

Road petitioned  
for by  
Nathan Nelson et al

30  
21  
5

No 1

Viewers, Sam Galaway  
John Hancock & Wm Steben

Sen Oregon J. W. Kimbrell  
met at the Clark Cabin  
at ten o'clock A M  
May 29<sup>th</sup> 1888

Report of Viewers & Sen Oregon  
Read first time and those  
being a charge for damage  
on said proposed road filed  
herein by J. W. & M. P. James

The following persons  
are appointed appraisers  
John Dobbin Robert Shaw  
and D. W. Johnson

1887

May 17 Petition re Viewers app'd

Journal D p 338

July 5 Appraisers app'd

Journal D p 371

Sept 5 Report of Appraisers + Abstract

Journal D p 404

Sept 6 ordered opened

Journal D p 408

Nov 10 Continuance - Appeal taken

9 Journal D p 451

July 3 Notice appl struck from

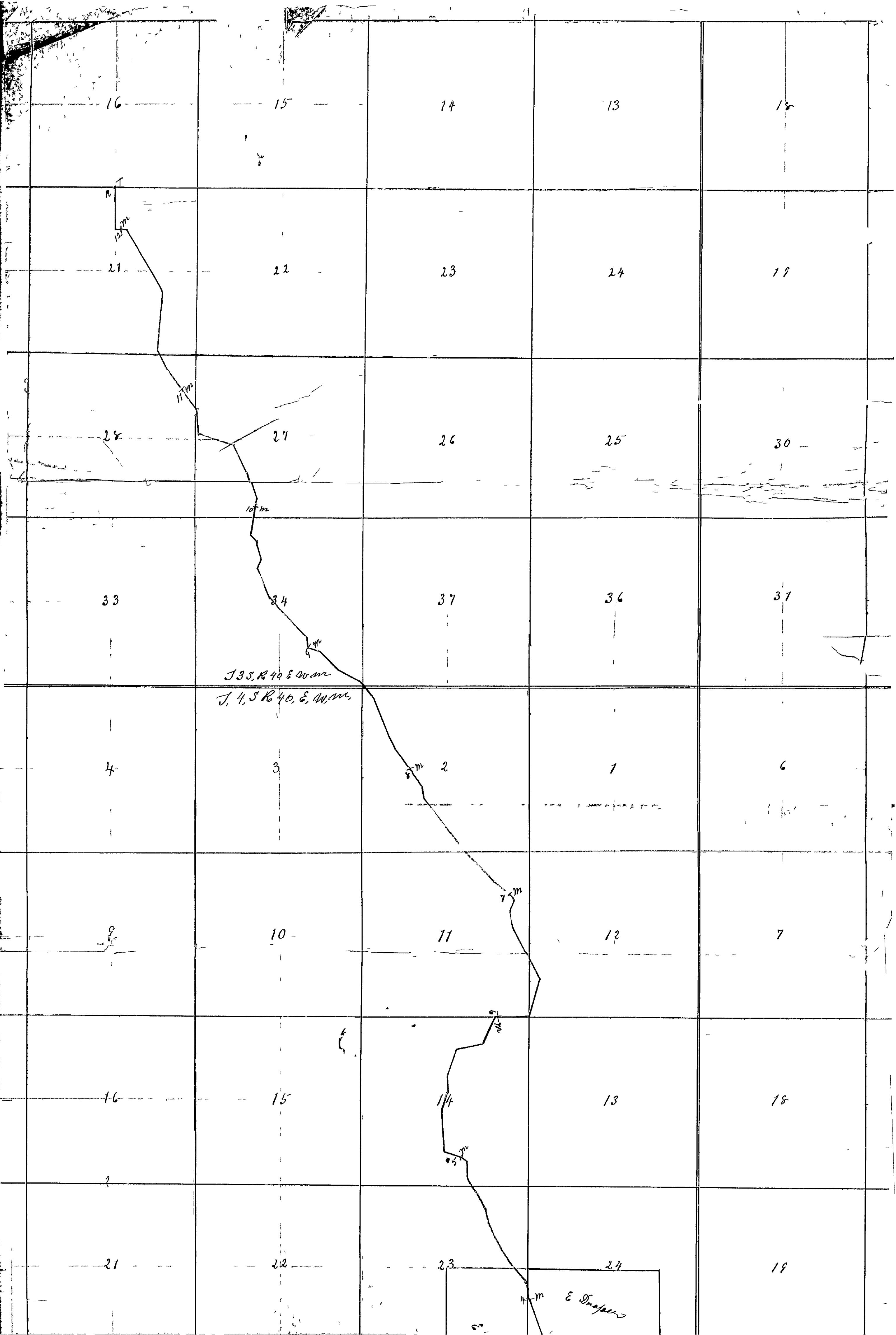
file Jnl D p 574

302

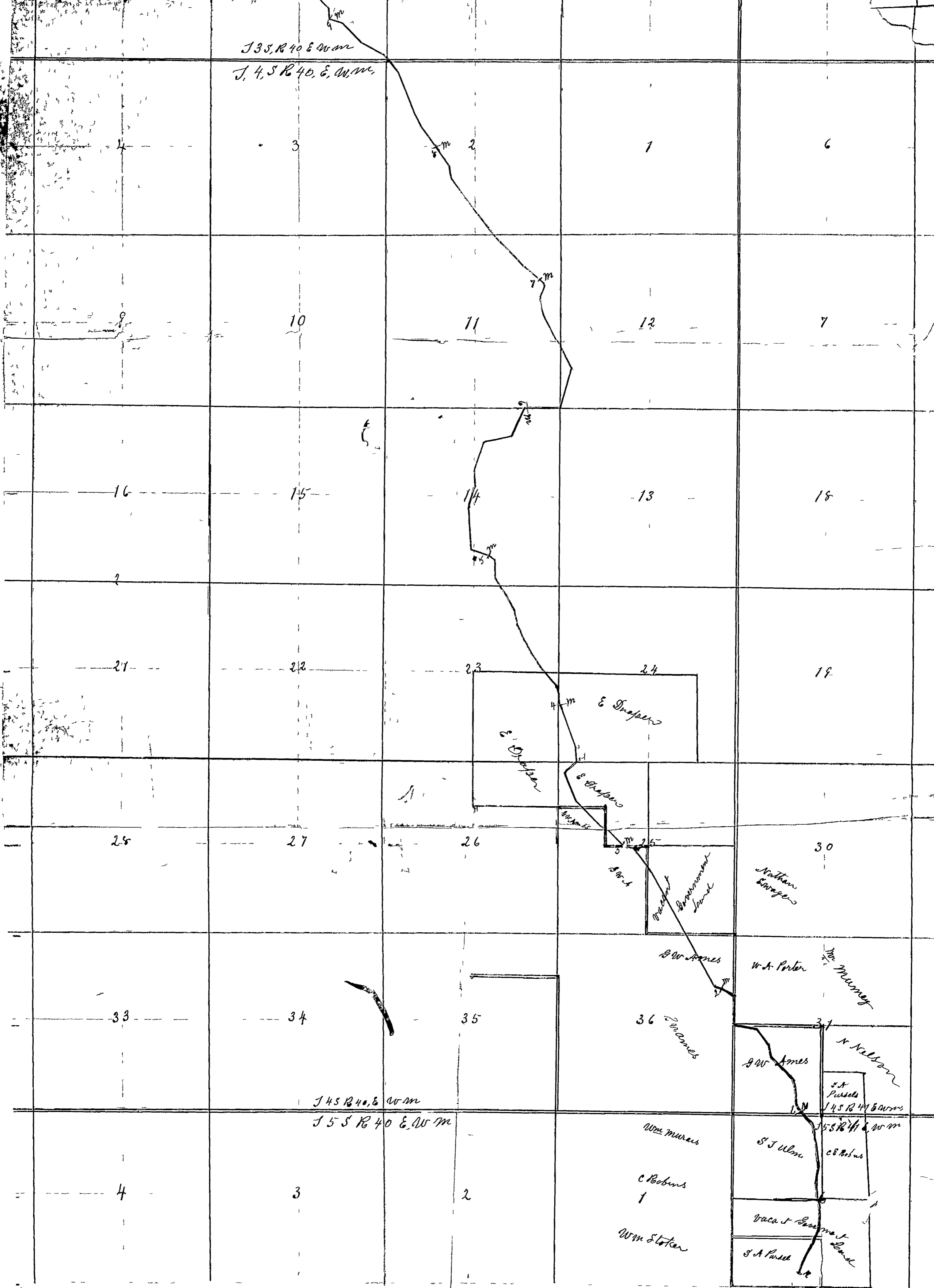
# Road

Commencing at Clarks Cabin 40 rods  
N + 30 rods S from S E cor of SW<sup>4</sup> sec 6  
S 5 S R 41 E to S W cor of N 2<sup>d</sup> Sec  
21 S S R 40 E

302



T 3 S, R 40 E 40 m  
T 4, S R 40, E, W, m.



T 4 S R 40, E W m  
T 5 S R 40 E, W m

# Field Notes of the

Proposed County Road of Nathan Nelson No. 1 and other  
 I started by marking a Pine Tree 20 inches Diameter R. ~~Ground~~ situated  
 on the S.E. 1/4 Sec. 6 in T. 5. S. R. 41. E. W. m. From which the Chaney Clark Cabin  
 Bears S 68° 25' W 128 links distant from which I run N 27° E 80 Rods to Stake A<sub>1</sub>  
 Thence N 11° W 40 Rods to A<sub>2</sub>.

" N 15° W 36 Rods to Stake A<sub>3</sub>  
 " N 22° 30' W 16 " " A<sub>4</sub>  
 " N 3° 35' W 24 " " A<sub>5</sub>  
 " N 5° W 76 " " A<sub>6</sub>  
 " N 71° 45' W 31 " " A<sub>7</sub>  
 " N 41° W 17 " " ~~A<sub>8</sub>~~  
 Stone as by Law required  
 Thence N 33° 25' W 12 " " A<sub>9</sub>  
 " N 11° W 30 1/2 " " A<sub>10</sub>  
 " N 24° 45' W 21 1/2 " " A<sub>11</sub>  
 " N 43° W 68 " " A<sub>12</sub>  
 " N 4° W 19 " " A<sub>13</sub>  
 " N 40° 30' W 38 " " A<sub>14</sub>  
 " N 81° W 58 1/2 " " A<sub>15</sub>  
 The S.E. Corners of N.E. 1/4 Sec. 2, 4, 5, 6, 40 E. W. m.  
 Thence North 5 1/2 Rods to A<sub>16</sub>  
 " N 67° 30' W 18 " " A<sub>17</sub>  
 a Stone as Required marked 2 M.  
 Thence N 62° W 16 Rods to A<sub>18</sub>  
 " N 28° W 236 " " A<sub>19</sub>  
 " N 38° W 48 " " A<sub>20</sub>  
 " N 80° W 20 " " A<sub>21</sub>  
 a Stone marked as Required 3 M.  
 Thence N 45° W 120 Rods to A<sub>22</sub>  
 " N 22° West 58 " " A<sub>23</sub>  
 " N 44° East 34 " " A<sub>24</sub>  
 " N 5° 30' W 28 " " A<sub>25</sub>  
 " N 20° 30' W 80 " " A<sub>26</sub>  
 a Stone marked 4 M. as Required  
 Thence N 9° W 36 Rods to A<sub>27</sub>  
 " N 42° W 34 " " A<sub>28</sub>  
 " N 35° W 24 " " A<sub>29</sub>  
 " N 27° 30' W 46 " " A<sub>30</sub>  
 " N 19° W 32 " " A<sub>31</sub>  
 " N 9° W 32 " " A<sub>32</sub>  
 " N 27° W 32 " " A<sub>33</sub>  
 " N 34° 30' W 36 " " A<sub>34</sub>  
 " N 20° 45' W 36 " " A<sub>35</sub>  
 " N 56° W 12 " " A<sub>36</sub>  
 a Stone as required marked 5 M.  
 Thence N 71° W 19 Rods to A<sub>37</sub>  
 at the High Valley School House.  
 Thence N 73° W 53 Rods to A<sub>38</sub>  
 " N 25° 30' E 36 " " A<sub>39</sub>  
 " N 3° W 28 " " A<sub>40</sub>  
 " N 19° W 57 " " A<sub>41</sub>  
 " N 42° E 5 " " A<sub>42</sub>  
 " N 81° 30' E 51 " " A<sub>43</sub>  
 " N 24° E 37 " " A<sub>44</sub>  
 " N 19° 30' E 30 " " A<sub>45</sub>  
 " East 4 " " a Stone  
 marked as Required 6 M.  
 Thence East 59 Rods " " A<sub>46</sub>  
 The S.E. Corner Sec. 16, T. 4, S. R. 40 E. W. m.  
 Thence N 16° 30' E 75 Rods " " A<sub>47</sub>  
 " N 22° 45' W 116 " " A<sub>48</sub>

Thence N 5° 30' W 32 Rods to A<sub>49</sub>  
 " N 25° E 24 " " A<sub>50</sub>  
 " N 40° W 14 " " A<sub>51</sub>  
 a Stone as required marked 7 M.  
 in front of Merit Wilkenson's House  
 Thence N 51° W 36 Rods to A<sub>52</sub>  
 " N 42° W 60 " " A<sub>53</sub>  
 " N 40° 30' W 60 " " A<sub>54</sub>  
 " N 37° W 56 " " A<sub>55</sub>  
 " N 1° 30' W 20 " " A<sub>56</sub>  
 " N 36° W 48 " " A<sub>57</sub>  
 a Stone as Required marked 8 M.  
 Thence N 26° W 42 Rods to A<sub>58</sub>  
 " N 27° 30' W 38 " " A<sub>59</sub>  
 " N 22° W 80 " " A<sub>60</sub>  
 " N 42° W 38 " " A<sub>61</sub>  
 Near the N.W. Corner Sec. 2, in T. 4, S. R. 40,  
 E. W. m.  
 Thence N 62° W 46 Rods to A<sub>61</sub>  
 " N 45° W 48 " " A<sub>62</sub>  
 " N 71° 30' W 28 " " A<sub>63</sub>  
 a Stone as required marked 9 M.  
 Thence N 6° W 24 Rods to A<sub>64</sub>  
 " N 45° W 80 " " A<sub>65</sub>  
 " N 40° W 28 " " A<sub>66</sub>  
 " N 20° W 64 " " A<sub>67</sub>  
 " N 20° E 20 " " A<sub>68</sub>  
 " N 17° 15' W 24 " " A<sub>69</sub>  
 " N 13° E 8 " " A<sub>70</sub>  
 " N 48° W 17 " " A<sub>71</sub>  
 " N 10° E 55 " a Stone  
 as required marked 10 M.  
 Thence N 10° E 16 " to A<sub>72</sub>  
 " N 17° W 64 " " A<sub>73</sub>  
 " N 23° W 60 " " A<sub>74</sub>  
 " N 71° W 72 " " A<sub>75</sub>  
 " N 60° W 20 " " A<sub>76</sub>  
 " N 30° 30' W 44 " " A<sub>77</sub>  
 " N 36° W 44 " " A<sub>78</sub>  
 a Stone as required marked 11 M.  
 Thence N 87° W 52 Rods to A<sub>79</sub>  
 " N 27° 30' W 38 " " A<sub>80</sub>  
 " N 5° 30' W 78 " " A<sub>81</sub>  
 " N 27° W 141 " " A<sub>82</sub>  
 " West 71 Rods a Stone  
 as required marked 12 M.  
 Thence West 12 Rods A<sub>83</sub>  
 " North 87 Rods a Stone  
 as required in mound of Stone  
 and situated in the County Road  
 in front of James Henderson's House  
 2 Rods North of the N.W. Corner of  
 the N.E. 1/4 Sec. 27, in T. 3, S. R. 40 E. W. m.  
 This 31<sup>st</sup> day of May 1888. J. W. Tomshell, Dep. Co. Surveyor

Filed June 6. 1888

A. G. Nield

Co. Clerk

William Mendenhall said, proposed  
said to run as near as may be  
an the line of the Survey heretofore  
made by J. W. Kimbrell Deputy County  
Surveyor of said County under  
an order of the Court in the  
matter of the County Road  
petitioned for by E. D. W. [unclear]  
the field notes and a plat of which [unclear] and  
others, ~~and~~ by said Kimbrell  
filed in the office of the County  
Clerk of said County on the 3<sup>rd</sup>  
day of February 1888. and by said  
Clerk recorded under an order  
of said County Court, the field  
note of ~~which~~ ~~and~~ and plat  
of which said Survey are here  
referred to as a particular description  
of said line of said proposed  
road and are made part  
of this description

and no duty  
being done petitioners will  
be for &c

names  
Nathan Nelson

names  
W. M. P. [unclear]

over from ...

names	names
Nathan Nelson	J. M. Blaine
James Nelson	W. D. Haggerty
William Murray	B. Morris
George Simmons	Frank Powell
A. Beckell	J. M. Selder
W. Saiger	James Payne
E. Gagnon	C. G. Olson
V. Bekage	B. B. Burroughs
Charles Conroy	Le B. S. Stearns
Charles J. Potter	J. S. B. ...
Alfred Munnich	R. ...
Chas. B. ...	J. ...
A. G. DeBord	St. ...
L. P. Lamere	

J. W. Wainwright  
 W. F. Munnich  
 E. Draper  
 W. ...  
 John Velling  
 Wm. Young  
 Bernard Logsdon  
 Robert W. Davis  
 John Bates  
 Moses Hathaway  
 Andrew Wilkinson  
 Jacob Wilkinson  
 B. W. Bates  
 John Cline  
 John Wilkinson  
 Peter Gazette  
 J. A. Kussel  
 A. S. Foster  
 Charles Dickinson  
 Matt. W. Mitchell  
 Jacob Connor  
 Alex. Cochran  
 J. H. Fisher  
 John Wilkinson  
 J. J. McDonald



Filed May 10, 1884  
in Hall's Office  
by J. O. Green Deputy

To the Hon County Court of  
Union County Oregon

The undersigned  
householders of Union County  
Oregon residing in the  
vicinity of the proposed County  
road hereinafter described  
respectfully petition your  
Hon body to cause to be  
laid out and established a  
County road in said County  
upon the following line or  
route to wit: Commencing  
at what is known as the Glens  
Cabin about 40 rods west and  
about 30 rods north from the  
South East Corner of the South  
West quarter of Section 6 Township  
5 South of Range 41 East of the  
Willamette Meridian and running  
thence North Easterly to the North East  
Corner of said quarter Section  
thence North Westerly to the South  
East Corner of the North East  
quarter of Section 36 Township 4  
South of Range 40 East of the  
Willamette Meridian thence  
North Westerly to the North West  
Corner of the North East quarter  
of Section 21 Township 3 South  
of Range 40 East of the

To all whom it may con-  
cern You will take  
notice that the undersigned house  
holders of Union County Oregon  
residing in the vicinity of the  
proposed County road herein  
after described will on the  
9<sup>th</sup> day of May 1888 that  
being the first day of the  
May term 1888 of the County  
Court for Union County Oregon  
for the transaction of County  
business present to said  
County Court a petition  
asking said County Court  
to lay out and establish a  
County road in said County  
upon the following line or  
route to wit: Commencing at what  
is known as the Clarke Cubes  
about 40 rods West and  
about 30 rods North from  
the South East corner  
of the South West quarter  
of Section 6 Township 5  
South of Range 41 East of  
the Willamette meridian and  
running thence North Easterly  
to the North East corner of  
said quarter section thence  
North westerly to the South East

corner of the North East quar-  
ter of Section 36 Township

Said quarter section thence  
north westerly to the South East

Corner of the North East quar-  
ter of Section 36 Township  
4 South of Range 40 East of  
the Willamette Meridian thence  
north westerly to the north west  
corner of the North East  
quarter of Section 21 Town-  
ship 3 South of Range 40  
East of the Willamette Meridian  
said proposed road to run  
as near as may be on  
the line of the survey heretofore  
made by J. N. Kimbrell Deputy  
County Surveyor of said  
County under an order of this  
Court in the matter of the  
County road petitioned for  
by C. Draper et al the field  
notes and plat of which survey  
were by said Kimbrell filed  
in the office of the County  
Clerk of said County on  
the 3<sup>rd</sup> day of February 1888  
and by said Clerk recorded  
under an order of said  
County Court the field  
notes and plat of which said  
survey are here referred to  
as a particular description  
of said line of said proposed  
road and are made part of  
this description

Walter Nelson

James Nelson

Sam Murray

George Chambers

board and are made part of  
the description

Nathan Wilson

James Nelson

Miriam Murray

George Sumner

A. Coakell

~~H. F. Farnham~~

~~W. J. Farnham~~

Chas. R. Ruge

Charles Bonney

Wm. S. Fuller

Alfred Minnick

G. W. Baupier

A. L. B. B. B.

L. P. Larnere

J. M. Whimney

W. J. Whimney

E. Draper

W. S. Seal

John Kelley

Orin Young

Bernard Legendre

Robert V. Lewis

John Bates

Warden Hathaway

Andrew Wilkinson

Jacob Wilkinson

B. V. Bates

John Clinie

John Wilkinson

Peter Legendre

J. A. Russell

J. M. Byrnes

~~Ed. P. Maggery~~

~~Ed. P. Maggery~~

~~R. Morris~~

A. P. Kester

Charles Dickinson

Wm. W. Mitchell

Jacob Bonney

Alex. Cochran

J. H. Fisher

John Wilkinson

J. J. McNeill

Frank Powell

J. M. S. S.

James Payne

C. G. O'Brien

S. B. Burroughs

L. B. Stearns

J. S. Burford

A. Belco

J. M. Minnick

J. T. Lee

Filed May 5 - 1878  
As the witness  
By J. H. Swanton

STATE OF OREGON  
 COUNTY OF UNION. } ss.

I E. Draper being first duly sworn, say that I posted three several notice, of which the notice hereto 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 on a tree in front of Mr (Alms) house by the side of the public road, One in front of E. Draper house on a board nailed to a post, which post also stands by the road side, & one near the house of Mrs Minnick on a board nailed to a fence post by the side of the public road

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 2nd day of April 1888, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: on the 3rd day of April 1888, 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 town of Union, in said County, 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 16th day of May 1888

E. Draper  
 R. H. Hill clerk  
 D. S. Oliver Deputy

# Know all Men by these Presents:

THAT ~~we~~ *E. Draper & O. P. Jaycox* and  
of the County of *Union*

and State of Oregon, are held and firmly bound unto the 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 *16<sup>th</sup>* day of *May* 188*8*

Now the condition of the above obligation is such, that whereas, if the County Road petitioned for by *Nathan Nelson*  
and others, and presented at the *May*

Term, 188*8* of the County Court of said *Union* County, commencing at what is known  
as the *Chancy Clark Cabin*, about 40 rods N. & about 30 rods W  
from S.E. cor. of *N<sup>7</sup> Sec 6 25<sup>th</sup> R 41 E. N. M.* Thence North Easterly  
to the N.E. corner of said 2<sup>d</sup> sec. Thence North Westerly to the S.E.  
corner of *N<sup>8</sup> Sec 36 24<sup>th</sup> R 40 E. N. M.* Thence North West  
erly to the N.W. cor. of *N<sup>8</sup> Sec 21 23<sup>rd</sup> R 40 E. N. M.* said  
proposed road to run as near as may be on the  
line of the survey heretofore made by *J. M. Kimbell* Deputy Surveyor of said Co. under an order of the  
Court in the matter of the Co. Road petitioned for by *E. Draper et al*  
be located and established, then this obligation to be void, otherwise to remain in full force and virtue in law.

*E. Draper*  
*O. P. Jaycox*

**STATE OF OREGON,**

County of *Union* } ss.

*E. Draper* and

*O. P. Jaycox* each for himself ~~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, and that I am a resident and householder in said County and State.

*E. Draper*  
*O. P. Jaycox*

Subscribed and sworn to before me, this *16* day of *May* A. D. 188*8*

*W. P. Neill* Clerk,

By *J. Olive* Deputy.

**Board of Road Petitioners.**

one Road petitioned  
for by Nathan Neil-  
son et al

-Petitioners-

Filed May 16 " 1888

A. J. Neill

County Clerk.

By Turner Oliver

Deputy.



In the County Court of the  
State of Oregon for Union County  
In the matter of the  
County Road Petition  
for by T. Nelson et al.

Now at this time  
comes Geo. H. Jones a  
resident householder of  
Union County Oregon and  
the owner of lands through  
which the above entitled  
proposed County Road  
as received surveyed and  
marked out & lands and  
remonstrates against the  
Court establishing and  
opening the same as a  
public highway for the rea-  
son.

1<sup>st</sup> That the Court has  
no jurisdiction to establish  
or open the same as a pub-  
lic highway.

2<sup>nd</sup> That the Petition for said  
proposed road does not  
state facts sufficient to  
constitute a Road Petition.

3<sup>rd</sup> That said Petition does

not state the beginning intermediate and terminal points of said proposed road nor describe the said with sufficient certainty.

4<sup>th</sup> That the notices posted therein are insufficient and defective in description and substance.

5<sup>th</sup> That no notice of the Petition and application to the County Court ~~was~~ for laying out said proposed was given as by law required.

J. H. Crawford  
Atty for Geo. W. Ames  
Pennsylvanian

County Court  
Main County

In the matter of  
The Road Petition  
for by A. Nelson et  
al vs W. F.

Pennsylvanian

Filed July 5<sup>th</sup> 1888  
W. P. Meill, Clerk  
Sgt. Chas. DeJoy

J. H. Crawford  
Atty for Pennsylv.

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

In the matter of  
The County Road  
Petitioned for by  
A. Nelson et al

Now at this time  
comes Geo. H. and Mr. P. Ames  
and shew to the Court and  
allege that they are the owners  
of the S. W. 1/4 of the N. W. 1/4 & N. E. 1/4  
of S. W. 1/4 Sec 25 & the N. E. 1/4 of Sec 36  
T. 4 S. R. 40 E. W. 1/4 and the S. W. 1/4  
of Sec 31 T. 4 S. R. 41 E. W. 1/4  
across and through which  
the above entitled proposed  
County Road as surveyed  
and viewed ~~extended~~ and  
marked out extends and  
the said Geo. H. Ames and  
Mr. P. Ames complain and allege  
that they will be injured and  
damaged by the opening  
of the said road through  
their said lands in the  
sum of \$12000

Therefore complainants pray

That viewers be appointed  
& directed to view and as-  
sess said damages as  
by law in such cases  
directed

Geo. W. & M. F. Ames  
of their City of Astoria

State of Oregon  
County of Union } ss. I Geo.  
W. Ames being first duly  
sworn say I am one of the  
complainants above named  
and that the foregoing  
complaint is true &  
I verily believe.

Subscribed and sworn to before  
me this 29 day  
of June 1888

J. B. Thomson  
Justice of the Peace

In the County  
Grant of the ~~State~~  
of Oregon - preliminary  
binding -

for the of the Road  
situated for by  
M. Nelson - ~~sh. n. d.~~

No. / -

Accepted and for  
Registered by  
Geo. H. H. Jones

Dated July 5th 1888  
A. J. Neill clerk  
Regd. Clerk - Depty

J. H. Crawford  
Att. for the

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

In the Matter of the proposed  
County Road petitioned for  
by Nathan Nelson et al No 1

State of Oregon }  
County of Union } ss.

We the

duly appointed appraisers, appointed by the  
County Court of the State of Oregon for the  
County of Union to appraise the damages that  
would accrue to G. N. Ames and M. P. Ames  
on account of the construction of said proposed  
County Road, being first duly sworn say  
that we will support the Constitution of the  
United States and of the State of Oregon and  
will faithfully and impartially perform  
our duty in this behalf to the best of our  
ability So help us God. Robert Shaw  
Subscribed and sworn

to before me this July 14. 1888  
A. Neill Clerk  
By Turner Oliver Deputy

John Collins  
G. N. Ames  
M. P. Ames

Witness to same  
Turner Oliver

Filed July 14<sup>th</sup> 1888  
C. J. Mill Clerk  
Ray, Oklahoma Territory

221

In the County Court of the State of Oregon for Union County  
In the matter of the Proposed  
County Road petitioned  
for by Nathan Nelson <sup>et al</sup> No 1

In the Hon the County Court  
of Union County Oregon

We the undersigned Appraisers heretofore appointed  
by your Honorable Body, to view and appraise the  
damages that would accrue to G. W. Ames and ~~W. H.~~  
<sup>W. H. Porter</sup> from the laying out of the said Proposed County  
Road would respectfully report. That we met at  
the County Clerk's Office in the City of Union on Saturday  
Morning July 14. 1888 and were duly sworn to faithfully  
discharge our duties after which we proceeded to view  
the said proposed road through the whole distance  
thereof through the premises of ~~W. H. Porter~~ and G. W.  
Ames, <sup>and W. H. Porter</sup> and find that the premises of both of the  
said claimants ~~W. H. Porter~~ and G. W. Ames, <sup>and W. H. Porter</sup> will  
not be rendered less valuable by the construction  
of said proposed road but on the contrary will  
be benefited by such construction, therefore we  
award no damages to either of said claimants  
Dated this 14<sup>th</sup> day of July A.D. 1888

John Dobbin } Viewers and  
D. W. Johnson } Appraisers  
Robert Shaw



Filed July 14<sup>th</sup> 1888  
Asst. Mill clerk  
Expenses & Damages  
Deputy

## REPORT OF VIEWERS.



TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 16 day of *May*, 1888, appointed to view and lay out ~~and alter~~ the proposed County road, of which the survey hereto attached is a true and correct description, as petitioned for by *Nathan Nelson*, et al, <sup>No. 1</sup> beg leave to report that on the ~~25<sup>th</sup>~~ <sup>31</sup> day of *May*, 1888, 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 opinion said proposed road should \_\_\_\_\_ be laid out ~~and~~ established as a public highway of UNION COUNTY, OREGON. That the same ~~is a~~ <sup>is a</sup> ~~good~~ <sup>good</sup> and ~~practicable~~ <sup>practicable</sup> ~~and~~ <sup>Route</sup> would add *Mutch* 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.

*Samuel Galloway*  
*John Henry*

*W. W. Stoker*

Filed June 6, 1888

A. A. Nuro  
Collector

In the County Court for Union  
County Oregon

In the matter of  
The County road  
Petitioned for by  
Nathan Nelson et al No 1

Now at this time comes  
Union County One of the parties named in  
The notice of appeal by Geo W Ames and  
M. P. Ames and protests against the  
filing of said notice of appeal and  
The undertaking thereon in said Court  
for the reason that the time for an  
appeal therein has expired which  
fact is apparent on the face of  
said notice and undertaking by  
reason whereof the Clerk of said  
Court has no authority under the law  
to file the same

Shelton & Correll  
Attys for Union County

The clerk being a clerical officer does not feel warranted in assuming judicial functions by passing on this protest, and therefore files the Notice of appeal and Bond on appeal and leaves to the Circuit Court to pass on its validity  
This June 8<sup>th</sup> 1889.  
Attest  
By Thomas Oliver Deputy

County Court  
Union County

By the order of  
the County Court  
William S. Fox by  
Thomas Wilson  
Patron of Union County  
opposed filing the  
Notice and submitting  
an appeal in said  
case

Filed June 8<sup>th</sup> 1889  
Attest  
By Thomas Oliver Deputy

Thomas W. Cornell  
Attorney for Union County

Attest

In the County Court of the  
State of Oregon for  
Union County  
In the matter of the  
County road petitioned  
for by Nathan Nelson et al  
vs  
M. P.

Whereas Geo. W. Ames and  
M. P. Ames claimants for dam-  
ages occasioned to their lands  
by the location and opening  
of the above entitled road  
I have appealed to the Circuit  
Court of the State of Oregon for  
Union County from the assess-  
ment of damages made  
by the viewers and approved  
by the County Court on the  
5th day of September 1885 to  
the effect that the premises  
of both of said claimants will  
not be rendered less valuable by  
the construction of said proposed  
road but on the contrary will  
be benefited by such construc-  
tion. Therefore we award  
no damages to either of said

Claimants

John Dobbin

D. W. Johnson

Robt. Shaw

Viewers & appraisers

which report is read and approved by the Court and ordered placed on the record therefore we Geo. W. Ames and M. P. Ames Principals and Mrs. Brasher surety do hereby undertake that we will well and truly pay all costs and disbursements that may be adjudged against Claimants upon said appeal

Geo. W. Ames

M. P. Ames

Thos. Brasher

State of Oregon }  
County of Union }<sup>ss</sup> I Mrs. Brasher  
being first duly sworn  
say I am a resident

L

house holder of Union County  
Oregon and am worth  
the sum of Two hundred  
dollars over and above all  
just debts and liabilities  
Subscribed & sworn  
to before me this  
June 6, 1889.

B. Wilson  
Notary Public  
for Oo.

Thos. Brasher



In the County and  
of State of Oregon  
for Union County

On the matter of  
the county road  
petitioned for  
by Nathan Nelson  
It also No 1

~~Witness my hand~~  
for appeal

Filed June 5th 1889  
at Big Rock O.M.  
A. J. Hill Clerk  
Register Oliver Deputy

J. H. Grandford  
J. H. Wilson,  
Attys for appellant

In the County Court of the State  
of Oregon for Union County  
In the matter of the  
County road petitioned  
for by Nathan Nelson  
et al No. 1.

To Nathan Nelson  
et al petitioners in the above  
entitled cause and to the  
County of Union

You and each of you will  
take notice that claimants  
Jes. N. Ames and M. P. Ames  
appeal to the Circuit Court  
of the State of Oregon for the  
County of Union from the  
assessment of damages  
made by the viewers and  
approved by the County Court  
of Union County Oregon on  
the 5<sup>th</sup> day of Sept. 1888  
in the above entitled cause  
to the effect "that the prem-  
ises of both said claimants  
will not be rendered less  
valuable by the construction  
of said proposed road  
but on the contrary will

be benefited by such construction. Wherefore we award no damages to either of said claimants. Which report is read, and approved by the Court and ordered placed on the record<sup>37</sup>.

And you and each of you will take notice that claimants appeal from the whole of said assessment and order.

T. H. Bradford  
+ B. F. Wilson  
Attys for claimants

In the County Court  
of Seck of Superior  
for various orders

In the matter of the  
County Court file  
tried for by  
Nathan Nelson  
at ass no 1

Notice of Appeal

Recd June 6 - 1889

A. P. Hamilton

By James W. Nelson  
Deputy

J. A. Grandford  
W. G. Wilson  
Attys for defendant

Filed June 8 - 1889  
at 5 minutes till  
six o'clock P.M.  
A. P. Neil Clerk  
By James W. Nelson Deputy

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

I hereby certify that I served the notice of appeal hereto attached within said County and State on the 7<sup>th</sup> day of June 1889 on O Barage one of the Petitioners of record by delivering to him personally a true and correct copy thereof certified to be such by me as Sheriff

Dated at Sheriff office }  
this 7<sup>th</sup> day of June 1889 }

A. M. Hamilton  
Sheriff

Second Judicial Day

Thursday May 17<sup>th</sup> 1888

In the Matter of the  
 proposed County Road peti-  
 tioned for by Nathan  
 Nelson et al. No 1

This matter came on to be heard upon the petition of Nathan Nelson and 51 others for a county Road described as follows, to-wit: Commencing at what is known as the Clarke Cabin about 40 rods West and about 30 rods North from the South East corner of the South West quarter of section 6 Township 5 South of Range 41 East of the Willamette Meridian. Thence North Easterly to the N.E. corner of said quarter section, thence North Westery to the S.E. corner of the N.E. quarter of section 36 Township 4 South of Range 40 East of the W.M., thence North Westery to the N.W. corner of N.E. Sec 21 T 3 S R 40 E. W.M. said proposed road to run as near as may be on the line of the survey heretofore made by G.M. Kimbrell Deputy County Surveyor under an order of this Court in the matter of the County road petitioned for by E. Inapier and others the field notes and plat of which survey were filed in the office of the County Clerk of said County on the 3<sup>rd</sup> day of February 1888, and it appearing <sup>from proof filed herein</sup> that due and legal notice of the pendency of this proceeding, had been given, that more than twelve of said petitioners are legal householders living in the vicinity of the proposed road and a good and sufficient undertaking having been filed herein It is therefore considered and ordered that Samuel Galloway, John Huines and Wm Stokes be appointed Viewers and G.M. Kimbrell Surveyor to view and survey said proposed road and that they meet at the Clark Cabin <sup>at 10 o'clock</sup> at 10 o'clock A.M. and duly qualify before they proceed <sup>to</sup> perform their duty in this behalf.

In the Matter of the  
 proposed County Road  
 petitioned for by Nathan  
 Nelson et al. No 2

This matter came on to be heard at this time on the petition of Nathan Nelson and 51 others for the establishment of a County road as follows viz: Commencing at the South East corner of N.E. Sec 36 T 4 S R 40 E. W.M. Thence Easterly about 1/2 mile to the S.E. corner of N.W. Sec 31 T 4 S R 41 E. W.M. Thence Northerly about 1/4 mile thence Easterly about one <sup>half</sup> mile, and it appearing to the Court from proof filed herein that due and legal notice of the pendency of this proceeding has been given, that more than twelve of said petitioners are legal

Christ Judicial Day

Thursday July 5<sup>th</sup> 1888

In the matter of the }  
 proposed County road }  
 petitioned for by D. G. }  
 Chandler et al.

This matter came on to be heard upon the reports of the viewers and surveyor herein and the said reports having been read in open court for the first time are laid over for a second reading on some other day of this term.

In the matter of the proposed }  
 County Road petitioned for }  
 by D. B. Rees et al.

This matter came on to be heard upon the report of the viewers and surveyor herein, and said reports having been read in open court, and it appearing to the court that the viewers report unfavorable on said proposed road and recommend that the road be not opened or declared a public highway. It is considered and ordered by the court that all further proceedings herein be dismissed and that all costs incurred by the county herein be taxed up to the petitioners herein, to wit the sum of \$34.<sup>20</sup>/<sub>100</sub> and that the sureties on the undertaking herein be notified to pay such sum to the County Treasurer and produce and file with the clerk the Treasurers receipt for the same.

In the matter of the proposed }  
 County Road petitioned for by }  
 Nathan Nelson et al. No. 1

This matter came on to be heard at this time upon the reports of the viewers and surveyor hitherto appointed herein and said reports are read in open court for the first time, and it further appearing that a claim for damages has been filed herein and also a Remonstrance by G. W. & M. P. Ames, and the court having duly considered said remonstrance and being well advised herein. It is ordered that said Remonstrance be overruled and denied, and in regard to the petition of G. W. & M. P. Ames for damages herein. It is ordered that John Dobbin, Robt. Shaw and D. W. Johnson be appointed appraisers to view the premises of petitioners the whole distance through which the said proposed road passes and report to the court how much less valuable said premises will be rendered on account of the construction of said proposed road.

First Judicial Day

Thursday July 5<sup>th</sup> 1865

and it is further ordered that said appraisers meet at Union on Saturday July 14<sup>th</sup> 1865 <sup>at 10 o'clock AM</sup> and after having first made and subscribed an oath to faithfully and impartially discharge their said duty that they proceed with their labor in this behalf.

In the Matter of the  
Proposed County Road  
petitioned for by D. H.  
Palladay et al No 1

This matter came on to be heard on the reports of the viewers and surveyor heretofore appointed herein and said reports having been read in open court for the first time they are laid over for a second reading on some other day of this term.

In the matter of the  
proposed County Road  
petitioned for by D. H.  
Palladay et al No 2

This matter came on for hearing on the first reading of the reports of the viewers and surveyor heretofore appointed herein and said reports having been read in open court as required by law are laid over for a second reading on some other day of this term.

In the matter of the  
Proposed County Road  
petitioned for by G. W.  
Hamilton et al

This cause came on to be heard upon the petition of M. L. Carter, G. W. Hamilton and 29 others for the establishment of a County Road described as follows, to wit: Beginning at the Union and Summerville road at the N.E. cor of sec 27 Tp 2 South of Range 39 East Willamette Meridian, running E. one mile. Thence N<sup>7</sup>/<sub>4</sub> of a mile to N.W. cor of the S<sup>1</sup>/<sub>2</sub> of the N.W<sup>1</sup>/<sub>4</sub> of Sec 24. Thence E. about 280 yards. Thence N.E. to the New Wilhelmsa bridge across Grande Ronde river. Thence in a Northwesterly direction on the road as at present travelled to the line between the N and S half of the S.W<sup>1</sup>/<sub>4</sub> of Sec 13 Tp 2 S R 39 E. Thence East on said line on the old road about 540 yds to or near the N.E. corner of the S.W<sup>1</sup>/<sub>4</sub> of the S.E<sup>1</sup>/<sub>4</sub> of Sec 13. Thence N.W. to a slough



First Judicial Day

Wednesday Sept. 5<sup>th</sup> 1888

the whole distance through which the said proposed road would pass and report to the Court how much less valuable the premises of each of said claimants will be rendered on account of the construction of the said proposed road. That they go before some properly qualified officers and make and subscribe to an oath that they will faithfully and impartially discharge their duty in this behalf, and that they then meet at the house of J. D. A. Richardson on Saturday September 15<sup>th</sup> 1888 and proceed with their duty in this behalf. And further consideration of said reports of viewers and surveyor is continued until the next regular term of this Court.

In the Matter of the  
Proposed County Road  
petitioned for by J. M.  
Bartness et als

This matter came on to be heard upon the reports of the Viewers and Surveyor heretofore appointed herein, and said reports having been read in open court for the first time are passed over for a second reading on some other day of this term.

In the Matter of the Proposed  
County Road petitioned for by  
Nathan Nelson et als No 1.

This matter came on to be heard at this time upon the reports of the Viewers and surveyor heretofore appointed herein, and upon the report of the appraisers of damages that would accrue to G. W. & M. P. Ames on account of the construction of the said proposed road. And said reports of viewers and surveyor having been read in open court are passed over for a second reading on some other day of this term. The appraisers of damages heretofore appointed herein to appraise the damages that would accrue to G. W. & M. P. Ames on account of the construction of the said proposed road having filed their report as follows, to-wit:-

In the County Court of the State of Oregon for Union County  
In the Matter of the Proposed  
County Road petitioned for  
by Nathan Nelson et als No 1

To the Hon. the County Court of Union County Oregon:  
We the undersigned Appraisers heretofore appointed by your Honorable Body to view and appraise the damages that would accrue to G. W. Ames and M. P. Ames from the laying out of the said proposed County Road would

First Judicial Day

Wednesday Sept 5<sup>th</sup> 1888

respectfully report that we met at the county clerks office in the city of Union on Saturday Morning July 14, 1888 and were duly sworn to faithfully discharge our duties after which we proceeded to view the said proposed road through the whole distance thereof through the premises of G. H. Ames and M. P. Ames and find that the premises of both of the said claimants G. H. Ames and M. P. Ames will not be rendered less valuable by the construction of said proposed road but on the contrary will be benefitted by such construction therefore we award no damages either of said claimants.

Dated this 14<sup>th</sup> day of July A.D. 1888.

John Dobbin }  
 J. W. Johnson } Viewers and  
 Robert Shaw } Appraisers "

which report is read and approved by the Court and ordered placed on record.

In the Matter of the }  
 proposed County Road }  
 petitioned for by Nathan }  
 Nelson et al No 2. }

This matter came on to be heard at this time on the reports of the viewers and surveyor heretofore appointed herein, and said reports having been read in open court for the first time during this term are laid over for a second reading on some other day of this term. And the appraisers heretofore appointed to view and assess the damages that would accrue to M. H. Porter and G. H. Ames on account of the construction of the proposed road having performed their duty herein and reported to the Court as follows:-

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

In the Matter of the proposed }  
 County Road petitioned for }  
 by Nathan Nelson et al No 2 }

To the Hon. the County Court of Union County Oregon We, the undersigned appraisers heretofore appointed by your Honorable Body to view and appraise the damages that would accrue to G. H. Ames and M. H. Porter from the laying out of the said proposed County Road, would respectfully report that we met at the County Clerks office in the City of Union on Saturday Morning July 14, 1888 and were duly sworn to faithfully discharge our duties after which we proceeded to view the said proposed road through the whole distance thereof through the premises of M. H. Porter and G. H. Ames and find that the premises

Second Judicial Day

Thursday Sept. 6<sup>th</sup> 1888

In the Matter of the Settlement  
with G. W. Thompson for building  
Bridge at Morelock Crossing of the  
Grande Ronde River

This matter came on to be heard at this time and it appearing to the Court that the Contractor, G. W. Thompson has completed the Bridge over Grande Ronde River at the Morelock crossing in a good and workmanlike manner, and that the whole amount or cost of said work including approaches under the contract is the sum of \$1520<sup>00</sup> of which amount the said contractor has already received the sum of \$150<sup>00</sup> leaving the amount still due and remaining unpaid \$1370<sup>00</sup> and the clerk is ordered to issue warrants on the County treasurer in favor of said G. W. Thompson for said sum still due on said contract, to wit: \$1370<sup>00</sup>.

In the Matter of the  
Proposed County Road  
petitioned for by Nathan  
Nelson et al. No 1

This matter came on to be heard upon the reports of the Viewers and Surveyor for a second reading and it appearing to the Court that these reports are favorable and there is now pending no remonstrance or claim for damages all having been heretofore disposed of, and all the proceedings herein having been regular and according to law it is therefore considered and ordered that the reports of the Viewers and Surveyor be placed on record and the road ordered opened according to law and declared a public highway.

Report of Viewers.

To the Honorable County Court for Union County, Oregon:-

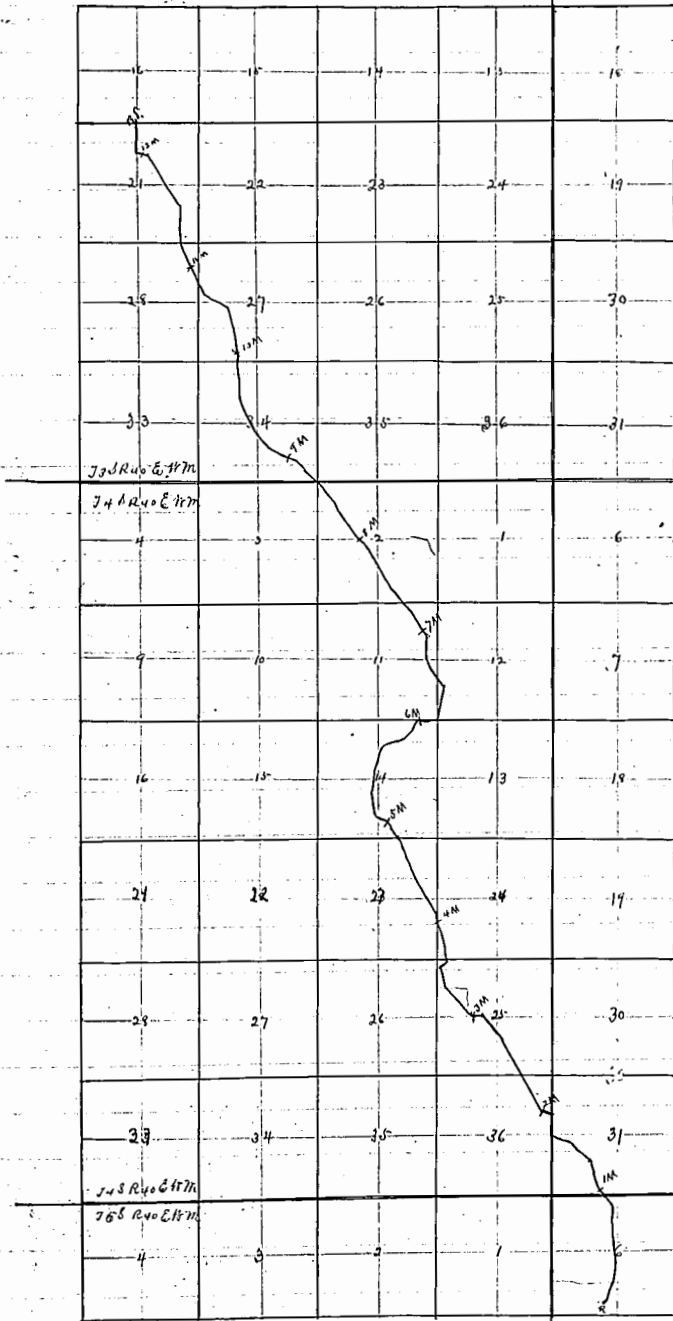
The undersigned viewers heretofore on the 16 day of May 1888, appointed to view and lay out the proposed county road, of which the survey sheets attached is a true and correct description, as petitioned for by Nathan Nelson et al No 1 beg leave to report that on the 29<sup>th</sup> & 31 days of May, 1888, 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 opinion said proposed road should be laid out and established as a public highway of Union County, Oregon.

Second Judicial Day

Thursday Sept 6<sup>th</sup> 1888

That the same is a good and practicable route and would add much 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.

Samuel Galloway  
John Hoggins  
W. M. Stokes



Field Notes of the Proposed  
County Road of Nathan  
Nelson No 1 and others

I started by marking a Pine Tree 20  
inches diameter N and situated  
on the SE 1/4 Sec 6 in T35 R 41 E 17 N.  
From which the blance black bar  
bears S 68° 25' N 128 links distant  
from which I run N 27° E 80 rods  
to stake A 1, thence N 11° N 40 rods A 2  
thence N 11° N 40 rods A 2  
" N 15° N 30 " to a stake A 3  
" N 22° 30' N 16 " a stake A 4  
" N 3° 35' N 24 " " " A 5  
" N 5° N 76 " " " A 6  
" N 71° 45' N 31 " " " A 7  
" N 41° N 17 " " " A 8-1 M  
a stone as by law required  
thence N 33° 20' N 12 rods to stake A 9  
" N 11° N 30 1/2 " " " A 10  
" N 24° 45' N 2 1/2 " " " A 11  
" N 43° N 68 " " " A 12  
" N 4° N 19 " " " A 13  
" N 40° 30' N 38 " " " A 14  
" N 81° N 58 1/2 " " " A 15  
The SE corner of N E 1/4 Sec 30 T 35 R 40 E 17 N.  
thence North 54 1/2 rods to A 16  
" N 67° 30' N 18 rods to A 17-2 M  
a stone as required by law  
thence N 62° N 16 rods to A 18  
" N 28° N 236 " " " A 19  
" N 38° N 48 " " " A 20  
" N 80° N 28 " " " A 21  
a stone marked as required 3 M  
thence N 45° N 120 rods to A 22

Second Judicial Day

Thursday Sept 6<sup>th</sup> 1888

Thence N 22° West 58 rods to A 23

" N 44° E 34 " " A 24

" N 5° 30' W 28 " " A 25

" N 28° 30' W 80 " " A 26

A stone marked 4 miles as required

Thence N 9° W 36 rods to A 27

" N 42° W 34 " " A 28

" N 35° W 24 " " A 29

" N 27° 30' W 46 " " A 30

" N 19° W 32 " " A 31

" N 9° W 32 " " A 32

" N 27° W 32 " " A 33

" N 34° 30' W 36 " " A 34

" N 2° 45' W 36 " " A 35

" N 56° W 12 " " A 36

A stone as required marked 5 M

Thence N 71° W 19 rods to A 37

at the High Valley School house

Thence N 1° 30' W 58 rods to A 38

" N 28° 30' E 26 " " A 39

" N 3° W 28 " " A 40

" N 19° W 57 " " A 41

" N 42° E 5 " " A 42

" N 81° 26' E 51 " " A 43

" N 24° E 37 " " A 44

" N 19° 30' E 30 " " A 45

" East 4 " to stone

marked as required 6 M

Thence East 59 rods to A 46

The E. Cor See 11548 R 40 E M. M.

Thence N 16° 30' E 75 rods to A 47

" N 28° 45' W 116 " " A 48

" N 5° 30' W 32 " " A 49

" N 25° E 24 " " A 50

" N 40° W 14 " " A 51

A stone as required marked 7 M

at the front of Meritt Williams house

Thence N 51° W 36 rods to A 52

" N 42° W 60 " " A 53

" N 40° 30' W 60 " " A 54

" N 37° W 96 " " A 55

Thence N 1° 30' W 20 rods to A 56

" N 36° W 48 " " a stone

as per law marked 8 M

Thence N 36° W 42 rods to A 57

" N 27° 30' W 38 " " A 58

" N 22° W 80 " " A 59

" N 42° W 38 " " A 60

Near the W. Cor See 2548 R 40 E M. M.

Thence N 62° W 46 rods to A 61

" N 45° W 48 " " A 62

" N 71° 31' W 28 " " A 63

A stone as required marked 9 M

Thence N 6° W 24 rods to A 64

" N 45° W 80 " " A 65

" N 40° W 28 " " A 66

" N 20° W 64 " " A 67

" N 20° E 20 " " A 68

" N 17° 15' W 24 " " A 69

" N 13° E 8 " " A 70

" N 43° W 17 " " A 71

" N 10° E 55 " a stone

as required marked 10 M

Thence N 10° E 16 rods to A 72

" N 17° W 64 " " A 73

" N 23° W 60 " " A 74

" N 71° W 72 " " A 75

" N 60° W 20 " " A 76

" N 3° 30' W 44 " " A 77

" N 36° W 44 " " A 78

A stone as required 11 M

Thence N 37° W 52 rods to A 79

" N 27° 30' W 38 " " A 80

" N 5° 30' W 78 " " A 81

" N 27° W 141 " " A 82

" West 11 rods - a stone as

required marked 12 M

Thence West 12 rods to A 83

" North 87 " " a stone as

required in mound of stone and situated in the County Road in front of James Alexander's house two rods

Second Judicial Day

Thursday Sept 6<sup>th</sup> 1888

North of the NE corner of the NE 1/4 Section 21 in T3 S. R. 40 E. N. W. This 31<sup>st</sup> day of May 1888  
 J. W. Kimbrell, Dep. Co. Surveyor

In the matter of the Proposed  
 County Road petitioned for  
 by Nathan Nelson et al No 2.

This matter came on at this time to be heard on the reports of the Viewers and Surveyor for a second reading, and such reports being favorable and having been read at two different days of this term, and it appearing that all the proceedings herein have been regular and according to law, and no remonstrance or bill for damages are now pending, all having been regularly and legally disposed of, and it further appearing that the proposed road would be of great public utility and no good cause having been shown why the proposed road be not declared a public highway of Union County, It is therefore considered and ordered that the reports of the Viewers and Surveyor herein be approved and placed on records, and the proposed road be declared a public highway and opened according to law.

#### Report of Viewers

To the Honorable County Court for Union County Oregon:-

The undersigned viewers heretofore on the 16<sup>th</sup> day of May, 1888, appointed to view and lay out the proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by Nathan Nelson, et al, No 2, by leave to report that on the 31<sup>st</sup> day of May 1888, 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 and lay out said proposed road for the whole distance thereof, and that in our opinion said proposed road should be laid out and established as a public highway of Union County Oregon. That the same is a good and practicable route and would add much 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.

Samuel Galloway  
 John Higginbotham  
 W. M. Stoker

Field Notes of the Survey of the proposed County Road of Nathan Nelson No 2. and others.

Started at the SE corner of NE 1/4 Sec 36 in T4 S. R. 40 E. N. W. a

Fourth Judicial Day

Saturday Nov 10<sup>th</sup> 1888

It is therefore considered and ordered that all the proceedings herein be dismissed in accordance with said Decree of the Circuit Court. And it further appearing that there were costs on the trial of said cause in the Circuit Court as follows: Trial fees paid by the Plaintiff in said suit Henry Bauer \$600, Clerks fees \$170<sup>00</sup>, Sheriffs fees \$120 and Statutory atty fee \$100<sup>00</sup>, which costs are taxed up in said Judgment against the County. It is therefore ordered that the Clerk of this Court issue warrants on the Treasurer for Henry Bauer for said Trial and Atty fees, and for A. D. Neill for said Clerks fees and for A. N. Hamilton for said Sheriffs fees.

In the matter of the Proposed County Road petitioned for by Nathan Nelson et al No 1

This matter came on to be heard at this time on the mandate of the Circuit Court filed herein, And it appearing to the Court that this proposed road was heretofore regularly petitioned for reviewed & surveyed and ordered opened, and that afterwards a Writ of Review was sued out in the Circuit Court by G. H. M. P. Ames on certain alleged errors committed by this Court. And the Circuit Court having considered the matter and its <sup>made</sup> decree thereon as follows, viz:-

"Be it Remembered, that at a Regular Term of the Circuit 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 24<sup>th</sup> day of September A. D. 1888, the same being the fourth Monday in said Month, and the time fixed by law for holding a regular term of said Court, when were present:

The Hon James A. Dec, Judge, Presiding;  
 G. L. Rand Dist. Attorney,  
 A. D. Neill Clerk,  
 A. N. Hamilton Sheriff.

Then on Saturday the 6<sup>th</sup> day of October A. D. 1888 on the twelfth Judicial day of said Term, among others, the following proceedings were had, to-wit:-  
 G. H. M. P. Ames

The County of Union

Now at this time this cause came on to be heard upon the Petition for a Writ of Review and the Record of the County Court of Union County in said Cause, the Plaintiffs appearing by G. H. Crawford their attorney and the Defendant appearing by G. L. Rand,

South Judicial Day

Saturday Nov 10<sup>th</sup> 1888

District Attorney and Baker, Shelton & Baker, its Attorneys and the Court being now fully advised in the premises finds no error in the record of said proceedings in said County Court. It is therefore considered and ordered that said petition be and the same is hereby dismissed and that the restraining order heretofore issued in said cause be and the same is hereby dissolved and set aside, and that said Defendant have and recover off and from said Plaintiffs its costs and disbursements of this Suit to be taxed and that a mandate from this Court be sent to said County Court and Judgment be there entered in accordance herewith.

Leigned James A. Dee, Circuit Judge

But it appearing to the Court that an Appeal has been taken from the the Judgment of said Circuit Court to the Supreme Court of the State of Oregon, It is ordered that this matter be continued for the Term.

In the Matter of the }  
Proposed County Road }  
petitioned for by Nathan }  
Nelson et al No. 2. }

This matter came on to be heard at this time on the mandate on the Circuit Court filed herein, and it appearing to the Court that this proposed road was petitioned for, viewed and surveyed and ordered opened and declared a public highway of Union County Oregon, and that thereafter M. V. Porter sued out a Writ of Review in the Circuit Court of this County, on certain alleged errors of this Court, and said Circuit Court having considered the questions involved in said Writ of Review, made a decree in said cause as follows, to wit:-

Be it Remembered, that at a Regular Term of the Circuit 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 24<sup>th</sup> day of September A.D. 1888, the same being the fourth Monday in said Month, and the time fixed by law for holding a regular term of said Court, when were present:-

The Hon James A. Dee	Judge, Presiding;
J. S. Rand	Dist. Attorney,
A. J. Neils	Clerk
A. H. Hamilton	Sheriff.

When on Saturday the 6<sup>th</sup> day of October A.D. 1888 at the twelfth Judicial day of said Term, among others, the following proceedings



First Judicial Day

Wednesday July 3<sup>rd</sup> 1889

They met at D.W.C. Nelson's house on the 9<sup>th</sup> day of July 1889 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  
Road petitioned for  
by Nathan Nelson et al

Now at this time it appearing to the satisfaction of the Court that the Supreme Court of the State of Oregon has affirmed the Judgment of this Court heretofore rendered, declaring the Road petitioned for in the above entitled proceeding a public highway. It is therefore considered and ordered that J. M. Minshick Supervisor of the Road District wherein said road is situate, to-wit: Road District No 20, be and he is hereby ordered and directed to proceed at once to open said road to public travel. It further appearing that the time for taking an appeal from the award of the viewers in assessing damages in said matter has long since expired. It is therefore further ordered that the appeals of George W. Ames and M. P. Ames from said award to the Circuit Court of the State of Oregon for Union County be and the same is hereby disallowed and that the Notice and undertaking on Appeal heretofore filed in said Cause be and they are hereby stricken from the files thereof.

In the Matter of the Proposed  
Change in County Road pe-  
titioned for by Mary Nessley

Comes now Mary Nessley the petitioner for the above named proposed County road, and presents to the Court her petition praying for the location and establishment of a change in County road described as follows, to-wit: Commencing at a point about 33 rods South of the 1/2 mile post between Sections 29 & 32 & 2 & R 38 E. N.M. and eighty feet South of the point where the County Road, running North from La Grande through the center of Section 32 & 2 R 38 E. N.M. turns to the North East. Running there in a Northeastly direction 170 feet to a post on the County Road. 140 feet North East of the first above named point on the County Road. And petitioner alleges that she is the owner of the land both where the present County Road runs and where the proposed road as changed would be located. That said change would be on good ground, and