ends first then sides Throw the rubber cords
over the ends and package is complete

73

To the Honorable County Court
of Union County Oregon

We the undersigned citizens of Powder River
Precinct Union County Oregon, Would most
Respectfully ask your Honorable body to grant us
a county Road to be laid out as follows:
Beginning at the South East corner of the North
East quarter of the North East quarter of Section 16
Town 6 South of Range 39 East and running
due West one mile then due North to the corner of
Section 16 then due West to the corner of the land
owned by James Gillison. Then due South one mile
then are the nearest and most practicable route to the
Bridge at Riggs on North Powder all of which lands
and places are in Union Co. for which we your humble petitioners
will ever pray

James Gillison
James M. Bryant
J. O. Bryant
J. O. Graham
L. A. DeWitt
Ed. DeWitt
Nicholas Carter
Wm. Crossen
Sherrig Johnson
W. D. Brewster
W. G. Hill
D. Churchell
C. M. Hill
Wm. Shant
B. F. Myers
Andrew Riggs
W. L. Hays

Board of Directors
Bojarski & Kulbarn

First Sep 16 1873

R. S. Seale
do do do

1873

Bojarski & Kulbarn
172 1/2 South 2nd St
St. Louis

Notice is hereby given that there will be a
 petition presented to the County court of
 Union County Oregon at the next term thereof
 praying for a County Road to be laid out as
 follows Beginning at the South East corner of
 the North East quarter of the North East quarter
 of Section 16. Town 6 South of Range 39 East
 then running due West one mile then due North
 to the corner of Section 16 then due West to the
 corner of the land owned by James Gilkerson
 then due South one mile then on the nearest and
 most practicable route to the Bridge at Biggs
 on North Powder

July 20 1875

State of Oregon }
 Union County } ss

I James Gilkerson being
 duly sworn say that there
 was posted three of the within notices
 in the vicinity of the road petitioned
 for as follows one at the com-
 mencement one along the line and
 one at the terminous of said Road
 and also one at the Court house
 door of said County all of which
 were posted more than 30 days
 prior to the Sept term of Co Court

Subscribed & Sworn to
 before me this 6th day
 of Sept 1875

James Gilkerson

R. S. Calis
 Co Clerk

Proof of Notices
of Board

James Williams

Filed Sept 6 1951

R. S. Lewis

Co. Clerk

Whereas a petition has been pre-
sented to the County Court of
Union County, Ogo for a public
Road ^{commencing at} S. O. Corner of the S. E. Corner
of Sec 16 T 6 S R 39 E. and
running west $\frac{1}{2}$ mile, thence
North $\frac{1}{4}$ mile - thence $3\frac{1}{2}$ miles
west - thence 1 mile South, thence
on the best and most practical
route to the Riggs bridge on
North powder River in Union
County And said application being
made at the Sept term thereof for
the year 1875.

Now therefore we James Gilkerson
and Johnathan Bogart are held
and firmly bound to Union County
in the sum of One hundred
dollars, Conditioned that if the
prayer of the petitioners be not
granted, and allowed, we will
pay all costs, and expenses that
may be incurred by reason of
such view - not exceeding said
sum

Dated Sept 6th 1875 - James Gilkerson
Johnathan Bogart

Board of
Petitioners for
Co Road

Filed Sept 6th
1875 -
R. S. Lewis
do Clerk

(L. Johnson)
Sept 5th 1875 -
L. P. Johnson
County Judge

To the Hon County Court of
Union County Oregon

We the undersigned, members
appointed to view out a proposed County road
beginning at the South East corner of the
lot 7th of the Nth Eth of Section 10 Town 6 South
Range 3rd East thence to the bridge on Clark
Road as hereinafter, and submit the following report.

We failed to meet on the day set but on
the fifth day thereafter we met and adjourned
until Monday Sept 21st 1895 at which
time we met only two members being present and
after being first duly sworn in company with
the surveyor provided no new survey and lay out
and road as directed as shown by the surveyor
report submitted herewith. It is our opinion that
the above road is the best and most direct route
of any that could be selected without creating damage
and as the same County road through the settlements
on Wolf Creek and North River at the present time
the above road would be a great benefit to this section
of the County and we are respectfully recommended
establishment as such.

W. A. ...
J. C. ...

Filed Oct-27th
895
P. S. Cant
Bliss

125
125
980

To The Honorable County Judge
and County Commissioners of Union Co

The Petition of Thomas and John
Gardley respectfully sheweth

That the road viewed and surveyed
on Wolf Creek & between it and Papp's bridge
on North Powder River will of established
damage your petitioners to the amount
of five hundred dollars

Wherefore your petitioners pray
that such proceedings may be taken
in the premises as the law demands
for the assessment of such damages
& that the said damages be allowed

September 27th - 1875

T. L. Gardley & Brother

Miss C. L. 1875
R. S. Keeler
Los Angeles

State of Oregon }
Union County } S S

I Thomas O Bryant
being duly sworn say that the Road
petition presented by Bogart's Gulchmen
and others to the County Court of Union
County Oregon, ^{Sept 6 Term 1875} pray for a Co Road
commencing at the S E corner
of S E 1/4 of N E 1/4 of Sec 16 T 6 S R 39 E
is signed by one H. Neal who was
not at that time a resident of
Union County and has since left
said place or vicinity where the
road is desired to be located.

Subscribed & sworn to
before me this 2nd
day of Nov 1875

Thos O Bryant

R S Calis

Co Clerk

Filed Nov 2nd 1898
R. S. Carter
Clerk

To the Honorable County Judge
& County Commissioners of Union Co

The Petition of Thomas & John O Bryant
respectfully sheweth

That the road viewed & surveyed between
Wolf Creek & Ruggs' bridge on north Boulder
River will if established damage your petitioners
to the amount of five hundred dollars

It therefore your petitioners pray
that such proceedings may be taken on
the premises as the law demands for the
assessment of such damages & that such
damages be allowed

Thos. O Bryant
John O Bryant

Sept²⁷ 27 1875

Find Cat 47875-

28.000
10.000

Wolf Creek September 15th 1870

To the Honorable County Judge &
County Commissioners of Union Co

The undersigned respectfully represent
That the road petitioned for at the last
term of Court by J Gulkerson Jonathan Bogart
& others & running from Wolf Creek to Biggs' Bridge
on North Powder River is not located for the
greatest benefit of the greatest number of the
landowners & citizens of this district.

Wherefore we pray that your Honorable Body
will not establish said road. —

Henry J. Cassidy

John Bryant

Thos Bryant

Thomas Byardley

J. J. Barrows

— Hon. Thrasico I signed the petition not knowing ^{and}
James York the road was to go

Solomon Byardley

N. S. Blunk I have signed the petition without due
consideration

J. Gearhart I have changed my mind since the first
petition

C. Wolf I have changed my mind since signing the petition

William Shaw I have changed my mind since signing the petition

Robert H. Clark

Filed Oct 4th 1875

R S Bates

Co Clerk

In the matter of Billiard }
 License R. J. McWilliams } Summerville Precinct
 Whereas R. J. McWilliams, did on
 the 6th day of Sept 1875, file with the County Clerk, a
 Receipt from the County Treasurer in the sum of \$25.00
 For a Billiard License in Summerville Precinct Union
 County Oregon. It is therefore Ordered that a License
 issue to said R. J. McWilliams authorizing him keep a
 Billiard Table to let for hire in Summerville Union Co Oreg.
 for a period of Six months from the 6th day of Sept 1875.

In the Matter of County }
 Road. Petition for. } Wolf Creek. By James Gilkison

Now on this day was presented, a petition for a County
 Road. of which the following is a copy.

To the Honorable County Court of Union
 County Oregon.

We the undersigned citizens of Powder River Precinct Union Co
 Oregon, would most Respectfully ask your Hon Body to
 grant us, a County road to be laid out as follows:
 Beginning at the South East corner of the North East
 quarter of Sec 16. Town Six South of Range 39 East, and
 running due west one mile. Thence due north to the
 corner of Section 16. Then due west to the corner of the
 Land owned by James Gilkison. Thence due South one
 mile. then on the nearest and most practicable point
 to the Bridge at Riggs on the north Powder all of which
 points and places are in Union County. for which we
 your humble petitioners will ever pray.

James Gilkison: James W. Bozarth: J. Bozarth: W. O. Gorham:
 H. Neal: A. P. Morrison: Nicholas Tarter: Wm. Frazier:
 Anna Johnson: W. S. Brewster: W. G. Hull: D. Michael:
 C. Wolff: W. M. Shaw: B. F. Rogers: Andrew Riggs:
 Wm. Anthony.

The above petition was accompanied by Proof of Notices
 having been posted according to law, also by
 a bond that the Expenses of the View and

Survey of said proposed Road would be paid if said road was not granted.

It is therefore Ordered that ~~Wm~~ E Youell, Wm Huff-
man, and L. L. Bleaslee be, and they are
hereby, appointed viewers, and Willis Skiff, as Surveyor
to meet at the house of Johnathan Bogarth on Wolf
creek on the 17th day of Sept 1875. at 10 O'clock of
said day in the forenoon, and after being duly
Sworn, proceed to view, Survey & Locate said res-
pect on said proposed Road, at the next Regular
Term of this Court.

In the matter of damage
to J. G. Neely on the Oro Dell
and Island City Road

ss

Sept 8th 1875.

Now, at this time, it appearing
that the County Road running from Oro Dell to Island City
would be of such public benefit, as to entitle the decision
of this Court made on the 8th day of July 1875. which
is entered on the 715th page of this Journal, to a recon-
sideration of the order of this Court then made.

It is therefore ordered and decreed, that in consideration
of \$100.⁰⁰ paid the County Court by the Petitioners, that
an order be drawn on the Treasurer of Union County in
favor of J. G. Neely for the sum of \$275.⁰⁰, as assessed
by the viewers appointed to assess damages claimed
by said J. G. Neely, and that the petitioners be re-
leased from paying damages as per order of this
Court made on the 8th day of July 1875 heretofore referred to.
and said Road is hereby declared a public highway, and
the Clerk of this Court is hereby required to notify the
Road Supervisor of the Road Dist in which said road is located
to open the same as a public highway & that he furnish a copy
of this Order to J. G. Neely.

November Term. 1875

At a regular term of the County Court of Union County, Oregon begun, and held at the Court house in Union, in said Co on Wednesday Nov 3rd 1875 the same being Commissioners day for Court. Present Hon. E. C. Brainard. County Judge. E. T. Neville and Jessie Imbler Commissioners. J. L. Curtis and R. E. Bates, Clerk.

Due Proclamation of the opening of court having been made the following proceedings were had to wit:

In the matter of Grand
Jury report Oct Term

Whereas the Grand Jury of the Circuit Court held Oct 1875 have reported that the Bridges in many Road Districts are unsafe, dangerous, and subjects of damage to Union County, It is therefore ordered that the Co Clerk of Union County be required to notify the Supervisors of the several Road districts of Union Co. and to warn them of the penalties liable to occur from neglect of duty, as required by law.

In the matter of
County Road.

Now, at this time was read a remonstrance, against the petition for a county road beginning at the South East corner of the North E¹/₄ of the N E¹/₄ of Sec 16 T. 6. S. R 39 E, and terminating at Riggs Bridge, as fully described

in said petition, and, after careful examination it appears to the Court that the petition has seventeen names. It, also, appears by a sworn affidavit of Thomas O'Bryant that one H. Neal was not, at the time of signing the same, the said petition, a resident of Union County & has since left said neighborhood, and it further appears that six signers on said remonstrance who had before signed the petition, have desired their names to be erased from the petition and placed upon the remonstrance, by which ^{act} the petition has not a majority, as required by law. It is therefore Ordered that said road be not granted and that the petition be dismissed.

In the matter of } Nov 3rd 1875.
 Appointment of }
 Justice of the Peace } Bed Rock Precinct.

Now, at this time was presented a petition by the voters of Bed Rock Precinct for the appointment of a Justice of the Peace in said Precinct, and recommending as a choice & suitable person, George Sturgill, of said Precinct for such Office. It is therefore Ordered that George Sturgill be, and he is hereby appointed Justice of the Peace for Bed Rock Precinct Union Co. Oregon, and that the Clerk issue to said George Sturgill his certificate of appointment.

Court then adjourned until tomorrow morning at 9 O'clock