

No. 32

*Count*

Court

*Sam. & Bloch*

Plaintiff

vs

*William M. ...*

Defendant

*By ...*

Attorney for Plaintiff

Attorney for Defendant

Petition filed Aug 3<sup>rd</sup> 1891  
Viewers appointed Jul 6<sup>th</sup> 550  
Claim for damages 598  
Appraisers Rep t F 29  
Petitioners to pay for damage

390

Petitioned for by  
John W Cowan et al

Commencing at the west line  
of the Corporate limits  
of La Grande opposite the  
west end of P St and ter-  
minating at the Co Road at  
the North end of River  
House Bridge in Sec  
31 T<sup>2</sup> S R 37 E

To the Hon. County Court of Union County-Oregon.

We-the undersigned-householders for Union County-Oregon-residing in the vicinity where the hereinafter described road is proposed to be-do hereby petition your honorable body to lay out and establish a County road within said County on the following line or route-to-wit:

Commencing at a point on the west line of the corporate limits of the City of LaGrande-Union County-Oregon opposite to the west end of "D" Street of said City-thence running in a direction south of west up and along Deal Canyon-thence following the most practicable line or route in same direction across Section seven (7) in Township 3 south of Range 38 East of W.M.-and across Sections 12-11-5-4 & 3 in Township 3 south of Range 37 E.W.M near the dwelling houses of George Pitts-George Foster-Peter C. Troyer and Abraham Stover and terminating at the County Road petitioned for by J.N. McKissock et als-at the north end of the bridge across the Grande Ronde River-known as the River House Bridge-being in Section 31 in Township 2 south of Range 37 East of the Willamette Meridian-in Union County Oregon-said road being about 9 miles long.-- Dated at LaGrande-Oregon-June 19th 1891.

Names.

Names.

Andrew Houser	C. W. Bristow
John W. Cowen	W. J. Saling
O. Cransell	J. W. Saling
Henry Martin	J. W. Saling
C. W. Helander	D. Thompson
R. E. Hills	J. J. Beauchamp
Delton G. Jaeger	W. R. Hill
A. L. Stover	Ben W. Grandy
F. T. Childers	L. K. Kelly
J. A. Grason	C. L. Lister
A. J. Bryan	Ben Brown
C. H. Lanning	J. J. Zimmerman
J. G. Thompson	
J. A. Bristow	

La County Court  
Wasco County  
Oregon

Return for  
Road by  
John W. Cowan  
Etc

FILED.

AUG 3 1891

James Oliver  
County Clerk.

From the Office of

C. H. FINN, Attorney at Law,

LA GRANDE, OREGON.

REPLICA PRINT, UNIV. OREGON.

John Repman  
M. J. Bunker  
J. L. Bunker

STATE OF OREGON,

County of Union } ss.

I, John W Cowen being first  
duly sworn, on oath say, that I posted three notices (a copy of which is hereunto annexed) of the  
proposed road, in the following <sup>public</sup> places, to-wit: one on the old gate  
post of Deals near the commencement of  
the proposed road another on the top  
of the hill near the Rigels place  
and one on the line of the road  
between Troyess & C. W. Bristolers  
all in Union County, Oregon

and one at the Court House door, in Union in said Union  
County and State of Oregon, thirty days prior to the presentation of petition herein, and that all of  
said petitioners are householders residing in the vicinity of said proposed road in said  
Union County and State of Oregon.

John W Cowen

Subscribed and sworn to before me, this 1<sup>st</sup> day of August A. D. 1891

M. T. Williams  
Notary Public  
Union Oregon



# Notice of Road Petition.

—0—

To all Persons Concerned: You, and each and all of you, will take notice that the undersigned, householders for Union County, Oregon, residing in the vicinity where the hereinafter described road is proposed to be, will at the next session of the County Court for Union County, Oregon, to-wit: On Wednesday, the Fifth day of August A. D. 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 on the west line of the corporate limits of the city of La Grande Union County Oregon opposite to the west end of P Street of said city, thence running in a direction South of West, up and along Deal Camp following the most practicable line or route, in some directions across section seven in township 2 South of Range 35 east of W.M. and eight sections 12-11-5-4 & 3 in township 3 South of Range 37 W.M. near the dwelling houses of George Pillsbury George Foster Peter C. Trayer and Abraham Stover and terminating at the county road petitioned for by J.H. McKissack et al at the north end of the bridge across the Grande Ronde river known as the river house bridge being in section 31 in township 2 South of range 37 east of Wahamette Meridian in Union County Oregon, said road being about nine miles long.

Dated at La Grande, Oregon, this 5th day of August 1891

NAMES:

NAMES:

Andrew Hansen  
 J. W. Bowen  
 O. Brandt  
 Henry Martin  
 C. W. Belander  
 R. C. Hill  
 Peter J. Meyer  
 A. Stover  
 F. J. Childes  
 J. A. Brauer  
 J. H. Brown  
 A. L. Lanning  
 J. H. Thompson  
 J. A. Bristow

C. W. Bristow  
 J. H. Sabin  
 D. J. Thompson  
 J. R. Treachump  
 W. R. Hill  
 W. J. Sabin  
 J. W. Sabin  
 Ben W. Gandy  
 L. K. Kelly  
 Liberator  
 Ben Brown  
 J. J. Gandy  
 G. S. Gandy


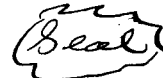
Bond for costs in the matter of  
the county road petitioned for  
by Andrew Hansen and others

Whereas Andrew Hansen and others  
have petitioned for a county road  
commencing at a point on the west  
line of the corporate limits of the  
city of Sea Grande Union County  
Oregon opposite to the west end  
of P Street of said city. thence  
running in a direction southerly  
west up and along Seal canyon  
thence following the most practica-  
ble route in the same direction  
across Section seven (7) in Township  
3 South of Range 38 East of W W  
and across sections 12-11-5-4+3 in Town-  
ship 3 South of Range 37 E W W  
near the dwelling houses of George  
Pitts George Foster Peter Kroger  
and Abraham Stover and terminating  
at the county road petitioned for  
by J. H. McKissock et al - at the  
north end of the bridge across  
Grande Ronde River known as  
the River House Bridge - being in  
Section 31 in Township 2 South



Range 37 East of Willamette Meridian  
in Union County State of Oregon  
said road being about 9 miles long  
now we John W Cowen and

are held and firmly bound  
by these presents to Union County  
State of Oregon to pay all costs  
and expenses not to exceed the sum of two  
hundred dollars that may be in-  
curred by reason of viewing and  
surveying the above described county  
road petitioned for provided  
said petition be not granted  
Witness our hands and seals this  
day of August 1891

John W Cowen   


State of Oregon }  
County of Union }<sup>ss</sup>

I John W Cowen and  
each for himself being first duly  
sworn say that I am ~~worth~~ the  
sum of two hundred dollars over  
and above all my just debts and  
liabilities, exclusive ~~from~~ property ex-  
empt from execution and that I  
am a householder within the  
State of Oregon  
John W Cowen

Subscribed and sworn to before  
me this 1<sup>st</sup> day of August  
a.d. 1891

H. T. Williams  
Notary Public  
In & for  
Oregon

La Courty Court  
Huron County  
Oregon

Bonds, Affidavit  
in Notice -  
Road returned  
by John W  
Cowan et al

FILLED.

AUG 3 1891

Thomas Oliver  
County Clerk.

From the Office of

G. H. FINN, ATTORNEY AT LAW,  
LA GRANDE, OREGON.

REPRODUCTION PRINT, UNION, OREGON.

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 5<sup>th</sup> day of August, 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 W Gowan, et al, beg leave to report that on the 18<sup>th</sup> day of August, 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 and 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.

W G Hunter  
John Pyneason  
VIEWERS.

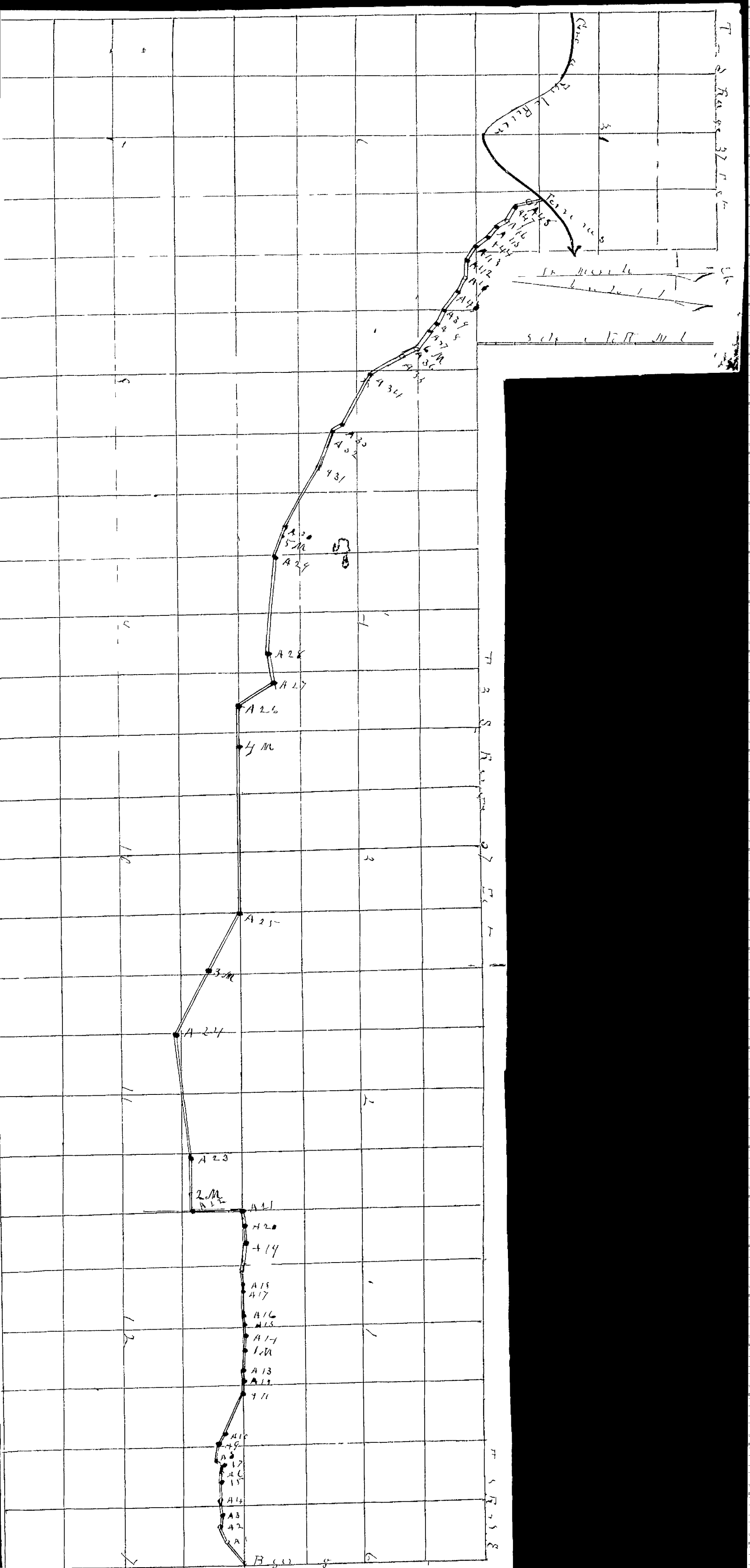
**FILLED.**

SEP 2 1891

*James O'Brien*

County Clerk.

County Clerk, Office of James O'Brien, 1891



F

S-P 2 1501

*James Owen*  
Company

## Field Notes

Of the survey of a county Road as Petchained for by  
 Jas W Cowan et al, Done Aug 18<sup>th</sup> 1891

Beginning at a point on the west side of the corporate limits of  
 the Town of La Grand Union County Oregon opposite to the  
 west end of P. Str and running Thence S 82° W

10 00	La A 1	" " 65° "
6 75	" " 2	" " 82° "
4 00	" " 3	" S 84° "
5 00	" " 4	" " 81° "
7 00	" " 5	" " 86° "
3 22	" " 6	" N 86° "
2 13	" " 7	" S 82° W
3 00	" " 8	" N 78° W
5 36	" " 9	" " 56° "
3 35	" " 10	" " 65° "
14 00	" " 11	" " 54° "
4 00	" " 12	" " 62° "
3 00	" " 13	" " 60° "
9 19	1 Mile Station	" " 60° "
2 75	" " 14	" " 86° "
3 10	" " 15	" S 70° "
2 16	" " 16	" S 60° 30' "
9 88	" " 17	" " 60° "
4 62	" " 18	" N 67° "
16 75	" " 19	" " 85° "
9 44	" " 20	" S 42° "
9 00	" " 21	" S
17 30	" " 22	" W
5 00	2 M Station	" W
13 00	" " 23	" S 85° W
40 50	" " 24	" N 64° "
22 50	3 M Station	" " " "
21 50	" " 25	" W
68 50	4 M Station	" " "
12 70	" " 26	" N 31° 30' W
14 00	" " 27	" S 78° "
10 00	" " 28	" N 88° "



33 70	5 <sup>n</sup>	A 29	Thence N 69° W
4 60	"	" 30	5 mile Station " " 59° "
2 4 00	"	" 31	" " 69° "
1 2 00	"	" 32	" " 27° "
3 50	"	" 33	" " 61° "
1 8 20	"	" 34	" " 24° 30' "
1 2 20	"	" 35	" " 20° "
8 60	"	" 36	" " 37° "
1 20	"		6 mile Station " " 37° "
6 40	"	" 37	" " 29° "
3 55	"	" 38	" " 20° "
4 70	"	" 39	" " 11° "
7 00	"	" 40	" " 17° "
5 50	"	" 41	" " 41° "
5 20	"	" 42	" " 17° "
<del>4 50</del>	<del>"</del>	<del>" 43</del>	<del>" " 22° "</del>
7 00	"	" 44	" " 31° "
4 00	"	" 45	" " 57° "
4 15	"	" 46	" " 40° "
4 40	"	" 47	" " 59° East
5 00	"	" 48	" " 26° W

2 30 " The north end of the Bridge across Grand  
 River and the terminus of the Road making  
 the whole distance 6 miles and 252 Rods

J L Curtis  
 Surveyor

**FILLED.**

SEP 2 1891

*James Owen*

*County Clerk*

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

In the the matter of the County Road }  
Petitioned for by Andrew Hansen Et al

To the Hon County Court sitting as a  
Board of County Commissioners within and  
for said county and State

The petition of Geo H Foster respectfully  
shows:

That petitioner is in the possession of and  
claims the following described lands as his  
homestead to wit:  $NE\frac{1}{4}$  of  $SE\frac{1}{4}$  and  $S\frac{1}{2}$  of  $SE\frac{1}{4}$   
and  $SE\frac{1}{4}$  of  $SW\frac{1}{4}$  Sec Four in Twp 3 S Range  
37 E.W.M in Union County Oregon

That the proposed road prayed for in the above  
entitled proceeding if established and  
opened will run upon said land about as  
follows commencing about ten chains west of  
the  $SE$  corner of section four in township  
three south of range 37 E.W.M running thence  
west northwest about twelve chains thence  
westwardly about forty two chains thence north  
westwardly about ten chains to the west line  
of  $SE\frac{1}{4}$  of  $SW\frac{1}{4}$  sec 4 Twp 3 S R 37 E.W.M.

That said road will occupy a strip of land about  
~~One hundred and fifty feet~~  
~~sixty four~~ chains long and sixty feet wide  
to petitioners damage in the sum of Fifteen hundred  
dollars

That petitioners will be specially damaged by the  
establishment and opening of said proposed road  
upon and over his said land as follows

That if said road is established petitioner will  
be compelled to build and construct additional  
fencing for a distance of sixty four chains for  
the protection of his crops on his said land  
along said proposed road and that he will be  
compelled to lay out and expend for that purpose  
the sum of Three hundred dollars  
and in the sum of fifteen hundred dollars in all

Wherefore petitioners prays that three ~~disinterested~~  
householders of said county may be appointed  
to view and assess said damages for petitioner  
and that said proceedings to open said road may  
be stayed until such damage are reported to the  
Hon Court and paid by said petitioner for said  
road or the county court and that petitioner be  
allowed the sum of fifteen hundred dollars  
damages as aforesaid

Geo. W. Foster,

State of Oregon }  
County of Union }

I George H Foster being first  
duly sworn say I am the petitioner above named  
and that the foregoing petition is true as I verily  
believe

Geo. H. Foster,  
Subscribed and Sworn to before me this 9<sup>th</sup> day  
of Sept - 1891

Turner Oliver Clerk  
By J. R. Oliver Deputy

South County Court  
The State of Oregon  
for  
Linnon Beverly Oregon

In the Matter of the  
Proposed County Road  
Petitioned for by Andrew  
Hanson et al.

Petition of  
Hanson & others for  
\$1500.00 damages

**FILED.**

SEP 9 1891

James Davis  
County Clerk.

# REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

We, the undersigned viewers heretofore on the 9 day of Sept 1891, appointed to view out and assess the damages claimed by Geo H. Foster in the matter of the proposed county road, petitioned for by John W. Cowan et al. \_\_\_\_\_ beg leave to report that on the 26<sup>th</sup> day of Sept, 1891, we, after being duly sworn to discharge our duty faithfully and impartially, proceeded to view said proposed road the whole distance through the premises of Geo H. Foster, complainant, and to assess and determine how much less valuable said premises of said complainant would be rendered by the opening of said road, and we find that the premises of said complainant \_\_\_\_\_ would be rendered \$ 600<sup>00</sup> less valuable, and that the premises of complainant \_\_\_\_\_ would be rendered \$ \_\_\_\_\_ less valuable, and the premises of the complainant \_\_\_\_\_ would be rendered \$ \_\_\_\_\_ less valuable by the laying out and establishment of said proposed road as a public highway of said county, and recommend that the same be paid to said complainant before laying out and establishing said road as a public highway.

John A. Childers  
W. W. Bartness  
E. Mulholland

**FILED.**

OCT 19 1891

*James Oliver*

*County Clerk.*



Be it Remembered, that at the Regular Term of the County Court of the State of Oregon for the County of Union begun and held at the Court House in the City of Union in said County and State, on Wednesday the 5<sup>th</sup> day of August A.D. 1891 the same being the Wednesday after the first Monday in said month and the time fixed by law for holding a regular term of said Court when were present:

The Hon. J. N. Sanders Judge Presiding

The Hon. John McDonald Commissioner

The Hon. W. D. Arnold Commissioner

Thomer Oliver Clerk

J. D. Buller Sheriff

Due Proclamations of the opening of Court having been made the following proceedings were had to wit:

In the Matter of the Proposed Road  
petitioned for by John Cowan et al

Come now John Cowan 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 on the west line of the corporate limits of the City of La Grande, Union County Oregon opposite to the west end of P. Point of said City; thence running in a direction north of west up and along Dead Canyon; thence following the most practicable line en route in parallel direction across Section seven (7) in Township 3 South of Range 38 East of M. M. and across Sections 12, 11, 5, 4 & 3 in Township 3 South of Range 37 E. W. M. near the dwelling houses of George Pitts, George Foster, Peter C. Croyma and Abraham Sloan and terminating at the County Road petitioned for by J. N. Kiseick et al at the north end of the bridge across the Grande Ronde River, known as the River house bridge, being in Section 31 in Township 2 South of Range 37 East of the Willamette Meridian in Union County Oregon. Said

First Judicial Day.

Wednesday August 5<sup>th</sup> 1891.

road being about 9 miles long. Dated at Tal Grande, Oregon, June 19<sup>th</sup> 1891.

And it appearing to the Court that said petition is signed by more than twelve householders of this County residing in the vicinity of said proposed road, and that said petition properly specifies the place of beginning, intermediate points and place of termination of said road, and it satisfactorily appearing to the Court that notice has been given by advertisement posted at the place of holding County Court, to-wit: At the front of Court house door in the County of Union, State of Oregon, and also in three public places in the vicinity of said proposed road, to-wit:

One on the old gate post of Deeks near the commencement of the proposed road, another on the top of the hill near the Rigels place and one on the line of the road between Troyer's and C.W. Bristow's all in Union County, Oregon 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 John Rynearson, N. G. Hunter and J. L. Carmiss be appointed Viewers of said road, and that J. L. Curtis be appointed Surveyor of said road, and that they meet at Tal Grande, on the 11 day of August 1891. at the hour of 10 o'clock A.M. and after qualifying, to view, survey and lay out said road according to law.

In the matter of the  
Road petitioned for by  
H. H. Grubb et al }

This matter came on to be heard at this time on the report of the appraisers heretofore appointed to assess the damages that would accrue to E. J. Mills

First Judicial Day

Wednesday Sept 9<sup>th</sup> 1891

In the Matter of the Resignation }  
of J. D. Corbett Justice of Peace }

This Matter came on to be heard at this time on the Resignation of J. D. Corbett, Justice of the Peace of Hilgard Precinct, heretofore filed herein and the Court not being fully advised in the matter It is considered and ordered that this matter be continued for the term, and the said Corbett having consented to serve as J.P. It is ordered that said Resignation be overruled.

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

This Matter came on to be heard at this time on the Report of Viewers and surveyor heretofore appointed herein for first reading as required by law, and also upon the claim of Geo H Foster for damages on account of the location and establishment of said proposed road, and said report of viewers having been read in open Court for the first time is laid over for farther reading at some other time, and it appearing to the Court from the petitioners claim for damages filed herein that the said Geo H Foster would be damaged in the sum of \$1500<sup>00</sup> on account of said proposed road, It is therefore considered and ordered that Frank Bartmess, John A Childers and Ed Mulholland be appointed Viewers to examine the premises of said George H Foster the whole distance through which the said proposed road would pass and to report to this Court at the next regular term thereof, how much less valuable the premises of the said Geo H Foster would be rendered by reason of the construction of the said proposed road and that they meet at La Grande Oregon on the 26<sup>th</sup> day of Sept a.d. 1891 and proceed to view and render their report accordingly

Third Judicial Day

Wednesday Nov 4<sup>th</sup> 1891

in open Court for the first time of this term and laid over for further consideration on some other day of this term.

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

This matter came on to be heard at this time on on the report of the appraisers heretofore appointed herein to assess the damages that would accrue to Geo. H. Foster by reason of the location and establishment of the said proposed road, which report in writing is in words and figures following to-wit:

### Report of Viewers

To the Honorable County Court for Union County Oregon:  
We, the undersigned viewers heretofore on the 9<sup>th</sup> day of Sept 1891 appointed to view out and assess the damages claimed by Geo H Foster in the matter of the proposed county road, petitioned for by John W Cowan et al beg leave to report that on the 26<sup>th</sup> day of Sept 1891, we, after being duly sworn to discharge our duty faithfully and impartially proceeded to view said proposed road the whole distance through the premises of George H Foster complainant and to assess and determine how much less valuable said premises of said complainant would be rendered by the opening of said road, and we find that the premises of said complainant would be rendered \$600<sup>00</sup> less valuable by the laying out and establishment of said proposed road as a public highway of said county, and recommend that the same be paid to said complainant before laying out and establishing said road as a public highway

John A Childers  
J. M. Bartness  
E. Mulholland

Thereupon it was ordered that said report be approved and it appearing to the Court that said road would not be of sufficient public utility to warrant the Court in paying the damages out of the County Treasury It is therefore ordered that said road be opened when the petitioners have paid the damages