

No 438

IN THE MATTER OF A  
COUNTY ROAD,

PETITION OF

J. E. Stephenson  
et al

beginning at Old Steam plaver in  
old Town of La Blanche  
and terminating at 20 mile

tree on said road

Petition Filed Nov 7 1893

affidavit of Posting Filed Dec 6 1893

Bond Filed Nov 27 1893

Order appointing Viewers and Surveyor  
made Dec 6 1893

On page 213 of Commissioners Journal

Oaths Filed 189

Viewers Reports Filed Dec 14 1893

Viewers Report Read 1 time Jul 6 1893

Order of Court made opening road  
Journal of 27/1

Platted

This is for a right of all persons  
to use the land which has been  
platted for the use of the  
town of La Blanche

# Petition for County Road.

TO THE HONORABLE COUNTY COURT FOR Wasco COUNTY, OREGON:

The undersigned, householders of Wasco 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 the old steam fluming Mill in the south western portion of Laprade in Wasco county Oregon thence the most practicable route to intersect the present county road leading from the mill mill up Mill Creek across and beyond Rock Creek in Wasco county at its two mile tree an the old county road.

And in duty bound your petitioners will ever pray, &c.

NAMES:

NAMES:

- J. E. Stephenson
- Sam Weather
- M. W. Whitlark
- M. H. Anson
- A. Sundman
- M. Anderson
- M. D. Sanderson
- George Lyette
- W. B. Watson
- Leonard W. Fairish
- F. E. Baker
- S. J. Baker
- J. L. Curtis
- W. J. Tibman
- A. H. Garrett
- Barton (Denny)

- J. Holmen
- J. Weather
- H. A. Hansen
- V. B. Phillips
- R. P. Fair
- John Weather
- A. B. Turner

PAID

Nov 1 1898

James Owen

County Clerk

STATE OF OREGON, }  
County of Union. } ss.

I, J. W. Dymon being first duly sworn, say that ~~I posted three several notices, of~~

~~which the notice herunto attached is a true and correct copy, in three public places in said County in the vicinity of the pro-~~  
~~posed road therein described, to-wit: One~~

~~Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the~~ day  
~~of~~ 18

~~therein mentioned, to-wit: On the~~ 1<sup>st</sup> day of November 1893, 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.~~

of Stephenson et al for County Road

J. W. Dymon

Subscribed and sworn to before me this 6<sup>th</sup> day of Dec 1893

James Oliver Clerk

# Notice of Road Petition.



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 6<sup>th</sup> day of ~~December~~

A. D. 1893, 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 the  
old stump planting mill in the south  
western portion of Lafonde in Union County  
Oregon thence the most practicable route  
to intersect the present county road  
leading from the mill Mill Mill  
Creek across and beyond Rock Creek in  
Sill County at the two mile tree on  
the mill county road

NAMES:

- J. E. Stephenson
- Sam Weathers
- M. W. Whittaker
- N. H. Arson
- A. Sundman
- M. Anderson
- M. D. Sanderson
- George Gettle
- W. B. Watson
- Lionard W. Smith
- L. E. Baker
- Lloyd Baker
- J. L. Curtis
- W. Silman
- J. H. Garret
- Barton Depp
- J. Weathers

NAMES:

- A. Holmen
- H. A. Hansen
- V. B. Phillips
- R. P. Tait
- John Weathers
- A. B. Lums

Noted November 17<sup>th</sup> 93  
G. W. Damm

STATE OF OREGON, }  
County of Union. } SS.

I, Hance A. Hansen 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 on the old Stearns plowing Mill where will Road is to commence on a large turn in a public place on a main trunk Road near the river proposed road and one on the two mile turn at the terminus of said proposed Road.

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 25<sup>th</sup> day of Oct - 1893, 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          notices remained posted thirty days previous to the presentation of said petition as I verily believe.

Subscribed and sworn to before me this 6<sup>th</sup> day of December 1893  
H. A. Hansen  
James O'Brien  
Clk.

BOND OF ROAD PETITIONERS.

Know All Men by These Presents, That we, *Hansen & Holmen*  
*John A. Holmen* and *Martin W. Whittaker*  
and \_\_\_\_\_, of the County of Union and State of Oregon, are held and firmly  
bound unto 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 *30<sup>th</sup>* day of *Oct* A. D. 189*8*

Now, the condition of the above obligation is such, That, whereas the above named *Hansen & Holmen*  
*John A. Holmen* and *Martin W. Whittaker*, and others, have  
petitioned the County Court of said County of Union, at the *Dec-* Term, 189*8*, thereof for a  
County Road, commencing *at the all Stearns Flouring Mill*  
*in the South Western portion of Lapwai*  
*in Union County Oregon thence the most*  
*practicable route to intersect the County Road*  
*leading from the mill Mill Mill*  
*Creek across and beyond Rock Creek in*  
*Union County at its two mile tree on the*  
*Union County Road.*

Now, if the above named *Hansen & Holmen* *John A. Holmen* and *Holmen*  
*Martin W. Whittaker* 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.

*J. A. Holmen* (L. S.)  
*J. A. Hansen* (L. S.)  
*M. W. Whittaker* (L. S.)

STATE OF OREGON, }  
County of Union. }

*Hansen & Holmen* and  
*Martin W. Whittaker* for himself, says, that I am worth ~~the sum of~~ *one*  
*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 *30* day of *Oct* A. D. 189*8*

County Clerk.

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

IN THE MATTER OF THE

ROAD.

**BOND OF ROAD PETITIONERS.**

Approved..... 189.

County Judge.

Filed..... 189

County Clerk.

By.....  
Deputy.



BOND OF ROAD PETITIONERS.

Know All Men by These Presents, That we, *M. D. Sanderson N. H. Anson*

and \_\_\_\_\_, of the County of Union and State of Oregon, are held and firmly bound unto 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 *20<sup>th</sup>* day of *Nov. 21* A. D. 189*3*

Now, the condition of the above obligation is such, That, whereas the above named

and \_\_\_\_\_, and others, have petitioned the County Court of said County of Union, at the *Dec* Term, 189*3*, thereof for a

County Road, commencing *at the old steam flouising mill in the south west portion of La Grande in Union County Oregon thence the more practicable route to intersect the county road leading from the said mill up Mill creek across and beyond Rock creek in said county at the two mile tree on the said county road.*

Now, if the above named \_\_\_\_\_ and \_\_\_\_\_

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.

*M. D. Sanderson* (L. S.)

*N. H. Anson* (L. S.)

*J. Weathers*

STATE OF OREGON, }  
County of Union. }

*M. D. Sanderson N. H. Anson*

each for himself, says, that I am worth the sum of *one* 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 \_\_\_\_\_ day of \_\_\_\_\_ A. D. 189*3*

County Clerk.

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..... 189.

County Clerk.

By.....  
Deputy.

**FILLED.**

NOV 27 1893

*James Davis*  
County Clerk.

T 2 S Range 38 E of N.M.

sec 1

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Township line

T 2 S Range 37 E of N.M.  
dec 3

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Red Creek

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The Meadows  
The Meadows

St. Louis, Mo. 1880

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 6 day of December, 1893, 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 J. E. Stephenson, et al, beg leave to report that on the 9<sup>th</sup> day of December, 1893, 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 greatly 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.

David Bay  
J. W. White  
J. A. McWhirter  
VIEWERS.

Chs

To The Hon County Court and Viewers in the matters of  
 A Change in County Road as petitioned for by J. E.  
 Stephenson et al the following Field Notes and Plat of the  
 Survey are respectfully submitted  
 Commenced at a Rock 6x15x20 marked R and set near  
 the Old Steam Flouring Mill in the southwestern  
 portion of La Grand Union County Oregon and

Chs	to	Angle	to	from	Thence	S	W
2 00	"	"	"	"	"	74° 30'	"
8 70	"	"	"	"	"	85° 30'	"
3 20	"	"	"	"	"	69°	"
4 00	"	"	"	"	"	73° 30'	"
5 70	"	"	"	"	"	80° 30'	"
2 40	"	"	"	"	"	45° 30'	"
7 50	"	"	"	"	"	15°	"
7 60	"	"	"	"	"	17°	E
2 70	"	"	"	"	"	15°	W
2 40	"	"	"	"	"	36° 30'	"
3 00	"	"	"	"	"	52° 30'	"
3 50	"	"	"	"	"		S
4 20	"	"	"	"	"	12° 30'	W
12 60	"	"	"	"	"	14°	"
3 30	"	"	"	"	"	43°	"
4 70	"	"	"	"	"	64°	"
2 50	"	"	"	"	"	68° 30'	"
80 00	"	1 mile Station		"	"	68° 30'	"
2 30	"	"	"	"	"	58° 30'	"
8 00	"	"	"	"	"	36° 30'	"
7 25	"	"	"	"	"	56° 30'	"
4 30	"	"	"	"	"	45°	"
6 40	"	"	"	"	"	84° 30'	"
3 00	"	"	"	"	"	87°	"
6 00	"	"	"	"	"	45°	"
18 00	"	"	"	"	"	88°	"
10 70	"	The terminus of the Road at the 2 mile line on		"	"		

6695 The Rock Creek Road:

Done on Dec 9<sup>th</sup> 1893

J L Curtis  
 County Surveyor

FILLED.

DEC 14 1898

*James Oliver*

County Clerk.

1 J J R Gillison County road master of Lincoln  
2 Oregon do hereby certify that the road  
3 petitioned for by Stephen et al. by some  
4 to report that the said proposed Road is  
5 Practicable and would add materially to  
6 convenience of the Trading Public  
7

8 J J R Gillison  
9 Road master  
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Be it remembered that at a Regular Term of the County Court of the State of Oregon for Union County, begun and held at the Court House in the City of Union in said County and State on Monday the 4<sup>th</sup> day of December A.D. 1893, and from day to day thereafter during the continuance of said Term when on Wednesday the 6<sup>th</sup> day of December A.D. 1893 or the 3<sup>rd</sup> judicial day of said Term the said County Court opened for the transaction of business with the following officers present, to-wit:

The Hon J. N. Sanders County Judge  
 Hon W. D. Arnold Commissioner  
 Hon P. J. Brown do  
 T. H. Oliver Clerk  
 J. T. Bolles Sheriff

Due proclamation of the opening of Court having been made the following proceedings were had, to-wit:

In the Matter of the proposed  
 County Road petitioned for by  
 J. E. Stephenson et al

Comes now M. D. Sanderson, 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 the old Steam Planing Mill in the South Western portion of La Grande, in Union County Oregon, thence the most practicable route to intersect the present County road leading from the said Mill up Mill Creek across and beyond Rock Creek in said County at the two mile tree on the said County Road

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 Court House, in the



Third Judicial Day

Wednesday Dec 6 1893

town of Union, 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 Steam planing mill where said road is commenced, one on a large tree in a public place on a main traveled road near the said proposed road, and one on the two mile tree at the terminus 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 thereof 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. A. McWhirter, Dan Bay and J. W. White be appointed Viewers of said road and that J. L. Curtis be appointed Surveyor of said road and that they meet at the beginning of the proposed road on the 9<sup>th</sup> day of December 1893 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 Henry }  
Striker et al }

This matter came on to be heard at this time on the Report of the Viewers and Surveyor heretofore appointed herein for a first reading and said report having been read in open Court it is ordered laid over for a second reading on some other day of this term of Court

In the Matter of the Road }  
petitioned for by J. Whittle and }  
Elyde Pennington with their own right }

This matter came on to be heard at this time on the Report of the Viewers and Surveyor heretofore filed herein for a first reading and said report having been read in open Court it is ordered laid over for a second reading on some other day of this term of Court

Be it remembered that at a regular Term of the County Court of the State of Oregon for Union County begun and held at the Court House in the City of Union in said County and State on Monday the 1<sup>st</sup> day January A.D. 1894 and from day to day thereafter during the continuance of said term when on Wednesday the 3<sup>rd</sup> day of January 1894 or the third Judicial Day of said Term the said County Court opened for the transaction of business with the following officers present to-wit:

How J.N. Sanders	County Judge
" W.D. Arnold	Commissioner
" P.J. Brown	Commissioner
Turner Oliver	Clerk
J.T. Bolles	Sheriff

Due proclamation of the opening of Court having been made the following proceedings were had, to-wit:

In the matter of the proposed }  
 County Road petitioned for }  
 by W.N. Young et al }

This matter came on to be heard at this time on the Report of the Viewers and Surveyor for a first reading, and the said report having been read in open Court for the first time it is considered and ordered that the same be laid over for a second reading on some other day of this term

In the matter of the proposed }  
 road petitioned for by J.E. }  
 Stephenson et al }

This matter came on to be heard at this time on the Report of the Viewers and Surveyor for a first reading and the said report having been read in open Court for the first time it is considered and ordered that the same be laid over for a second reading on some other day of this term

Fourth Judicial Day

Thursday January 4<sup>th</sup> 1894

and said report of the viewers and the report of the surveyors 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 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 road will be of public utility and Jas R. Helixson County Road Master having examined the said proposed road and reported favorably thereon as by law required It is therefore considered and ordered by the Court that said report of the viewers and surveyor be approved and adopted by the court and that said proposed road be declared a public highway of Union County, 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 surveyors plat of the proposed road and his field notes of the survey thereof be placed on record in the book of State of County roads of Union County, Oregon, and that John Benschhoff Road Supervisor of road Dist No 30 (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 County Road petitions }  
for by J. E. Stephenson et al

This matter came on to be heard at this time on the report 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:  
The undersigned viewers heretofore on the 6<sup>th</sup> day of December 1893 appointed to view and lay out and alter the proposed County

Fourth Judicial Day

Thursday January 4<sup>th</sup> 1894

Road, of which the survey hereto attached is a true and correct description as petitioned for by J. E. Stephenson et al beg leave to report that on the 9<sup>th</sup> day of December 1893 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 opinions 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 greatly 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

David Bay

J. W. White

G. A. McWhiter

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 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 road will be of public utility and James R. Gilkison County Road Master having examined the said proposed road and reported favorably thereon as by law required It is therefore considered and ordered by the Court that said report of the viewers and surveyor be approved and adopted by the Court and that said proposed road be declared a public highway of Union County, 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 surveyors plat of the proposed road and his field notes of the survey thereof be placed on record

Fourth Judicial Day

Thursday January 4<sup>th</sup> 1894

in the book of Blats of County roads of Union County, Oregon and that S R Hawthorn 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 Claims for Witness  
 fees in the case of the State of Oregon }  
 vs Daniel Tarter, Claimant of L. Lloyd }  
 and May Lloyd }

Now at this time this matter comes on to be heard upon the application of said witnesses L Lloyd, May Lloyd, Susie Young, and Effie Chandler for the allowance of their witness fees heretofore claimed before the Clerk at the time of the trial of said action of the State of Oregon against Daniel Tarter, viz: at the July term of the Circuit Court 1893. Said application being based upon the affidavit of L Lloyd, the said claimants appearing by R Eakin of counsel and it appearing to the Court that in this action no order was made by the Circuit Judge for the allowance of a greater number of witnesses than five as provided under section 1510, and it further appearing to the Court that said witnesses were in excess of the five provided for by said section 1510, and that said witnesses had no notice that subpoenas were issued to them in excess of the number provided by law, and had no knowledge or means of information as to the fact that the Circuit Judge had made no order allowing a greater number than five witnesses in said action and that by the terms of said subpoenas and the Statute of the State said witnesses had reason to believe that they were compelled to attend the said trial or be fined for contempt of Court and the Court being at this time of the opinion that said witnesses cannot be deprived of their fees for attending in obedience to such subpoenas It is therefore hereby ordered that said claims for witness fees of said witnesses in said action be allowed, to wit L Lloyd \$29<sup>00</sup> May Lloyd \$29<sup>00</sup> Susie Young \$16<sup>00</sup> and Effie Chandler \$16<sup>00</sup> and that the Clerk issue warrants therefor