

No

—IN—

Court

vs

Plaintiff

Defendant

Action for

Docket

Page

Attorney for Plaintiff

Attorney for Defendant

— D —
THE IRWIN HOBSON CO., MANUFACTURING STATIONERS
PORTLAND OREGON

No 100

Presented June 9, 1897

T. 112, 22, 34 30

Declared a Public Road,

Sept 9, 1897.

4-8-4

A. W. Olive

Commencing at SE Cor of

SW⁴ Sec 9 T¹¹² R 35 E

and terminating at SE Corner
of SW⁴ Sec 9 of said T¹¹²

R 35 E

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

In the matter of the petition
of A. V. Kline for a Road of
public easement.

To the Hon. County Court of the County of Union
and State of Oregon:-

Sheweth that your petitioner-A. V. Kline and represent
to your Honorable body:-

That he is a bona fide settler upon and the inter-
ested claimant upon and for the S.E. 1/4 of S.E. 1/4 and the E 1/2 of S.E.
1/4 and S.E. 1/4 of S.E. 1/4 of section 9 in Township 4 north of Range 25
E.W.M and 28 Union County, Oregon and that he has established his said
residence thereon for the five years last past and that he has a
dwelling house and other substantial improvements on said land of the
value of least \$500; that at the time of his settlement thereon there
was an old established easement over adjoining lands and running in
the direction and upon the line sought by this petition as an easement
well known which had been travelled for a period of fifteen years
by the public-the said lands being Government lands; that one Ad. Gul-
liam appropriated and purchased the S.E. 1/4 of said sec. 9 and the
S.E. 1/4 of sec. 18 in said Township and Range and is now the owner and
in possession thereof; that he is across this land that said old
travelled road was located and where your petitioner prays for the
hereinafter described easement to be established; that your petition-
er's said land and residence cannot be reached for travel by any con-
vention or other public road heretofore provided or by law or other
wise and that it is necessary for the public and your petitioner to
have ingress to and egress from said lands and over the said old travel
led way and upon the following described line to-wit- commencing at a
point on your petitioner's said land and at the south east corner of

the south west cor of said Sec. 9-Twp 4 south of Range 25 E.W.M-and running thence east along and upon the section line between said Sec. 9 and Sec. 16 in said township and range to and terminating at and upon the section corner corner to sections 9-16-16 and 16-Twp-4 south of Range 25 E.W.M-they ending at and upon the regularly established county road and public highway-being a distance of one half mile from commencement to termination-over and upon the lands of said A.J. Sullivan as aforesaid; That there are no persons living west of your petitioner to join in this petition-or in a petition for a public road-and the said A.J. Sullivan has refused to permit your petitioner to travel over said old road-or to have a private easement over said lands or said line of travel-so that your petitioner can enjoy a reasonable access or ingress to and from his said lands and residence.

That all the said lands over which said road of public easement will pass is owned by said Sullivan-who has enclosed the same with a fence and refuses to permit or allow your petitioner or any others to pass over or across or through-and the proposed easement and the assumption of said proposed road of public easement is the nearest line and public road that can be reached by your petitioner from his said lands and place of residence-and said proposed road of public easement is over lands which will not be injured by appropriation or travel-can be used as a road without any expense and well suited for such a road.

Therefore your petitioner prays an order from your honorable body for the view-location and establishment of a road of public easement of the line and location designated by your petitioner-with a strip

of land thirty feet wide along and upon the section line between Sec's 9 and 16 -Twp-4 south of Range 25 E.W.M in Union County, Oregon-from and between the south east corner of the south west cor of said Sec. 9 to and terminating upon the county road at the south east corner of the south west cor of said Sec. 9-and the section corner as aforesaid. as provided by law-and your petitioner will ever pray etc.

Dated this May 17th 1897-

A. W. Cline
Petitioner.

State of Oregon-

County of Union-SS: I--A.W. ~~Cline~~ being first duly sworn upon oath say
that I am the foregoing petitioner and that the foregoing my petition
and the statements therein contained are true as I verily believe.

A. W. Cline

Subscribed and sworn to before me this 17th day of May A.D. 1897.

P. E. Van Buren

Notary Public for Oregon.

Justice of Peace

Joseph [unclear]
Gen. [unclear]
Pat. [unclear]

J. J. [unclear]
[unclear]

The County Clerk for
Washington County, Oregon.

The number of the ab-
solutions for [unclear]
on the [unclear] of
[unclear] [unclear]

Patton

July 17th 1897

J. J. [unclear]
[unclear]

Wm. J. [unclear]
[unclear]

On the matter of the road
of Public works & petition
for by A.W. Chinn

This matter came
on & on hand

The motion of A.D. Sullivan
who has petitioned before dis-
missed and order of removal
extended to A.D. Sullivan

appearing ~~in person~~

Generally by the city
Mr. Carroll and Mr. Sullivan

appeared by Mr. Sullivan
and the court being fully

advised in the matter
and after argument by

counsel for and against said
motion it is the order

that said motion be and
the same be denied

and denied. I have
Journal for Earl Sullivan
asked ~~him~~ ^{for} ~~to~~ ^{to} ~~be~~ ^{be} ~~advised~~ ^{advised}
of ~~the~~ ^{the} ~~fact~~ ^{fact} ~~that~~ ^{that} ~~he~~ ^{he} ~~was~~ ^{was} ~~not~~ ^{not} ~~advised~~ ^{advised}
by ~~the~~ ^{the} ~~court~~ ^{court} ~~and~~ ^{and} ~~refused~~ ^{refused}
by ~~the~~ ^{the} ~~court~~ ^{court} ~~for~~ ^{for} ~~the~~ ^{the} ~~same~~ ^{same}
said Earl Sullivan claims
no interest in the proceeds.

Union, Oregon, _____ 189

As to the matter of the Road of
Public easement petitioned
for by A. W. Clinch,

Now at this time the
matter came on regularly to be heard upon
the motion for the confirmation of the report
of the viewers heretofore appointed the
petitioner appearing by Grant Traubner
his attorney, and A. J. Sullivan appearing
by J. M. Corvill, his attorney, and it appearing
to the Court that the land described in the
petition and ~~also~~ ^{report} ~~view~~ ^{viewers}, is ~~the~~ in the name
of one Annithia H. Sullivan, the wife of the
said A. J. Sullivan and that the said Ann-
ithia Sullivan had due legal and full notice
of the proceeding, and it appearing further
that said viewers assessed to the owners of
the land described upon which said road
of public easement was viewed out and

Union, Oregon, _____ 189

located upon the sum of \$6000 damages, and
 have told him the same to the said A. J.
 Sullivan, who refused to accept the same
 or any part thereof, either for himself
 or Amittie H. Sullivan and has paid
 the said sum into court and taken the
 receipt of the clerk of the court for the
 same, to be paid by said clerk to said
 A. J. or Amittie H. Sullivan on demand,
 and that said petitioners has paid the
 viewers in full for their services and
 that the court being satisfied that said
 report is just.

It is hereby ordered that said report
 be and the same is in all things confirmed,
 and such road is hereby declared a public road
 and shall be recorded as such, and upon
 the following lines and location, to wit -
 commencing at a point on the land parcel
 upon by said petitioners to wit: At the
 south-east corner of Q. W. 1/4 Sec. 19, T. 26,

I. N. SANDERS,
COUNTY JUDGE,

UNION COUNTY, OREGON.

Union, Oregon, _____ 189

* A south of range # 35 in Union County
 state of Oregon and running thence in an easterly
 direction along and upon the line between
 said section # 9 and section # 16 in east
 1/2 Range and County and state, a distance
 of one half mile, & and terminating at and
 upon the section corner common to sec-
 tions # 7, 10, 16 and 15, all in east town-
 ship, range, county and state and terminating
 at and upon a public county road.
 It is further ordered that said road
 shall be opened by and kept in repair
 at the expense of said petitioners.

IN THE COUNTY COURT FOR UNION COUNTY;
STATE OF OREGON.

In the matter of the petition of A.W.Cline
for a road of Public Easement.
.....

Now at this time comes A.J.Sullivan by his attorney J.M.Carroll,
and for the purposes of this motion only, and for no other pur-
pose, moves the court to set aside and dismiss the ~~foregoing~~
petition and proceedings in the above entitled matter, for the
following reasons, to-wit:

- First: That there has been an entire failure of service
of process herein as required by statute.
- Second: That the description of the land claimed to be
owned and in the possession of A.J.Sullivan above named, as shown
by the petition herein, is not the same land as described in the
pretended order attempted to be served upon the said A.J.Sullivan.
- Third: That the court has no jurisdiction of the subject
matter or ~~the~~ of the person of the said A.J.Sullivan mentioned in
said petition, which is shown by the affidavit of the said A.J.
Sullivan hereto attached and made a part of this motion.

J. M. Carroll
Attorney for A.J.Sullivan.

IN THE COUNTY COURT FOR UNION COUNTY,

STATE OF OREGON.

In the matter of the petition of A.W.Oline
for a road of Public Easement.
.....

State of Oregon,)
) ss.
County of Union))

I, A.J.Sullivan, being first duly sworn, say; that I am
the person mentioned in the petition in the above entitled matter;
that I am not now, and never was, the owner of or in the possession
of the N.E. Qr. of Sec. 15 in Township 4 South , Range 35 E.W.M.;
that I am not the owner nor in the possession of the S.E. qr. of
Sec. 9, Township 4 South, Range 35 E.W.M., and have not been the
owner nor in the possession of the said land last above mentioned
since about July 1st., 1892; that the said lands described in the
said petition herein are not properly described in the said pre-
tended order heretofore mentioned herein.

A.J. Sullivan

Subscribed and sworn to before me
this 7th. day of July, 1897.

A.H. Lloyd

Notary Public for Oregon.

STATE OF OREGON,

County of Union

ss.

I,

being first duly sworn, depose and say that I am the

in the above entitled and that the foregoing
is true as I verily believe.

Subscribed and sworn to before me this

day of 189

Notary Public for the State of Oregon

STATE OF OREGON,

County of Union

ss.

I,

one of attorneys, do hereby certify that I have
prepared the foregoing copy of and have
carefully compared the same with the original thereof; that it is a correct
transcript therefrom and of the whole thereof.

, Oregon, dated the day of 189

STATE OF

County of

ss.

Due service of the within is hereby accepted

County, this day

of 189 by receiving a copy thereof, duly certified to

such by

Attorney for

No.

In the *County* Court,

STATE OF OREGON,
FOR
UNION COUNTY

In the Matter of the

Petition of P. A. McElwee
Plaintiff
for a Road of
Public Easement,

Defendant

McElwee,

Filed

1897

J. M. Carroll
Clerk

Deputy

J. M. CARROLL,

In County court for Union county state of Oregon.
In the matter of the petition
of A.W.Cline for a road of public easement.

Now at this time this cause came on to be heard, upon the petition of A.W.Cline for a road of public easement, said Cline appearing by Finn & Ivanhoe, his attorneys, and therebeing no ~~showing~~ other appearance, either in person or by attorney, and the court being fully advised in the premises, it is hereby ordered, that, it appearing to the court herein, that the said petition of the said A.W. Cline is sworn to, by him, and that according to said petition, the residence of said petitioner is not reached by any convenient or other public road heretofore provided for by law, and that it is necessary that the public and the petitioner shall have ingress to and egress from the residence of said petitioner, and that in pursuance of said showing, Joseph Laurin, George Wilt and Pat. Leftus, each being a free holder of Union county, state of Oregon, and not interested in this petition, or the land therein described, and each of them is hereby appointed as a viewer, to meet at the residence of the petitioner, near the beginning of said road of public easement, on Saturday, June 19th, 1897, and to then and there proceed to view out and locate a county road of public easement, thirty (30) feet in width, from the residence of said petitioner, to-wit:-Commencing at a point on the land of said petitioner, and at the south-east corner of the south-west quarter of section nine (9), township four(4) south, of range thirty five (35), E.W.M., and in said Union county state of Oregon, and running thence east along and upon the section line between said section nine (9) and section sixteen (16), in said township, range county and state, a distance of one-half mile, to, and terminating at and upon the section corner common to sections nine (9), ten (10), sixteen (16) and fifteen (15), in said township, range county and state, said road terminating at a public road. And said viewers are hereby directed by this order, to assess all damages that may be sustained by any person, over or through whose land or lands said road, when located, will pass. This order is made by the County court of Union county Oregon, in regular session at Union, Union county, Oregon, on the 17th day of June, 1897.

~~State of Oregon,~~
State of Oregon,
Union county, †
ss.

I hereby certify that the foregoing is a true copy of the whole of the original order appointing viewers on the petition of A.W.Cline, for a road of public easement.
(sgd) J.R.Oliver, County clerk.

Seal Union County)

State of Oregon,
County of Union.)ss.

I, J.J.Cline, being first duly sworn, say that, on the 15th day of June, 1897, between the hours of six o'clock A.M. and nine o'clock P.M. of said date, in the County of Union, State of Oregon, I served upon the above-named A.J.Gullivan and Minnie Gullivan, his wife, a duly certified copy of the foregoing order, by them and there, personally, delivering to said Minnie Gullivan, in person, at and upon and while in possession of said land, said copy, so certified as aforesaid.

J. J. Cline

Subscribed and sworn to before me this 7 day of July, 1897.

Paulson
Notary Public for Oregon.

La County Court
Huron County

Oregon

In the matter
of the Road
to be
located
between
the lands
of the
by the
Return of Service
of notice

Dated July 7, 1899
J. P. Clark
Co. Clerk

In the County court for Union county, state of Oregon.
In the matter of the petition
of A.W.Cline, for a road of
public easement.

Now at this time comes Joseph Laurin and Pat. Loftus, viewers heretofore appointed to locate and view out and assess the damages on the road of public easement heretofore petitioned for by A.W.Cline, and beg leave to submit to the court herein the following report of our doings under and by virtue of said appointment, to-wit:-

By virtue of the order of appointment herein, on Saturday the 19th day of June, 1897, we met at the residence of the said A.W.Cline, at near the beginning of said road of public easement, as described in the petition of the said Cline, and the said order of appointment, and then and there, in said Union county, state of Oregon, laid out, located, and assessed the damages thereon, a road of public easement, commencing at a point on the land of and resided upon by said petitioner, to-wit:-At the south-east corner of the south-west quarter of section nine (9), township four (4) south, of range thirty five (35) E.W.M., in said Union county, state of Oregon, and running thence east along and upon the section line between said section nine (9) and section sixteen (16), in said township, range, county and state, a distance of one-half mile, to, and terminating at and upon the section corner common to sections nine (9), ten (10), sixteen (16) and fifteen (15), all in said township, range county and state, and terminating at and upon a public road.

We further find that the whole of said road of public easement, is, as so located, upon, over and through land now owned by one A.J.Sullivan, and we hereby assess the damages, sustained by the said A.J.Sullivan, by reason of the location of said road, at the sum of sixty dollars (\$60.00).

Done and dated this 21st day of June, 1897.

Pat Loftus

Joseph Laurin

State of Oregon,
County of Union.

I, Pat. Loftus, and I, Joseph Laurin, being each first only named, for myself and not for another, say:- I am the identical person appointed, by the County court of Union county state of Oregon, to view out locate and assess the damages upon the above-described road of public easement, and that all the statements contained in the above-report are true, as I verily believe, so help me God.

Pat Loftus
Joseph Laurin
Subscribed and sworn to before me this 21st day of June, 1897.

P. E. Van Buren
Justice of the Peace.

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

I,

Being first duly sworn, depose and say that I am

in the above entitled; and that the foregoing

is true as I verily believe.

Subscribed and sworn to before me this

Day of 189

Notary Public for the State of Oregon.

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

I,

one of attorneys, do hereby certify that I have prepared the foregoing

copy of and have carefully compared the same with the original

thereof; that it is a correct transcript therefrom and of the whole thereof.

La Grande, Oregon, dated the day of 189

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

Due service of the within is hereby accepted in

..... County, Oregon, this Day

of 189, by receiving a copy thereof, duly certified to as such by

Attorney for

Attorney for

No.

In the and Court

OF THE STATE OF OREGON.

FOR

UNION COUNTY.

Richard A. Lewis
Attorney for Plaintiff
vs
Richard A. Lewis
Attorney for Defendant

Filed July 7th 1897

J. D. Oliver
Clerk.

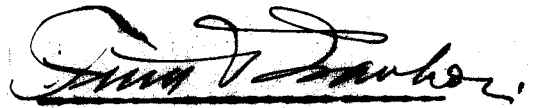
By
Deputy.

Attorney for

1 In the county court for Union county state of Oregon.

2 In the matter of the application %
3 of A.W.Cline for a road of Public %
4 easement. %

5 Now comes A.W.Cline by his
6 attorneys, Finn & Ivanhoe, and moves the court to dismiss the
7 petition of this petitioner in the above-entitled matter, and
8 that an order be made that the clerk of this court refund to
9 your petitioner all money that he may have deposited herei n.

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11 Attorneys for Petitioner.

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25 J. V. Sanders
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STATE OF OREGON, }
County of Union. } ss.

I, _____
being first duly sworn, depose and say that I am the _____
in the above entitled _____; and that the foregoing _____
is true as I verily believe.

Subscribed and sworn to before me this _____
day of _____ 189 .

Notary Public for the State of Oregon.

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

I, _____
one of _____ attorneys, do hereby certify that I have
prepared the foregoing copy of _____ and have
carefully compared the same with the original thereof; that it is a correct
transcript therefrom and of the whole thereof.

_____, Oregon, dated the _____ day of _____ 189 .

STATE OF _____ }
County of _____ } ss.

Due service of the within _____ is hereby accepted in
_____ County, _____, this _____ day
of _____ 189 , by receiving a copy thereof, duly certified to as
such by _____
Attorney for _____

Attorney for _____

No.

In the Court,

STATE OF OREGON,
FOR
UNION COUNTY.

vs. Plaintiff,

Defendant.

Filed 189

Clerk.

By Deputy.

Attorney for

1 In County Court for Union County, state of Oregon.

2 In the matter of the application of
3 A.W.Cline for a road of Public Easement.

4 Now at this time this
5 matter came on regularly to be heard upon the motion of A.W.Cline
6 the petitioner, that the petition on file in the above matter and
7 all the proceedings thereunder be dismissed. Whereupon, the court
8 being fully advised in the premises, hereby orders that said pe-
9 tion and all the proceedings thereunder be, and the same are,
10 hereby dismissed, and the clerk of this court is hereby ordered
11 to refund to said Cline or his attorney on demand, any and all
12 money in his hands on deposit for damages in said matter.
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Mo Melly Davis Hall

James
James
James

James

James
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James

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James

James
James
James

In Court for Union County, State of Oregon.
The petitioner, the application of
A.W. [Name] for a writ of habeas corpus.

Now at this time the Court has no objection to the petition of A.W. [Name] for a writ of habeas corpus. The petitioner has shown that he is entitled to the writ. All the proceedings are hereby dismissed, and the clerk of this court is hereby ordered to return to said writ to the attorney on behalf of said petitioner in his hands or deposit for charges in said writ.

James
1919

5

6
In the County Court of Union County-State of Oregon.

In the matter of the Petition of
A.W.Cline for a road of Public
Easement.

TO THE HON. THE COUNTY COURT OF THE COUNTY OF UNION
AND STATE OF OREGON:-

Comes now your PETITIONER-A.W.Cline-and represents
to your Hon. body:-

That he is now, and has been for the past FIVE YEARS
a bona fide resident upon, and the homestead claimant under
the laws of the United States, of the S.E. qr of S.W. qr; the
N hf of S.W. qr. and the S.E. qr of N.W. qr of Section 9 in
Township 4 south of Range 35 E.W.M. and in Union County,
Oregon; that ^{he} has a substantial dwelling house and other proper
improvements on said lands-of the aggregated value of at least
\$500.00-all for the purpose of-and constituting his home;
that at settlement of-and the consecration of said lands
by your petitioner-there was an old established and well
travelled Easement over and across the adjacent lands-which
ran in the direction of and upon the line now sought herein
by your petitioner as an easement-which had been used and
travelled by the public for a period of fifteen years-said
lands all being Government lands of the United States; that
one Armittie H. Sullivan-has heretofore purchased said lands-
so adjacent to your petitioner's said homestead-being the
S.E. qr of Section 9-and the N.E. qr of Section 16-in said Twp
4 south of Range 35 E.W.M-and she is now the owner and in
possession of the same; that your petitioner's said land and
residence cannot be reached by or for travel by any conven-
ient or other public road heretofore provided for by law, or
otherwise and that it is necessary for the public and your

petitioner to have ingress to and egress from or for said lands ^{then} ~~and~~ over the said old travelled way and upon the following described line to-wit:- Commencing at a point on your petitioner's said land and at the south east corner of the south west qr of said section 9-Twp 4 south of Rge 35 E-W- and running thence east along and upon the section line between said section 9 and said section 25 in said Twp and Rge to and terminating at and upon the section corner common to sections 9-10-15 and 16-Twp 4 south of Rge 35-E-W- and there ending at and upon the ~~regularly~~ established and laid out road and public highway-being a distance of one half mile from the commencement and terminus of said proposed easement the same being over and across and upon the lands of said Amittie H. Gulliver as aforesaid-and all of said points of commencement and terminus of-and said proposed easement-being and lying within Union County, Oregon. That further, there are no persons living west of your petitioner to join in this petition -or a petition for a public highway or road- and the said Amittie H. Gulliver now refuses to permit your petitioner to travel over or use said old road-or to have a private easement over said lands or to use said lands or said old line of travel or easement-so that your petitioner can not now enjoy a reasonable ingress from or egress to-his said lands and residence and there is no other way at present for said petitioner to get out or into his said lands and they will be rendered wholly useless as a home unless he have such easement; but said Amittie H. Gulliver has recently enclosed her said lands with a fence-and not only refuses to grant your petitioner such easement over her said lands but threatens to and will forcibly prevent your petitioner from crossing said lands-which way and proposed easement is the nearest line and road and the most accessible way for your petitioner to reach his said lands-and said proposed easement or road is over lands which will not be injured by appropriation or travel and which can be used as a road with

out any expense and is well located for such road.

Wherefore your petitioner prays an order from your Hon. Court for the appointment of viewers to locate and assess charges-if any-of said proposed road of public easement and that a decree be entered for the location and establishment of such road of public easement on the line and location designated by your petitioner-to-wit:-A strip of land 30 feet wide along, and upon the section line between sections 9 and 10 in Township 6 south of Range 35 E.W.M in Union County, Or. from and between the south east corner of the south west qr of said section 10 to and terminating upon the county road at the south east corner of the south east qr of said section 9 and the section corner as aforesaid-or the configuration of the road of public easement as shall be located by said viewers-and the decrees location thereof, as provided by law-and your petitioner will ever say etc. etc.-

Dated this the 10th day of July A.D. 1897.

A. W. Gline

Petitioner.

State of Oregon-County of Union SS-I, A.W. Gline, being first duly sworn, depose and say that the contents of the said petition to be true.

A. W. Gline

Subscribed and sworn to before me this 10th day of July, 1897.

Barber
Notary Public for Oregon.

Subscribed and sworn to before me this

day of 189

Notary Public for Oregon.

STATE OF OREGON, }
COUNTY OF UNION, } SS.

I, Attorney, do hereby

certify that I prepared and compared the foregoing

and that it is a correct transcript of the original.

Attorney for

No. _____

Carroll
IN THE CIRCUIT COURT
OF THE STATE OF OREGON,
FOR UNION COUNTY.

*On the within of said
petition filed by said
debtor for a writ of
Creditor's Examinations*

DEPENDENT

*Return for said
Creditor's Examinations*

FILED

Aug 4 7

CLERK
CLERK

DEPUTY

J. P. Wilson

FINN & IVANHOE,
ATTORNEYS AT LAW,
LA GRANDE, OREGON.
ATTORNEYS FOR

BE IT REMEMBERED, That at a term of the Honorable County Court of Union County, State of Oregon, begun and held at the Court House in Union, in said County, on the 2 day of August A. D. 1897, and from day to day thereafter during the continuance of said term.

Present, HON. I. N. SANDERS, County Judge,
HON. JOHN McDONALD, Commissioner,
HON. W. D. ARNOLD, Commissioner,
J. R. OLIVER, Clerk,
J. F. Phyllis, Sheriff.

When on Wednesday day, the 4 day of August 1897 the same being the Third Judicial day of said Term, the following, among other proceedings, were had, to-wit:

In the County Court for Union county, state of Oregon.
In the matter of the application of
A.W.Cline for a road of public easement.

Now at this time to-wit:-
Wednesday, August 4th, 1897, the same being the third day of a regular term of said court for the month of August, 1897, this cause came regularly on to be heard upon the sworn petition of A.W.Cline for a road of Public Easement. And it appearing to the court from said petition that the residence of said petitioner, A.W.Cline, is upon the South-west qr. of section 9 in Township 4 south, of Range 35, E.W.M. in Union county state of Oregon, and that the same cannot be reached by any convenient or other public road heretofore provided by law, and that it is necessary that the public and said petitioner shall have ingress to and egress from the residence of said petitioner and that said easement shall pass over the lands of another, to-wit, Armitie H. Sullivan, the owner of the S.E.qr. of sec. 9 and N.E.qr. of sec. 16 all in Township 4 south, of Range 35 E.W.M. in said Union county, Oregon. That in pursuance of such showing Joseph Lauren, George Wilt and Pat. Loftus, each appearing to the court to be a resident free-holder of said Union county, Oregon, and not interested in this petition or the lands above-described, and they are hereby appointed as viewers to meet at the residence of the petitioner above-described at or near the beginning of the said proposed road of public easement, on Monday, August 16th, 1897, and then and there proceed to view out and locate a county road of public easement, thirty feet wide, from the said residence of the said A.W.Cline, to-wit:-Commencing at a point on the land of said petitioner ~~at the~~ and at the south-east corner of the south-west qr. of section 9 in township 4 south of range 35 E.W.M. and run thence along and upon the section line between said section 9 and section 16 and in an easterly a distance of one-half mile to and terminating upon the section corner common to said section 9, 16, 15 and 10 of said township and range, and all said points in said Union county state of Oregon, terminating upon a public road and high-way. Said viewers are hereby further directed to assess all damages that may be sustained by any person over through or across whose land or lands, said road when located, shall pass. That the report of said viewers of their said view, location and assessment of damages, if any, shall be returnable and is to be considered by the county court of Union county Oregon, at its regular term to be begun and holden on the first Monday of September, 1897, or as soon thereafter as said court may take cognizance of the same, said court to be holden at Union, in said county and state. *Said return will be regularly taken up for hearing Wednesday, Sept. 8th 1897, at two o'clock P.M.*

(Signed) I. N. Sanders Co. Judge

Additional text at the bottom of the page, including faint lines and possibly a signature or stamp area.

Handwritten notes at the top of the page, including "11/22/97" and "N 119 9".

STATE OF OREGON, }
COUNTY OF UNION. } ss.

J. R.

I, **TURNER OLIVER**, County Clerk for Union County, State of Oregon, and ex-officio Clerk of the County Court for said County and State, do hereby certify that the foregoing Transcript of Journal Entry has been by me compared with the original entry, and that it is a true and correct copy of said original Journal Entry, and of the whole thereof, as the same appears of record in my office and custody.

WITNESS, my hand and Seal of the said County Court, this 4 day of August 1897

By J. R. Oliver Clerk.
Deputy.

State of Oregon, /
County of Union, /ss.

I, J. J. Cline, being first duly sworn, say
That on the sixth day of August, A. D. 1897, in Union county,
state of Oregon, I served upon the within-named Armitta H.
Sullivan, a duly certified copy of the order of the County
Court of Union county, state of Oregon, appointing viewers
for locating and assessing damages on a road of Public Ease-
ment petitioned for by A. W. Cline, said order dated and
made at Union, in said county and state on the 4th day of
August, 1897, by then and there delivering to the said Armit-
ta H. Sullivan, in person, said certified copy, the same be-
ing certified to by J. R. Oløver, the county clerk of said
Union county, state of Oregon, and a duplicate and exact coun-
terpart, ~~##~~ including the certificate thereto, of the certified
copy of said order hereunto attached, and made a part of this
return.

J. J. Cline

Subscribed and sworn to before me this 24th day of August, 1897.

[Signature]
Justice of the Peace
Notary Public for Oregon

STATE OF OREGON, }
COUNTY OF UNION, } SS.

I, _____

being first duly sworn say that I am the _____

in the above entitled _____, and that the foregoing _____

is true, as I verily believe _____

Subscribed and sworn to before me this _____

day of _____ 189 _____

Notary Public for Oregon.

STATE OF OREGON, }
COUNTY OF UNION, } SS.

I, _____

Attorney, do hereby

certify that I prepared and compared the foregoing _____

and that it is a correct transcript of the original. _____

Attorney for _____

No. _____

County
IN THE COUNTY COURT
OF THE STATE OF OREGON
FOR UNION COUNTY.

*On the meeting of the above
petition of the above
for a writ of Habeas
Corpus*

RETURNED

Return of

FILED *July 8 1897*

J. P. Davis
DEPUTY CLERK

FINN & IVANHOE
ATTORNEYS AT LAW
LA GRANDE, OREGON.
ATTORNEYS FOR

6
1 **IN COUNTY COURT FOR UNION COUNTY, STATE OF OREGON.**

2 **In the matter of the application**
3 **of A.W.Cline for a road of Public**
4 **Easement.**

5 *and Geo. Wills* Now at this time, comes
6 Joseph Laurin and Pat. Loftus, ~~a majority of~~ the viewers heretofore appointed by the above-entitled court to locate, view out and assess the damages on a road of Public Easement heretofore petitioned for by A.W.Cline, and submit to the court herein the following report of our doings under said appointment:-

7 By virtue of the appointment above-named, on
8 Monday, August 16th, 1897, we met at the residence of the said A.W.Cline, at and near the beginning of said proposed road of Public Easement, as described in said petition of A.W.Cline and the order of the court appointing the viewers herein, and did then and there in Union county, state of Oregon, proceed to and did lay out, locate and assess the damages on a road of Public Easement, commencing at a point on the land of the said A.W.Cline, reside upon by him, and to wit; at the south-east corner of the south-west quarter of section nine (9), township four (4), south, of range thirty five (35), E.W.M., in said Union county, state of Oregon; thence, easterly, along and upon the section line between said section nine (9), and section sixteen (16), in said township, range, county and state, a distance of one-half mile, to, and terminating upon and at the section corner common to sections nine (9), ten (10), sixteen (16) and fifteen (15), all in said township, range, county and state and terminating at and upon a public county road in said county and state. *Said road to be 30 feet wide and located where it will best divide the land now with it pass.*

17 We further find, that the whole of said road of Public Easement, is, and when so located, will be and pass over upon and through the lands of one Armitta H. Sullivan, who is the owner thereof, and we hereby assess the damages sustained by the said Armitta H. Sullivan, by reason of the location of said road of Public Easement, at the sum of sixty dollars (\$60.00).

20 Dated this *2nd* day of *September* 1897.

21 *Pat. Loftus*
22 *Joseph Laurin*
23 *George Wills*
24 *and Geo. Wills*

24 State of Oregon %
County of Union. %

25 I, Pat. Loftus, and I, Joseph Laurin, being first duly sworn, say:-I am the identical person who was appointed by the County Court of Union county, state of Oregon, to view out, locate and assess the damages upon the above-described road of Public Easement, and that I have performed said duty to the best of my ability, and that all the statements contained in the above-report, are true, as I verily believe.

26 *Pat. Loftus*
27 *Joseph Laurin*
28 *George Wills*

Subscribed and sworn to before me this *2nd* day of *September* 1897.

A. Rankin

Notary Public for Oregon.

STATE OF OREGON, }
COUNTY OF UNION, } ss.

I, _____

being first duly sworn say that I am the _____
in the above entitled _____, and that the foregoing
is true, as I verily believe _____

Subscribed and sworn to before me this _____

day of _____ 189_____

Notary Public for Oregon.

STATE OF OREGON, }
COUNTY OF UNION, } ss.

I, _____

Attorney, do hereby

certify that I prepared and compared the foregoing _____
and that it is a correct transcript of the original _____

Attorney for _____

No. _____

Cum gratia
IN THE ~~GRAND~~ COURT

OF THE STATE OF OREGON,
FOR UNION COUNTY.

*That the undersigned of the
County of Clatsop, Oregon, for
a number of years past*

VS.

PRESENTING

Robert Thomas

FIELD

1807

John Q. Lewis
DEPUTY CLERK

DEPUTY

FINN & IVANHOE,
ATTORNEYS AT LAW,

LA GRANDE, OREGON

ATTORNEYS FOR

Lewis

IN THE COUNTY COURT FOR WASH COUNTY

STATE OF OREGON.

In the matter of the application :
of A. W. Glina for a Road of :
public easement. :
..... :

Now at this time comes Armita H. Sullivan, the person through whose land would run the above entitled road of public easement petitioned for by the said A. W. Glina, and protests against the establishment and location of said road as prayed for in the petition of the said A. W. Glina, and objects to the confirmation of the report of the viewers herein and to the assessment of damages made by them for the reason that the amount of said damages is wholly inadequate and that the said report of the said viewers is unjust, and for the further reason that the said assessment of the amount of damages, to-wit: the sum of \$50.00, is not sufficient to pay for the fencing and the construction thereof along the line of said road sought to be established and that the said sum would be wholly inadequate as a payment for the inconvenience, trouble and time spent by the said Armita H. Sullivan in passing to and from her premises located on either side of said road sought to be established on account of maintaining and opening gates for the transfer and transportation of stock for watering purposes and of teams for the purpose of farming said premises.

That the said Armita H. Sullivan would necessarily have to construct and maintain such gates or construct and maintain other passage ways for teams and for stock purposes.

That the said Amalia A. Sullivan further objects to the construction of the said road for the reason that an attempt of the owner of that portion of Union County, Oregon, allowing stock of all kinds, including hogs, to run at large, it would be necessary in order that her grass and pasture lands and her grain lands should be protected from said stock and hogs, for her to construct and maintain a good and sufficient fence such as is used by other parties living in that vicinity which would be an expense of not less than ~~\$200.00~~ ^{\$200.00}. That the land over which the said road is sought to be established is of the value of at least \$1.00, and that the said objector would be greatly damaged on account of the trouble and inconvenience of the said road passing through her said premises along the said line as set out in the said petition.

That she further objects for the reason that by the location of the said road she would be greatly damaged on account of the inconvenience and trouble necessarily incurred in watering and pasturing her stock on account of the separation of the fields used for said pasture from the only watering places available for watering her said stock, and for which said purposes of watering said stock, either gates or other kinds of passage ways would have to be constructed.

And she further objects for the reason that she is informed and verily believes that the said township, or at least a portion of them, believes that a County road, or a road of public character is properly entitled to be located by law upon any Section line and that no damage is sustained therefor, and that the kind of fence taken into consideration by them in assessing the damages was to be a fence constructed of posts, wire and poles, the posts to be set 20 feet apart, upon which were to be placed two wires and a pole, which character of fence would not be sufficient in

that certain of the county to protect her said land from the encroachment of other persons and that the crops raised upon said land would not be protected by such character of fencing.

WHEREFORE, your objector prays that the said report of the viewers herein be not confirmed.

Araminta H. Sullivan

State of Oregon)
) ss)
County of Union)

I, Araminta H. Sullivan, being first duly sworn, say that I am the objector above named, that the matters stated in the foregoing objection are true as I verily believe.

Araminta H. Sullivan

Subscribed and sworn to before me
this 24th day of September, 1897.

R. H. Lloyd
Notary Public for Oregon.

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

I, _____
being first duly sworn, depose and say that I am the _____
in the above entitled _____; and that the foregoing
is true as I verily believe.

Subscribed and sworn to before me this _____
day of _____ 189 _____

Notary Public for the State of Oregon.

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

I, _____
one of _____ attorneys, do hereby certify that I have
prepared the foregoing copy of _____ and have
carefully compared the same with the original thereof; that it is a correct
transcript therefrom and of the whole thereof,
_____, Oregon, dated the _____ day of _____ 189 _____

STATE OF _____ }
County of _____ } ss.

Due service of the within _____ is hereby accepted in
_____ County, _____, this _____ day
of _____ 189 _____, by receiving a copy thereof, duly certified to as
such by _____
Attorney for _____

No. _____

In the *County* Court,

STATE OF OREGON,
FOR
UNION COUNTY.

In the Matter of
the Application
of R. W. Davis for
a Road of Public
Convenience

Deponent:

Objections

to Deponent's Report

Filed *Sept 189*

J. P. O'Neil
Clerk

By _____
Deputy

J. M. CARROLL,

Attorney for _____

STATE OF OREGON,)
~~Union~~)
~~Umatilla~~ County.) ss.

In the Matter of the Petition of A. W. Cline)
for a Road of Public Easement, filed in the)
County Court for Union County, State of Oregon.)

I, Andrew Sullivan, being duly sworn, say: That I am familiar with the lines proposed as a road of public easement in the petition filed in the above entitled matter by A. W. Cline, to-wit: Commencing at a point on the land of the said ~~petitioner~~ *petitioner* and at the Southeast corner of the Southwest quarter of Section 9, Township 4 South, Range 35 East Willamette Meridian, and running thence East along and upon the section line between said Section 9 and Section 16 in Township, Range, County and State aforesaid, a distance of one-half mile to and terminating at and upon the section corner common to Sections 9, 10, 16 and 15 in said Township, Range, County and State.

That the proposed road is not a road of public easement and would not, if laid out, be used by the public or for the public and that the matter set forth in the petition of A. W. Cline is not a matter in which the public is in any manner interested or by which the public would in any manner be benefitted.

That the said proposed road is for the sole use and benefit of the petitioner, A. W. Cline, and is for his private use and benefit and for his private use alone.

That the taking of the land described for the uses of said road would be taking private property for a private use.

Andrew Sullivan

Subscribed and sworn to before me this 8th day of [illegible]

[Signature]
Notary Public for Oregon.

of the State of Oregon
in
Union County
in the town of the
Petition of H. C. Cline
for a Road or Public
Easement

affidavit of
Andrew Williams

Filed Sept 8th 1897
J. Q. Davis
Clerk

IN THE COUNTY COURT OF THE STATE OF OREGON
FOR UNION COUNTY.

In the Matter of the Petition of }
A. W. Cline for a Road of Public }
Easement.

To the Hon. County Court of Union County, Oregon

We, the undersigned, residents and householders residing within the immediate vicinity of the hereinafter proposed road of public easement, beg leave to respectfully show to Your Honor:

That it is not necessary that the public or the petitioner in the petition hereinbefore referred to, should have ingress to or egress from the residence of the said petitioner over the said proposed road of public easement, or that ^{*then should be named*} a County road of public easement thirty feet in width or of any other width at all, from the residence of said petitioner, commencing at a point on the land of said petitioner at the Southeast corner of the Southwest quarter of Section 9, or elsewhere on the lands described in said petition, in Township 4 South of Range 35 East, in Union County, State of Oregon, or running thence East along and upon the section line between Section 9 and Section 16 in said Township and Range, County and State, a distance of one-half mile, to or terminating at or upon the section corner common to Sections 9 or 10, 16 or 15, in said Township, range, County or State, said road terminating at a public road; and that the undersigned residents and householders respectfully show that a road laid out in accordance with the petition of A. W. Cline, as prayed for therein and as hereinbefore specified, would not be a public road or a road of public easement, and would not be used by the public and is not necessary for the use of the public, and that a road so laid out would be a private way for the use of the petitioner and for the use of the petitioner alone, and would of neces-

sity be a private way in which the public is in no manner interested.

WHEREFORE, we, the undersigned residents and householders, re-monstrate against the allowance of said petition, or against the opening of said proposed road of public easement, or against any road or right of way through or across or along the lines as asked for in petitioner's petition.

~~W. S. Saffers~~
B. P. Bennett
Sam Smith
James Smith
T. A. French
John Southwell
W. S. McMillan
C. J. Jenkins

Edward Syese
Jim Smith
W. H. Briggs
B. L. Barnett
Sybester Miller
N. E. Beaman
C. A. Pumpkins
H. B. Owen
E. A. Jones
J. C. Briggs

In the County Court
of the State of Oregon
Ben Thumel County

In the Matter of the
Petition of G. W. Chase
for a road of Public
Easement

Memorandum

Filed Sept 8th 1897
J. P. Oliver
Clerk

1 In the County Court for Union County, state of Oregon.

2 In the matter of the application
3 of A.W.Cline for a road of Pub-
Easement.

4 Now at this time this matter
5 came on regularly to be heard upon the motion of the petitioner,
6 A.W.Cline, for a confirmation of the report of the viewers filed
7 herein, together with the objections of one Armitta H. Sullivan to
8 the confirmation of said report, the affidavit of one Andrew Sul-
9 livan, and a remonstrance of resident house-holders in the vicini-
10 ty of the road of Public Easement described in report of said
11 viewers, the order appointing them and the petition for the same,
12 and a motion of said petitioner that said objections, affidavit and
13 remonstrance be stricken from the files, the ~~petitioner~~ petitioner ap-
14 pearing by Finn & Ivanhoe, his attorneys, and the said Armitta H.
15 Sullivan appearing by J.M.Carroll, her attorney, each of said mo-
16 tions, said objections, affidavit and remonstrance and all of them
17 being heard together and at the same time by the court.

18 The court, after hearing the argument of counsel for and against
19 each of said matters, and being fully advised in the premises, finds,
20 orders and adjudges as follows:-

21 I-Finds, That the said Armitta H. Sullivan has a right to ap-
22 pear in this court and make objections to the report of the viewers
23 and the action of this court in proposing to open a road of Public
24 Easement over and upon her lands, upon any ground she may see fit,
25 and that her objections herein filed be not stricken from the files
26 in this proceeding.

27 II-That the affidavit of the said Andrew Sullivan and the re-
28 monstrance of the said resident house-holders are not sufficient,
29 taken together or separately, either in law or fact to authorize
30 the court herein to refuse to confirm the report of the viewers on
31 file in this matter; and that said affidavit and remonstrance, and
32 the objections of the said Armitta H. Sullivan, taken separately or
together, are insufficient in both law and fact to authorize or
justify this court in setting aside or refusing to confirm the re-
port of said reviewers. But that said affidavit and remonstrance be
not stricken from the files in this matter.

III-The court finds from the petition of the petitioner, A.W.
Cline, and the report of the viewers herein, that the residence of
the said petitioner is not reached by any convenient public road
heretofore provided by law and that it is necessary that the public
and said petitioner have ingress to and egress from said residence,
and that the report of said viewers is just and that said petition-
er, A.W.Cline has paid all the costs of the location of said road
of Public Easement and all damages assessed by said viewers, and
that said viewers have located said road where it will do the least
damage to the land over which it passes,

It is therefore hereby ordered and adjudged, that the motion
of the petitioner that said objections, affidavit and remonstrance
be stricken from the files in this matter, be over-ruled and the
same is hereby denied.

That the motion of petitioner that the report of the viewers
herein be confirmed, be, and the same is in all things granted and
confirmed, and that a road of Public Easement is hereby, in accord-
ance with said report as follows, to wit:-commencing on the lands
of the said A.W.Cline, the petitioner herein, and at the south-east
corner of the south-west quarter of section nine (9) township four
~~four~~ (4) south of range thirty five (35) E.W.M. in Union county state
of Oregon; thence, in an easterly direction, along and upon the sec-
tion line between said section nine (9) and section sixteen (16) in
said township, range, county and state, to and terminating at and
upon the section corner common to sections nine (9), ten (10), fifteen
(15) and sixteen (16), all in said township, range, county and state,
and said road so terminating at and upon a public road, and the said
road of Public Easement to be thirty feet in width the entire dis-
tance thereof; and said road of Public Easement is hereby declared
to be a public road, and the same shall be recorded as such, and the
same shall be opened and kept passable by the said A.W.Cline, his

1 heirs, executors, administrators, assigns and successors in interest,
forever.

2 Done and dated in open court and in regular session thereof,
3 at Union, in the county of Union, this the 9th day of September,
1897, by order of the above-entitled court.

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5 *W. Sanders*
6 County Judge for Union
7 County, Oregon.
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heirs, executors, administrators, assigns and successors in interest forever.
Done and dated in open court and in regular session thereof, at Union, in the county of Union, this 8th day of September, 1887, by order of the above-entitled court.

[Signature]
~~County Judge for Union~~
County, Oregon.

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First Judicial Day

Wednesday June 9 1897

In the matter of the petition of A. W. Chie, for a road of public easement.

Now at this time this cause comes on to be heard upon the petition of A. W. Chie for a road of public easement, said Chie appearing by Tom L. Wacker, his attorney, and there being no other appearance, either in person or by attorney, and the Court being fully advised in the premises, It is hereby ordered that, it appearing to the Court herein, that the said petition of the said A. W. Chie is erroneous by him, and that according to the said petition, the residence of the said petitioner is not reached by any Government or other public road heretofore provided for by law; and that it is necessary that the public and the petitioner shall have ingress to and egress from the residence of said petitioner, and that in pursuance of said showing Joseph Lawrence Wilt, and Cal Leftus, each being a free holder of Union County, State of Oregon, and not interested in this petition, or the land therein described, and each of them is hereby appointed a viewer, to meet at the residence of the petitioner, upon the beginning of said proposed road of public easement on Saturday June 19 1897, and to then and there proceed to view out and locate a County road of public easement, thirty (30) feet in width from the residence of said petitioner, to wit: Commencing at a point on the land of said petitioner and at the Southeast corner of the Southwest quarter of section nine (9), Township four, (4) South of Range thirty-five (35) E. W. M. and in said Union County, State of Oregon, and running thence east along and upon the section line between said section nine (9), and section sixteen (16) in said Township, range, County and State, a distance of one-half mile, to and terminating at, and upon the Section corner common to sections nine (9) and sixteen (16) and fifteen (15) in said Township, range, County and State, said road terminating at a public road, and said viewers are hereby directed by this order to assess all damages that may be sustained by any person over or through whose land or lands said road when located, will pass.

First Judicial Day

Wednesday, July 7, 1897

Court that this matter be continued for the term.

In the matter of receiving
the Bridge over Ponder
River on the Eagle Valley
and Huntington Road.

It appearing to the Court at this
term that the Contractor E. W. Ruckman, has completed the
Bridge over Ponder River on the Eagle Valley, and Huntington
Road, and that County Commissioners R. S. Langwell and C.
J. Brown, have examined the said bridge as heretofore ordered
by this Court and report that the said bridge is all right
and that the same should be paid for. It is therefore consid-
ered, ordered and advised that the said bridge be accepted
by this Court and the Clerk is directed to draw a warrant
on the Contingent fund in favor of the said E. W. Ruckman, for
\$397.⁵⁰ the amount to be paid on the said bridge by Union. It
is further ordered that R. S. Langwell, Commissioner be authoriz-
ed and instructed to complete the bridge on the Union County
side of said bridge, fill in the abutments and make any other
necessary improvements on the said structure and render
his bill to this Court for his services.

In the matter of the
petition of A. W. Olive,
for a road of public
usement.

This matter came on to be heard at
this term on the report of the Viewers heretofore appointed,
herein, and also on the motion of A. J. Sullivan to dismiss the
said petition, and after hearing the argument of Counsel and
the Court not being fully advised, It was ordered that the said
petition be continued until August 4, 1897 at one o'clock P.M.
for further hearing.

In the matter of the
removal of the road
petitioned for by J. H.
Cochran, et al.

This matter came on to be heard at this

Sund. Judicial Day.

Wednesday Aug 4th 1897

Section Twenty-six and West 1st North-west-quarter Section Thirty-five, Township Four N.R. 40. E.W. 7th and lots seven and eight, of Block Twenty-five, North Tonder, in full satisfaction of the tax lien against said property for the year 1894. It is also further ordered that the Clerk be authorized and instructed to accept \$764 the amount of the taxes charged against the North-west-quarter of lots 1, 2, 3 and 4, Block Eighty-Nine, in addition to Elgin, in full satisfaction of the taxes charged against the said property for the year 1894. It is further ordered that this order be executed *hinc* pro. *hinc* of January 6th 1897.

In the matter of re-
pairing bridges over
Grand River.

At this time it is ordered by the Court that this matter be, and the same hereby is continued for the term on former order.

In the matter of
granting road North-
of the Elgin Bridge.

At this time it is ordered by the Court that this matter be, and the same hereby is continued for the term on former order.

In the matter of the ap-
plication of A.W. Chise,
for a writ of public
hearing.

Now at this time this matter came on regularly to be heard upon the motion of A.W. Chise the petitioner, that the petition enfile in the above matter and all the proceedings thereunder be dismissed. Whereupon the Court being fully advised in the premises, hereby orders that said petition and all the proceedings thereunder be, and the same are hereby dismissed, and the Clerk of this Court is hereby ordered to refund to said Chise or his attorney on demand, any and all money in his hands or deposit for damages in said matter.

Third Judicial Day

Wednesday Aug 4. 1897

applicant has paid into the County Treasury the sum of \$200 and filed his receipt for the same with the Clerk of this Court as the law required. That all the proceedings herein have been regular and according to law; and there having been no remonstrance filed herein or cause shown why said petition should not be granted. It is therefore considered and ordered by the Court that said petition be granted and that license issue to the said Charles Keller to sell spirituous, malt and various liquors in less quantities than one gallon in this Valley Precinct for a period of six months from this, August 4. 1897.

In the matter of the application of A. W. Chie for a road of public easement.

Now at this time, to-wit: Wednesday, August 4. 1897, the same being the third day of a regular term of said Court for the month of August 1897, this cause came regularly on to be heard upon the same petition of A. W. Chie for a road of public easement. And it appearing to the Court from said petition that the residence of the said petitioner, A. W. Chie, is upon the Southwest 1/4 of Section 9 in Township 4, South of Range 35, E. W. M. in Union County, State of Oregon, and that the same cannot be reached by any, easement or other public road heretofore provided by law, and that it is necessary that the public and said petitioner shall have ingress to and egress from the residence of said petitioner and that said easement shall pass over the lands of another, to-wit: Committed to Sullivan, the owner of the N. E. 1/4 of Sec 9 and N. E. 1/4 of Sec 16, all in Township 4 South of Range 35 E. W. M. in said Union County, Oregon. That in pursuance of such showing Joseph Lawson, George Witt and Pat Leftwich appearing to the Court to be a resident free holder of said Union County, Oregon, and not interested in this petition or the lands above described, and they are hereby appointed as viewers to meet at the residence of the petitioner above described at or near the beginning of the said proposed road of public easement on Monday, August 16. 1897, and then and there proceed to view out and locate a lawful road of public easement, thirty feet wide, from the said residence of the said A. W. Chie, to-wit: Commencing at a point on the land of said petitioner and at the southeast corner of the Southwest 1/4 of Section 9 in Township 4 South of Range 35 E. W. M. and run thence along and upon the Section line between said Section 9 and Section 16 and in

Third Judicial Day.

Wednesday, Aug. 4, 1897.

an easterly direction a distance of one-half mile to and terminating upon the section corner common to said section 9, 16, 15 and 10 of said Township and range, and all said points in said Union County, State of Oregon, terminating upon a public road and high way. Said viewers are hereby further directed to assess all damages that may be sustained by any person over through or across whose land or lands said road, when located, shall pass. That the report of said viewers of their said run, location and assessment of damages, if any, shall be returnable and is to be considered by the County Court of Union County, Oregon, at its regular term to be begun and holden on the first Monday of September, 1897 or as soon thereafter as said Court may take cognizance of the cause, said Court to be holden at Union, in said County and State, this, which will be regularly taken up for hearing, Wednesday Sept 8th 1897 at 2 o'clock P.M.

In the matter of
revising the Bridges
over East Eagle near
Neady's Mill.

This matter came in to be heard at this time on the report of R. J. Langner, County Commissioner, heretofore appointed by this Court to superintend the construction of a bridge over East Eagle Creek, on the County road petitioned for by W. P. Neady et al. And it appearing to the Court from the said report filed herein, that the above bridge has been completed in a good and substantial manner. It is therefore considered and ordered by this Court that said bridge be accepted, and that the Clerk be authorized to turn over the warrant heretofore issued for \$200. to Wm. Menchum, Road Supervisor of the said District in which said bridge is situated.

Thereupon it was ordered that Court be now adjourned until tomorrow morning at 9 o'clock.

Fourth Judicial Day.

Thursday Sept 9 1897.

Court met pursuant to adjournment.

The same officers were present as on yesterday.

Due proclamation of the opening of Court having been made, the Journal of yesterday's proceedings was read, approved and is hereupon signed.

J. A. Sanders

County Judge.

Thereupon the following proceedings were had, to wit:

In the matter of the application of A. W. Chic for a writ of public easement.

Now at this time this matter came on regularly to be heard upon the motion of the petitioner, A. W. Chic, for a confirmation of the report of the Viewers filed herein, together with the objections of one Admitta H. Sullivan to the confirmation of said report, the affidavit of one Andrew Sullivan, and a renunciation of resident house-holders in the vicinity of the road of Public Easement described in report of said Viewers, the order appointing Chic and the petitioner for the same, and a motion of said petitioner that said objections, affidavit and renunciation be stricken from the files. The petitioner appearing by Saml and Imabee, his attorneys; and the said Admitta H. Sullivan appearing by J. M. Carroll, her attorney, each of said motions, said objections, affidavit and renunciation and all of them being heard together and at the same time by the Court. The Court, after hearing the argument of Counsel for and against each of said matters, and being fully advised in the premises, finds, orders and adjudges as follows: 1. That the said Admitta H. Sullivan has a right to appear in this Court and make objections to the report of the Viewers and the action of this Court in preparing to open a road of public easement over and upon her lands, upon any ground she may see fit, and that her objections herein filed be not stricken from the files in this proceeding; 2. That the affidavit of the said Andrew Sullivan and the renunciation of the said resident house-holders are not sufficient, taken together or separately, either in law or fact to authorize the Court herein to re-

Fourth Judicial Day.

Thursday, Sept 9, 1897.

judge to confirm the report of the Viewers on file in this matter; and that said affidavit and remonstrance, and the objections of the said Amalita H. Sullivan, taken separately or together, are sufficient in both law and fact to authorize or justify this Court in setting aside or refusing to confirm the report of said reviewers. But that said affidavit and remonstrance be not struck enjoin the files in this matter. III. The Court finds from the petition of the petitioners, A.W. Chis, and the report of the Viewers herein that the residence of the said petitioner is not reached by any convenient public road heretofore provided by law and that it is necessary that the public and said petitioner have ingress and egress from said residence and that the report of said Viewers is just and that said petitioner, A.W. Chis, has paid all the costs of the location of said road of public easement and all damages done by said Viewers, and that said Viewers have located said road where it will do the least damage to the land over which it passes. It is therefore hereby ordered and adjudged, that the motion of the petitioner that said objections, of affidavit and remonstrance be stricken from the files in this matter, be overruled and the same is hereby denied. That the motion of petitioner that the report of the Viewers herein be confirmed, be, and the same is in all things granted and confirmed, and that a road of public easement is hereby in accordance with said report be ordered, as follows, to wit: Commencing on the lands of the said A.W. Chis, the petitioner herein, and at the South east corner of the South west quarter of Section nine (9) Township four (4) South of range thirty-five (35) E.W.M. in Union County, State of Oregon: thence, in an easterly direction, along and upon the Section line between said section nine (9) and section sixteen (16) in said Township, range, County and State to and terminating at and upon the Section corner common to sections nine (9), ten (10), fifteen (15) and sixteen (16) all in said Township, range, County and State, and said road so terminating at and upon a public road, and the said road of public easement to be thirty feet in width, the entire distance thereof, and said road of public easement is hereby declared to be a public road, and the same shall be recorded as such, and the same shall be opened and kept forever by the said A.W. Chis his heirs, executors, administrators, assigns and successors in interest forever now and ad id in open Court and in regular session

Fourth Judicial Day.

Thursday Sept 9. 1897.

thereof, at Union, in the County of Union, this the 9th day of September 1897. By order of the above entitled Court.

In the matter of the assign-
ment of the Certificate of sale
of lots 1 and 7 Block 11, Steed-
ling's addition to Island City,
located to Union County upon the
sale thereof for delinquent taxes
for the year 1893.

This matter came on to be heard
at this time on the application of George Ball for the purchase of
the Certificate of sale of lots 1 and 7 Block 11, Steedling's addition to
Island City, Union County, Oregon, located to Union County, the pur-
chaser, upon the sale for delinquent taxes for the year 1893
from which it appears that said petitioner George Ball, was the
purchaser of said property at the sale thereof for delinquent
taxes for the years 1894 and 1895. That on the 17th day of Novem-
ber 1895, said property was sold to Union County for delinquent
taxes for the year 1893 at and for the amount of taxes charged against
the same, to wit: \$7.⁰⁰ together with the costs and expenses of sale,
to wit: \$6.⁰⁷, or a total of \$13.⁰⁷, that the time of redemption thereof
has almost expired and it further appears to the Court that it
will be to the best interests of Union County, to sell and assign
said Certificate of sale to the said petitioner, George Ball, that
the said petitioner has paid into the hands of the Clerk of the
Court the amount of the County's bid for said property, to wit:
the sum of \$13.⁰⁷. It is therefore considered and ordered by the
Court that the said petition be granted and that said Certifi-
cate of sale be and the same is hereby assigned to the said
petitioner, and the County Clerk is hereby directed to enter upon
the delinquent tax sale record the assignment of said Certifi-
cate in conformity with this order.

In the matter of repairing
the bridge over Eagle Creek
on the Union - Connecoquin
road.

It appearing to the Court at this time
that the bridge over Eagle Creek on the Union - Connecoquin road