

Viewers Appointed Jnl E 511

Ordered opened

568

Road No 386
Petitioned for by John Mills et al

✓

Commencing at N. end of Dr Dell
bridge and then running about 200 ft S
of the N line of said NW 1/4 about
300 yards N of NE corner of said NW 1/4
of Sec 25 T 2 S R 27 E

RECORDED
INDEXED
FILED
NOV 1 1887
C.C. ST.

Petition for County Road

TO THE HONORABLE COUNTY COURT FOR Union-- COUNTY OREGON

The undersigned 10ischolders of Union-- County Oregon residing in the vicinity where the hereinafter described road is proposed 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

Commencing at a point-the same being the north end of the bridge across the Grande Ronde River at Ora Dell, Union County, Oregon-thence running in a northerly direction across parts of sections 36 & 25 in Township 2 south of Range 37 E-W-M- and along and around the brow of the hill thereon-over what is known as "Jack's Grade" to and intersecting the county road petitioned for by A Goode et als and known as the Fox Hill road-at a point marked in said county road survey as the 3rd monument-and being in the north-west quarter of sec 25 in Tp 2 south of Rge 37 East-about 300 feet south of the north line of said NW qr & about 300 yards west of the NE cor of said NW qr of said Sec 25-Tp 2 S Rge 37 East-the distance from said starting point at said Ora Dell road bridge and point of terminus being about 2 miles-and all in Union County-Oregon

And in duty bound your petitioners will ever pray &c

NAMES

NAMES

1	Robt. Milburn	Mitchell Lewis
2	D B Kreter	W. H. Look
3	Richard Geary	F. J. Johns
4	J. P. Blanton	L. J. Lacey
5	Colayton Lewis	W. S. D. Wier
6	Geo. W. Clark	Tom Carthy
7	C. S. Stothum	R. Walker
8	J. C. Warnstaff	John D. Denton
9	J. M. Warnstaff	Alfred Gushery
10	J. C. Fuller	Effert L. Taylor
11	Joseph Jones	Starr Walker
12	Ed. Cursley	J. C. Taylor
13	Ed. Wright	John S. Carl
14	Pat. Walsh	J. Squibb
15	John Brown	T. Howard
16	J. H. Montgomery	John Rymer Ford
17	C. A. Hamblane	C. S. Pumphrey
18	R. L. Cope, Sr.	R. E. Bryan
19	C. F. Hopkins	A. Jackson
20	J. C. Tolles	J. Frawley
21	W. C. ...	M. G. ...
22	R. D. ...	Lemon Bros
23	J. F. Sanders	R. M. Steel
24	Chas. Bair	F. W. Messly
25	J. D. Rahn	J. ...
26	J. J. Edwards	Ben ...
27	V. U. Lottis	J. H. Romig
28	Wm. Robbs	R. J. Rogers
29	George Krueger	J. M. M. Leall
30	John Babe	Wm. Moss
31	B. R. Baker	J. Cursley
32	Chas. Barnaby	J. G. ...
33	Joseph Truett	

STATE OF OREGON,
County of Union, } ss.

I, *O. J. Bell*

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

[Handwritten scribble]

~~thirty days previous to the presentation of the road petition therein mentioned; to-wit: On the _____ day of _____ 18____,~~

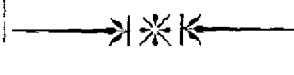
~~and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the _____ day of _____ 18____,~~ I posted a true and correct *being the one hereto attached* copy of said notice at the place of holding Court for *Union* County, Oregon, to-wit: On the front of the Court House door, in the City of Union, in said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

O. J. Bell

Subscribed and sworn to before me this *8* day of *July* 18*91*.

Turner Oliver Clerk
By *J. R. Oliver* Deputy

Notice of Road Petition



To all Persons Concerned You and each and all of you will take notice that the undersigned house holders 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 8th-- day of July--

1891 respectfully present to said Court a petition praying said Court to lay out alter and establish a County Road within said County on the following line or route to wit

Commencing at a point-the same being the north end of the road bridge across the Grande Ronde River at Ora Dell-Union County-Oregon-thence running in a northerly direction across parts of sections 36 & 25 in Township 2 south of Range 37 E-W-M-and along and around the brow of the hill thereon-over what is known as "Jack's Grade" to and intersecting the county road petitioned for by A Goode et als and known as the "Box Hill road" at a point marked in said county road survey as the 3rd monument-and being in the north-west qr of Sec 25 in Tp 2 south of Rge 37 East-about 300 feet south of the north line of said NW qr & about 200 yards west of the NE corner of said NW qr of said Sec-25-Tp 2 south of Rge 37 East-the distance from said starting point at said Ora Dell to the point of terminus being about 2 miles-and all in Union County-Oregon-

1	John Mills	Mitchell Lewis
2	D. B. Keptner	W. H. Link
3	Richard Geary	E. P. Johns
4	J. W. Dilinger	G. P. Jones
5	Clayton Brown	W. S. Brown
6	S. W. Clark	M. L. Carter
7	C. S. Lathin	R. Kelley
8	J. C. Mearns	John D. Jones
9	J. M. Mearns	Alfred Garbary
10	J. B. Fuller	Albert Stacy
11	Joseph Jones	Ston & Walker
12	Ed. Wesley	E. Foley
13	Ed. Wright	John S. Wade
14	Pat Welch	J. Squires
15	John Rogers	W. H. Hill
16	J. H. Mearns	John Ryerson
17	C. A. Habig	C. S. Dunphy
18	R. C. Johnson	R. E. Bryan
19	C. E. Hopkins	A. J. Jackson
20	H. R. Adams	J. Trawley
21	R. H. Adams	M. Kennon & Co
22	C. L. Adams	Gen. B. Ross
23	J. H. Sanders	R. M. Steel
24	Elmer Bair	F. W. Nessley
25	J. H. Bobb	J. M. Rhann
26	J. J. Edmunds	Ben Grandy
27	U. Potter	J. H. Romig
28	Wm. Bobb	R. J. Rogers
29	George Kuegel	J. M. M. Ball
30	John Baker	Wm. Moss
31	B. R. Berkner	J. Wesley
	Andrew Brady	A. J. Hughes
	Joseph F. Wallace	

June 29, 1891

FILLED.
JUL 5 1891
James Owen
County Clerk

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386

FILLED.
JUL 5 1891
James Owen
County Clerk

STATE OF OREGON,
County of Union

ss. I, *Wm Barger*
assisted *John Farrell* for posting

being first duly sworn, say that I ~~posted~~ ^{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 *on the Crockett Bridge, One on the Probstel Bridge, One at Stump Town and one on what is known as "Jacks Road"* all of said ~~places~~ ^{places} being in the vicinity of the road ~~petitioned for~~ ^{petitioned for} in Union County Ore

thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the *6* day of *June* 1891, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the _____ day of _____ 18____, I posted a true and correct copy of said notice at the place of holding Court for Union County, Oregon, to-wit: ~~On the front of the Court House door, in the City of Union, in said County and State,~~ and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

Wm Barger

Subscribed and sworn to before me this *8* day of *July* 1891.

Turner Oliver Clerk
By J. R. Oliver Deput

FILLED.

JUL 8 1891

James Davis

County Clerk.

BOND OF ROAD PETITIONERS.

Know All Men by These Presents, That we, S. B. Williamson
 and S. J. White, of the County of Union and State of Oregon, are held and firmly
 bound unto said County of Union in the sum of Two 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 22nd day of June A. D. 1891

Now, the condition of the above obligation is such, That, whereas ~~the above named~~ John
Niles and John Farnell, and others, have
 petitioned the County Court of said County of Union, at the July Term, 1891, thereof for a
 County Road, commencing at Ora old Bridge - at Ora
Ora, Union County, Oregon and
running on Jackson road - and
Fox Hill intersecting county road
petitioned for by A. Gold et al
all in Union County, Oregon

Now, if the above named S. B. Williamson and S. J. White
 shall well and truly pay, or cause to be paid, all costs and expenses that
 may be incurred by reason of the view or review of said Road, in case the prayer of said petitioners be not granted or allowed,
 then that this obligation shall be void, otherwise to remain in full force and virtue.

In Presence of
A. Williams
H. T. Williams

S. B. Williamson (L. S.)
S. J. White (L. S.)

STATE OF OREGON, }
 County of Union. }

I, S. B. Williamson and
S. J. White, each for himself, says, that I am worth the sum of Five
 Hundred Dollars over and above all debts and liabilities and property exempt from execution; that I am a resident and householder
 in said County and State.

Subscribed and sworn to before me this 22nd day of June A. D. 1891.

S. B. Williamson
S. J. White
A. Williams County Clerk.
 Notary Public
 Oregon

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

IN THE MATTER OF THE

ROAD.

BOND OF ROAD PETITIONERS.

Approved _____ 189

County Judge.

Filed July 8 189

James Oliver

County Clerk.

By *J. P. Oliver*

Deputy.

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To the Hon County Court
Union County, Oregon.
We the undersigned tax
payers and householders
in the vicinity of the road
do hereby petition your
honorable body to appro-
priate funds and purchase
the lease and bridges known
as the Fox Hill Road near
Ora Dell, Union Co. Oregon
from ~~the~~ ~~land~~ ~~owner~~ ~~and~~ ~~owner~~ ~~and~~ ~~owner~~
Dated this June 10 1891

- | | |
|-------------------|-------------------|
| John Pearson | W. H. Hogan |
| R. M. Hill | M. W. Mann |
| S. J. White | Alb. L. Kountz |
| A. G. Clark | R. J. Rogers |
| Simon Ross | J. R. Remington |
| G. W. Kuchman | J. W. Nesley |
| J. G. Jones | Henry W. Idry |
| W. H. Lewis | Joseph Jones |
| J. Frawley | Gas Tribune |
| McCarthy & Kelley | James S. Holbrook |
| Dr. J. J. ... | W. D. Horton |
| B. S. Duntchev | R. J. Mellquist |
| M. ... | Frank ... |
| Newlin Palmer | J. Koesch |
| Ben Grandy | |
| J. ... | |

M. M. McCall
Wm. Moss
J. Wesley
A. J. Hughes

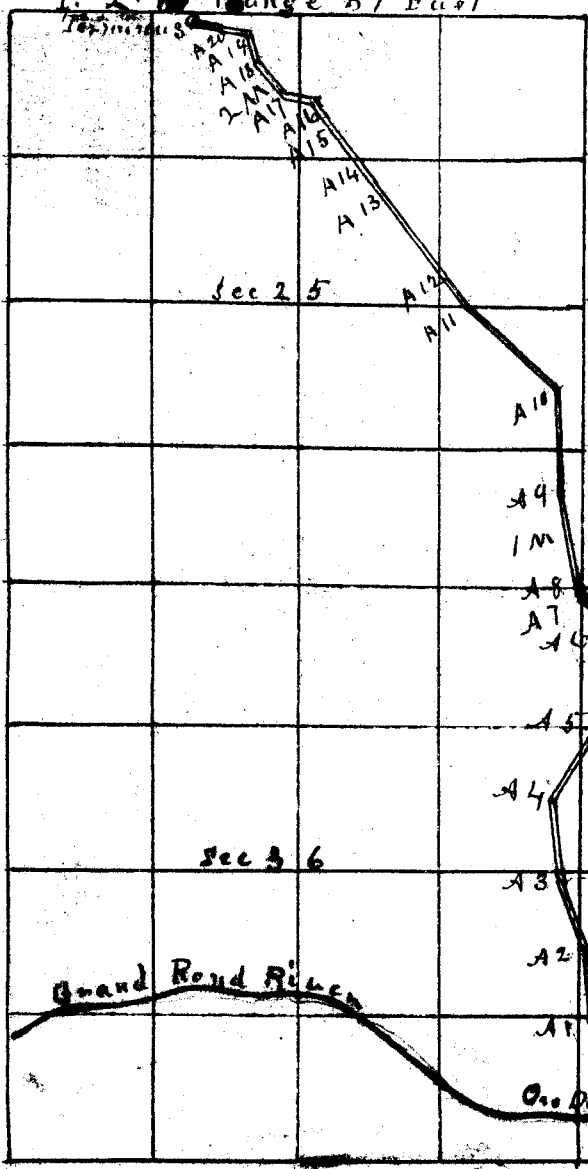
James Oliver
County Clerk

JUL 8 1891

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T. 2. S. Range 37 East



True Meridian
 True Var 20° East
 Scale 3 in To The Mile

T. 2. S. Range 37 East

Sec 31

Grand Rond River

O. Bell Beginning

PAID.

AUG 6 1891

James Owen
County Clerk.

Field Notes

Of the survey of a proposed County Road as
Petitioned for by John Mills et al

Done July 24 - 1891

Beginning at the north end of the Bridge at
Oro Dell and running thence N 25° W

12 40	Chs to	A 1	Thence	N 2°
8 40	"	" 2	"	" 47°
9 40	"	" 3	The 1/4 Sec corner between Sects 36 and 31 bearing N 57° E distant 2 58 Chs	
			Thence	N 9° W
11 00	Chs to	A 4	Thence	N 28° E
11 45	"	" 5	"	6° 30' E
12 32	"	" 6	"	45° W
5	"	" 7	"	12
2 80	"	" 8	The Sec corner between Sects 25 and 36 bearing N 12° East distant 3 Chs	
			Thence	N 8° W
7 25	Chs to	1 mile station	Thence	N 8° W
6 77	"	" A 9	"	" 3
13 73	"	" " 10	"	49° 30' W
16 80	"	" " 11	"	59°
4 22	"	" " 12	"	37°
14 00	"	" " 13	"	36°
4 90	"	" " 14	"	39°
5 25	"	" " 15	"	38°
5 -	"	" " 16	"	48°
4 20	"	" " 17	"	33°
6 18	"	" 2 mile station		

Thence N 33° W

1 41	Chs to	A 18	Thence	N 80
6 -	"	" 19	"	58
4 50	"	" 20	"	34
4 -	"	The terminus of the Road, all stations and Points on the Road marked with Rocks as for <u>instructions</u> Whole Distance 2 Miles 55 Rods and 40 Chs		

J L Curtis

Surveyor

FILED

AUG 2 1891

James Owen
County Clerk

FILE

To the Hon County Court I have tried to get the
Deacons in the matter of the County Road as Petitioners
for by John Mills et al to report as I understand
the Order of the Court: but they will not see it my
way and perhaps I am wrong:

The way I look at the Order is this:

- 1st The Feasibility of the Route
- 2 The Value of the Jack Tranel improvements
- 3 Whether it would ^{be} for interest of the County to buy the same
- 4 The maximum price to be paid

I argued this to the Deacons more than I
had any right to do, and then left them to
make their own report

Very Respectly

J L Curtis

PAID

AUG 5 1891

James Davis
County Clerk

386

First Judicial Day.

Wednesday, July 5th 1891.

said mortgage should be assessed at \$350. It is ordered and adjudged that the Sheriff holding delinquent Tax thereon for 1890 reduce the taxes on said mortgage and collect only as upon value of \$350 of said mortgage and that the Assessor be instructed to assess said mortgage for 1891 at said \$350.

In the matter of the proposed
County Road petitioned for
by John Miller et al

Complainer John Miller 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 a point - the same being the north end of the bridge across the Grande Ronde River at Oro Dell, Union County Oregon. Thence running in a northerly direction across parts of sections 36 & 25 in Township 2 South of Range 37 E. N. W. and along and around the brow of the hill thence, over what is known as "Jack's Gade" to and intersecting the County Road petitioned for by A. Good et al and known as the Fox Hill Road, at a point marked in said County road survey as the 3rd monument, and being in the north west quarter of Sec 25 in Twp 2 South of Range 37 East, about 300 feet south of the north line of said N.W. quarter and about 300 yards west of the N.E. corner of said N.W. quarter of said Sec 25 Twp 2 S of Range 37 East N. W. 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

First Judicial Day. Wednesday July 5th 1891

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, ~~to wit~~: at the front door of Court house in Union County of Union State of Oregon, and also in three public places in the vicinity of said proposed Road One at the Oro Hill Bridge, One on the Prosser Bridge, One at Swamp Town, and one on what is known as Jack's Grade, all of said places being in the vicinity of said proposed road. 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 cost of this proceeding has been duly given. It is therefore ordered that J. R. Kellogg, Jas. H. Alley and Joe Parker be appointed Viewers of said Road and that J. L. Curtis be appointed Surveyor of said road, and that they meet at Oro Hill Bridge on the 21st day of July 1891 at the hour of 10 o'clock A. M. and after qualifying to view, survey and lay out said road according to Law. And it appearing to the Court that a petition has been filed asking the Court to buy what is known as "Jack's Grade" for the County. It is further ordered that the viewers above appointed appraise the said property and report to the Court what the same is worth, and whether it would be to the best interest of the County to buy the same and if so at the maximum price that ought to be paid therefor.

First Judicial Day

Wednesday Aug 5th 1891.

and the petitioners who file counter affidavits, and after hearing the testimony of several witnesses on behalf of petitioners and promoters the Court finds that there fourteen legal householders living in the vicinity of the proposed road represented on the petition and only twelve on the remonstrance. It is therefore considered and ordered by the Court that said remonstrance be dismissed.

In the matter of the
Road petitioned for by
J. W. Hallinger et al }

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, are laid over for further consideration on some other day of this term.

In the matter of the road
petitioned for by Jesse
Doubler in his own right }

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, are laid over for further consideration on some other day of this term.

In the matter of the road
petitioned for by John Miller
et al }

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, are laid over for further consideration on some other

First Judicial Day.

Wednesday August 5 1891

day of this term of Court.

In the matter of the road
petitioned for by Robt.
Ruckman in his own right

This matter came on to be heard
at this time on the report of the Viewers and Surveyor hereto-
fore appointed Hyman. And said reports having been read in open
Court for the first time, they are laid over for further con-
sideration on some other day of this term of Court.

In the matter of the claim
of Geo M. P. Hwy for additional
damages on Road petitioned
for by J. Q. Shindler et al

This matter came on to be heard
at this time on the ~~apprehended~~ report given by two of the
appraisers in the above entitled matter, having been continued
over from last term for further consideration at this time, and
the Court having considered the matter and talked with a
third appraiser, and he being sure that the amount reported
was the amount intended to be reported, and the Court being
of the opinion that to open up the matter now would allow
all parties affected by the Road to file additional claim for
damages, and would not be justice to the tax payers of the
County, It is therefore considered and ordered that said
claim be dismissed

In the matter of the dis-
tribution of Road Funds

At this time it appearing to the Court
that Jacob Huey, Road Supervisor of Road District No 14
ought to have an additional opportunity to carry on the work

Second Judicial Day

Thursday Aug 6th 1891

In the Matter of the Road }
petitioned for by John Mills et al }

This matter came on to be heard at this time on the petition of numerous citizens asking the Court to purchase for the County the lease and bridges known as the Fox Hill road and upon the report of the viewers heretofore appointed to view said road and report the maximum price that ought to be paid for the same and it appearing to the Court from said petition that many of the heaviest taxpayers of the County have urged the Court to purchase said road and all the interests therein held by Jack Darvell and that the same ought to be purchased and made a public County Road and that said appraisers have reported the maximum price to be paid for said property at \$850 and comes now Jack Darvell who holds the lease for said lands from Mrs Mahaffey and who owns the grade and bridges on said road and after some negotiation offers to take \$700⁰⁰ for all interests he has in and to said road and bridges and to assign the lease he holds from Mrs Mahaffey to the lands, to Union County and it appearing to the best interests of Union County to purchase said road and bridges for said price It is therefore considered and ordered by the Court that said proposition be accepted and said Darvell having signed the lease to Union County and that warrants be issued in favor of the said John Darvell for the sum of \$700⁰⁰

In the Matter of the proposed County }
Road petitioned for by John Mills et al }

This Matter came to be heard at this time on the reports of the Viewers and Surveyor heretofore appointed, herein for a second reading as provided by law, and the Report of Viewers being in words following to-wit:

Report of Viewers

To the Honorable County Court for Union County Oregon:

Second Judicial Day

Thursday Aug 6th 1891.

The undersigned viewers heretofore on the 8th day of July 1891 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 John Mills et al, beg leave to report that on the 24th day of July 1891 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 & established as a public highway of Union County Oregon, that the same is practicable and would add 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, we further report that it would be to the interest of the County to purchase the same and that the maximum price be \$850

J. R. Kellogg
E. J. Parker } viewers
J. P. Haller

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 term of the court, and it appearing to the court that said Viewers report favorably thereon, and recommend 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 John R. Farrell which have heretofore been purchased 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 report of the viewers that such roads will be of public utility it is therefore considered and ordered by the court that said reports of the viewers and surveyor be approved and adopted by the Court and that said proposed road be declared a public

Second Judicial Day

Thursday Aug. 6th 1891

highway of Union Co. Oregon and ordered opened up and placed in repair for travel according to law. It is further ordered that the report of the viewers be placed on record in this Journal, and that the surveyor's plat of the proposed road and his field notes of the survey thereof be placed on record in the book of plats of County roads of Union County, Oregon, and that John Rymareon Road Supervisor of Road District No. 44 the same being the road district in which said road is located, be furnished with a copy of the petition herein, and a copy of this decree and ordered to open up said road and place the same in repair for travel.

In the Matter of the proposed Road }
petitioned for by R. D. Ruckman }

This matter came on to be heard at this time on the Report of Viewers and Surveyor for second reading and on the objections filed by E. J. Couper and it appearing to the Court from said objections of E. J. Couper under oath that said road sought to be vacated is not entirely on the lands of R. D. Ruckman and that said road would be materially lengthened to the detriment of the public, it also appearing from the report of the viewers that said road would be lengthened 49 rods and the Court having no legal right under the showing made to grant said petition. It is ordered that the same be dismissed.

In the Matter of the proposed }
County road petitioned for by J. Q. Walling et al }

This matter came on to be heard at this time on the reports of the Viewers and Surveyor heretofore appointed herein for a second reading as provided by law, and the reports of Viewers being in words following to-wit:

Report of Viewers

To the Honorable County Court for Union County Oregon: