

No

m

Court

Plaintiff

vs

Defendant

Action for

Docket

Page

Attorney for Plaintiff

Attorney for Defendant

R L WEBB WEN. E. P. 10
M. L. ALBY C. H. P. N. V. 10
10 W. IN. 6. 5. 1. 0
10 W. IN. 6. 5. 1. 0

Record of the Case.

Petition filed June 8th 1892
Viewers app'd June 26th
Ordered opened " " 365

413

WITNESSES

Petitioned for by
© W S Egell ©
et al

Beginning at NE corner
NW⁴ NE⁴ Sec 18 Tp 1 N
R 40 E W M and
terminating 30 rods
due West of NE corner
of NW⁴ SW⁴ Sec 12 Tp 1
N R 39 E W M

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 8th day of June, 1892, 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 H. S. Ezell, et al, beg leave to report that on the 25th day of June, 1892,

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 materially add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be laid out and declared a public highway of said county.

J. C. Weaver
J. A. Cowan

VIEWERS.

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 9 day of June, 1892, 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 Egzell, et al, beg leave to report that on the 30 day of June, 1892, 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 materials 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.

Juel Weaver
J. A. Gowen

VIEWERS.

IN THE COUNTY COURT OF UNION COUNTY OREGON

In the matter of
County Road

Petition

To the County Court of Union County Oregon

We the undersigned resident and householder residing along the line, and in the immediate vicinity of the hereinafter proposed County Road, do most respectfully ask and petition your Honorable Body to layout, grant and locate a County Road as near as practicable on the following route, to wit - Beginning at the North East corner of the NW 1/4 of the NE 1/4 of Sec 18 Tp one North Range 40 East W M Thence West along the section line about one and one eighth miles, three eighth mile to the head of a certain gulch leading in a northwesterly direction, thence down the north side of said gulch in a northwesterly direction about 120 rods thence in a northerly direction about 40 rods to the North East corner of the North West 1/4 of the South West 1/4 of Section 12 Tp One North, Range 30 East W M Thence due west about 30 rods to the present traveled County Road, leading to Elsin, and there terminating, all of which points and places mentioned herein being and are in Union County Oregon

Name

Names

W. S. Zell	Joseph Hoffmann
E. S. Goodrich	W. R. Groat
John R. Weaver	J. H. Huffman
W. D. Starr	W. B. Knight
W. Hamelton	A. Gordon
Joseph Harris	A. W. Gray
Henry Hug	W. B. Hindman
W. Uby Bayner	B. Strasser
William B. Roubt	G. R. Tucker
Green Egan	J. B. Christensen
A. J. Wade	L. D. Marchand
Charles Hye	J. W. Chandler
H. H. Mesoy	J. L. Hummer
E. E. Taylor	Frank Graham

SECRET

James Brown

NOV 24 1944

Faint, mostly illegible text, possibly a list or document header, located in the upper left quadrant.

11/24/44



Faint handwritten marks or text at the bottom of the page.

IN THE COUNTY COURT OF UNION COUNTY OREGON
 IN THE MATTER OF COUNTY ROAD

NOTICE

TO WHOM IT MAY CONCERN -

Notice is hereby given that the undersigned petitioners will apply and present a petition to the Honorable County Court of Union County Oregon, at the Court House in the City of Union at the regular term thereof, on Wednesday the 31st day of June 1892, to lay out, grant and open a County Road as near as practicable on the following route, to wit:

Beginning at the North East corner of the N 1/4 of the N 1/4 of Sec. 18 T₁ S₁ R₄₀ W₁ E₁ Thence west along boundary line about One and three eighths mile to the end of a certain ditch leading in a north westerly direction. Thence down the North side of said ditch, in a north westerly direction, about 100 rods, Thence in a northerly direction about 40 rods to the North East corner of the North West 1/4 of the S 1/4 of section 12 T₁ S₁ R₃₉ W₁ E₁ Thence due west about 60 rods to the present traveled County Road leading to El. in. and there terminating, all of which points and places mentioned herein, being and are in Union County Oregon.

Name

Name

W. S. Lyell

Joseph M. ...

E. E. ...

S. B. ...

John R. ...

M. P. ...

W. H. ...

H. ...

W. B. ...

A. W. ...

Joseph ...

A. B. ...

Henry ...

S. ...

Al. ...

G. R. ...

William ...

J. ...

...

J. ...

R. J. ...

J. ...

...

J. ...

R. H. ...

J. ...

E. G. ...

Frank ...

FILED

JUN 2 1892

James Oliver

County Clerk

10/15/92

IN THE COUNTY COURT OF UNION COUNTY OREGON

IN THE MATTER OF COUNTY ROAD

NOTICE

TO WHOM IT MAY CONCERN -

Notice is hereby given that the undersigned petitioners will apply and present a petition to the Honorable County Court of Union County Oregon, at the Court House in the City of Union at the regular term thereof, on Wednesday the 8th day of June 1902, to lay-out, grant and open a County Road as near as practicable on the following route, to wit:

Beginning at the North East corner of the NW 1/4 of the NE 1/4 of Sec 18 Tp one North, Range 40 East W M Thence west along the section line about One and three eighths mile to the head of a certain gulch leading in a north westerly direction, Thence down the North side of said gulch, in a north westerly direction, about 120 rods, Thence in a northerly direction about 40 rods to the North East corner of the North West 1/4 of the SW 1/4 of section 12 Tp one North Range 39 East W M Thence due west about 30 rods to the present traveled County Road, leading to Flgin, and there terminating, all of which points and places mentioned herein, being and are in Union County Oregon

Names

Names

W. Sezell
 E. D. Crockett
 John R. Weaver
 W. B. Starr
 W. Hamelton
 Joseph Harris
 Henry Hug
 W. May Buyer
 William Poulet
 C. Green
 Q. J. Wade
 Sarah Nye
 A. H. McCoy
 E. G. Taylor

Joseph Huffman
~~W. B. Starr~~
 S. H. Huffman
 W. B. Knight
 A. Gordon
 N. W. Gray
 W. B. Hundman
 S. Strasser
 G. R. Tucker
 J. B. Chickering
 L. P. Blanchard
 J. N. Chandler
 J. L. Hammond
 Frank Graham

J. R. Oliver
 April 27 92

STATE OF OREGON,
County of Union,

I, *W. S. Ezell*

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 said proposed road, on the fence facing the road and on at the terminus of said proposed road, on a post facing the public traveled road. and one at the residence of Jas. Akin on the line of the proposed road each of said notices were posted in conspicuous places.

thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the *19* day of *April* 18*92*, 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.

W. S. Ezell

Subscribed and sworn to before me this *28* day of *May* 18*92*

H. F. Burleigh
Justice of the Peace

STATE OF OREGON,
County of Union, } ss.

I, *J. R. Oliver*

~~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~~

~~thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the _____ day of _____ 18____, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 27 day of April 1892~~ 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 _____ day of _____

7

day of

J. R. Oliver

June

1892

James Oliver
Clerk

RECEIVED

JUN 7 1892

JAMES OLSON
County Clerk

BOND OF ROAD PETITIONERS.

Know All Men by These Presents, That we, W. S. Ezell
and J. M. Kennedy, 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 8th day of June A. D. 1892

Now, the condition of the above obligation is such, That, whereas the above named

and J. M. Kennedy, and others, have
petitioned the County Court of said County of Union, at the June Term, 1892, thereof for a

County Road, commencing at the NE corner of the 1/4 of the 1/4 of Sec. 18 T. 12 N. R. 40 East W. 1/4
along the section about one and three eighths miles
with head of a certain gulch leading in a north
westerly direction, thence down the north side of
said gulch in a westerly direction about 120
rods, thence in a southerly direction about 40
rods to the SE corner of the 1/4 of the 1/4 of
Sec. 12 T. 12 N. R. 39 East W. 1/4, thence due west
about 30 rods to the present paved road leading
to Elgin, and there terminating, all of which points are
mentioned herein, being said and in Union County, Oregon.

Now, if the above named W. S. Ezell and

J. M. Kennedy 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.

W. S. Ezell (L. S.)

J. M. Kennedy (L. S.)

STATE OF OREGON, }
County of Union. }

I, J. M. Kennedy and

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

J. M. Kennedy

Subscribed and sworn to before me this 8th day of June A. D. 1892

Turner Oliver

County Clerk.

By J. R. Oliver
Deputy

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

IN THE MATTER OF THE

ROAD.

BOND OF ROAD REFINANCING.

Approved

189

County Judge.

Filed

189

County Clerk.

By *J. P. O'Brien*

Deputy.

Chs

To the Hon County Court of Union County Oregon and
the Viewers appointed in the matter of a County Road
Petitioned for by W.S. Egzell et al, The following
Plat and Field Notes of the survey is submitted

We commenced at the NE corner of the NW⁴
of NE⁴ of Sec 18 T. 1. N. Range 40 East Set Rock 8x10
x15 marked "R" from thence West on a line

80 00 Set 1 mile Rock 10x12x12 " " " "

10 00 Set Rock 8x10x18 in mound of Rock from
Angle N⁰1 thence S 72° W

12 60 " " 2 A Rock in mound of Rock " N 54° W

12 70 " " 3 " " 12x12x15 " N 38° 30' W

6 20 " " 4 " " 10x12x16 " N 18° W

15 00 " " 5 " " 8x10x15 " N 4° W

16 40 " " 6 " " in mound of Rock set for NE
corner of NW⁴ of SW⁴ Sec 12 T. 1 N Range 39 East
thence West

7 04 Set Rock in mound of Rock from 2 mile Post

80 00 thence West

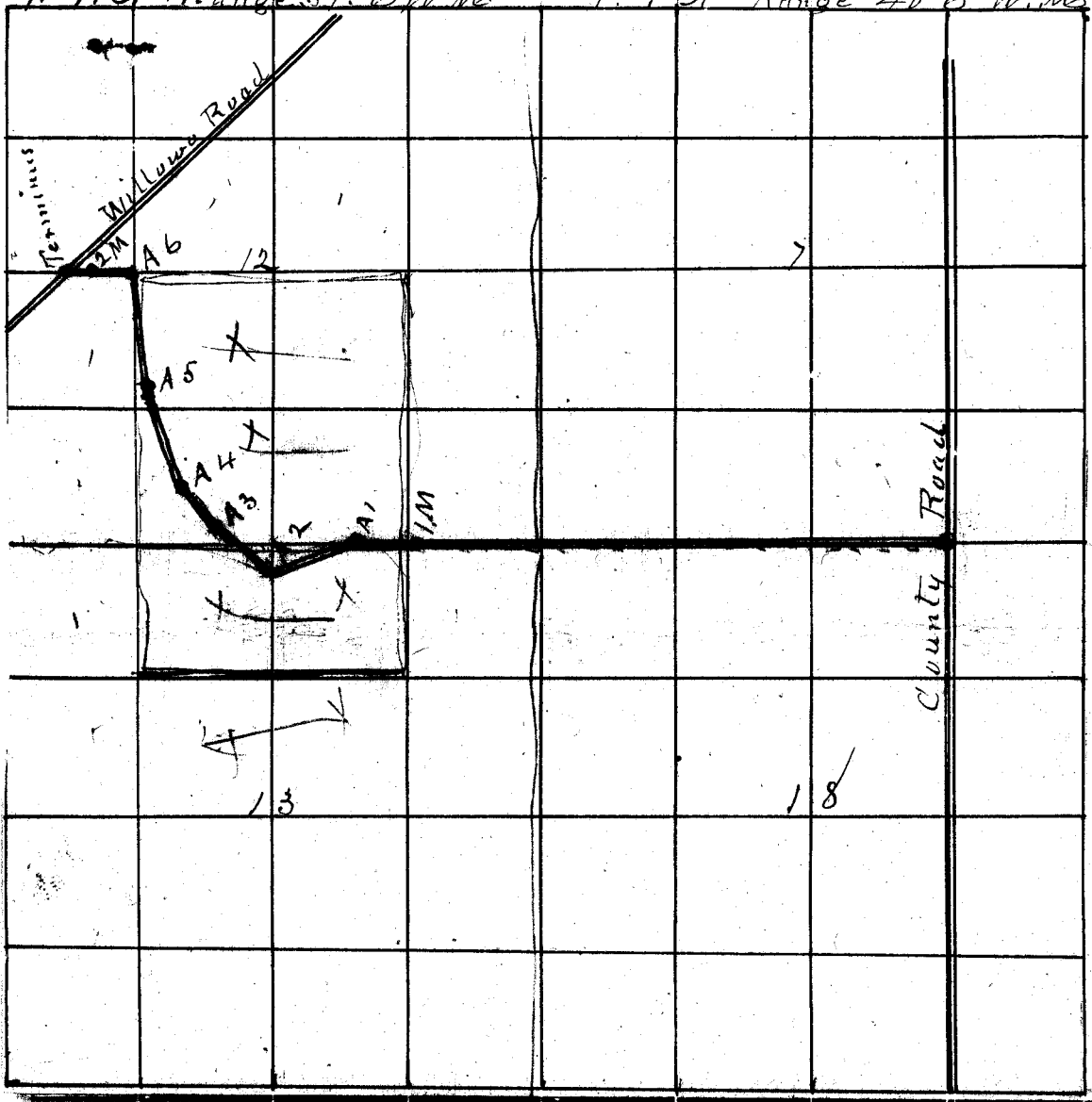
40 00 To the Terminus of the Road at its intersection
with the Willow Road

Set Rock 8x10x15 marked R.T.

Whole distance 2 miles and 16 Rods

J. L. Curtis
County Surveyor

T. 1 N. Range 39. E. W. M. 2 T. 1 N. Range 40 E. W. M. 2



1/4
 Near 200 East
 Scale 3 in to 1 Mile

FILLED.

JUL 5 1892

James Oliver

County Clerk

Third Judicial Day

Wednesday June 8th 1892

Warren Frazier	Dist No 23	\$ 50 ⁰⁰
Howard Campbell	" " 24	50 ⁰⁰
Heaner W Lee	" " 26	50 ⁰⁰
W.S. Looe	" " 27	50 ⁰⁰
Thomas Turner	" " 28	50 ⁰⁰
J. B. Alderman	" " 29	50 ⁰⁰
Geo W Bennehoff	" " 30	50 ⁰⁰
Louis Mehlhorn	" " 31	50 ⁰⁰
J. H. Hunter	" " 32	50 ⁰⁰
J. F. Dunn	" " 33	75 ⁰⁰
Peter McDonald	" " 34	75 ⁰⁰
A. J. Hughes	" " 35	50 ⁰⁰
J. H. Riggs	" " 36	50 ⁰⁰
A. J. Woods	" " 37	100 ⁰⁰
W. G. Townley	" " 38	50 ⁰⁰
Alex Thompson	" " 39	100 ⁰⁰
J. D. Corbett	" " 40	50 ⁰⁰
J. A. Holman	" " 41	50 ⁰⁰
W. H. Stafford	" " 42	50 ⁰⁰
J. Peters	" " 43	50 ⁰⁰
H. B. W. Brown	" " 44	100 ⁰⁰
Peter M. Shain	" " 46	50 ⁰⁰
D. M. Darter	" " 47	50 ⁰⁰

In the matter of proposed
County Road petitioned for
by W. J. Ezell et al

Comes now W. S. Ezell 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

Beginning at the NE corner of NW⁴ of NE⁴ Sec 18 Tp 1 N R 48 E 10 M, thence N along the Sec line about 1 3/8 miles to the head of a certain gulch leading in a NN direction, thence down the North side of said gulch in a North Westerly direction about 120 rods, thence in a Northerly direction about 40 rods to NE Cor of NW⁴ of SW⁴ Sec 12 Tp 1 N R 39 E 10 M, thence due west about 30 rods to the present road leading to Elgin and there terminating

Third Judicial Day

Wednesday June 8th 1892

to present traveled road leading to Elgin and there terminating and it appearing to the Court that said petition is signed by more than twelve householders of this County, residing in the vicinity of said proposed road and that said petition properly specifies the place of beginning, intermediate points and place of termination of said road, and it satisfactorily appearing to the Court that notice has been given by advertisement posted at the place of holding County Court town: at the Court House, in the Town of Union County of Union, State of Oregon, and also in three public places in the vicinity of said proposed road, town:

One at the beginning of the road on the fence, one at the terminus of the road on a post and one at the residence of Jas. Akin on the line of the proposed road all in conspicuous places 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 petitioner, and that a bond for the cost of this proceeding has been duly given. It is therefore ordered that Joel Weaver, J. A. Cowan and Andrew Knight be appointed Viewers of said road, and that J. L. Curtis be appointed Surveyor of said road, and that they meet at Elgin Oregon on the 20th day of June 1892 at the hour of 9 o'clock A.M. and after qualifying, to view survey and lay out said road according to law.

In the matter of the allowance of Bills

at this time it is ordered by the Court that the bill of Mrs. Bennett for \$6.60 witness fees in case of State vs J. D. Casey be allowed.

It is further ordered that the bill of Frank Childers for \$6.60 witness fees State vs J. D. Casey be allowed.

Be it remembered that at a regular term of the County Court of Union County, State of Oregon, begun and held at the Court House in the City of Union in said County and State on Monday the 4th day of July A.D. 1892 and from day to day thereafter during the continuance of said term when on Wednesday the 6th day of July 1892 or the third Judicial Day of said term the said County Court opened for the transaction of business with the following officers present, to-wit:

Hon J. N. Sanders County Judge
 " W. D. Arnold Commissioner
 " P. J. Brown Commissioner
 J. W. Bolles Sheriff
 Dummer Oliver Clerk

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

In the Matter of the
 proposed County Road pe-
 titioned for by J. W. Ray et al }

This matter came on to be heard at this time on the Report of the Viewers and Surveyor heretofore appointed herein for first reading and said report having been read in open Court It is ordered that said report be laid over for a second reading on some other day of this term of Court

In the Matter of the pro-
 posed County Road peti-
 tioned for by W. S. Egill et al }

This matter came on to be heard at this time on the report of the Viewers and Surveyor heretofore appointed herein for first reading and said report having been read in open Court and it appearing to the Court that the Viewers did not meet on the day appointed for them to meet and view said road It is ordered that said report be continued for the term and that the viewers file an amended report by the next regular term of this Court

Third Judicial Day

Wednesday Aug 3rd 1892

In the Matter of the proposed
County Road petitioned for by
W.D. Egell et al

This matter came on to be heard at this time on the Report of the Viewers and Surveyor, heretofore appointed herein, for first reading and said report having been read in open Court for the first time It is ordered that the report be laid over for a second reading on some other day of this term of Court

In the Matter of the Road
petitioned for by C.A. Thompson
et al

This matter came on to be heard at this time on the Report of Viewers and Surveyor heretofore appointed herein for first reading and said report having been read in open Court for the first time It is ordered that said report be laid over for a second reading on some other day of this term of Court

In the Matter of Liquor
License petitioned for
by Orela Moody

This matter came on to be heard at this time on the petition of Orela Moody for license to sell spirituous malt and vinous liquors in less quantities than one gallon in the precinct of Eagle Valley for the period of one year and it appearing to the Court that said petition is signed by an actual majority of all the legal voters in said precinct, that the same was published as provided by law proof of which has been filed herein; that a good and sufficient undertaking has been filed herein which has been approved by the Court; that all the proceedings have been regular herein and according to law. That said applicant has paid the County Treasurer the sum of \$400⁰⁰ and filed his receipt for the same with the County Clerk. It is therefore considered and ordered that said petition be granted and that license issue to the said Orela Moody to sell spirituous, malt and vinous liquors in less quantities than one gallon in Eagle Valley Precinct for one year from August 12th 1892

Fourth Judicial Day

Thursday Aug 4th 1892

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 and there having been no cause shown why this proposed road should not be declared a public highway and ordered open according to law and the Court being satisfied from the report of the viewers that such road will be of public utility It is therefore considered and ordered by the Court that said report of the viewers and 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 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 G. F. Hume Road Supervisor of road District No 48 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 road petitioned for by W. D. Egely et al

This matter came on to be heard at this time on the report of the Viewers and Surveyor heretofore appointed herein for a second reading as provided by law and the Report of Viewers being in words following, to-wit:
Report of Viewers

Fourth Judicial Day

Thursday Aug 4th 1892

To the Honorable County Court for Union County, Oregon:

The undersigned viewers heretofore on the 8th day of June 1892 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. O. Egzell et al by leave to report that on the 25 day of June 1892, in pursuance with said appointment and order after being duly sworn to faithfully and impartially discharge the duties of said appointment, Andrew Knight, J. H. Cowan and Joel Weaver met but the surveyor failing to meet with us we adjourned to meet June 30. 1892 when we met according to adjournment 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 materially 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

Joel Weaver
J. H. Cowan

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 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 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

Fourth Judicial Day

Thursday Aug 4th 1892

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 J. H. Morton Road Supervisor of road District, No 16 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 }
Allowance of Bills }

At this time it is ordered that the bill of John Stotts for \$10.⁰⁰ for care of Mrs Le Burr Co. charge be allowed.

It is further ordered that the bill of Price Gates for 6.⁰⁰ for conveying Mrs Le Burr Co charge to Union be allowed.

It is further ordered that the bill of Wm Wilkinson's Son for 15.⁰⁰ for Bridge Lumber for Road Dist. no 20 be allowed.

It is further ordered that the bill of Hilgard Elmer & Lumber Co for 24.⁸⁰ for Lumber for Road Dist. no 39 be allowed.

It is further ordered that the bill of Hilgard Elmer & Lumber Co for 29.⁸⁰ for Lumber for Road Dist no 39 be allowed.

It is further ordered that the bill of J. W. White for 9.⁴⁰ J. P. fees in State vs Gray be allowed.

It is further ordered that the bill of Hilgard Elmer & Lumber Co 186.¹⁷ Lumber for Union Co. be allowed.

It is further ordered that the bill of F. B. Slater for 4.²⁵ J. P. fees State vs John Thorson be allowed.

It is further ordered that the bill of J. W. Walden for 1.²⁵ Constable fees State vs John Thorson be allowed.

It is further ordered that the bill of R. J. Slater for 5.⁰⁰ Dist Atty. fees State vs John Thorson be allowed.

It is further ordered that the bill of F. B. Slater for 4.²⁵ J. P. fees, State vs John Dillon be allowed.

It is further ordered that the bill of J. W. Walden for 1.²⁵ Constable fees, State vs John Dillon be allowed.

It is further ordered that the bill of R. J. Slater for 5.⁰⁰ District attorneys fees State vs John Dillon be allowed.

It is further ordered that the bill of F. B. Slater for 2.²⁵