

No 11 ~~Law~~  
~~Equity~~

in

Concord Court

Joe Ludkes

Plaintiff

vs

E B Hayford

Defendant

Action for Money

Docket Page

Baker Shilton & Baker  
Attorneys for Plaintiff

Attorney for Defendant

RECEIVED BY THE CLERK OF THE COURT  
IN THE COUNTY OF HAMPDEN  
MASSACHUSETTS  
JAN 11 1880

Record of the Case.

No 342

WITNESSES.

Sept 1/89 Motion to Dismiss  
overruled Jul D p 633

Sept 7/89 Viewers app'd  
Jul D p 652

Nov 6/89 Appraisers app'd  
Jul D p 701

Jan 9/90 Viewers Rept. 1st Read  
and Damages allowed  
Jul D p 741

Jan 10/90 Order app'd  
Jul D p 754

Road  
petitioned for by A Keifer

Commencing 300 feet Sth of  
Wallowa bridge, thence NE  
about 650 or 700 ft to where  
West bank of river is solid  
rock thence East to middle  
of river.

1696

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

STATE OF OREGON,  
County of Union. } ss.

I, *Nelson Schoonover*

being first duly sworn, say that I posted three several notices, of which the notice hereunto attached is a true and correct copy, in three public places in said County in the vicinity of the proposed road therein described, to-wit: One *on the Mallowa Bridge, one in front of Asa Austin's house placed on a board nailed to a stump, and one on a tree about half a mile from the said Mallowa Bridge by the side of the road*

thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the *27<sup>th</sup>* day of *aug* 18*89*, 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.

*Nelson Schoonover*

Subscribed and sworn to before me this *6<sup>th</sup>* day of *September* 18*89*.

*J. R. Johnson*  
*Justice of the Peace*

# Notice of Road Petition.

To all Persons Concerned: You, and each and all of you, will take notice that the undersigned, householders for Umon 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 Umon County, Oregon, to wit: On Wednesday, the 4<sup>th</sup> day of September A. D. 1889, respectfully present to said Court

a petition praying said Court to lay out, alter and establish a County road within said County on the following line or route, to-wit:

Commencing on the County road as at present travelled from Umon County to Wallowa County, at a point about 300 feet South West of the present Bridge across the Wallowa river, thence running in a North Easterly direction about 650 or 700 feet to where the West bank of said Wallowa river is a solid rock, or natural wall of rock, thence East to the middle of the channel of Wallowa river and there terminate;

And to vacate the County road as at present travelled from the point of beginning of this proposed road, to the middle of the channel of said Wallowa river at the present crossing.

NAMES:

A. Keifer  
William Roulet  
Frank Edlen  
W. S. Egell  
John Elliott  
A. P. Brewster  
C. G. Wyatt  
M. F. Wyatt  
R. H. Henderson  
N. Daron  
C. B. Hartley  
John O. Mickelson  
Joseph Mickelson  
L. S. Roberts

NAMES:

J. W. Bloodworth  
N. Schoonover  
Jas. Belle  
Lewis Austin

Filed Aug 7<sup>th</sup> 1889  
A. P. Hall clerk  
By James Oliver Depy

STATE OF OREGON,  
County of Union.

ss.

*Turner Shiver*

being first duly sworn, say that ~~I posted three several notices, of which the notice herewith 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~~  
*of A. Keefe et al*  
~~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 *4<sup>th</sup>* day of *September* 18*89*.  
*Turner Shiver*  
*A. Heild Clerk*  
*By O. P. Mill, Deputy*

# 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 proposed to be, respectfully petition your Honorable body to lay out, alter and establish a County road

within said County on the following line or route, to-wit:

Commencing ~~at a point~~ on the County Road as at present travelled from Union County to Wallowa County at a point about 300 feet South West of the Present bridge across the Wallowa River, thence running in a North easterly direction about 650 or 700 feet to where the West bank of said Wallowa river is a solid rock or wall of rock, thence East to the middle of the channel of Wallowa River and there terminate; And to vacate the County road as at present travelled from the point of beginning of this proposed road to the middle of the channel of said Wallowa river at the present crossing.

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

NAMES:

Ch Keeper  
William Roulet  
Frank Allen  
W. S. Egell  
John Elliott  
A. Brewster  
W. Wyatt  
M. F. Wyatt  
B. ~~Henderson~~ Henderson.  
N. Darow.  
C. B. Hartley  
John O. Mickelson  
Joseph Mickelson.  
L. S. Roberts

NAMES:

J. W. Bloodworth  
A. Schomover  
Jas. Belle  
Lewis Austin

Filed Aug 3<sup>rd</sup> 1889

W. H. Hall Clerk

Ray Turner Oliver

Deputy



**Know all Men by these Presents:**

THAT WE, *J. Nelson Schomover* and  
of the County of *Union*

and State of Oregon, are held and firmly bound unto the 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 *7<sup>th</sup>* day of *September* 188*9*

Now the condition of the above obligation is such, that whereas, if the County Road petitioned for by  
*Keifer* and others, and presented at the *September*

Term, 188*9* of the County Court of said *Union* County, commencing *on the County*  
*road as at present travelled from Union County to*  
*Wallowa County, at a point about 300 feet South West*  
*of the present Bridge across the Wallowa river, thence running*  
*in a North easterly direction about 650 or 700 feet to where*  
*the West bank of said Wallowa river is a solid wall*  
*of rock, thence East to the middle of the channel of*  
*Wallowa river and there terminate.*

be located and established, then this obligation to be void, otherwise to remain in full force and virtue in law.

*Nelson Schomover*

STATE OF OREGON,  
County of *Union*

I \_\_\_\_\_ and

each for himself says that I am worth the sum of

*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.

Subscribed and sworn to before me, this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 18*89*

Clerk,

By \_\_\_\_\_ Deputy.

**Bond of Road Petitioners.**

Petitioners.

188

Filed

County Clerk.

Deputy.

By

Witness, J. G. Chandler

J. M. White

R. E. Stevenson

met at Wallawa bridge Sept 14<sup>th</sup> 1889

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

In the Matter of the laying out  
a County road, petitioned for }  
A. Keifer & Others } ..

Now at this time Comes F. S. Ladd a  
resident and household of Union County  
Oregon, and objects to the appointment of  
viewers in the matter of the above  
road, or the ordering of a survey thereof  
For the following reasons:

1<sup>st</sup> The petition for the laying out the  
said County road, has therein, no suf-  
ficient descriptions of the proposed  
road.

2<sup>nd</sup> No notice of the presentation  
of such petition was ever given  
as by law required.

3<sup>rd</sup> The purported notice posted upon  
the Court house door was a copy  
only and not an original notice  
and was not signed by the par-  
ties signing the petition.

4<sup>th</sup> The Court has no jurisdiction  
in the matter

J. D. Stob

Atty for F. S. Ladd

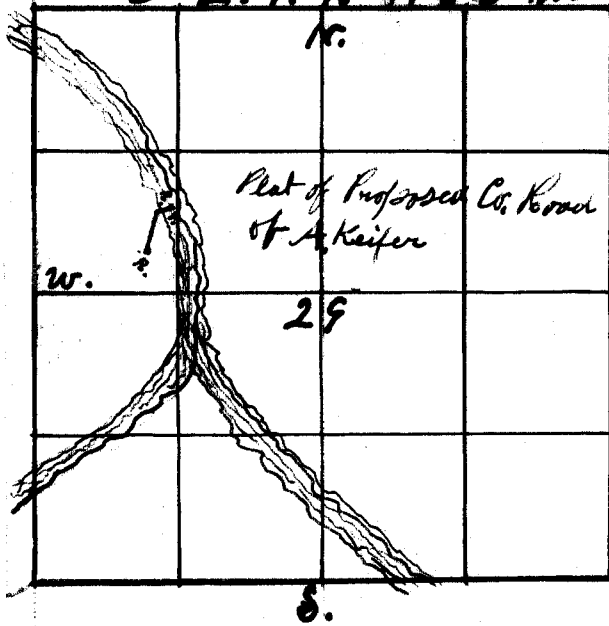
the County Court  
for Union County

for the Matter of the  
Estate of J. C. Long  
decd.

Order on  
said being on  
demand,

Filed Sept 3rd 1889  
A. J. Neill Clerk  
By James D. Brewster

J. 2. N R 41 E 40 m



## REPORT OF VIEWERS.



TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

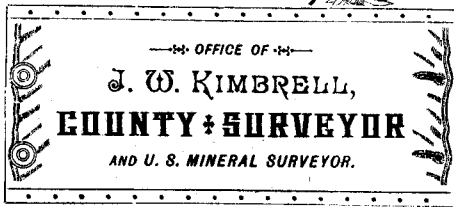
The undersigned viewers heretofore on the 4<sup>th</sup> day of September, 1889, appointed to view and lay out and alter the proposed County road, of which the survey hereto attached is a true and correct description, as petitioned for by A. Keifer, et al, beg leave to report that on the 17 day of September, 1889, 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 much 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.


T. G. Chandler  
John W. White  
R. E. Stevenson

Filed Oct 3. 1889

Attest

*[Signature]*



 Field Notes of the Proposed  
Co. Road of A. Keifer and Others

I commenced S  $57^{\circ}$  W 225 feet distant  
from the west end of Old Bridge across the  
Wallowa River between Union and Wallowa  
Counties and situated in the west  $\frac{1}{2}$  Sec 28  
in S. 2, N. R. 41 E. W. 000. a Pine Tree 13 inches  
diameter marked R. from which a Pine  
10 inch diameter bears S  $64^{\circ}$  E 3 feet distant.  
Thence N  $11^{\circ} 15'$  E 434  $\frac{1}{2}$  feet A 1 Thence  
N  $66^{\circ} 30'$  E 177 feet to center of Wallowa River  
from which point a stone 12 x 12 x 28 inches  
marked R.T. bears S  $66^{\circ} \frac{1}{2}$  W 177 feet distant  
from which a Pine 10 inch bears S  $27^{\circ} \frac{1}{2}$  E 56 feet dist.  
a Fir 10 inch diameter bears N  $14^{\circ} \frac{1}{4}$  W 112 ft. dist.

Surveyed by me September the 17<sup>th</sup> 1889

J. W. Kimbrell County Surveyor  
for Union Co. Or.



In the County Court of Union County  
Oregon.

In the matter of the laying out  
of a County Road commencing  
at a point near County  
bridge on Wallows River  
between Union & Wallowa  
Counties

Now at this time Comse F. S. Sudd  
and shews to the Court that he is the  
owner of the South West  $\frac{1}{4}$  of  $21 \frac{1}{4}$  and  $22 \frac{1}{4}$   
of  $S. 27 \frac{1}{4}$  of sections 29 P. 2 N. Range 41  
Dept. of Wallows <sup>the river</sup> ~~the river~~  
the same being the land through which  
the above described road has been surveyed  
and marked out - in Union County Oregon  
That the location of the said proposed  
road through the said premises of  
claimant would be a great damage and  
injury to the said premises and to the  
claimant

and the opening of the same  
That the location of the said road would  
and will injure the said premises and  
claimant in the sum of  $600$  <sup>00</sup> ~~00~~

Wherefore the said F. S. Sudd claims  
as damages from Union County Oregon  
in case of the location of said road  
the sum of  $600$  <sup>00</sup> ~~00~~ F. S. Sudd

State of Oregon  
Union County - 3<sup>rd</sup>

I F. S. Sudd being duly  
sworn say I am the person making  
the foregoing claim and that the same  
is true as I verily believe.

F. S. Sudd

Subscribed and sworn to before me  
this 2<sup>nd</sup> day of Nov. 1889

A. C. Williams

Notary Public

In for Oregon.

1  
A. H. Smith and  
Wm. Smith

Open

As the matter of  
the logging out on  
Curt's land in  
Union County Oregon

Claim of R. A. Lott  
for damages

Filed Nov 6th 1889  
Att. Meill Clerk  
By James Oliver Deput

5 m 1/4 n n 1/4  
E M n 1/4 n n 1/4  
Dec 29 24. Reynolds  
E. J.

# REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

We, the undersigned viewers heretofore on the 18 day of Nov, appointed to view out and assess the damages claimed by J. L. Ladd in the matter of the proposed county road petitioned for by A. Keifer et al. we beg leave to report that on the 18 day of Nov, 1889, we, after being duly sworn to discharge our duty faithfully and impartially, proceeded to view said proposed road the whole distance through the premises of J. L. Ladd complainant, and to assess and determine how much less valuable said premises of said complainant would be rendered by the opening of said road, and we find that the premises of said complainant J. L. Ladd would be rendered \$100.00 less valuable, and that the premises of complainant would be rendered \$ less valuable, and the premises of the complainant would be rendered \$ less valuable by the laying out and establishment of said proposed road as a public highway of said county, and recommend that one hundred dollars be paid to said complainant before laying out and establishing said road as a public highway.

John Graham Jr  
W. W. Foreman

J. D. Smith  
D. J. [unclear]  
[Circular stamp: COUNTY OF UNION, OREGON]

Filed Nov. 21 1889  
A. D. Hill  
Clerk

By

State of Oregon }  
Union County }  
I John Graham Jr, J.N.W.  
Gordon & J.D. Guild being first duly  
sworn each for himself and not one for  
the other say I will support the Constitution  
of the U.S. and the Constitution of the State  
of Oregon and will perform my duty  
in the matter of appraising Damages  
that would accrue to G.P. Ladd on  
account of the building of the Road  
petitioned for by A. Keifer and according  
to the best of my ability and judgment  
so help me God

~~John Graham Jr~~  
~~Wm W. Gordon~~  
~~J.D. Guild~~

Subscribed and sworn  
to before me this 16<sup>th</sup> 1859

J.W. Snyder Notary  
Public for Oregon

RECORDED  
1859

Tercis & Judicial Day

Thursday Sept 5<sup>th</sup> 1889

In the matter of the Road  
petitioned for by J. J.  
Turner and others

This matter came on to be heard at this time on the Reports of the Viewers and Surveyor heretofore appointed herein for a second reading as required by law and said report of Viewers having been read on two different days of this term of the Court and being in words following to wit:-

Report of Viewers.

To the Honorable County Court for Union County, Oregon:-

The undersigned viewers heretofore on the 3<sup>rd</sup> day of July 1889, 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. J. Turner et al by leave & report that on the 24 day of July 1889, 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 much 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. W. Trasier }  
J. L. Haller } Viewers  
W. M. Trasier Jr. }

And it appearing to the Court that said viewers report favorably and recommend that said proposed road be declared a public highway, and no remonstrance having been filed herein, or claim for damages, nor any cause shown why said road should not be declared a public highway. It is therefore considered and ordered that said reports of Viewers and Surveyor be approved and that said road be declared a public highway and ordered opened according to law and that the Surveyors plat of the Road and Field notes of Surveyor be recorded on the County Road Plat Book.

In the Matter of the Proposed County

Road petitioned for by A. Keefe et al } This matter came on to be heard at this time on the  
and objection of W. Ladd } the view being ordered, and after due consideration by the Court  
and the Court being well advised in the premises it is ordered and adjudged  
by the Court that said objection be and the same is hereby overruled and denied.

Tenth Judicial Day

Saturday Sept 7<sup>th</sup> 1889

and County prisoners confined in the Jail from Sept 5<sup>th</sup> 1889 to Sept 8<sup>th</sup> 1890

In the Matter of the Proposed  
County Road petitioned for  
by A. Keifer et al } Comes now A. Keifer one of the petitioners for  
the above-named proposed County road, and presents to the Court the petition  
of himself and others, praying for the location and establishment of a County  
road, described as follows, to-wit: Commencing on the County road as  
at present travelled from Union County to Wallawa County, at a point  
about 300 feet South West of the present Bridge across the Wallawa  
river, thence running in a North Easterly direction about 650 or 700 feet  
thence the West Bank of said Wallawa river is a solid rock, or  
natural wall of rock, thence East to the middle of the Channel of Wallawa  
river and there terminate; And to vacate the County road as at  
present travelled from the point of beginning of this proposed road, to the  
middle of the Channel of said Wallawa river at the present crossing.

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 advertise-  
ment posted at the place of holding County Court, to-wit: at Court House  
door in County of Union State of Oregon, and also in three public places  
in the vicinity of said proposed road, to-wit: One on the Wallawa  
Bridge, one in front of Asa Austin's house placed on a board nailed  
to a stump, and one on a tree about half a mile from the said  
Wallawa Bridge by the side of the road for more than thirty days  
immediately prior to the presentation of said petition to this Court, notify-  
ing all persons concerned that application would be made to  
this Court at the present session of this Court; and that the notices  
so posted were in due form and duly signed by the petitioners  
and that a bond for the cost of this proceeding has been duly given.  
It is therefore ordered that J. J. Chandler, J. W. White and R. E. Stevenson  
be appointed Viewers of said road, and that J. W. Kimbrell be ap-  
pointed Surveyor of said road, and that they meet at Wallawa Bridge  
on the 14<sup>th</sup> day of September 1889 at the hour of 10 o'clock A. M.  
and after qualifying to view, survey and lay out said road  
according to law.



Tenth Judicial Day

Thursday Oct 17<sup>th</sup> 1889

In the Matter of Bill }  
 of A. J. Neill for fees }  
 as Clerk of Circuit Court } At this time it is ordered by the Court  
 that the Bill of A. J. Neill for \$430<sup>53</sup> for services as Clerk of the Circuit }  
 Court be allowed, and the same is hereby ordered paid.

In the matter of the Bill }  
 of A. J. Neill for fees }  
 as County Clerk } At this time it is ordered by the County  
 Board that the Bill of A. J. Neill for \$677<sup>26</sup> for services as County Clerk }  
 be allowed and the same is hereby ordered paid.

In the Matter of Bill }  
 of Wm Proebstel }  
 Inspector } At this time it is ordered that the Bill  
 of Wm Proebstel for \$200<sup>00</sup> for salary as Stock Inspector for the }  
 months of July, Aug. & Sept. be allowed.

In the Matter of the }  
 Bill of Nelson Schoonover }  
 Supt Poor Farm } At this time the Court having examined the  
 Bill of Nelson Schoonover for \$454<sup>50</sup> for services rendered as Supt of }  
 the County Poor Farm finds the same regular and just and orders }  
 the same paid.

In the Matter of Mrs. }  
 Mary Meachen Insane } At this time it is ordered that bills as  
 witness &c in Matter of Mary Meachen an Insane person be }  
 allowed as follows: N. C. McLeod \$6<sup>50</sup>, E. B. Morelock \$6<sup>50</sup> Mrs Nora }  
 Gatten \$6<sup>50</sup> Mrs Mollie M. Dawell \$6<sup>50</sup> Mrs Jennie McLeod \$6<sup>50</sup> and }  
 J. N. Brownell \$5<sup>00</sup> for Medical examination.

In the Matter of County }  
 Road petitioned for by }  
 A. Keifer and others } At this time it is ordered that fee be  
 allowed on the survey of the County road petitioned for by A. Keifer }  
 and others as follows. J. J. Chandler Viewer \$4<sup>40</sup>, J. M. White }  
 Viewer \$4<sup>40</sup>, R. E. Stevenson Viewer \$4<sup>80</sup> J. M. Kimbrell Surveyor }  
 \$18<sup>00</sup>



First Judicial Day

Wednesday Nov 6<sup>th</sup> 1889

its road tax for the year 1889 in said road Dist No 21, but still neglects to pay said tax for 1888, and petitioner, said Supervisor, asks the Court to take some action toward collecting said tax for the year 1888. It is therefore considered and ordered by the Court that the Clerk of this Court make a formal demand of said O.P. & N.C. for said taxes due and delinquent for the year 1888.

In the matter of the proposed  
County road petitioned for  
by James R. Gilkison et al.

This matter came on to be heard at this time and it appearing to the Court that the proof of posting notices has not yet been made, It is ordered by the Court that this matter be continued for the term and set for hearing on Dec 2<sup>nd</sup> 1889 and that petitioner be allowed until that time to complete the papers herein.

In the matter of the proposed  
County road petitioned for by  
L. L. Wolcomb and others

It appearing to the Court that notice has been given as by law provided that a petition in the above entitled road would be presented at this term of this Court. That proof of posting notices has been made according to law and a Bond has been filed herein, but that through some inadvertance the petition has not been presented to the Court. It is ordered that this matter be continued until Monday Dec 2<sup>nd</sup> to allow said petition to be presented.

In the matter of the proposed  
County road petitioned for by  
A. Heifer and others

This matter came on to be heard upon the report of the Viewers and Surveyors heretofore filed herein and on the claim of W. Ladd for damages that would accrue on account of the construction of the proposed road. And upon the reading of the report of the Viewers and Surveyor in open Court

First Judicial Day

Wednesday Nov. 6<sup>th</sup> 1889

And it appearing to the Court that said review report favorably and recommends that said proposed road be established as a public highway of Union County, And said F. D. Ladd having filed his claim for damages from which it appears that he is the owner of the SW<sup>4</sup> of NW<sup>4</sup> and NW<sup>4</sup> of SW<sup>4</sup> Sec 29 & 27 R. 41 E. N. M. the same being the land through which the above proposed county road has been viewed, surveyed and marked out and said claimant alleges that he will be damaged by reason of the construction of said proposed road in the sum of \$600.00. It is therefore considered and ordered that John Graham Jr., W. W. Gordon and J. D. Guild be and they are hereby appointed appraisers to view the premises of said F. D. Ladd the whole distance through which the said proposed road would pass and report to this Court how much less valuable said premises of F. D. Ladd will be rendered by reason of the construction of said proposed road. And after having subscribed an oath to faithfully and impartially perform their duty in this behalf that they meet at Wallowa Bridge on Saturday Nov 16<sup>th</sup> 1889 and perform the duties herein set out.

In the matter of a settlement  
with M. A. Warren late  
Supervisor of Road Dist No 5.

At this time comes M. A. Warren and presents to the Court the report of his doings as Road Supervisor of Road Dist No 5 since the January term of this Court and it appearing to the Court that said report is in all things regular except the incurring of a debt of \$2.00 for shovels when there was money in the hands of said Supervisor to pay the same. It is therefore ordered that said item be disallowed and that the bill of said M. A. Warren for \$78.00 for services rendered be allowed and that all papers belonging to Supervisor be turned over to C. L. Blakelee and all tools, scrapers, plows &c belonging to the Road Dist No 5 be turned over to said C. L. Blakelee Road Supervisor.

Second Judicial Day

Thursday Jan'y 9<sup>th</sup> 1890

And after due consideration the Court not deeming said road of sufficient public utility to warrant the Court in ordering said money ~~or~~ damages so assessed and allowed by the appraisers paid out of the County treasury. It is considered and ordered by the Court that said proposed road will be declared a public highway when the petitioners shall have paid said damages and filed with the clerk of this Court a receipt of said J. B. A. Richard-son for the same, or if said claimant refuses to accept said sum and give his receipt for the same, then said money may be deposited with the clerk for said claimant, and said petitioners will be entitled to an order of the Court declaring said road a public highway.

In the Matter of the  
Proposed County Road  
petitioned for by W. L.  
Auley et al.

This matter came on to be heard at this time upon the reports of the Viewers and Surveyors heretofore appointed herein and said reports having been read in open Court for the first time at the present term of Court and 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 A. Keefe  
et al.

This matter came on to be heard at this time upon the reports of the Viewers and Surveyor heretofore appointed herein and upon the report of the appraisers heretofore appointed to appraise the damages that would accrue to J. B. Ladd by reason of the construction of the proposed road, and said Viewers report having been read in open Court for the first time at this term is laid over for a second reading reading on some other day of the term, and said Appraisers having filed their report in writing as follows to-wit:-

Report of Viewers

To the Honorable County Court for Union County Oregon:

We, the undersigned viewers heretofore on the 18 day of Nov. appointed to view and assess the damages claimed by J. B. Ladd in the matter of the proposed County road petitioned for by A. Keefe et al



Second Judicial Day

Thursday Jan 9th 1890

we beg leave to report that on the 18 day of Nov 1889, we, after being duly sworn to discharge our duty faithfully and impartially proceeded to view said proposed road the whole distance through the premises of F. S. Ladd Complainant, and to assess and determine how much less valuable said premises of said Complainant would be rendered by the opening of said road, and we find that the premises of said Complainant F. S. Ladd would be rendered \$100.00 less valuable by the laying out and establishment of said proposed road as a public highway of said County, and recommend that One Hundred Dollars be paid to said Complainant before laying out and establishing said road as a public highway.

John Graham Jr  
 W. W. Gordon  
 J. D. Guild } Appraisers

And said report appearing regular in all things is approved by the Court; and said road being of great public utility and one of the most important thoroughfares of the County, the Court deems itself thoroughly warranted in paying said damages out of the County treasury. It is therefore considered and ordered by the Court that said amount of \$100.00 so appraised and allowed by the appraisers be paid out of the County treasury and the Clerk is ordered to issue a warrant on the Treasurer for the same.

In the matter of the  
 Roads petitioned for  
 by L. L. Wolcomb et al }

This matter came on to be heard upon the reports of the Viewers and Surveyor heretofore filed herein, and said reports having been read in open Court for the first time are laid over for a second reading on some other day of this term.

In the Matter of the  
 Roads petitioned for  
 by Jas R. Gilkins et al }

This matter came on to be heard upon the reports of Viewers and Surveyor heretofore filed herein, and said reports having been read in open Court for the first time are laid over for a second reading on some other day of this term.

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## Report of Appraisers

To the Honorable County Court for Union County, Oregon:-

We, the undersigned viewers heretofore on the 7<sup>th</sup> day of Nov appointed to view and assess the damages claimed by Thos Keating and Mrs E. A. Pierce in the matter of the proposed County road, petitioned for by H. L. Anley et al beg leave to report that on the 16<sup>th</sup> day of November 1889, we, after being duly sworn to discharge our duty faithfully and impartially, proceeded to view said proposed road the whole distance through the premises of Thos Keating & Mrs E. A. Pierce, Complainants and assess and determine how much less valuable said premises of said Complainants would be rendered by the opening of said road, and we find that the premises of said Complainant Thos Keating would be rendered \$166. less valuable, and that the premises of Complainant Mrs E. A. Pierce would be rendered \$90.00 less valuable by the laying out and establishment of said proposed road as a public highway of said County, and recommend that \$256. be paid to said Complainants before laying out and establishing said road as a public highway.

M. J. Love

Samuel Vanorder

And the Court having duly considered the matter does not deem said proposed County road of sufficient public utility to warrant the Court in ordering said damages so appraised and allowed, to be paid out of the County Treasury. It is therefore considered and ordered by the Court that said proposed road will be declared a public highway of Union County and ordered opened and placed in repair for travel when the petitioners shall have paid said damages and filed with the clerk of this Court the receipts of said claimants Thomas Keating and Mrs E. A. Pierce therefor. And in case said claimants or either of them refuses to accept said sum so appraised as damages, then the same may be deposited by said petitioners with the clerk of this Court, and said petitioners will thereupon be entitled to an order of this Court declaring said proposed road a public highway of Union County and ordering the same opened up and placed in repair for travel.

In the matter of the proposed  
County Road petitioned for by  
A. Kiefer et al.

This matter came on to be heard at  
this time on the reports of the Viewers and Surveyor heretofore

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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 4<sup>th</sup> day of September 1889 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 A. Keifer et al., beg leave to report that on the 17<sup>th</sup> day of September 1889, in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinions said proposed road should be laid out and established as a public highway of Union County, Oregon. That the same is practicable and would add much 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. J. Chandler  
John W. White  
R. E. Stevenson

And said report of the Viewers and the report of the Surveyor having been now publicly read in open court on two several days of the present term of the Court and it appearing to the Court that said viewers report favorably thereon, and recommend that said proposed road be established as a County road and be declared a public highway of Union County, Oregon, and all the proceedings herein having been regular, and according to law, and no remonstrance or claim for damages having been filed herein, except such as has been heretofore regularly disposed of, and there having been no cause shown why this proposed road should not be declared a public highway and ordered opened 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 reports of the viewers and surveyor be approved and adopted by the Court, and that said proposed road be declared a public highway of Union Co., Oregon, and ordered opened up and placed in repair for travel according to law. It is further ordered that the report of the viewers be placed on record in



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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 John O. Mickelson Road Supervisor of Road District No 37 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 petitioned for by  
L. L. Holcomb and others

This matter came on to be heard at this time on the reports 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 viewers heretofore on the 4<sup>th</sup> day of December 1889 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 L. L. Holcomb et al, beg leave to report that on the 21<sup>st</sup> dly of December 1889, in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinions said proposed road should be laid out and established as a public highway of Union County, Oregon. That the same is practicable and would add much 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. B. Fievel }  
J. Bennehoff } Viewers  
R. B. Gibson }

And said report of the viewers and the report of the Surveyor having been now publicly read in open Court, on two several days of the present term of the Court, and it appearing to the Court that said viewers report favorably thereon, and recommend that