

No

in

Court

vs

Plaintiff

Defendant

Attorney for Plaintiff

Attorney for Defendant

Oct 7, 1991
 "Morton W. Brown"
 Attorney of RR Workers
 Order Among Motion
 (Name of the Party)

Oct 7/96 Petition filed
 " " Motion to Dismiss
 " " Affirming of Verdict
 " " Order Dismissing Motion
 " " Viewers app'd Oct 7 p 4
 Nov 4 App'd 30
 Dec 7 Appraisers Report 67

Slatter &

Road petitioned for by
 M B Rees et al

Com at NE cor of SE 1/4 of SE 1/4 Sec 8
 T38 R40 E, Thru NW 1/2 mile
 ANN low of SE 1/2 of SE 1/4 Sec
 T38 R40 E NW 1/2

Field Notes of the Proposed County Road Petitioned for by
M B Rees et al Surveyor Oct 22nd 1891

Beginning at the N E corner of the SE⁴ of the SE⁴
of Sec 8 T. 3. South Range 40 East at the western end of
what is known as the Robinson Lane and running
Thence West

80.00 Chs To 1 Mile Station Thence West

38.50 The Terminus of the Road at the intersection of
the Road leading from Union to Sumnerville making
the whole distance one mile 38.50 Chs

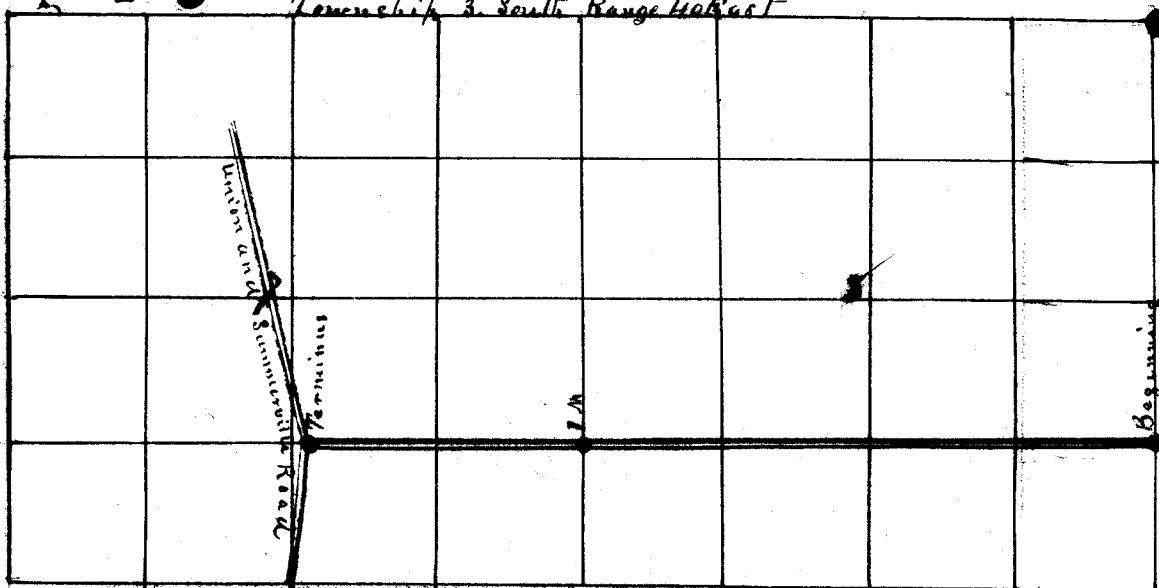
J L Curtis
Surveyor

PAID.

OCT 31 1891

James Davis
County Clerk.

Township 3. South Range 40 East



Scale 3 inches to the mile

PAID.

OCT 31 1891

James Davis

County Clerk.

Notice of Road Petition



To all Persons Concerned: You and each and all of you will take notice that the undersigned house holders 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 7th day of Sept A D 1897 respectfully present to said Court a petition praying said Court to lay out and establish a County Road within said County, on the following line of route to wit:

[The following line of route is extremely faint and illegible due to heavy ink bleed-through and poor image quality.]

NAMES

NAMES

[Handwritten names in the left column:]
 W. H. Rous
 J. J. Shilley
 W. Kennedy
 J. P. McDaniel
 A. W. Lamm
 E. W. Miller
 Thos. Lewis
 E. Fuller
 J. O. Faircett

[Handwritten names in the right column:]
 J. B. Coates
 Otto Petersen
 L. B. Stearns
 Chas. M. Beck
 Alex. Cochran
 J. H. Smith
 J. M. Rogers
 J. B. Cook
 H. J. Boster
 J. M. Brown
 John Mitchell
 J. B. Cook
 W. A. G. Crutcher
 R. J. Johnson
 Jesse Jewell
 M. J. Duffey
 F. B. Newman
 M. G. Newman
 J. L. Cook
 J. L. Newman

[Handwritten names in the left column:]
 W. H. Boothe
 J. H. Corbin
 J. G. Wilson
 J. L. Cook
 J. P. Gass
 J. P. McDaniel
 E. B. Stewart
 J. S. Harris

[Handwritten names in the left column:]
 H. D. Powell
 H. M. Reilly
 Mrs. E. J. Parker
 J. W. Hancock
 J. W. Martin
 E. J. White
 J. R. Kelly
 John Martin
 John Hildner
 M. E. Babington
 J. H. Fisher
 Vieto Hansen
 J. H. Bolam
 W. E. Eaton
 John C. Hough
 S. B. Burroughs
 A. B. Conley
 W. Harrell
 E. B. Millard
 G. L. Johnson

[Handwritten names in the right column:]
 B. H. McArthur
 J. B. Fisher
 J. P. Ryan
 J. P. Ryck
 C. W. O. Escroworth
 L. B. Haggard
 J. W. Felder
 H. H. French
 B. J. Gier
 James M. Hoag
 George H. Fellows
 John Boyd
 E. H. Galt
 J. J. Conley
 J. P. Cook

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

In the matter of
the Road petitions for
by M. B. Rees et al -

State of Oregon }
County of Union } ss J. R. Holme

being first duly sworn say that I
am a citizen of Union County.

That I circulated the Petition and
notices for signatures in the above
entitled matter. That the name

J. & A. G. Conklin was signed by John
Conklin ^{in my presence} for himself and Brother (who
are partners) that in the petition

the initial "G" in said signature
appears like an S. and in one of
the notices the sign "V" appears to

be omitted, but the signature in
both cases ~~was made~~ (as well
as on three other notices thereof)

was made by John Conklin and
intended for the signature of their
firm name J. & A. G. Conklin -

an atlas of said notices being her-
to attested for reference thereto -

Subscribed and sworn to }
before me this 7 day } L. R. Holme
Oct 1891 }

James Oliver
Clerk

M. B. Rees
Rural Ave

Off of L. R. Holmes

FILLED.

OCT 7 1891

James Davis
County Clerk

In the County Court of the State of
Oregon for Union County
In the matter of the
County road petitioned
for by M.B. Peas
and others

Now at this time comes
Henry A. Mitchell a household
of the State of Oregon residing in
the vicinity of the above named
proposed County road described as
follows: Commencing at the North
East corner of the South East quarter of the
South East quarter of Section Eight in Town
ship three South of Range forty East run
ning thence West a mile and a half more
or less to the North West corner of the
South half of the South East quarter of sec
tion seven in Township three South
of Range forty East of the Willamette
Meridian, And moves the Court
to dismiss the petition herein filed
for the reason that there is a
variance in the signatures appear
ing upon the ^{said} petition and those
appearing upon the notice posted
herein, for the further reason
that two persons appear to be

Overruled - & Vermin's appointed

represented in the signature to the
petition and for the further reason
that it does not appear from
the record that notices were posted
as required by Law

B. F. Wilson
Atty for King & Mitchell

In County Court
of State of Oregon
for Union County -

In the matter of the
proposed embankment
petitioned for by M. B.
Rees et al

Wilson & Wilson
petition

FILED.

OCT 7 1891

James Oliver
County Clerk

B. F. Wilson
Atty for the Remonstrator

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 5th day of October, 1891, 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 W B Bees, et al, beg leave to report that on the 22nd day of Oct, 1891, 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.

H L Dougherty
J W Murphy
John W. Phay
VIEWERS.

FILLED.

OCT 31 1891

James Davis
County Clerk

In the County-Court of the State of
Oregon for Union County -
In the matter of the
proposed county-road
petitioned for by Mrs.
Rees et al

Now at this time comes
Frank Mitchell and appears
to the Court that he is a house
holder of the State of Oregon residing
in the vicinity of the above
proposed road and is the
owner in fee of lands affected
by said proposed road described
as follows to-wit:

S² S⁶ Section 4 +
S⁶ of S⁶ Sec 5 in Township
3 South of Range 40 E. N. W.

That complainant Frank Mitchell
will be damaged by the laying
out and establishing of said proposed
road as follows:

1st Farming and other lands of
Complainant amounting to three
acres will be required and are
ought to be condemned for said
road which said three acres of
land is reasonably worth the
sum of \$800 in which sum
Complainant asks reimbursement
for said lands

2^d That Complainant will be required & compelled to build at least 120 rods of new fence at a cost of not less than 56 1/2 cents per rod for which Complainant asks remuneration in the sum of \$70⁰⁰

3^d That Complainant will be required & compelled to remove & rebuild 120 rods of fencing at a cost of not less than \$20⁰⁰; for which Complainant asks remuneration in said sum of \$20⁰⁰

Wherefore Complainant asks damages & remuneration by reason of the laying out and establishing said proposed county road as aforesaid in the total sum of \$270-

Frank Mitchell

Complainant

State of Oregon }
County of Union } I Frank Mitchell
being first duly sworn say
I am complainant above named
and that the facts set forth in
the foregoing claim for damages
& remuneration are true as I
truly believe

Subscribed & sworn Frank Mitchell
to before me

this 31 day of Oct 1897

B. F. Wilson

Notary Public for

In County - Clerk
W. G. Bryan
Linn County

For the matter of
the probate and
administration of
the estate of
John R. ...

Claim for
... by
... and ...

FILLED.

NOV 9 1891

James Oliver
Clerk

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

In the matter of the
Proposed County Road
petitioned for by
W. B. Rice et al.

Now comes Hilary A. Mitchell and
represents to the Court that he is
a householder of the State of Oregon
residing in the vicinity of the
proposed road above named
that he is the owner in fee of the
following described real estate
affected by said proposed road
to-wit:

NE¹ of SE⁴ Section 8
NW² of SE⁴ Section 7 Town-
ship 3 South of Range
40 E. W. M. Also NW² SE⁴ &
SE⁴ SW⁴ Sec 8 Tp 3 South of Range
40 E. W. M.

That the laying out and establishing
of said proposed road will damage
complainant Hilary A. Mitchell
and complainant hereby claims
damages by reason thereof as
follows:

1st Farming and other lands owned
and occupied by complainant to
the amount of six acres will
be required and is sought to
be condemned for said road
is of the value of \$35 per acre.

for which complainant asks
compensation in the sum of
~~1000~~

2^d Complainant will be required
and compelled to build 280
rods of new fence at a cost
of at least 56 1/2 cents per rod
for which he claims remun-
eration in the sum of \$160⁰⁰

3^d Complainant will be required
to remove & rebuild
200 rods of fencing for which
he claims remuneration in the
sum of \$200⁰⁰

4th Complainant represents that
the laying out and establishing
of said road on said proposed
line cuts his lands in such
manner as to render the same
very inconvenient to him in
farming the same and man-
aging his stock thereon for
which he claims damages
in the further sum of \$125⁰⁰

Wherefore your complainant
asks remuneration & damage
by reason of the laying out
& establishing said proposed
County road in the sum of
~~1000~~

Heily, a. mitchell

Complainant

State of Oregon
County of Union }^{od}

Wiley A. Mitchell

Being first duly sworn say
I call Complainant above
named and that the facts
set forth in the foregoing
Claim for damages and
annuities is true as I
verily believe
Subscribed & sworn to
before me this Wiley A. Mitchell

Oct 31 1891.

B. F. Wilson

Notary Public for Oregon

County Clerk
State of Oregon
For Union County

In the matter
of the probate and
settlement of
the estate of
W. D. B. et al

Claim of Mary
a Mitchell for
damages

FILED.

NOV 3 1891

James Davis

County Clerk.

R. D. Watson

attorney at law

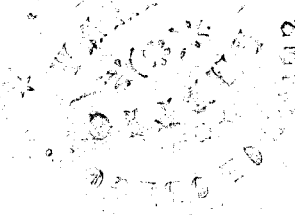
REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

We, the undersigned viewers heretofore on the 4th day of November, appointed to view out and assess the damages claimed by Frank Hilcay Mitchell in the matter of the proposed county road, petitioned for by M. B. Rees et al. beg leave to report that on the 19th day of Nov., 1911, 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 Frank Mitchell & Hilcay Mitchell complainants and to 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 Frank Mitchell would be rendered \$ 34.00 less valuable, and that the premises of complainant Hilcay Mitchell would be rendered \$ 74.00 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 paid Amts. be paid to said complainants before laying out and establishing said road as a public highway.

Our Fees
W. G. Hunter 1 day + 40 mi.
W. Van Der Meulen " " 32 "
M. A. Harrison " " " "

W. G. Hunter
W. Van Der Meulen
M. A. Harrison
 Viewers & Appraisers



State of Oregon vs
Union County Me, M.A. Harrison,

Wm. Van der Muelen, and W.G. Hunter,
being first duly sworn, say we will
faithfully and impartially perform
our duties as Viewers and Appraisers of
the damages that will accrue to
Frank Mitchell and Wiley Mitchell
on account of the opening up of
the proposed road petitioned for by
M.B. Reese et al. to the best of our
ability, so help us God

Subscribed and
sworn to before me
this November 1891

M.A. Harrison

Wm Van Der Muelen

W.G. Hunter

H. O'Connell

Notary Public

FILED.

NOV 28 1891

James O'Connell
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 proposed to be respectfully petition your Honorable body to lay out and establish a County road within said County on the following line or route to wit

Commencing at the North East Corner of the South East quarter of the South East quarter of Section Eight in Township Three South of Range Forty East running thence West a mile and a half more or less to the North West corner of the South half of the South East quarter of Section Seven in Township Three South of Range Forty East of the Willamette Meridian, all of said Route being in Union County Oregon

And in duty bound your petitioners will ever pray

NAMES

NAMES

- | | |
|-----------------------------|-------------------------|
| ✓ D. P. McDaniel | ✓ M. Lawrence |
| ✓ Mrs. B. Rice & Co. Stuart | ✓ S. W. Koger |
| ✓ H. P. Stuart | ✓ S. B. May |
| ✓ J. D. Smiley | ✓ J. P. Foster |
| ✓ Otho Eckersley | ✓ John Mitchell |
| ✓ W. Kennedy | ✓ L. B. Stearns No work |
| ✓ E. P. McDaniel | ✓ C. H. Olson No work |
| ✓ R. B. Lamborn | ✓ Alex. Cochran |
| ✓ E. W. Mueller | ✓ L. B. Stearns |
| ✓ Thos. Jones | ✓ J. F. Smith |
| ✓ C. Fuller | ✓ James M. Blain |
| ✓ J. O. Francett | ✓ Jasper S. Stevens |
| ✓ A. J. Harris | ✓ R. M. Hough |
| ✓ W. R. Boothe | ✓ W. A. Condon |
| ✓ J. H. Corbin | ✓ J. J. Johnson |
| ✓ J. G. Wilson | ✓ J. E. Jewell |
| ✓ W. H. Brown | ✓ M. J. Duffey |
| ✓ M. Gass | ✓ M. Lawrence |
| | ✓ J. Lawrence |
| ✓ H. Powell | |
| ✓ J. M. Peffer | |
| ✓ Mrs. E. J. Plaster | |
| ✓ J. P. Vincent | ✓ B. J. McCallahan |
| ✓ Jas. Martin | ✓ D. B. Linsler |
| ✓ G. J. White | ✓ J. Payne |
| ✓ J. K. Tolly | ✓ N. Church |
| ✓ John Martin | ✓ C. W. D. Elsworth |
| ✓ John H. H. H. H. | ✓ U. B. Haggerty |
| ✓ M. E. H. H. H. | ✓ M. J. H. H. |
| ✓ J. H. Fisher | ✓ H. H. French |
| ✓ Chas. Hansen | ✓ H. J. Green |
| ✓ J. H. Delany | ✓ James M. H. H. |
| ✓ J. E. Eaton | ✓ George H. Fellows |
| ✓ John E. Hough | ✓ John Boyd |
| ✓ S. B. Burroughs | ✓ E. Kail |
| ✓ A. B. C. H. H. | ✓ J. F. H. H. |
| ✓ H. H. H. | ✓ L. R. H. H. |
| ✓ E. B. H. H. | |
| ✓ G. H. H. | |

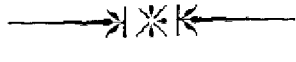
PAID.

OCT 7 1891

James Owen
County Clerk

10/7/91

Notice of Road Petition



To all Her our Citizens You and each and all of you will take notice that the undersigned house holders 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 7th day of October A D 1891 respectfully present to said Court a petition praying said Court to lay out ~~the~~ and establish a County Road within said County on the following line or route to wit *Commencing at the North East Corner of the South East quarter of the South East quarter of Section eight in Township three South of Range forty East of the Willamette Meridian running thence West one and a half miles more or less to the North West Corner of the South half of the South East quarter of Section seven, in said Township and Range all of said Route being in Union County Oregon,*

NAMES

NAMES

M. H. Kees
 H. P. Stewart
 J. D. Shirley
 W. Kennedy
 E. P. McDaniel
 B. B. Lamborn
 E. W. Fuller
 Thos. Jones
 E. Fuller
 J. O. Gracett
 W. R. Booth
 J. H. Corbin
 T. G. Wilson
 J. L. Gibson
 J. M. Gast
 D. J. McDaniel
 E. C. Stewart
 J. J. Shaver

J. D. Cowles
 Otho Eckersly
 L. B. Stearns
 A. B. Stearns
 Alex. Cochran
 J. H. Drucutt
 J. W. Roger
 S. B. May
 J. J. Foster
 James M. Bloom
 John Mitchell
 Garpe J. Stevens
 R. L. Hough
 J. C. G. Enkler
 R. J. Johnson
 Jesse Jewell
 M. J. Juffer
 H. Lawrence
 M. Lawrence
 J. L. Boyle
 J. Lawrence
 Adam Dorman

H. J. Powell
 H. M. Dufley
 Mrs. E. J. Jasper
 J. P. Vincent
 Jos. D. Martin
 G. F. White
 J. R. Tolly
 John Martin
 John Holderness
 M. E. Babington
 J. H. Fisher
 Nels Hansen
 J. H. DeCovey
 A. E. Eaton
 John Estor
 S. B. Burroughs
 A. B. Colley
 H. Harrell
 E. B. Millard
 E. C. Robinson

B. J. McAdams
 D. C. Fisher
 J. Payne
 M. D. Brock
 C. W. O. Elsworth
 A. B. Nequest
 J. W. Decker
 T. H. H. Funch
 A. J. Yeer
 James M. Hoag
 George H. Fellows
 John Boyd
 E. Koits
 J. J. Conley
 L. R. Holmes

FILLIHID.

OCT 7 1891

James Owen
County Clerk

STATE OF OREGON,
County of Union, } ss.

L. R. Holmes

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 beginning of the Road on a Board nailed to a post, One at the end of the road on a board nailed to a fence, and one at what is called the Red Bridge, all being by the side of the Public County road in Union County Oregon

thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 5th day of Sept 1891, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 5th day of September 1891, 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

7th day of October 1891
L. R. Holmes
James Oliver

FILLED.

OCT 7 1891

James Owen
County Clerk.

BOND OF ROAD PETITIONERS.

Know All Men by These Presents, That L. R. Holmes

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 7th day of October A. D. 1891.

Now, the condition of the above obligation is such, That, whereas the above named L. R. Holmes

and _____, and others, have petitioned the County Court of said County of Union, at the October Term, 1891, thereof for a County Road, commencing at the North East Corner of the South East quarter of the South East quarter of Section Eight in Township Three South of Range Forty East of the Willamette Meridian running thence West one and a half miles more or less to the North West corner of the South half of the South East quarter of Section Seven in said Township and Range, all said Route being in Union County Oregon.

Now, if the above named L. R. Holmes 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.

L. R. Holmes (L. S.)

(L. S.)

STATE OF OREGON, }
County of Union. }
No.

I, L. R. Holmes

and _____ each for himself, says, that I am worth the sum of One

Hundred Dollars over and above all debts and liabilities and property exempt from execution; that I am a resident and householder in said County and State.

L. R. Holmes

Subscribed and sworn to before me this 7th day of October A. D. 1891

Turner Oliver

County Clerk.

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

IN THE MATTER OF THE
Road petitioned for
by M. D. Beachal
ROAD.

BOND OF ROAD PETITIONERS.

Approved Oct 7th 1891
at St. James
County Judge.

Filed Oct 7th 1891
James Quinn
County Clerk.

By _____
Deputy.

FILED.

OCT 7 1891

James Quinn
County Clerk.

First Judicial Day

Wednesday Oct 7th 1891

In the Matter of the Road }
 petitioned for by M.B. Reese et al }

Comes now L.R. Holmes and presents to the Court the petition of M.B. Reese et al. for a County Road, also one Heiby A. Mitchell and files a motion to dismiss the petition herein filed for the reason that there is a variance in the signatures on the petition and the notice filed herein and for the further reason that two persons seem to be represented in one signature to the petition and for the further reason that it does not appear from the record that notices were posted as required by law the petitioners appearing by R. Eakin of Counsel and said remonstrator appearing by B.F. Wilson of Counsel and the petitioners having filed an affidavit and showing and the Court having heard the testimony in the case and the argument of counsel and being fully advised both as to law and the facts in the case It is ordered that said motion be overruled and denied

In the Matter of the proposed County }
 Road petitioned for by M.B. Reese et al }

Comes now L.R. Holmes one of the petitioners for the above named proposed County road, and presents to the Court the petition of himself and others, praying for the location and establishment of a County Road, described as follows to wit:

Commencing at the North East corner of the South East Quarter ^{of the East Quarter} of Sec 8 Sp 3 S. R. 40 E. running thence W $1\frac{1}{2}$ miles more or less to the N.W. corner of the S $\frac{1}{2}$ of the S E of Sec 7 in Sp 3 S of R. 40 E. W. M. all of said route being in Union County Oregon, 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 specified the place of beginning, intermediate points and place of termination of said road, and it satisfactorily appearing to the Court that that notice had 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

First Judicial Day

Wednesday Oct 7th 1891

road, town: One at the beginning of the Road on a board nailed to a post, One at the end of the road on a board nailed to a fence, and one at what is called the Red Bridge, all being by the side of the public County Road in Union County Oregon 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 has been duly given and the motion by Remonstrator Hilby A Mitchell to dismiss having been argued overruled and denied It is therefore ordered that John M. Ohy H. L. Dougherty and John Murphy be appointed Viewers of said road, and that J. L. Curtis be appointed Surveyor of said road, and that they meet at Court on the 22 day of Oct 1891, at the hour of 10 o'clock A.M. and after qualifying, to view, survey and lay out said road according to law.

In the Matter of the Road
petitioned for by Chas Bechtel et al }

It appearing to the Court that heretofore on Sept 10th 1891 the Court appointed Filmore Wyatt, J H Morton and John Graham Jr appraisers to appraise the damages that would accrue to W^m Long and Noah Richards by reason of the construction of the said proposed road and it appearing to the Court that through some inadvertence the appraisers failed to meet at the time and place specified in said order or to appraise said damages at all It is therefore considered and ordered that the same parties be re-appointed to view the premises of said claimants the whole distance the same will be traversed by said proposed road and report to this Court in writing how much less valuable the said premises will be rendered by reason of the establishment of said proposed road and that they meet at the premises of said claimant Wm Long on Saturday the 24th day of Oct 1891 at 10 o'clock A.M. and after qualifying proceed to view and report accordingly

Be it Remembered, that a regular term of the County Court of Union County state of Oregon began and held at the Court House in the City of Union in said County on Monday the 2nd day of November A D 1891, and from day to day thereafter during the continuance of said term, when on Wednesday the 4th day of November or the Third Judicial Day of said Term the said County Court opened for the transaction of County business with the following officers present:

The Hon J. N. Sanders County Judge
 The Hon John McDonald Commissioner
 Sumner Olmsted Clerk
 J. D. Bellas Sheriff

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

In the matter of the
 Road petitioned for
 by M. B. Ross et al

This matter came on to be heard at this term on the claims for damages filed by Sterling Mitchell & Frank Mitchell on account of the Road petitioned for by M. B. Ross et al. And it appearing to the Court from the claim of Frank Mitchell that he is the owner of the S^{1/2} of S⁶ Sec 7 & S⁶ of S⁶ Sec 8 T³ P² R⁴⁰ S⁶ N. W. across which he alleges said road would pass to his damage as he alleges in the sum of \$270⁰⁰. And it appearing to the Court from the claim of Sterling A. Mitchell that ^{he is} the owner of the S⁶ of S⁶ Sec 8 & N⁷ of S⁶ Sec 7 T³ P² R⁴⁰ S⁶ N. W. Also N⁷ of S⁶ & S⁶ of S⁶ Sec 8 T³ P² R⁴⁰ S⁶ N. W. across which he alleges said road would pass to his damage in the sum of \$500⁰⁰. It is therefore considered and ordered by the Court that M. A. Harrison, O. H. Vandermeulen and M. G. Hunter be appointed Viewers to appraise the damage that would accrue to the said Claimants by reason of the establishment of said proposed road and that they meet at Opland City, on Saturday November 14th 1891 at 8 o'clock A. M. and having first subscribed an oath to faithfully and impartially perform their duties that they proceed to view the premises of said Claimants and determine how much less valuable the premises of each will be rendered by reason of the establishment of said road, and that they report the same in writing to this Court on or before the next regular term hereof.

Third Judicial Day

Wednesday Dec 9th 1891

In the Matter of the Road }
 petitioned for by M.B. Reese et al }

This matter came on to be heard at this time on the report of the appraisers heretofore appointed herein to assess the damages that would accrue to Frank and Hilery Mitchell by reason of the location and establishment of the said proposed road which report in writing is in words and figures following to wit:

Report of Viewers

To the Honorable County Court for Union County Oregon:

We the undersigned viewers heretofore on the 4th day of November appointed to view out and assess the damages claimed by Frank and Hilery Mitchell in the matter of the proposed county road, petitioned for by M.B. Reese et al by leave to report that on the 19th day of Nov 1891, 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 Frank Mitchell and Hilery Mitchell complainants and to 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 Frank Mitchell would be rendered \$34⁰⁰ less valuable and that the premises of complainant Hilery Mitchell would be rendered \$76⁰⁰ less valuable by the laying out and establishment of said proposed road as a public highway of said county and recommend that said amounts be paid to said complainants before laying out and establishing said road as a public highway

W.G. Hunter
 M. Van dermeulen
 M.A. Harrison
 Viewers & Appraisers

Thereupon it was ordered that said report be approved and it appearing to the Court that said road would be of great public utility, It is ordered that said damages be paid out of the County Treasury and the Clerk is instructed to draw warrants on the Treasury for the same. Thereupon the Report of Viewers and Surveyor was read in open Court for the first time of this term and laid over for further consideration on some other day of this term

In the Matter of appointment }
 of Justice of the Peace in Union Precinct }

This matter came on to be heard at this time on the

Fourth Judicial Day

Thursday Dec 10th 1891

Court met pursuant to adjournment with the same officers as on yesterday

After proclamation of the opening of Court having been made the Journal of yesterday's proceedings was read at length and as follows:

In the matter of the proposed

J. V. Sanders County Judge

County Road petitioned for by M. B. Reese et al }

This matter came 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 Viewers being in words following, to-wit:

Report of Viewers

Do the Honorable County Court for Union County Oregon

The undersigned viewers heretofore on the 5th day of October 1891 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 M. B. Reese et al by leave to report that on the 22nd day of Oct 1891 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 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.

H. L. Dougherty
J. W. Murphey
John M. Piny

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 what have been heretofore disposed of 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 reports of the viewers and surveyor be approved and adopted by the court, and that said proposed road be de-

Fourth Judicial Day

Thursday Dec 10th 1891

clared 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 this Journal, and that the surveyors plat of the proposed road and his field notes of the survey thereof, be placed on record in the book of Plats of County roads of Union County, Oregon, and that W. L. Dougherty Road Supervisor of road District No. 6 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 Road }
petitioned for by B. F. Wilson }

This matter came on to be heard at this time upon the stipulation of the parties affected by the above entitled road, stipulating and agreeing that all matters involved herein as affecting their rights may be settled by arbitration which stipulation and agreement is in words and figures following to wit:

In the matter of the County Road commencing at or near the SE corner of section 17 S 3 R 40 E running north on or near section line to or near the NE corner of Sec 29 T 2 S R 40 E 610M.

Memorandum of Agreement

It is hereby stipulated and agreed by the undersigned that we each give and donate for a county and public road a strip of land thirty feet in width the full length of said road running along and through our lands.

That we agree to give the said thirty feet of land on each side of the center line of present traveled road as viewed and surveyed by J. R. Kellogg & M. A. Harrison the viewers last appointed by the County Court whose report was filed on the 4th day of Nov 1891. That where said road occupies and takes more than 30 feet of land from one party to this agreement and less than 30 feet from the party on the opposite side of said road then in that case we and each of us will buy and sell as required for that purpose to and from each other the required amount of land for said road so that each shall give an equal width of 30 feet on each side of the center line of said road that in order to determine the question of the damages to be paid or received by or from each party for said