

No 534

in

Circuit

Court

Clara B Dean

Plaintiff

vs

W. J. Dean

Defendant

Action for

~~W. J. Dean~~  
W. J. Dean

Docket

Page

C. H. Finner

Attorney for Plaintiff

Attorney for Defendant

REVEREND DOCKET ENVOY  
M F I AB CI n i P N T L C MP  
14W 1 158 20 1 n U  
P 1 m 1 188

1893

May 7 Petition re Viewers alphabet  
Journal C p 30

May 16 1st reading report  
Journal C p 56

May 17 2nd reading  
Journal C p 69

Road

Beginning where Co road to Lostine  
crosses N line of Sec 10 T 1 S R 43 E  
to Lostine Saw Mill

To the Hon Court of Union  
County, State of Oregon

We the undersigned citizens of the  
above named county and state  
would most respectfully petition  
your Honorable Court to locate  
and establish a county road  
in Union County, State of Oregon  
described as follows.

Viz Beginning where the present  
county road leading to Lostine  
crosses the west line of section 10,  
Township 1 south, Range 43 east,  
and running thence on said  
line, to the South west corner of  
the N<sup>1</sup>/<sub>2</sub> of the N<sup>1</sup>/<sub>4</sub> of section 10  
Town 1 south, Range 43 east, Thence  
east about 1/4 mile or near the  
line as practicable to the Lostine  
Saw Mill, all in Union County  
and we your petitioners will ever  
pray &c.

J K Reader  
Matt Johnson  
Jed McCullin  
J Hedrick  
Geo J Bowman  
John Post  
Geo Kendall

D. D. Moor  
R L Erwin  
R A Watters  
Wm Masterson  
Henry G. G. G.  
J A Cook  
W B Willett

~~Geo Keeler~~  
Geo A Hunter  
W K Boatman  
G D Wood  
O A Bildback  
J W Cook  
J H Cook

Engel Flowers

Profound County Road  
petitioned for by  
D. H. Reader  
Matt Johnson et al

Petition

Filed March 7<sup>th</sup> 1883  
W. J. Morgan  
Recorder

To Whom it may concern

Notice is hereby given that there will be a petition presented to the County Court of Union County, State of Oregon, at the regular session of said court on March 1883 to locate and establish a county road in Union County, Oregon, described as follows: Vi<sup>z</sup> Beginning where the present county road heading to Lostine crosses the west line of section 10, Township 1 south, Range 43 east and running thence on said line to the South west corner of the west 1/2 of the N W 1/4 of section 13 Township 1 south, Range 43 east. thence east about 1/4 mile as near the line as practicable to the Lostine Saw Mill, all in Union County and we your petitioners will ever pray &c

J. E. Keeler  
Matt Johnston  
J. H. McQuinn  
T. Hedrick  
Geo. J. Bowman  
John H. Post

B. J. ...  
R. W. Marterson  
Wm. Masterson  
Harris, G. ...  
J. R. Cook  
S. B. Hill

Geo Kendall  
Jas Keeler  
Jas A Hunter  
M. K. Bowman  
J. S. Wood  
E. H. ...  
J. M. Cook  
J. H. Cook

Engel ...  
P. J. ...  
R. J. ...

State of Oregon,  
Union County 318

I R J Rogers being first duly  
sworn say that I posted the within  
notice on the court house door in  
Union, Union County Oregon on the  
26<sup>th</sup> day of January A. D. 1883

Subscribed & sworn to  
before me this 7<sup>th</sup> day  
of March A. D. 1883  
W D Wright  
Co. Clerk

R J Rogers  
Sherrif

Approved County Road  
petitioned for by  
J H Rearden  
Matt Johnson et al

Recd of Postings

Filed March 7<sup>th</sup> 1883

W D Wright  
Co. Clerk

Personally appeared before  
the undersigned a justice  
of the peace for the precinct  
of Wallowa, County of  
Union, State of Oregon.  
J. H. Reader, who being  
first duly sworn de-  
poses and says that he  
posted notices of the  
within described road  
according to law  
on the 23<sup>rd</sup> of January  
1883 one at Lostine,  
one at Lostine Bridge  
and one at Lostine Saw  
mill, all near and  
on proposed road

J. H. Reader  
Sworn and subscribed to  
before me this the 23 day  
of January 1883  
J. A. Hunter J. P.

Proposed County  
Road petitioned for  
By J. W. Reader on  
Matt Johnson et al

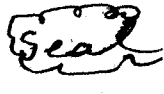

Proof of Posting

Filed March 7, 1883  
W. A. Minger  
Co Clerk



Know all men by these presents that  
Mr J. K. Reader and John H. McCubbin  
are held and firmly bound in the  
penal sum of fifty dollars, to  
Union, County, State of Oregon

The condition of the above bond is  
such, that if the within described  
county road shall upon survey  
and view be granted by the County  
Court of above named county  
and state, then the above bond  
to be null and void, otherwise  
to have full force and effect

Subscribed to in J. K. Reader   
my presence this J. H. McCubbin   
the 16<sup>th</sup> day of January  
1882. J. A. Hunter Justice of the Peace

Proposed Security Road  
petitioned for by J. N.  
Reader - Matt Johnson  
et al -

Bond

Filed March 27, 1883  
W. J. King  
Clerk

To the Hon. County Court of  
Union County, Oregon

We the undersigned viewers  
appointed by your Honorable  
Body to view out a proposed  
County Road as follows; to wit,  
Beginning where the present  
County Road leading to Lostine  
crosses the West line of Sec 10  
Township one South Range 43 East  
and running thence on said  
line to the S.W. corner of the  
W<sup>1</sup>/<sub>2</sub> of the N.W. <sup>1</sup>/<sub>4</sub> of Sec 15 Town.  
1 South Range 43 East - thence West  
about <sup>1</sup>/<sub>4</sub> of a mile as near the  
lines as practicable to the Lostine  
Saw mill - all in Union County  
submit the following report in  
relation thereto - We met on the  
22<sup>d</sup> day of March A.D. 1883 as  
mentioned in your order and after  
being first duly sworn in company  
with the Surveyor proceeded to  
view, survey and lay-out said  
road according to your order and  
as shown by Surveyors plat  
and report submitted here with  
adjourned, met again on  
March 28<sup>th</sup> completing said survey  
We find the road to be located  
on very good ground and  
taking into consideration  
the necessity that exists  
for the people to have  
a direct road from

Last time to the Saw Mill.

We therefore recommend that said route be established as a County Road

Sign here  
x J. P. Stuyvesant  
x A. L. Tulley  
Viewers of proposed Co Road

Filed May 16<sup>th</sup> 1883

Chas. Sprink

Ex Clerk

Glenn Block

deputy

Read the first time  
May 16<sup>th</sup> 1883

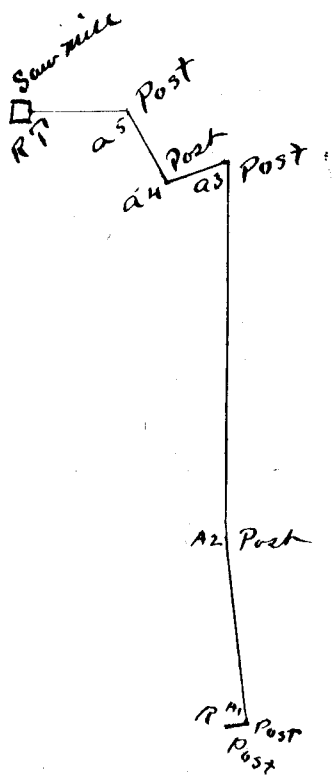
Report of Surveyor to viewers  
of County Road commencing where  
the present County Road leading  
to Lostine crosses the west line  
Sec 10 T 18 Range 43 E, thence  
on said line to the S W corner  
of the W 1/2 of N W corner of  
sec 15 T 18 R 43 E thence East  
about 1/4 mile to the Lostine saw-  
mill

The following are the field notes,  
commencing at a post marked R  
placed in the county road on  
the above named <sup>west</sup> line of Sec 10  
thence N 10° E 8 rods to post marked  
a 1 thence N 15° W 70 rods to  
post marked a 2 - thence North  
160 rods to post marked a 3 thence  
S 80° E 25 rods to post marked a 4  
thence N 25° W 32 rods to post marked  
a 5, thence West 32 rods to post  
marked R T at the saw mill

State of Oregon }  
County of Union } ss

I Eugene Lechase do hereby  
certify the above field notes to be correct  
as surveyed by me Apr 26 1883

E Lechase  
Co Surveyor



Var 20° E  
Whole distance 307 rds  
Scale 80 rds to inch

J. R. Radde Road

Surveyors Report

Filed May 17, 1883

W. S. Mungin  
Clerk

the terminus of said proposed road. total length of said road  $4\frac{3}{4}$  miles more or less.

And it appearing to the court from proof on file herein that notice of the pendency of these proceedings has been given as by law required - and that a good and sufficient bond has been given which bond is approved by the court - and that more than twelve householders residing in the vicinity of said proposed county road have signed said petition - It is therefore ordered by the court that P. H. Veasey, D. B. Reavis, and Henry Miller - three disinterested householders of Union County Oregon be and they are hereby appointed viewers and Eugene Chase Surveyor of said proposed County Road - and that they meet at the house of James McAllister on the 23<sup>d</sup> day of March A. D. 1883 and duly qualify before entering upon the discharge of their duties in this behalf -

In the matter of County Road  
petitioned for by J. K. Reader }  
Matt Johnston and others } 3

On this day came J. K. Reader who presents to the court the petition of himself and twenty one others praying for the location and establishment of a new county Road as follows, to wit: Beginning where the present county road leading to Lostine crosses the west line of Section 10, Township one South Range 43 East, and running thence on said line, to the South West corner of the  $10\frac{1}{2}$  of the N. W.  $\frac{1}{4}$  of Section 15 Town 1 South Range 43 E. thence west about  $\frac{1}{4}$  mile as near the line as practicable to the Lostine saw mill all in Union County,

And it satisfactorily appearing to the court from proof filed herein that due notice of the pendency of this proceeding has been given as by law required, that more than twelve of said petitioners are legal householders residing in the vicinity of said road, and that a good and sufficient bond has been filed - It is therefore ordered by the Court that A. L. Tully, A. McAlexander and Jacob Sturgill be appointed viewers and Eugene Chase



Surveyor. to view <sup>Survey and</sup> report upon said proposed County Road and that they meet at the house of A. McAlexander on March the 22<sup>d</sup>. A. D. 1883 and duly qualify before entering upon the discharge of their duties in this behalf.

In the matter of proposed County Road  
petitioned for by Wm. M. Keefburn }  
W. H. Caldwell and others }  
3

On this day came Wm. M. Keefburn who presents to the court the petition of himself and Twenty four others praying for the laying out and location of a new County road as follows, to wit: Beginning at the Town of Joseph in the upper Wallawa Valley, thence in a North Easterly direction to the South West Corner of the Ranch of John McPetridge distance about 5 miles, thence in a North Easterly direction on the most practicable route to what is known as the Crow Creek pass, about 3 miles, thence in a Northerly direction down Crow Creek to the crossing about 1/2 mile above the ranch of John Veat, about 9 miles, thence in an Easterly direction on the most practicable route to the top of the hill, about 2 miles, thence in a North Easterly direction on the most practicable route on the south side of the Cheshnumus Butte to the East side of Salmon Creek about 4 miles, - thence in a northeasterly direction, and on the most practicable route to a point at or near the forks of Pine Creek about 3 miles - the terminus of said road - all of which points and places are in Union County Oregon.

And it satisfactorily appearing to the court from proof filed herein, that due notice of the pendency of this proceeding has been given as by law required; that more than twelve of the petitioners are legal householders residing in the vicinity of said road, and that a good and sufficient bond has been filed:

It is therefore ordered by the court that B. E. Evans - George T. Nail and T. J. Dean be appointed viewers, and Eugene Chase Surveyor upon said proposed County Road and that they meet at the town of Joseph on the 26<sup>th</sup> day of March, 1883 and duly qualify before entering upon the discharge of their duties, <sup>in this behalf</sup>

In the matter of views  
Report on proposed  
County Road - } Wm. Hoefburn et al.

Now at this time is presented to the court the report of the views on the proposed County Road petitioned for by Wm. Hoefburn and others - which report is read in open court and laid over for reading a second time at another day of this term. -

In the matter of views Report  
on proposed County Road } E. A. Heat et al.

Now at this time is presented to the court the report of the views on the proposed County Road petitioned for by E. A. Heat and others - which report is read in open court for the first time - and is laid over for a second reading on another day of this term. -

In the matter of Report  
of views on proposed  
County Road - } J. K. Reader et al.

Now at this time is presented to the court the report of the views on the proposed County Road petitioned for by J. K. Reader and others - which report is read a first time in open court and laid over for second reading at another day of this term.

Therefore Court adjourned until tomorrow morning at 8 o'clock -

proposed Road the whole distance through the premises of claimant M. M. Johnston and assess and determine, how much less valuable such premises of the complainant would be rendered by the opening of said Road - And they shall meet at the Court of Joseph in Union County Oregon on the 15<sup>th</sup> day of June A. D. 1883 and be duly sworn before entering upon the discharge of their duties herein, and of their doings in this matter make return to this Court at the next regular term thereof. -

In the matter of County Road petitioned for by J. K. Reader and others

Now at this time is presented to the Court the report of the viewers in the matter of the proposed County Road - which report was read on yesterday - And it appearing to the Court that said report and surveyors field notes and plat are not in accordance with the prayer of the petition - And the Court becoming satisfied that certain surveyed sections of land in the vicinity of said proposed Road are in dispute - it is therefore ordered that said petition be disallowed and that the Bond given in this matter be declared forfeited -

Whereupon Court adjourned until tomorrow morning at 9 A. Clock