

No 2 Law  
in  
Circuit Court

J J McDonald

Plaintiff

vs

W H Hamilton

Defendant

Action for

Docket

Page

A Meacher &  
J H Slater Son  
Attorney for Plaintiff

Attorney for Defendant

REVENUE & EXERCISE ENTERED IN 18  
MAY 1 1880 6 C M H C N Y  
14 W 1 680 6 C M H C N Y  
1880 6 C M H C N Y

**Record of the Case**

196

**WITNESSES.**

1893  
 Sept 5 Petition rec Viewers apphd  
 Journal C of 113  
 Nov 7 let reading report  
 Journal C of 130  
 Nov 8 Appraisers apphd  
 Journal C of 133  
 1894  
 Jan 10 let reading report  
 Journal C of 142  
 Feb 11 Order opened  
 Journal C of 149  
 June 19 Order to Subpoena  
 Journal C of 260

Road

Commencing at N W cor Sec 34 S 1 &  
 R 39 E to a point where sec line  
 crosses road from Russell School House  
 to road from Sumnerville to Union

**DIRECTIONS**—Place papers on TOP OF RUBBER  
 Fold ends first then sides Throw the rubber cords  
 over the ends and package is complete

196

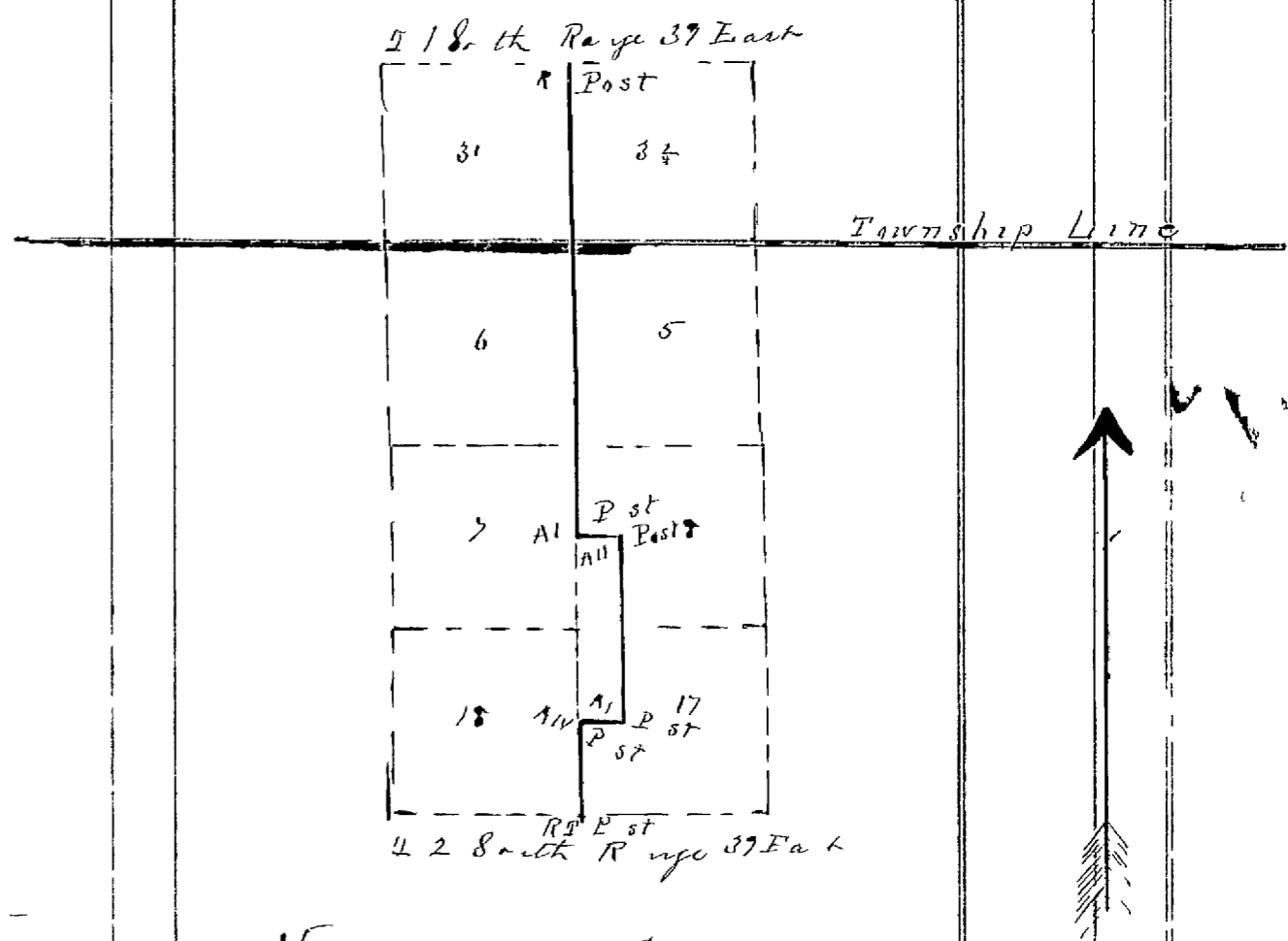
Report of Surveyor to the viewers of a proposed County Road as follows, to wit: commencing at the NW cor Sec 32 T 18 Range 39 East W M Thence South to SW cor of Sec 5 thence South 160 rods thence East 80 rods thence South 320 rods thence West 80 rods to Sec line between Sec 17 & 18 thence South to the Section line terminating where the Section line crosses the road leading from Russell School-house East to the road leading from Summericee to Union County - seat of Union County State of Oregon The following are the field notes

Beginning at a post marked R at the North west corner of Sec 32 T 18 South Range 39 East of Willamette Meridian  
 Thence - South 2 1/2 miles to post marked A I  
 " East 80 rods A II  
 " South 320 rods A III  
 " West 80 A IV  
 " South 160 rods R I

and connecting with the County road, running East from Russell School-house to the Summericee & Union road

State of Oregon }  
 County of Union }

I Eugene Chase do hereby certify that the field notes of the above described survey are correct as surveyed by me on the 26<sup>th</sup> day of September - A D 1883  
 Eugene Chase  
 County Surveyor



Variation 20 East  
 Whole distance 4 1/2 miles  
 Scale 1 mile to the inch

Surveyed Sept 26<sup>th</sup> 1883

Richard of Finney on

Wells Nov 7 1883

W. G. Knight  
Clerk

To the Honorable County Court of Union County Oregon The undersigned  
 names would respectfully petition your Honorable Body to establish  
 a road described as follows (03) commencing at the North West corner  
 of Section 32 Twp 2 Township one South of Range 39 east of the  
 Willamett Meridian Thence South to the South West corner of Section five  
 Thence South <sup>160</sup> one hundred and <sup>forty</sup> forty rods Thence East eighty rods  
 Thence South three hundred and twenty rods 320 rods Thence West  
 eighty rods 80 rods to the section line between sections 7 and 8 Thence  
 South on the section line Terminating where the section  
 line crosses the road leading from Russell School House East to the  
 road leading from Summerville to Union County seat of Union County  
 State of Oregon and that the said be made forty feet wide the same  
 being in the County of Union State of Oregon for which you petitioners  
 will ever pray all of them being citizens in the County sed road

Names \_\_\_\_\_ and <sup>Householders of the same vicinity</sup> \_\_\_\_\_ Names \_\_\_\_\_

J. W. Lytle  
 D. J. Buchanan  
 J. A. Buchanan  
 Clyde Springton

Johnston

Recd John 5 1893  
Mr G. W. Johnston  
Clerk  
E. Howard  
deputy

**Know all Men by these Presents:**

THAT WE, E. T. Neville,  
and W. B. Hamilton ..... of the County of Union and  
State of Oregon, are held and firmly bound unto the said County of Union in the sum of  
Fifty ..... 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 3<sup>rd</sup> day of August A. D. 1883.—

Now the condition of the above obligation is such, that whereas, if the County Road petitioned  
for by David A. Bridwell ..... and others, and presented  
at the Sept. term, 1883 of the County Court of said Union county, commencing  
at the N.W. corner Sec. 32 T. 1. S. R. 29 E. 24. N. — Thence S — to S. 1/4 Cor.  
Sec 5. Thence S 160 Rods. Thence E. 80 Rods. Thence S 220 Rods. Thence  
W. 80 Rods. to Sec. 17 & 18 Thence S on the Sec line  
terminating where the section line crosses the road  
leading from Summersville to Union —  
be located and established, then this obligation to be void; otherwise to remain in full force  
and virtue in law.

E. T. Neville

W. B. Hamilton

**STATE OF OREGON,** } ss.  
COUNTY OF Union ~~Marion~~

I, E. T. Neville ..... and  
W. B. Hamilton ..... each for himself says that I am worth the sum  
of One ..... Hundred Dollars over and above all debts and liabilities and property  
exempt from execution, and that I am a resident and householder in said County and State.

E. T. Neville

W. B. Hamilton

Subscribed and sworn to before me, this 3<sup>rd</sup>  
day of August A. D. 1883

W. T. Wright  
Clerk.  
Jacob Black deputy

Know all Men by these Presents:

That we

Do hereby

Filed Sept. 5. 1883

Wm. D. Wright

Deputy

James Black

STATE OF GEORGIA

COUNTY OF ...

Witness my hand and seal this ... day of ... 1883

...



## Notice

To all persons whomsoever it may concern that we the undersigned will petition the County Court of Union County State of Oregon at next September term of Court A. D. 1883 to grant a road forty feet wide described as follows (viz) Connecting at the North West corner of Section 32 Township one South of Range 39 East of the Willammett Meridian Thence South to the South West corner of Section five Thence South 160 rods Thence East 80 rods Thence South 320 rods Thence west 80 rods to the section line between Sections 17 and 18 Thence South on the Section line Terminating where the Section line crosses the County road leading from Russell Schoolhouse to the road leading from Summerville to Union County Seat of Union County Oregon

Names

Names

David Bridwell

R. D. Buckman

G. W. Buckman

John W. Mitchell

E. T. Neville

Samuel Cochran

J. N. Rinehart

Thomas M. Buckman

W. G. Neville

John Berry

E. W. Imbler

Lucien Wyatt

L. J. Imbler

Joseph Oliver

D. Imbler

J. W. Fyffe

E. D. Garne

Oliver Shafer

V. S. Daviner

D. J. Buchanan

J. W. Hammock

J. A. Buchanan

George Neville

Clyde Pennington

State of Oregon  
Union County 3 s. s.

J. E. T. Neville being first duly sworn  
say that I posted three notices of which  
the within is a copy, on or about the 23<sup>d</sup>  
day of July A. D. 1883 in public places  
in the vicinity of the proposed County  
road named in said petition —

As follows, to wit: — one of said notices  
about 80 Rods East of the place named therein  
as the commencing of said proposed Road  
on a board nailed on the fence. —

One of said notices — on the line of said  
proposed Road at the first angle named  
therein. — on a board nailed to fence —

And one of said notices at the place  
named herein as the terminus of  
said Road — on a board nailed to the fence.

Subscribed & sworn to  
before me this 30<sup>th</sup> day  
of August 1883

E. T. Neville

W. H. Wright  
Clerk

Filed  
W. H. Wright  
Clerk

## Notice

To all persons whomsoever it may concern that we the undersigned will petition the county Court of Union <sup>County</sup> State of Oregon at their next September Term of Court A.D. 1883 to grant a road forty feet wide described as follows (viz) commencing at the North west corner of Section 32 Township one South of Range 39 East of the Willammett meridian Thence south to the South west corner of Section five Thence <sup>South</sup> 160 rods Thence East 80 rods Thence South 320 rods Thence west 80 rods to the section line between Sections 17 and 18 Thence South on the Section line terminating where the Section line crosses the county road leading from Russell Schoolhouse to the road leading from Summerville to Union County seat of Union County Oregon

Names

Names

David Bridwell

Samuel Cochran

G. W. Ruckman

Thomas M. Ruckman

E. T. Neville

John Berry

I. N. Rinehart

Jacobs Wyatt

W. G. Neville

Joseph Oliver

E. N. Imbler

J. W. Lytle

F. S. Imbler

Oliver Shafer

D. Imbler

D. J. Buchanan

E. S. Garne

J. A. Buchanan

V. S. Daviner

Clyde Pennington

J. W. Hammock

George Neville

R. D. Ruckman

John W. Mitchell

Posted July 31 - 1883  
Jacob Black

W. J. Right Clerk of the Court  
pleas post this notice up  
at Court House

State of Oregon  
County of Union

~~I E. T. Neville~~ being first duly  
sworn say that the names on the within notice  
and upon the notices posted by me in the vicinity  
of the road were placed upon said notices by  
me by authority of, and at the request of, the parties  
whose names are appearing thereon

E. T. Neville

Subscribed & sworn to before  
me this 5th day of Sept 1883

J. P. Blott

Notary Public for Oregon

Filed Sept 5 1883  
Dr. J. Wright  
Clerk  
E. T. Neville  
deputy

State of Oregon  
County of Union

I Jacob Bloch being first duly  
sworn say that I did on the 31st day of July  
1883 post the within notice upon the Court  
House door in the City of Union, Union  
County Oregon, the County Court of said  
County holding its sessions in said  
Court House.

Subscribed & sworn to before  
me this 5th Sept 1883

Jacob Bloch

J. P. Blott

Notary Public for Oregon

To the Hon County Court of Union County  
State of Oregon

The undersigned <sup>house holders</sup> residents  
of the vicinity of a proposed County Road  
petitioned for by B. S. Nevills, Saml. B. Woodell  
to them and hereafter described, do hereby respectfully  
remonstrate against the laying out and opening  
any County road on the route described in said  
petition as follows Commencing at the South West  
Corner of Section 32 Township 1 South Range 39 East  
of Hill Mer thence south to S.W. Cor Sec 5 thence south  
160 Rods, thence east 80 rods, thence south 320 rods  
thence west 80 rods to the section line between sections  
17 & 18 thence south on the section line terminating  
when the section line crosses the road leading  
from Russell School House east to the road leading  
from Summerwells to Union, County seat of  
Union County, Oregon for the reasons

That the road as proposed will not benefit  
the Community at large with the present location

Names	Names
J. S. Woodell	J. J. Faridinger
J. E. Woodell	J. J. Faridinger
L. Graves	Roderick McKenzie
R. A. Nance	J. H. Graves
J. S. Hammach	J. W. Tuttle
J. S. Woodell	M. H. Hamaker
C. D. Rich	W. H. P. Patten
John P. Baird	J. J. Faridinger
R. J. Schindler	W. E. Rinkhart
J. S. Clarke	E. J. Martin
J. A. McKenzie	Roderick McKenzie
J. Slack	J. W. Nevill
B. B. Brunk	J. J. Culver
W. W. Williams	J. Silver
J. A. Woodell	Joseph Allen
C. H. Ogden	
J. H. Meier	
John W. ...	

Proper County Road  
Shuttle Station

Remembrance

Dec. 7 1883

W. A. Mather  
Clerk

Sumnerville Oregon Sept 4 1883  
To the Honorable County Court of Union  
County Oregon — Gentlemen

I understand by outside reports  
there will be a petition presented to your  
honorable body at <sup>the</sup> term praying for a county  
road either commencing or ending (I have not  
bin able to find any notice to obtain any facts  
in the case) at the North East Corner of the  
North East quarter of Sec. 31. T 1 South R 39  
East. Thence South some where I do not  
I would say to your honorable body that  
if there be any such petition calling for a  
county road along the east side of the above  
quarter. (Do I ask the owner of said land? My  
Bill of damage is \$300<sup>00</sup> against said road  
if located along said line

Yours truly  
J J Woodell

Proford County Road  
Jewell return

Debit of J. P. Maxwell  
for damages \$300.-

Filed Apr. 8. 1883

W. S. Wright  
Clerk



Union Co Oregon Nov 30<sup>th</sup> 1883

J Joseph Harris Thomas Wade <sup>and</sup> Merrell Jasper  
of the County of Union and State of Oregon  
being appointed by the County Court of Union County  
Oregon to assess damages on the premises of  
J T Woodell in the matter of proposed road  
petitioned for by David Bidwell & E. T. Neville & others  
after being duly sworn before C D McDowell  
not Public for Oregon proceeded to examine <sup>said</sup> road &  
premises of said J. T. Woodell and after thorough  
examination of said road and premises do hereby  
consider <sup>said</sup> road would ~~en~~ enhance the value  
of said premises more than said road would  
damage the complainant J T Woodell  
given under our hands this 30 day of Nov 1883

Thomas Wade  
Merrell Jasper  
Joseph Harris

State of Oregon } 1883

County of Marion }

J. Thomas Wade - Applicant  
of damages - do solemnly swear  
that I will support the Constitution  
of the United States and the Constitution  
of the State of Oregon and its laws  
thereof; and will faithfully, honestly  
and impartially discharge the duties  
of said Office, during my continuance  
therein according to the best of my  
ability, so help me God.

Subscribed and  
sworn to before me this  
30<sup>th</sup> day of November 1883  
C. S. McDowell  
Notary Public for Oregon

Thomas Wade

State of Oregon }  
County of Marion } 99

I, Merrell Jasper, applicant of  
damages, do solemnly swear that  
I will support the Constitution  
of the United States and the  
Constitution of the State of Oregon  
and the laws thereof; and will  
faithfully, honestly and impartially  
discharge the duties of said Office  
during my continuance therein  
according to the best of my  
ability. So help me God.

Subscribed and sworn to

before me this 30<sup>th</sup> day of Nov. 1883

Edw. Dowell

Notary Public in Oregon

Merrell Jasper

At a term of the County Court of the State of  
 Oregon, for the County of Union held at the Court  
 House in Union in said County, on the  
7 day of Nov A. D., 1883 and from day  
 to day thereafter during the continuance of said Term:

Present: The Hon A. C. Craig Judge:  
Hon. Wm. Woodell and Joel B. Dolby Commissioners  
W. T. Wright Clerk, and R. J. Rogers Sheriff,  
 Among other, the following proceedings were had, to-wit:

Second Judicial Day Nov 8/1883

In the matter of proposed New  
County Road petitioned for  
by David Birdwell  
E. J. Neville & others

Now at this time is presented to the  
court - the report of the viewers and sur-  
veyor on the above named road  
which were read in open court on  
yesterday - and are read a second time  
in open court - at the same time  
is presented to the court a remonstrance  
against the location of said road  
which remonstrance is signed by  
J. L. Woodell and others

And it appearing to the court that  
the remonstrance does not contain  
a greater number of names of  
remonstrators in the vicinity of the  
proposed road - than there are names  
upon the petition - the said remonstrance  
is overruled and dismissed

At the same time comes J. L. Woodell  
and files with the court a petition for damages  
he is claiming damages in the  
sum of \$300-

It is therefore ordered by the court - that  
three disinterested householders of Union  
County Oregon - to wit: Thomas Wade  
Merrill Jasper and Joseph Harris - be  
and they are hereby appointed to meet  
on Friday Nov 30<sup>th</sup> 1883 at the house  
of E. Y. Neville in the vicinity of said  
Road - who after being duly sworn to  
perform their duty faithfully and  
impartially herein shall proceed to  
view said proposed county road  
the whole distance through the premises  
of complainant G. T. Woodell - to wit -  
through the North East Quarter of Sec 31  
T. 1 S. R. 39 East and assess and  
determine how much less valuable  
such premises of the complainant  
will be rendered by the opening of said  
road - and report the same in writing  
to this court - at the next regular  
term thereof

(Signed)

A. C. Leving  
his judge

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

STATE OF OREGON,

County of Union } SS.

I, W. T. Wright Clerk of said Court  
hereby certify that the foregoing transcript has been by me carefully compared with, and is a true  
copy and the whole thereof of the original. Journal third as it  
appears of Record Vol. 6 County Court Journal  
Page 133

In Witness Whereof, I have hereunto set my Hand and affixed the Seal of said Court  
this 8 day of Nov A. D. 1883

W. T. Wright Clerk.

State of Oregon }  
County of Union } S.S.

To Joseph Harris

You are hereby appointed  
Appraiser of damage upon the proposed  
County Road as petitioned for by  
David A. Binswells & J. Neville ~~and others~~  
pursuant to the annexed copy of  
Court order

Witness my hand and the  
Seal of this County Court-affirmed  
this 8<sup>th</sup> day of Nov 1883  
W. G. Wright  
Clerk



STATE OF OREGON,

COUNTY OF Union } SS.

I, Joseph Harris appraiser of damages

do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Oregon and the laws thereof; and will faithfully, honestly and impartially discharge the duties of said office, during my continuance therein according to the best of my ability, so help me God.

Subscribed and sworn to before me  
this 30 day of Nov. 1895

Leomeda  
Notary Public for Oregon

Joseph Harris

Filed Jan'y 10. 1887  
Wm. H. Wright  
Per-cent

To the Hon. County Court of  
Union County, Oregon

We the undersigned viewers appointed by your Honorable Body to view a County Road as follows, to-wit: commencing at the NW corner of Section 32 Township one South of Range 39 East of the Willamette meridian thence South to South West corner of Section 5, thence South 160 rods thence East 80 rods thence South 320 rods, thence West 80 rods to the Section line between Sections 17<sup>th</sup> & 18<sup>th</sup> thence South to the Section line terminating where the Section line crosses the road leading from Russell School House East to the road leading from Summerville to Union County seat of Union County State of Oregon and that said road be made 40 feet wide the same being in the County of Union State of Oregon, submit the following report in relation there-to, We met on the 26<sup>th</sup> day of September A.D. 1883 as mentioned in your order and after being first duly sworn in company with the Surveyor proceeded to view, survey and lay-out said road according to your orders and as shown by Surveyor's plat and report submitted here-with

We found the road to be laid  
on very good ground. And  
taking into consideration the  
necessity that exists for said  
road we therefore recommend  
that it be established as a  
county road

x  
x  
x  
" Wm. M. G. }  
W. G. Hunter } viewers  
James Foley }

Report of Viewers

Filed Nov. 7, 1883

W. S. Wright  
Clerk

To the Honorable County Court of Union County Oregon The undersigned names would respectfully petition your Honorable body to establish a road described as follows (viz) Commencing at the North west corner of Section 32 Thirty two Township one south of Range 39 East of the Wlametic Meridian Thence south to ~~the~~ <sup>the</sup> ~~the~~ west corner of Section five Thence south on said ~~road~~ <sup>road</sup> 160 Rods one hundred and ~~thirty~~ <sup>thirty</sup> rods Thence East 80 rods Eighty rods Thence South 320 rods Three hundred and twenty rods Thence west 80 rods Eighty rods to <sup>the</sup> section line between sections 1 and 18 Thence south on the section line terminating where the section line crosses the road leading from Russell School House east to the road leading from Sumnerville to Union County seat of Union County State of Oregon and that the said road be made forty feet wide The same being in <sup>the</sup> County of Union State of Oregon for which your petitioners will each pray all of them being citizens in the vicinity of said road and householders of the same vicinity

Names

Names

Daniel P. ...

J. W. Buckner

E. T. Neville

J. H. Perchard

J. W. ...

C. ...

J. P. ...

...

C. D. ...

W.

George ...

R. ...

John ...

...

...

...

Jason ...

...

Honorable County Court of Union County Oregon The  
 signed names would respectfully petition your Honor to  
 establish a road described as follows (viz) Commencing at the  
 the west corner of Section 32 Twp 12 N Township one south of  
 range 39 East of the Meridian Meridian Thence South to the west  
 corner of Section five Thence South on said North 100 Rod and hundred  
 rod line Thence East 80 rods Eighty rods Thence South 32 rods  
 and thirty rods Thence East 80 rods Eighty rods to the  
 west corner of Section 18 Thence South on the section line  
 terminating where the section line crosses the road leading from  
 Empire School House East to the road leading from Summitville  
 to Union County Seat of Union County State of Oregon and that the said  
 road be made forty feet wide the same being in the County of Union State  
 of Oregon for which your petitioners will each pay all of them being  
 citizens in the vicinity of said road and the holders of the same bearing  
 names

- David W. Marshall
- E. W. Wickman
- E. T. Marshall
- Wm. B. Reichert
- Wm. G. Marshall
- E. W. Marshall

- Names

- J. S. Smith
- J. D. Gribble
- E. D. Ginn
- W. S. D. Avine
- J. W. Cannon
- George Neille
- R. D. Kuckman
- John Whitcomb
- James Cook
- Thomas M. Kuckman
- John Berry
- James W. Galt
- Joseph Oliver

First day

September 5. 1883

to the law in such case made and provided, and a good and sufficient bond having been filed herein, as also a receipt from the County Treasurer showing that the amount required therefor has been paid into the County Treasury.

Therefore it is ordered and adjudged that license shall issue to said J. B. Fisher authorizing him to keep and offer for sale in said Island City Precinct Spirituous liquors in less quantities than are granted for the period of six months from the date hereof.

In the matter of the Viewers  
Report on proposed County  
Road petitioned for by Tho:  
Roupe et al in Willow

Now at this time is presented the Viewers and Surveyor's Reports on a proposed County Road petitioned for by Thomas Roupe and others and to be located in Willow Valley, the same is now here read for the first time and laid over for a second reading.

In the matter of a proposed  
County Road, petitioned for  
by David A. Middleton, E. T.  
Neville and others.

Now on this day comes E. T. Neville one of the petitioners and presents to the Court the petition of himself and twenty three others praying for the location and establishment of a County Road as follows, to wit:—commencing at the North West corner of Section (32) thirty two Township one south of Range 39 East of the Willamette Meridian thence south to South West corner of section five thence south (160 Rods) one hundred and sixty rods, thence East (80 rods) eighty rods, thence south (320 rods) three hundred and twenty rods, thence West (80 rods) eighty rods to the section line between sections 17 and 18, thence south on the section line terminating where the section line crosses the road leading from Russell School House east to the road leading from Sumnerville to Union County seat of Union County State of Oregon, and that the said road be made

First day September 5th 1883  
forty feet wide, the same being in the County of Union, State  
of Oregon. And it satisfactorily appearing to the Court, from  
proof filed herein that due notice of the pendency of this  
proceeding has been given as by law required, that more  
than twelve of said petitioners are legal householders residing  
in the vicinity of said road, and that a good and  
sufficient bond has been filed. It is therefore ordered  
by the Court that W. G. Hunter, Wm. Mass and James Stanley  
be appointed viewers, and Eugene Chas. Surveyor, to view  
survey and report upon said proposed County road  
and that they meet at the house of G. J. Neville on the 26th  
day of September AD 1883 at 10 o'clock A.M., and duly qualify  
before entering upon the discharge of their duties in this  
behalf.

Whereupon Court adjourned until tomorrow morning  
at 9 o'clock.



1st Judicial day  
Monday Nov. 7.  
1883

At a regular term of the County Court of the State of Oregon for Union County begun and held at the Court House in the City of Union in Union County State of Oregon on Wednesday Nov. 7<sup>th</sup> A.D. 1883 It being the first Wednesday of November 1883 and the time fixed by law for holding a regular term of the said Court There were present

The Hon. A. L. Craig	County Judge
Wm. Woodell	Commissioner
Joel B. Volby	Commissioner
W. F. Wright	Clerk
R. J. Rogers	Sheriff

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

In the matter of proposed  
New County Road petitioned  
for by David A. Birdwell  
E. P. Neville and others

Now at this time is presented the report of the viewers heretofore appointed by this Court upon the above entitled Road - accompanied by the report of the County Surveyor and field notes and plat of the survey - which report is read in open Court and pursuant to the provisions of the Statute in such cases - is ordered laid over for a second reading at another day of this regular term -

In the matter of Billiard License  
J. A. Myers

It appearing to the Court that J. A. Myers has paid into the County Treasury the amount required therefor it is ordered that license be granted to the said J. A. Myers allowing him to keep one Billiard Table for hire in Island Precinct in this County for the term of six months -

Second Judicial Day

Nov. 8. 1883

In the matter of Proposed  
New County Road petitioned  
for by David A. Birdswell  
E. T. Neville & others

Now at this time is presented to the Court the Report of the Viewers and Surveyor on the above named Road which were read in open Court on yesterday - and are read a second time in open Court - At the same time there is presented to the Court a remonstrance against the locating of said Road which remonstrance is signed by J. T. Woodell and others -

and it appearing to the Court that the remonstrance does not contain a greater number of names of remonstrators in the vicinity of the proposed road than there are names upon the petition the said remonstrance is overruled and dismissed -

At some time comes J. T. Woodell and files with the Court a petition for damages herein claiming - damages in the sum of \$300. =

It is therefore ordered by the Court that three disinterested householders of Union County Oregon - to wit: Thomas Wade - Merrill Jasper and Joseph Harris - be and they are hereby appointed, to meet on Friday Nov. 30<sup>th</sup> 1883 at the house of E. T. Neville in the vicinity of said road - who after being duly sworn to perform their duty faithfully and impartially herein shall proceed toward said proposed County road the whole distance through the premises of Complainant - J. T. Woodell - to wit: through the North East Quarter of Sec. 31. T. 1 S. R. 39. E. - and assess and determine how much less valuable such premises of the complainant will be rendered by the opening of said Road and report the same in writing to this Court at the next regular term thereof. -

Second Judicial Day                      Thursday January 10, 1884

Court met pursuant to adjournment; present the same  
Officers as on yesterday.

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

A. C. Craig  
County Judge

Whereupon the following proceedings were had, to-wit:

In the matter of the application  
of M. A. Ward & J. J. Apple }  
for a Liquor License

Now at this time is presented to the Court the  
petition of the legal Voters of Stumptown Precinct in this County  
praying that a license may be granted to M. A. Ward and J.  
J. Apple authorizing them to keep and offer for sale in said  
Precinct Spirituous Liquors in less quantities than one quart  
And it appearing to the Court that all due and proper notice  
of the pendency of these proceedings has been made according  
to the law in such case made and provided, and that a  
good and sufficient bond had been filed herein, as also the  
receipt of the County Treasurer showing that the amount  
required therefor had been paid into the County Treasury  
Therefore it is ordered and adjudged that license shall issue  
to said M. A. Ward and J. J. Apple authorizing them to keep  
and offer for sale in said Stumptown Precinct Spirituous  
Liquors in less quantities than one quart for the period of  
six months from the date hereof

In the matter of a proposed  
County Road petitioned for }  
by David A. Woodwell, C. J. }  
Kendall and others

Now at this time is presented the  
report of the Viewers heretofore appointed by the Court to  
allow damages claimed by J. J. Woodwell by reason of

Second Judicial Day

Thursday January 10<sup>th</sup> 1884

said proposed County road, which report is now here read in open Court for the first time, and under the provisions of the Statute in such case made and provided the same is laid over for a second reading on another day of this term.

In the matter of the application  
of D. H. Stewart for a  
Liquor License

Now at this time is presented to the Court the petition of the legal voters of Stumptown Precinct in this County praying that a license may be granted to D. H. Stewart authorizing him to keep and offer for sale in said Precinct Spirituous Liquors in less quantities than one quart. And it appearing to the Court that all due and proper notice of the pendency of these proceedings has been made according to the law in such case made and provided, and that a good and sufficient bond had been filed herein, as also the receipt of the County Treasurer showing that the amount required therefor had been paid into the County Treasury. Therefore it is ordered and adjudged that license shall issue to said D. H. Stewart authorizing him to keep and offer for sale in said Stumptown Precinct Spirituous Liquors in less quantities than one quart for the period of six months from this date.

In the matter of the Petition  
of C. A. Myers for changes  
on certain County Roads

Now at this time the Viewers and Surveyors report on the changes prayed for in the petition of C. A. Myers is read a second time in open Court, and said report being favorable, and said report having been read on two different days of this term of Court, and it appearing to the satisfaction of the Court that the proceedings herein have been regular and according to law and no cause shown why such petition should not be granted. It is therefore ordered by the Court that said Viewers report and plat of the Surveyor be placed on record and that whenever the said petitioner shall have paid the expenses of these proceedings, he be allowed to make the changes

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In the matter of Delinquent Tax,  
School District No 15 Union Co }  
}

Now at this time comes the Sheriff of this County and refiles the warrant in this matter, the same having been withdrawn from the files to enable him to collect the delinquent tax against estate of J. G. French deceased in accordance with an agreement and understanding between the Attorneys representing the respective parties interested in the matter, and now makes return that W. R. Holmes Administrator of said estate of J. G. French deceased had now paid, to him as such Sheriff, under protest, the amount of said delinquent tax and charges thereon, and it appearing to the Court that said Sheriff now has in his hands the sum of \$183<sup>63</sup> to the credit of said district Now therefore on motion of J. R. Crites Esq Attorney for said District it is ordered by the Court that the Sheriff of this County do pay over to the Clerk of said School District No 15 the amount so collected by him, to wit, \$183<sup>63</sup> for the use and benefit of said District.

In the matter of a proposed  
County Road petitioned for  
by David A. Bidwell & J. I.  
Newillo and others. }

Now at this time comes on for a second reading the report of the Viewers to assess damages, if any, sustained by J. I. Woodell, and the same having been so read a second time in open Court, and it appearing to the Court from said report that the value of the premises of him the said J. I. Woodell would be enhanced instead of lessened by the opening of the road petitioned for, therefore It is ordered by the Court that the claim of said J. I. Woodell for damages be not allowed. And thereupon comes on for final action by the Court the report of the Viewers and Surveyor on said proposed road and it appearing to the Court that all remonstrances and claims for damages in the matter of said proposed road have been heard acted upon and disposed of, and the said report of the Viewers and Surveyor having been read on two several days at the last term of this Court, and it appearing to the satisfaction of the Court that all the proceedings herein have been

Third Judicial Day

Friday January 11th 1884

regular and according to law. It is therefore ordered by the Court that said Viewers Report and plat of the Surveyor be placed on records, and said road established as a County Road and opened as such according to law.

## "Viewers Report"

To the Hon County Court of Union County Oregon.

We the undersigned viewers appointed by your Honorable Body to view a County Road as follows, to-wit: Commencing at the N. W. corner of Section 32, Township one south of Range 39 east of the Willamette Meridian thence south to South West corner of Section 5, thence south 160 rods thence east 80 rods thence south 320 rods thence west 80 rods to the section line between sections 17 & 18 thence south to the section line terminating where the section line crosses the road leading from Russell School House east to the road leading from Summerville to Union County seat of Union County State of Oregon and that said road be made 40 feet wide the same being in the County of Union State of Oregon, submit the following report in relation thereto. We met on the 26th day of September A.D. 1883 as mentioned in your order and after being first duly sworn in company with the Surveyor proceeded to view, survey and lay out said road according to your order and as shown by Surveyor's plat and report submitted herewith. We found the road to be laid on very good ground and taking into consideration the necessity that exists for said road we therefore recommend that it be established as a County road.

Wm. Mass

W. S. Hunter

James Haley } Viewers

Report of Surveyor to the Viewers of a proposed County Road as follows, to-wit: commencing at the N. W. Cor Sec 32 T. 1 S. Range 39 East N. W. thence south to S. W. Cor of Sec 5 thence south 160 rods thence east 80 rods thence south 320 rods thence west 80 rods to Sec line between Sec 17 & 18 thence south to the section line terminating where the section line crosses the road leading from Russell School House east to the road leading from Summerville to Union, County seat of Union County, State of Oregon. The following are the field notes.

Beginning at a post marked R at the North West corner of Sec 32 T. 1 south Range 39 East of Willamette Meridian

Third Judicial Day

Friday January 11th 1884

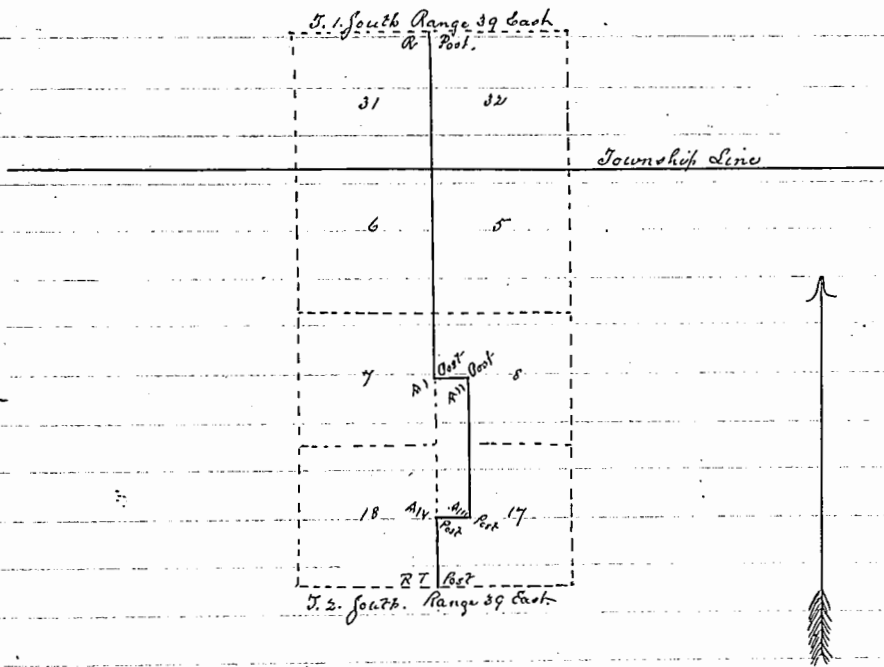
- Thence south 2 1/2 miles to post marked A I
- " East 80 rods " " A II
- " South 320 rods " " A III
- " West 80 " " " A IV
- " South 160 rods " " R J.

and connecting with the County road, running east from Russell School-house to the Summerville & Union road.

State of Oregon

County of Union: I, Eugene Chase do hereby certify that the field notes of the above described survey are correct as surveyed by me on the 26th day of September A.D. 1883

Eugene Chase  
County Surveyor



Variation 20° East  
Whole distance 4 1/2 miles  
Scale 1 mile to the Inch

Surveyed Sept 26th 1883

Seventh Judicial Day

Thursday June 19<sup>th</sup> 1884

In the matter of a proposed  
County Road petitioned for  
by David A. Bidwell, E. J.  
Keiville and others.

Now at this time it appearing to the Court from an examination of the record in the matter of the County Road petitioned for by David A. Bidwell E. J. Keiville and others, ordered by this Court to be opened as a County Road, by order duly entered of Record on the 11<sup>th</sup> day of January 1884, <sup>that a portion thereof</sup> lies in Road District No 10 of this County, and that no notice to open said road had been given to the Supervisor of said District. It is therefore ordered by the Court that the Supervisor of Road District No 10 of this County proceed at once to open such portion of said road as lies within his District, and that the Clerk of this Court send a Certified Copy of this order, together with a copy of the field notes of the Surveyor of said road, to the Supervisor of said District No 10 forthwith.

In the matter of a County  
Road petitioned for by H.  
J. Burleigh and others.

Now at this time it appearing to the Court from an examination of the record in the matter of the County Road petitioned for by H. J. Burleigh and others, ordered by this Court to be opened as a County Road, by order duly entered of record on the 4<sup>th</sup> day of January 1883, <sup>that a portion thereof</sup> lies in Road District No 19 of this County and that no notice to open said road had been given to the Supervisor of said District. It is therefore ordered by the Court that the Supervisor of Road District No 19 of this County proceed at once to open such portion of said road as lies in his District, provided however that where such opening will interfere with growing crops of the present season, this order shall remain in abeyance until the harvesting and removal of such growing crops, and the Clerk of this Court is ordered to send a Certified Copy of this order together with a copy of the field notes of the Surveyor of said road to the Supervisor of said District No 19 forthwith.

Whereupon Court adjourned until Tuesday July 1<sup>st</sup> 1884