

REVEREND JAMES H. HENRY, D.D., LL.D.,
OF THE UNIVERSITY OF CHICAGO,
CHICAGO, ILL., U.S.A.

No

in

Court

Plaintiff

vs

Defendant

Action for

Docket

Page

Attorney for Plaintiff

Attorney for Defendant

Record of the Case.

420

WITNESSES.

Petitioned for by
H A House

Commencing at the South East
Corner of NE¹ of NW⁴ Sec 3 T²S
R 38 E W⁴ terminating at the
SW Corner of SE⁴ Sec 9 T²S R
38 E W⁴

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

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the *Sixth* day of *March*, 1893, 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. A. Hulett et al*, et al, beg leave to report that on the *20th* day of *March*, 1893, 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 *greatly* 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. S. Smith
A. Good
W. G. Hunter

VIEWERS.

To the Hon' County Court and Viewers in the
Matter of a proposed County Road as petitioned for
by H. A. Hule et al The following Field Notes and
Plat of Survey of said proposed Road is respectfully
Submitted

It commenced at the S.E. corner of the 2^4 of the NW^4 of Sec
3, T. 2, S. R. 38 East as established by M. Austin former
County Surveyor and run from thence West - var 1985 East

60 00 To A. 1 marked by a R. 8 x 10 x 14 placed in the centre of
the Road thence South

20 00 Set Stake 4 x 4 x 3/4 in centre of Road for 1 mile station
thence S.

58 85 To A. 2 a Rock placed in centre of Road thence West

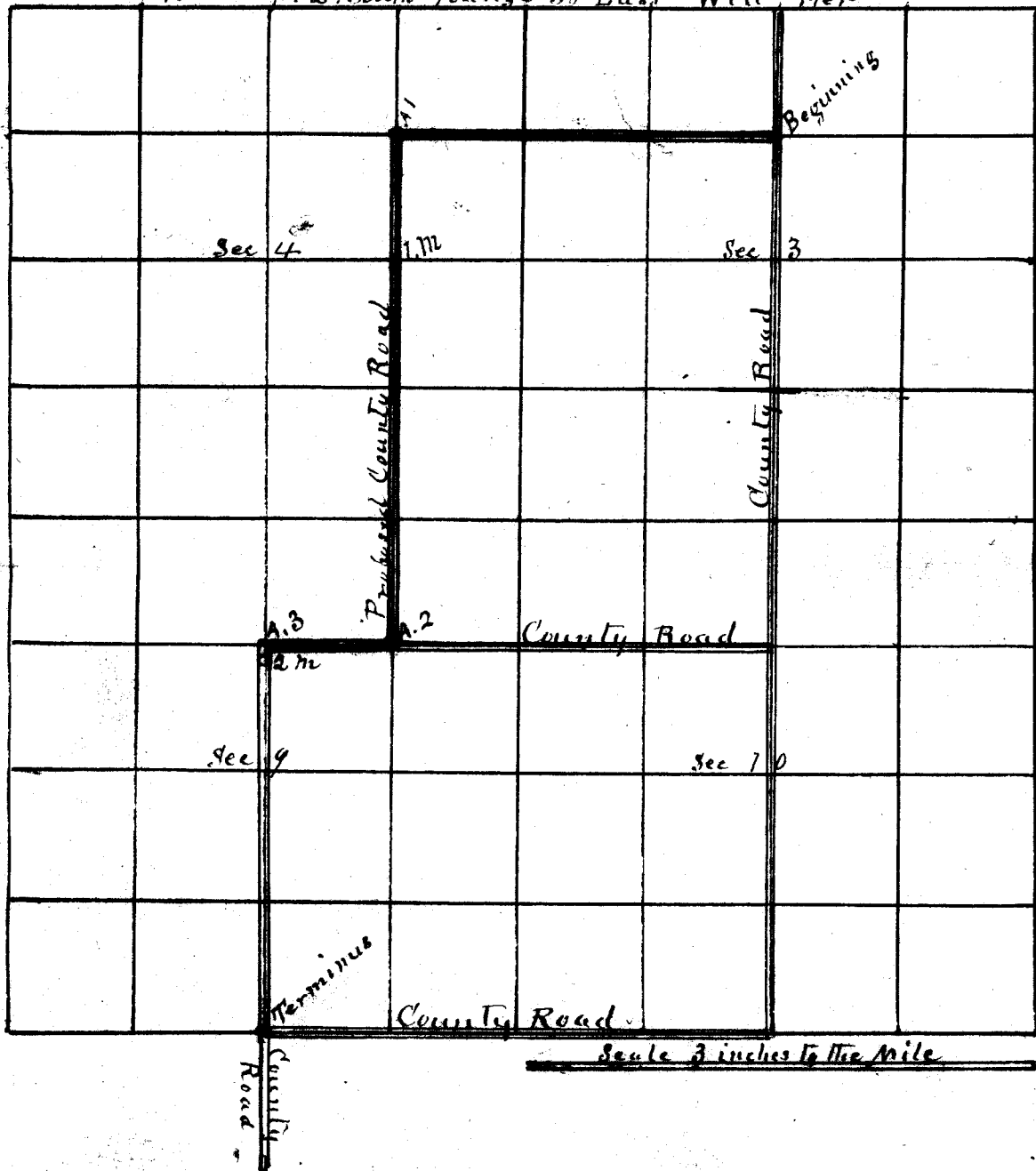
20 00 " A. 3 " " " " " " " " South

1 15 " 3. mile Station " " " " " " " " "

59 56 " The Terminus of the Road at the SW corner of
the SE^4 of Sec 9, T. 2, S. R. 38 East - Will-man Whole Distance
2 miles 5 Furlongs 38 Rods and 6 Links

J. L. Curtis
County Surveyor

Township 2, South Range 38 East Will-Mer



True Meridian
Dec 18° 30' to 19° 45' East

420

HILLIARD.

APR 1893

James Oliver.

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 the south East corner of the North East quarter of the North West quarter of Section three in Town two South of Range thirty Eight East of W.M. running due west three fourths of a mile: thence ^{due} south one mile: thence ^{due} west one fourth of a mile: thence ^{due} south three fourths of a mile terminating at the south West corner of the South East quarter of Section nine of Town two South of Range thirty eight East of W.M. all distances described to be governed by the government surveys by sectional divisions

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

NAMES:

H. A. Hulse
C. J. Enlar
W. S. Hamilton
J. & Hulse
O. York
F. E. York
A. Preece
A. W. Hill

NAMES:

W. C. Hulse
Wm. Cook
J. S. Mitchell
J. M. Clark
E. B. Torrey
M. L. Hulse
D. R. Holmes
M. McLean
Geo. C. Holmes

FILLED.

JAN 26 1898

James Oliver

County Clerk.

Notice of Road Petition.



To all Persons Concerned: You, and each and all of you, will take notice that the undersigned, householders for Union County, Oregon, residing in the vicinity where the hereinafter described road is proposed to be, will at the next session of the County Court for Union County, Oregon, to-wit: on Wednesday, the 9th day of March A. D. 1893., 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 at the south east corner of the north east quarter of the North west quarter Section three in Town two south of Range thirty eight east of W.M. thence due west three fourths of a mile: thence due south one mile: thence due west one fourth of a mile thence due south three fourths of a mile terminating at the south west corner of the south east quarter of section nine in Town two south of Range thirty eight east of the W.M. All distances described shall be by Government surveys by sectional divisions.

NAMES:

H. A. Hulse.

C. G. Enloe
W. S. Hamilton
J. E. Hulse
O. York

F. E. York
A. Reed
C. W. Hill

NAMES:

W. C. Hulse.

Samuel
J. S. Mitchell
J. M. Clark

E. B. Long
M. L. Hulse
P. H. Holmes
Haggo & McLean
Geo. O. Holmes

Posted January 26th 1893
by
G. W. Dawson

STATE OF OREGON,
County of Union. }^{SR.}

I, H. A. Hulce

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 road one at the terminus of the road one at the corner of Wm Evans home place one mile west of Gowa School house on the road running west from said School house in Union County Oregon

thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 29th day of January 1898, 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.

H. A. Hulce

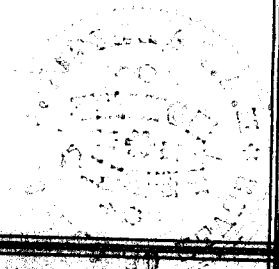
Subscribed and sworn to before me this 4th day of March 1898.

M. A. Harrison
Notary Public for Oregon

FILLED.

MAR 6 1893

James Davis
County Clerk.



STATE OF OREGON,
County of Union. } ss.

I, Geolo Benson

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 26 day of January 1893, 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.

Geo W Benson

Subscribed and sworn to before me this

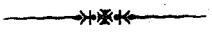
7th day of

March 1893

Turner Oliver Clerk

By J.R. Oliver Deputy

BOND OF ROAD PETITIONERS.



Know All Men by These Presents, That we, H. A. Hulse
 and W. S. Hamilton, 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 2nd day of January A. D. 1899.

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

H. A. Hulse and W. S. Hamilton, and others, have
 petitioned the County Court of said County of Union, at the March Term, 1893, thereof for a
 County Road, commencing at the south east corner of the North east
 quarter of the North west quarter Section Three in
 Town Two South of Range Thirty eight east of
 running due west the fourths of a mile thence due south
 one mile thence due west one fourth of a mile thence
 due south three fourths of a mile terminating at the
 south west corner of the south east quarter section
 nine in Town Two South of Range Thirty eight east
 of the W.M. all distances to be governed by the
 Government surveys by sectional divisions

Now, if the above named H. A. Hulse and

W. S. Hamilton 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.

H. A. Hulse

(L. S.)

W. S. Hamilton

(L. S.)



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

I, H. A. Hulse 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.

H. A. Hulse

W. S. Hamilton

Subscribed and sworn to before me this _____ day of _____ A. D. 1899

County Clerk.

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

IN THE MATTER OF THE

W. A. Howell
Shal

ROAD.

BOND OF ROAD PETITIONERS.

Approved..... 189.

County Judge.

Filed *James G. " 1893*
Stephen Oliver
County Clerk.

By

Deputy.

Third Judicial Day

Wednesday, March 8th 1893

State of Oregon, and also in three public places in the vicinity of said proposed road. To-wit: One at the point where the proposed road begins, one tree, One at the center of the south line of the S.E. 1/4 of Sec. 27 Tp. 2 N. R. 40 E. W. M. on the line of proposed road and one at the S.W. corner of Sec. 28 Tp. 2 N. R. 40 E. W. M. 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. It is therefore ordered that Chas Wyatt, A. J. Woods and Noah Richards, be appointed Viewers of said Road and that J. L. Curtis be appointed Surveyor of said Road and that they meet at the beginning of the proposed road on the 11th day of March 1893 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 proposed
County Road petitioned for
by H. A. Hulke et al }

Courtesy H. A. Hulke, 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 S.E. corner of the N.W. 1/4 of Sec 3 Tp 2 N. R 38 E. W. M., running due west 3/4 of a mile; thence due south one mile, thence due west 1/4 of a mile; thence due south 3/4 of a mile, terminating at the S.W. corner of Sec 9 Tp 2 N. R 38 E. W. M., all distances described to be governed by the Government surveys by sectional divisions. And it appearing to the Court that said petition is signed by more than twelve householders of this County, residing in the vicinity of said proposed road, and that said petition properly specifies the place of beginning, intermediate points and place of termination of said road, And it satisfactorily appearing to the Court that notice has been given by advertisement posted at the place of holding County Court, to-wit: At the Court House in the town of Union, County of Union, State of Oregon,

Third Judicial Day

Wednesday, March 8th 1893.

and also in three public places in the vicinity of said proposed road, to-wit: One at the beginning of said road, One at the terminus of the road, One at the corner of W. M. Evans' home place one mile west Iowa School House on the road running west from said School House 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. It is therefore ordered that Albert Good, W. T. Hunter and S. S. Smith be appointed Viewers of said Road, and that J. L. Curtis be appointed Surveyor of said road and that they meet at Iowa School House on the 20th day of March 1893 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 Liquor }
License of E. Estes }

At this time it is ordered that this matter be continued for the term

In the Matter of Dupli- }
cating County Warrant }
for John Spive }

It appearing to the Court at this time that on June 26th 1880 the Clerk issued a warrant No. 636 Class Q for \$2.00 in favor of John Spive, his fees for acting as Clerk of Election, which warrant was advertised and cancelled in open Court having never been presented for payment and said warrant is now presented and the Court asked to issue a new warrant in place of said old warrant No. 636 Class Q and the Court being now fully advised in the premises It is considered and ordered that said claim for duplicating said warrant be disallowed.

Third Judicial Day

Wednesday April 5th 1893.

the duties of said appointment we proceeded to view and 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 greatly 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,

O. J. Nyall

Nash Richards

And the same having been read in open Court for the first time. It is ordered that it be continued for a second reading on some other day of this term of Court.

In the matter of the Road
petitioned for by W. Titus et al

It appearing to the Court at this time that the petition herein does not definitely describe the point of beginning of the proposed Road,

It is ordered by the Court that said petition be dismissed.

In the matter of the Road
petitioned for by H. A. Hulce
et al

It appearing to the Court that on account of the deep snow on the line of this proposed road, the Viewers were unable to carry out the former order of this Court, but that they met and adjourned until such a time as it would be possible for them to perform their duties as such Viewers. It is therefore ordered by the Court that this matter be continued for the term.

In the matter of the Road
petitioned for by J. T. Wickens et al

It appearing to the Court at this time that the proof of posting the notices herein is defective. It is ordered that this matter be and the same is hereby dismissed.

Third Judicial Day

Wednesday, May 3rd 1893

In the Matter of the Road }
 petitioned for by A. B. Cooley }
 in his own right }

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

In the Matter of the Road }
 petitioned for by J. N. Paine }
 case 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 first reading and said report having been read in open Court for the first time It is ordered that the same be laid over for a second reading on some other day of this term of Court as by law required

In the Matter of the Road }
 petitioned for by H. A. Hulse 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 first reading and said report having been read in open Court for the first time It is ordered that the same be laid over for a second reading on some other day of this term of Court as required by law

In the Matter of the Road }
 petitioned for by Isaac }
 Curry 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 first reading and said report having been read in open Court for the first time It is ordered that the same be laid over for a second

Fourth Judicial Day

Thursday May 4th 1893

poor road be laid out and declared a public highway of said county

A. R. Statler
L. Laug
David Moore

and said report of the viewers and the report of the surveyor having been 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 circumstance 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 be placed on record in this Journal, and that the surveyor's plat of the proposed road and his field notes of the survey thereof, be placed on record in the book of Plats of County roads of Union County, Oregon, and that H. J. Baker Road Supervisor of Road District No 31, 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
H. A. Houker et al

This matter came on to be heard

Fourth Judicial Day

Thursday May 4th 1893,

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

To the Honorable County Court for Union County, Oregon;

The undersigned viewers heretofore on the 6th day of March 1893, 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. A. Hulse et al., by leave to report that on the 20th day of March 1893, in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment and 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 greatly to the convenience of the householders residing in the vicinity thereof, and therefore recommend that said proposed road be laid out and declared a public highway of said County.

T. S. Smith

A. Good

W. G. Hunter.

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 be declared a public highway of Union County, Oregon, and all the proceedings herein having been regular and according to law, and no remonstrances 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

Court Judicial Day

Thursday, May 4 1893.

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 plot 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 T. S. Smith, Road Supervisor of Road District No. 9, 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 A. B. Conley in his own
right

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 viewers being in words following, to-wit:

Report of Viewers

To the Honorable County Court of Union County, Oregon:
The undersigned viewers heretofore on the 5th day of April 1893 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. B. Conley by leave to report that on the 15th day of April A. D. 1893, 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 change of road for the whole distance thereof, and that in our opinions said proposed change of 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 honorholders residing in the vicinity thereof, and therefore recommend that said proposed road be laid out and declared