

No

62

IN

Circuit Court

Court

Basche & Paul

Plaintiff

vs

J. R. Gibson

Defendant

Action for

Docket

Page

J. L. Moore

Attorney for Plaintiff

Attorney for Defendant

MEMORANDA

486

Testimony for by
A. Waelly
et al

Beginning at the NW Corner
of the NE¹ of Sec 28 T¹P¹N¹R⁴
and terminating at SE Corner
of Sec 30 T¹P¹N¹R⁴E

WITNESSES

Viewed and Jul 3 page 27

Platted

Presented Sept. 8, 1897

J 45, 65, 14, 89

Ordered Opened Mar 4 1897

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 6 day of September, 1897, 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 Adolph Wally, et al, beg leave to report that on the 20 day of September, 1897, 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.

J. M. Higginbotham
A. Ohms
E. E. Jones
VIEWERS.

1897

Elgin Min. Co. Oregon Oct 4th
To the honorable conf. court
of Min. County Oregon at the
regular October term thereof.

I herewith
submit for your consideration a bill
for damages as follows. - Whereas a
certain road petitioned for, by A
Waelz and others was presented at the
last term of your court and was viewed
by J^r Higginbotham Albert Adams and Evan
Jones and reported favorably -

Now the said
road begins at the ~~W~~ corner of the N E
Quar of Sect 28 T¹ N R 40 E being a
corner of my land and runs thence
 $\frac{1}{2}$ mile East along the north side of
my said ^{tract} taking a ~~course~~ 20 ft wide
which is ^{reasonably} ~~with~~ 25 ^{and} causing me to remove
 $\frac{1}{2}$ mile of fence at ^{a crossing} ~~the~~ the half of which
must be made anew at a cost of \$50

And that from angle 2 to 4 an unseason-
ly crook is made in the fence projecting
into my land damaging it to the value
of ten dollars making in all \$105⁰⁰
damages to me and to my property -

But in consideration of the fact
that a road is needed and petitioned
for by my neighbors If your Honor

Body will allow me the cost of the
one fourth mile of new fence I will
be compelled to furnish the material for
and construct, namely fifty Dollars I will
forego all claims to any further dam-
ages

And I hereby further claim that the said
road is of no special benefit to me,
W. B. Hindman

I W. B. Hindman first being
Sworn say that the foregoing
Bill of damages together with
the statements therein is true as
I verily believe W. B. Hindman

Subscribed and sworn to before
me this 4th day of Oct 1897
J. P. White

J. P.

STATE OF OREGON,
COUNTY OF UNION.

I testify that the within and content

of writing was read and its record on this

6th day of Oct 1897, at

....., and recorded on

..... in Book..... Record of

..... of said County.

By.....

.....

..... Deputy.

Charles
Cross
no 5

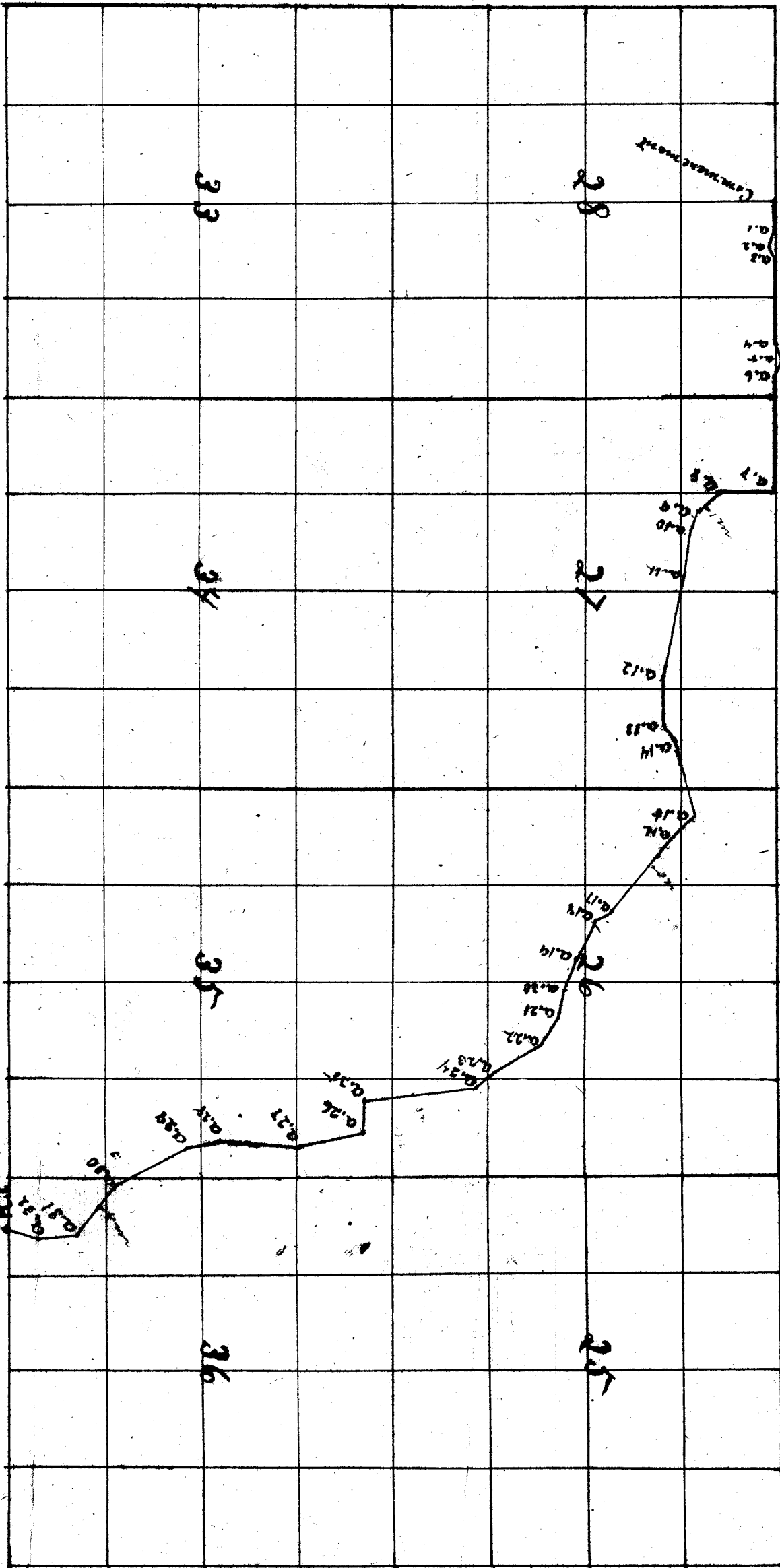
In the matter of the road pe-
titioned for by ~~Adolph Maehl~~ ^{Adolph Maehl} et al.

Now at this time the attention
of the Court having been called
for to the condition of the record
in the matter of the County
Road petitioned for ^{by} ~~Adolph~~ ^{attemped to be}
Adolph Maehl et al. as estab-
lished and laid out by order
of Court of doct Nov, 4th 1897
as found in Journal of
Commissioners Court of page
89 thereof, the said road as
~~plotted and surveyed~~ ^{revised} and
platted being found on
~~page~~ plat book of County Roads
of Decatur County, Roads ^{under} Road
Number, ~~486~~ and said
road as surveyed and platted
commencing at the N.W. corner
of N. E. corner of Sec. 29 Tp. 1 N., R.
40 E. N. W., and terminating
at a point, his claims east of
S. E. corner of Sec. 35 - Tp. 1 N.,
R. 40, E. N. W., and it appearing
to the Court from the petition

Holders of petitions and report of
jurors and surveyor, that
the Court was without juris-
diction, to establish said
highway and that the Council
has no authority to open or
establish said road. It is
ordered that the order of Court
heretofore made, in said
Case, Nov. 4/1897 establishing
said Road, be and the same
is hereby set aside, and it
is also ordered that the
petition for said road be
and is hereby dismissed.

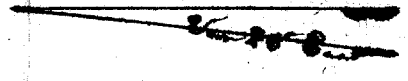
It is further ordered that
a Charles Cross the ~~said~~
supervisor of Road District
No 5; be and he is hereby
~~directed~~
~~ordered to stop any further~~
all work in opening up said
Roads. It is further ordered
that a copy of this order
be mailed to the said
supervisor at Egan Oregon

T. 172. R. 406. W. 72



Continuation

0.1 0.2 0.3 0.4 0.5 0.6 0.7 0.8 0.9 0.10 0.11 0.12 0.13 0.14 0.15 0.16 0.17 0.18 0.19 0.20 0.21 0.22 0.23 0.24 0.25 0.26 0.27 0.28



Field Notes of the Road Petitioned for by Adolph Wealty et al

	Commencing at the N. W. Cor.	
	of N. E 1/4 Sec. 28 T. 1 N. R. 40 E. W. M.	
	Var 20° East Thence East	
Chains		
6.00	To Angle 1.	Thence South 72° 30' East
3.56	" " 2.	" North 61° E.
222	" " 3.	" East
17.00	" " 4.	" North 74° E.
3.00	" " 5.	" South 75° E.
3.00	" " 6.	" East
25.20	" " 7.	" South
12.21	" " 8.	" S. 43° East
5.81	"	1 Mile post Same Course
1.14	"	Angle 9. Thence South 70° E.
4.18	" " 10.	" South 83° E.
9.10	" " 11.	" South 80° E.
21.75	" " 12.	" North 88° E.
14.30	" " 13.	" North 49° East
4.75	" " 14.	" North 77° East
15.54	" " 15.	" South 45° East
7.85	" " 16.	" South 50° East
5.39	"	2. Mile Tree Same Course
14.60	"	Angle 17. Thence South 29° East
3.65	" " 18.	" South 61° East
9.24	" " 19.	" South 66° East
7.25	" " 20.	" South 79° East
6.60	" " 21.	" South 57° East
7.70	" " 22.	" South 31° East
11.00	" " 23.	" South 40° East
6.15	" " 24.	" South 7° East
13.81	"	3. Mile Rock Same Course
10.00	"	Angle 25. Thence South 87° East
7.75	" " 26.	" South 14° East
14.00	" " 27.	" South 3° West
16.00	" " 28.	" South 11° East
8.35	" " 29.	" South 30° East
18.65	" " 30.	" South 52° East
5.25	"	4 Mile Tree Same Course

chs
7.95
8.15
8.00

To Angle 31. Thence South 8° East
" " 32. " South 16° West
" Road Terminus a point
10 chs East of the S. E. Cor. of
Sec. 35. T. 1 N. R. 40 E. W. M.
All points are marked according
to law

Report of Surveyor.

To the Hon. County Court of Union County, Oregon:

I, the undersigned, County Surveyor, appointed to survey the county road proposed by
Adolph Wealty et al., beg leave to report that
on the 25 day of September 1897, in pursuance of said appointment
and order, I Surveyed said proposed road for the whole distance thereof, the following being
the field notes of said survey:

Commencing at the N. W. Cor. of N. E. 1/4
of Sec. 28 T. 1 N. R. 40 E. W. M. running thence
along said line as petitioned for I found I could not terminate
as to the order they being a mistake of Sec. in petition
as to terminus but the road is laid out as wanted
in that locality The following being the field notes
attached

Arthur Curtis
County Surveyor.

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 8th day of September A. D. 1897, 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:

Beginning at the North West Corner of the N.E. 1/4 of Section 28 S. 1. N. R. 41. E. W. M. thence east along and as close to said Section line as practicable a distance of about 241 Rods thence South a distance of about 60 Rods to the South Side of the North Fork of Clark's Creek thence in an easterly direction over the most practicable route on the South Side of the North Fork of said Clark's Creek to the South East Corner of Sec 35 in S. 1. N. R. 41 E. W. M and there terminate said Road to be 40 feet wide

NAMES:

Malthus Waddy
 W. B. Hindman
 E. P. Rookett
 J. L. Hindman
 G. A. Elliott
 H. H. Bressler
 M. E. Elliott
 J. J. Bruffen
 A. J. Tucker
 Julius C. Hug
 H. Towner

NAMES:

R. A. Long
 W. E. Gordon
 W. W. Gordon
 May Beyer
 J. L. Wade
 John Cochrane
 J. E. Ward
 Joseph Huffman
 W. B. Knight
 J. Huffman
 A. Thomson

Posted Aug 3/97
By A. M. Oliver

FILED

SEP 7 1897

J. R. Oliver
COUNTY CLERK.

Petition For County Road.

To the Honorable County Court, For Union County, Oregon:

The undersigned householders of Union County, Oregon, residing in the vicinity where the hereinafter described road is 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:

Beginning at the North West Corner of Sec 28 in T. 1 N. R. 41 E. N. 30. Thence east along or as close to said Section line as practicable a distance of about 240 Rods thence South a distance of about 60 Rods to the South Side of the North fork of Clark's Creek thence in an easterly direction over the most practicable route on the South side of the North fork of said Clark's Creek to the South East Corner of Section 28 in T. 1 N. R. 41 E. N. 30. and thence terminate said road to be 40 feet wide

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

NAMES:

NAMES:

Adolph Walby
 W. B. Hindman
 E. J. Toockert
 J. Hindman
 J. C. Callison
 H. W. Breckers
 M. E. Elliott
 J. J. Brugger
 E. J. Frazier
 Julius C. Hug
 R. A. Hug
 W. C. Gorden
 W. W. Gorden
 W. J. Binger
 J. C. Noak

Johannson
 J. C. Ward
 Joseph Huffman
 W. B. Knight
 S. Huffman
 H. Towner
 W. Thompson

FILED

SEP 7 1897

J. R. Collins
COUNTY CLERK.

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

I, Adolph Wally 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 at the initial point on said road on the fence One on the H. Alcott Barn One at the middle of said road and one at the point of termination of said road to wit low a few trees

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 2nd day of August 1897, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the _____ day of _____ 18____, I posted a true and correct copy of said notice at the place of holding Court for Union County, Oregon, to-wit: On the front of the Court House door, in the City of Union, in said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

Subscribed and sworn to before me this 28th day of August 1897
Adolph Wally
W. M. Reed
Arthur P. ...
Deputy

FILED

SEP 7 1881

J. R. Oliver
COUNTY CLERK.

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

I, C. N. Oliver

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 proposed 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~~, and that thereafter and thirty days previous to the presentation of said road petition
therein mentioned, to-wit: On the 3 day of August 1897, 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.

Subscribed and sworn to before me this

7 day of Sept 1897.

C. N. Oliver

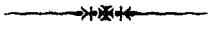
J. R. Oliver
County Clerk

FILED

SEP 7 1887

J. P. Oliver
COUNTY CLERK.

BOND OF ROAD PETITIONERS.



Know All Men by These Presents, That we, Adolph Baetty
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 4th day of August A. D. 1897

Now, the condition of the above obligation is such, That, whereas the above named Adolph
Baetty and _____, and others, have
petitioned the County Court of said County of Union, at the _____ Term, 1897, thereof for a

County Road, commencing at the N.W. Corner of the N 34 of Sec 28
in T 1 S R 40 & W 1/2 thence east along
or as close to said line as practicable a distance
of about 240 Rods thence South a distance of about
60 Rods to the South Side of the North fork of
Clarks Creek thence in an easterly direction
over the most practicable route on the South
Side of the North fork of said Clarks Creek
to the S.E. Corner of Sec 31 in T 1 S R 41 &
W 1/2 and then terminate said road
to be 40 feet wide

Now, if the above named Adolph Baetty 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.

Adolph Baetty (L. S.)

E. S. Crockett (L. S.)



STATE OF OREGON, }
County of Union. }

I, Adolph Baetty and
E. S. Crockett, each for himself, says, that I am worth the sum of Two
Hundred Dollars over and above all debts and liabilities and property exempt from execution; that I am a resident and householder
in said County and State.

Adolph Baetty

E. S. Crockett

Subscribed and sworn to before me this 4th day of Aug A. D. 1897

A. D. McLeod
Justice for Oregon
County Clerk

150-175

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

IN THE MATTER OF THE
Adolphus Mackley

ROAD.

BOND OF ROAD PETITIONERS.

Approved..... 189

County Judge.

Filed..... 189

County Clerk.

By.....
Deputy.

FILED

SEP 7 1897

J. R. Oliver
COUNTY CLERK.

Third Judicial Day.

Wednesday, Sept. 8th 1897

of 5^o, and the same is hereby discontinued.

In the matter of the
proposed road peti-
tioned for by Adolph
Waelty, et al.

Come now Adolph Waelty, one of the petitioners for the above named proposed County road, and presents to this Court the petition of himself and others, praying for the location and establishment of a County Road, described as follows, to wit: Beginning at the Northwest corner of N^o 6¹/₄ of Sec. 28, T^op. 17 N. R. 40. E. W. M. thence to along or as close to said section as practicable a distance of about 740 rods, thence South a distance of about 69 rods to the South side of the North fork of Clark's Creek, thence in a westerly direction over the most practicable route on the South side of the North fork of said Clark's Creek to the Southeast corner of Sec. 30 in T^op. 17 N. R. 40. E. W. M. and there terminate. Said road to be 40 feet wide. 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 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 in the initial point on said road on the fence, one on the A. Waelty farm near the middle of said road and one at the point of termination of said road on a fir tree, 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 reported 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 Albert Olson, S. M. Huggins, both of them, be appointed Viewers of said road and that Arthur Curtis be appointed Surveyor of said road, and that they meet at beginning of the road on the 25th day of Sept. 1897 at the hour of 9 o'clock A. M. and after qualifying to view, survey and lay

Third Judicial Day

Wednesday, Sept 8th 1897

out said read according to law.

In the matter of the proposed County Road petitioned for by J. M. Nare, et al.

Come now J. M. Nare, 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: 33 1/2 rods South of the N.E. Corner of the N.E. 1/4 of the N.W. 1/4 of Sec 33, T. 27 N. R. 39 E. W. M. at a pine stump, marked R. on the N.W. side, said stump is located about the center of the present County road, running thence in a North-westerly direction along the west side of Little Pine Creek above high water mark over the most practicable route to a pine stump marked R. on the top in the center of the present County road said stump being 26 7/16 rods South and 8 rods West from the Northeast Corner of the N.W. 1/4 of Sec 28, T. 27 N. R. 39 E. and there terminate. Said road to be 60 ft wide and to vacate all the present County road from and thence the initial point and the terminus of this proposed 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 no title has been given by advertisement posted at the place of holding County Court, to wit: At the Court House, in the 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 at the terminal point of the proposed road on a pine tree, and one at the initial point of said proposed road on a pine tree and one on the farm of J. S. Gallowsay, in the vicinity of said proposed road for more than thirty days immediately prior to the presentation of said petition to this Court, notifying all persons concerned, that application would be made to this Court at the present session of this Court: and that the notices so posted were in due form, and duly signed by the petitioners, and that a bond for the cost of this proceeding had been duly given. It is therefore ordered that Albert Ohms, J. M. Higginbotham and C. E. Jones be appointed Viewers of said road and that Arthur Butler be appointed Surveyor of said road, and that they meet at beginning of the proposed road on the 14th day of

Third Judicial Day

Wednesday, Oct. 6, 1897.

In the matter of graveing road }
north of Eglin.

Now at this time this matter coming up for consideration it is ordered by the court that the same be and it is hereby continued for the term.

In the matter of the road pe- }
ditioned for by J. M. Dave, et al

Now at this time this matter came on to be heard, on the report of the viewers and surveyor, heretofore appointed to view, survey and lay out said above named road, for a first reading and the said report having been read in open court this day for the first time, it is ordered that the same be laid over for a second reading on some other day of this term of court.

In the matter of the proposed }
County road petitioned for by Adolph }
Warely et al

Now at this time this matter came on to be heard on the report of the viewers and surveyor, heretofore appointed by the court to view, survey and lay out said above named proposed road, for a first reading of the said report, and the same having been read in open court this day for the first time as by law required, it is ordered that the same be laid over for a second reading on some subsequent day of this term of this court.

In the matter of an }
order of the County Court }
vacating certain blocks, }
streets and alleys in the town }
of Allice, Union County, Oregon, }
made and entered Sept 5th 1894

This cause came on to be heard upon the petition of the Oregon Railroad and Navigation Company, a corporation, to vacate and set aside an order of the County Court made and entered on the 5th day of September 1894, vacating all that portion of the town site of Allice adjacent to and lying West of the Oregon Railroad and Navigation Company's depot grounds in Allice, Oregon, street and all blocks, alleys and streets of said town site lying and being west of said depot grounds and situated

Fourth Judicial Day.

Thursday, Oct 7, 1897.

Court met pursuant to adjournment.

The same officers were present as on yesterday.

A proclamation of the opening of Court having been made, the journal of yesterday's proceedings was read, approved and is here now signed.

J. N. Sanders

County Judge.

Thereupon the following proceedings were had, to-wit:

In the matter of the proposed road petitioned for by Adolph Waelch, et al.

Error, page 74 this book.

This matter came on to be heard at this time on the report of the Viewers and Surveyors 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 6th day of Sept. 1897, appointed to view and lay out and alter the proposed County road, which the survey hereto attached is a true and correct description as petitioned for by Adolph Waelch, et al, has honor to report that on the 25th day of Sept. 1897, 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 house holders residing in the vicinity thereof we therefore recommend that said proposed road be laid out and declared a public highway of said County.

J. M. Biggs & Co.

J. D. Jones, E. E. Jones, Viewers.

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 thereof, and recommend

Fourth Judicial Day.

Thursday, Oct 7, 1897.

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. This therefore considered and ordered by the Court that said report of the Viewers and surveyer be approved and adopted by the Court, and that said proposed road be declared a public highway of Union County, Oregon, and opened up and placed in repair for travel according to law. This further ordered that the report of the Viewers be placed on record in this Journal, and that the surveyor's plat of the proposed road and his field notes of the survey thereof, be placed on record in the book of plats of County roads of Union County, Oregon, and that the Road Supervisor of road District No. _____ 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. M.
Darr, 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 6th day of September 1897, 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. M. Darr, et al, beg leave to report that on the 24th day of Sept. 1897, in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view and lay out said proposed road for the whole distance thereof, and that in our opinion said proposed road should be laid

Fourth Judicial Day

Thursday, Oct 7/1897

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 within the vicinity thereof, we therefore recommend that said proposed road be laid out and declared a public highway of said County.

J. W. Higgins, Justice.

A. W. H. E. Jones, Viewers.

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 recommends 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 counterclaim 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, It is therefore considered and ordered by the Court that said report of the Viewers and surveyors 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 within the 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 plats of County roads of Union County, Oregon, and that the Road Supervisor of said District No. 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 his decree and ordered to open up said road and place the same in repair for travel.

In the matter of the County road petition for by Abel B. Burt et al.

This matter came on to be heard at this time on the report of the Viewers for a second reading and also on the claim of Wm. A. Haidman heretofore filed herein for damages, and the

Fourth Judicial Day

Thursday, Oct 7 1897

Court not being fully advised in the premises, it is hereby considered that this matter be continued for the term.

In the matter of the
 Concurrence of County
 and Contingent Warrants
 and credits to the
 County Treasurer.

Now at this time comes J. W. Hatto, County Treasurer, and presents to the Court certain County and Contingent warrants, School Vouchers and other vouchers and receipts for money paid out, and the Court having examined all of said vouchers and warrants, and it appearing to the Court that said warrants have been properly and regularly issued and paid and that the money for which said vouchers were taken was properly paid out of the funds applicable thereto. It is therefore ordered that said warrants hereafter are hereby canceled. And it is further ordered that the Treasurer have credit on his account for the aggregate amount of said warrants and vouchers as herein after set out, to wit:

County Warrants	(77)	\$1166. ⁵⁰
Intersect expense		374. ²¹
Contingent Warrants	(307)	3687. ⁶⁴
School Dist No 5.	(2)	86. ⁵⁹
School Dist No 13	(1)	13. ⁵⁴
School Dist No 18	(1)	10. ⁴¹
School Dist No 19	(1)	31. ²⁵
School Dist No 43	(1)	11. ²²
City of La Grande	(3)	612. ¹¹
School Vouchers	(89)	8067. ⁸⁶

In the matter of al-
 lemyia Pills and in-
 coming Warrants on the
 same.

This matter came on to be heard at this time for the allowance of said allowance bills against the County and the bills having been submitted to the Court and the Court having taken action on the same as endorsed on the

Fourth Judicial Day

Thursday, Nov. 4, 1897

Continued pursuant to adjournment

The same officers were present as on yesterday.

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

J. N. Sanders
County Judge.

Then upon the following proceedings were had, to wit:

In the matter of the proposed County road petitioned for by Adolph Wadley, et al.

This matter came on to be heard at this time on the report of the Viewers and Surveyors heretofore appointed, herein for a second reading as provided by law, and the report of Viewers Benjamin Wadley following, to wit:

Report of Viewers

To the Honorable County Court for Union County, Oregon

The undersigned Viewers heretofore on the 6th day of September 1897, appointed to view and lay out and also the proposed County road of which the survey hereto attached is a true and correct description as petitioned for by Adolph Wadley et al. beg leave to report that on the 25 day of September 1897, in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view and lay out said proposed road for the whole distance thereof, and that in our opinion said proposed road should be laid out and established as a public highway of Union County, Oregon; that the same is 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.

Emmett Botham A. Stone
E. C. Jones Viewers

And said report of the Viewers and the report of the surveyors having been now publicly read in open Court on two several

Fourth Judicial Day

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says 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 ^{except the claim of said respondents, which is hereinafter provided for} been filed herein, and there having been no cause shown why the 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, It is therefore considered and ordered by the Court that said report of the Viewers and surveyor be approved and accepted 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 when the petitioners shall have paid the damages. It is further ordered that the report of the Viewers be placed on record within the Journal, and that the surveyor's plat of the proposed road and his field notes of the survey thereof be placed on record in the book of Plats of County roads of Union County, Oregon, and that E. E. Gray, Cor. Road Supervisor of road district No. 17, the same being the road district in which said road is located, be furnished with a copy of the resolution 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 petitioned for by J. B. Weed, 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 the Viewers being in words following, to wit:

Report of Viewers.

To the Honorable County Court for Union County, Oregon.

The undersigned viewer heretofore on the 4th day of Oct 1897 appointed to view and layout and alter the proposed County road, of which the survey hereto attached is a true and correct description, a petitioner for by J. B. Weed, et al, by leave to report that on the 27th day of Oct 1897 in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appoint-