

No

—IN—

Court

UNION COUNTY  
OREGON

*Plaintiff*

*vs*

*Defendant*

*Action for*

*Docket*

*Page*

*Attorney for Plaintiff*

*Attorney for Defendant*

Viewers apd Jnl 71 p 24  
Dismissed . . . P 72

No 448

Petitioned for by  
Thomas Wilkerson  
et al

Beginning at NE corner of  
Sec 34 Tp 35 R 39 E W 2nd  
and terminating at NE  
corner Sec 29 Tp 35 R 39

To the Honorable, <sup>the</sup> County Court  
of Union County Oregon  
Gentlemen Sirs,

I. S. C. Swackhammer am the  
owner of the South East  $\frac{1}{4}$  of sec 27  
T3 S R39 E. W. 1W and the County road now  
leading from Union to LaGrand is  
located on the east line of said  
land. and the new road asked for by  
by petition signed by J. D. Shurley et al  
will run on the south line of said land  
thereby damaging me in the sum of  
three hundred dollars (\$300.00) as follows to wit:  
two acres of land at \$40.00 per acre one hundred &  
sixty rods of fence \$160.00 & by moving stable &  
\$60.00 all of which I claim and demand  
to be reimbursed if the said proposed road  
is located and opened for travel

Union Dec 15<sup>th</sup> /94

I. S. C. Swackhammer

IN THE COUNTY COURT OF THE STATE OF OREGON FOR  
UNION COUNTY.

In the Matter of a County

Read petitioned for by

John Williams et als.

To the Hon. County Court of the State of Oregon in  
and for the County of Union;

Now at this time come the undersigned petitioners  
and represent and show to the court that petitioners are ---  
each and all of them householders of Union County Oregon re-  
siding in the vicinity ~~of the~~ where the County road herein-  
after petitioned for is to be laid out and located, and your  
petitioners as such householders, petition your Hon. Court  
to lay out, locate, survey and cause to be opened and estab-  
lished a County Road in Union County Oregon over and upon  
the following line and rout, to wit, beginning on the line  
of the County Road leading from Union to LaGrande by the way  
of the J. Q. Shirley ranch and the Catherine Creek Bridge at  
the North East corner of Section 34 Tp. 3 S. of R. 39 E.W.M.  
thence West on the section line <sup>Two Miles</sup> ~~one and one half miles to~~ --  
~~the 1/4 Section corner~~ <sup>Common to</sup> ~~between Sections 28~~ <sup>29-32</sup> ~~and 33 said town-~~  
~~ship and range, thence North~~ <sup>on section line</sup> ~~one half mile to the centre of~~  
~~said Section 29, thence West one half mile to the 1/4 Sec-~~  
~~tion corner between~~ <sup>Sections</sup> ~~28 and 29 said township and range, then-~~  
~~ce North one half mile~~ intersecting the said County Road ---  
leading from Union to LaGrande and terminating at the North  
East corner of Section 29 said township and range all of the  
said points being in Union County Oregon.

NAMES

Mr. Wilkinson  
 J. H. Davis  
 A. B. Hempe  
 J. K. Halmer  
 M. S. Warren  
 G. E. Miller  
 A. C. Craig  
 R. W. & G. O.  
 E. S. Timpane  
 Joe. Tipton  
 R. S. Rowan  
 J. Wright  
 Mr. McBlackell  
 Frank Ross  
 Ed. Conroy  
 W. H. Foster  
 Dick Slater  
 Driver & Jackson  
 E. H. Lewis  
 R. R. Chubb  
 Robert Cooper  
 J. J. Shirley  
 W. R. Hentington  
 Hugh Miller  
 M. L. Carney

NAMES

Tom Wilkerson  
 G. B. Kuehert  
 Ed. Brown  
 James Raymond  
 E. E. Galt  
 W. H. Deery  
 P. P. Vogel  
 Jas. A. Bell  
 S. O. Carleton  
 H. F. Warren  
 John K. Ray  
 J. F. Smith  
 W. B. Johnson  
 Frank Hump  
~~McGinnis~~  
 Geo. W. Ames

FROM THE OFFICE OF

Attorney at Law

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

I, J. Q. Shirley 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 6 day of Oct 1894, 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 10 day of Jan'y 1895

J. Q. Shirley  
J. R. Oliver  
clerk

FILED

JAN 21 1895

J. R. Quinn  
COUNTY CLERK.



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

I, Isaac Maxwell 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 fence at the beginning of the road

One on fence by side of public road at corner of T. Wilkinson's field and one at the terminus of the proposed road by the side of the public road

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 6 day of Oct 1894, 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.

Subscribed and sworn to before me this 10 day of January 1895

P. P. Maxwell  
J. R. Oliver  
Clerk

FILED

JAN 21 1895

*J. R. Oliver*  
COUNTY CLERK.

BOND OF ROAD PETITIONERS.

Know All Men by These Presents, That we, *Thomas Wilkison* and *Robert Davis*, 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 *12* day of *January* A. D. 189*5*

Now, the condition of the above obligation is such, That, whereas the above named *Thomas Wilkison* and *Robert Davis*, and others, have petitioned the County Court of said County of Union, at the *December* Term, 189*4*, thereof for a County Road, commencing *as described in the petition hereto attached*

Now, if the above named *Thomas Wilkison* and *Robert Davis* 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. S.)  
..... (L. S.)



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

I, *Thomas Wilkison* and *Robert Davis*, 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.

*his*  
*Thomas + Wilkison*  
*R. Davis* mark

Subscribed and sworn to before me this *12* day of *January* A. D. 189*5*

*J R Oliver*  
County Clerk.

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

IN THE MATTER OF THE

*Thomas Wilkinson*  
ROAD.

**BOND OF ROAD PETITIONERS.**

Approved *Samy* 11 1890  
*W. H. Sanders*  
County Judge.

Filed *Samy* 11 1890  
*J. P. Oliver*  
County Clerk.

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

W. S. Brewster  
J. W. Hill  
Chas. M. DeWolf  
W. H. H. H.  
Dick. H. H.  
James S. H.  
E. H. H.  
A. H. H.  
J. H. H.  
J. H. H.  
James H. H.  
E. H. H.  
W. H. H.  
G. H. H.  
M. H. H.

W. H. H.  
Jas. S. Bell  
S. C. H.  
W. H. H.  
J. H. H.  
W. H. H.  
Chas. H. H.  
Thomas H. H.  
G. H. H.

*[Faint, mostly illegible handwritten text, possibly bleed-through from the reverse side of the page.]*

*[Faint, mostly illegible handwritten text, possibly bleed-through from the reverse side of the page.]*

Mr. Thompson  
M. S. Karam  
G. D. Miller  
A. J. [illegible]  
[illegible]

Tom [illegible]  
G. B. [illegible]  
E. [illegible]  
B. C. [illegible]  
C. [illegible]

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 28 day of Jan, 1895, 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 Thos. Melkenson, et al, beg leave to report that on the 28 day of Jan, 1895, 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 not be laid out and established as a public highway of Union County, Oregon; that the same is not practicable and would ~~not~~ add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be ~~not~~ laid out ~~and declared a main highway of said county.~~

E. F. Springer  
C. Gallaway  
A. Eaton  
VIEWERS.

*J. R. Quinn*  
COUNTY CLERK  
FEB 10 1896  
FILED



REPORT OF SURVEYOR, APPOINTED BY THE COUNTY COURT OF UNION COUNTY, OREGON

## Report of Surveyor.

To the Hon. County Court of Union County, Oregon:

I, the undersigned, County Surveyor, appointed to survey the county road proposed by  
Thos Wilkerson et al., beg leave to report that  
on the 29 day of Jan 1895, in pursuance of said appointment  
and order, I Surveyed said proposed road for the whole distance thereof, the following being  
the field notes of said survey:

Beginning at N.E. corner of Sect. 34  
T<sup>3</sup> S. of R. 39. E. W. M  
Thence west 161 1/2 chains  
North 80 " to a State Marked RT  
at the N.E. corner of Section 29 T<sup>3</sup>  
S. of R. 39 E. W. M

W B Blakeslee  
County Surveyor.

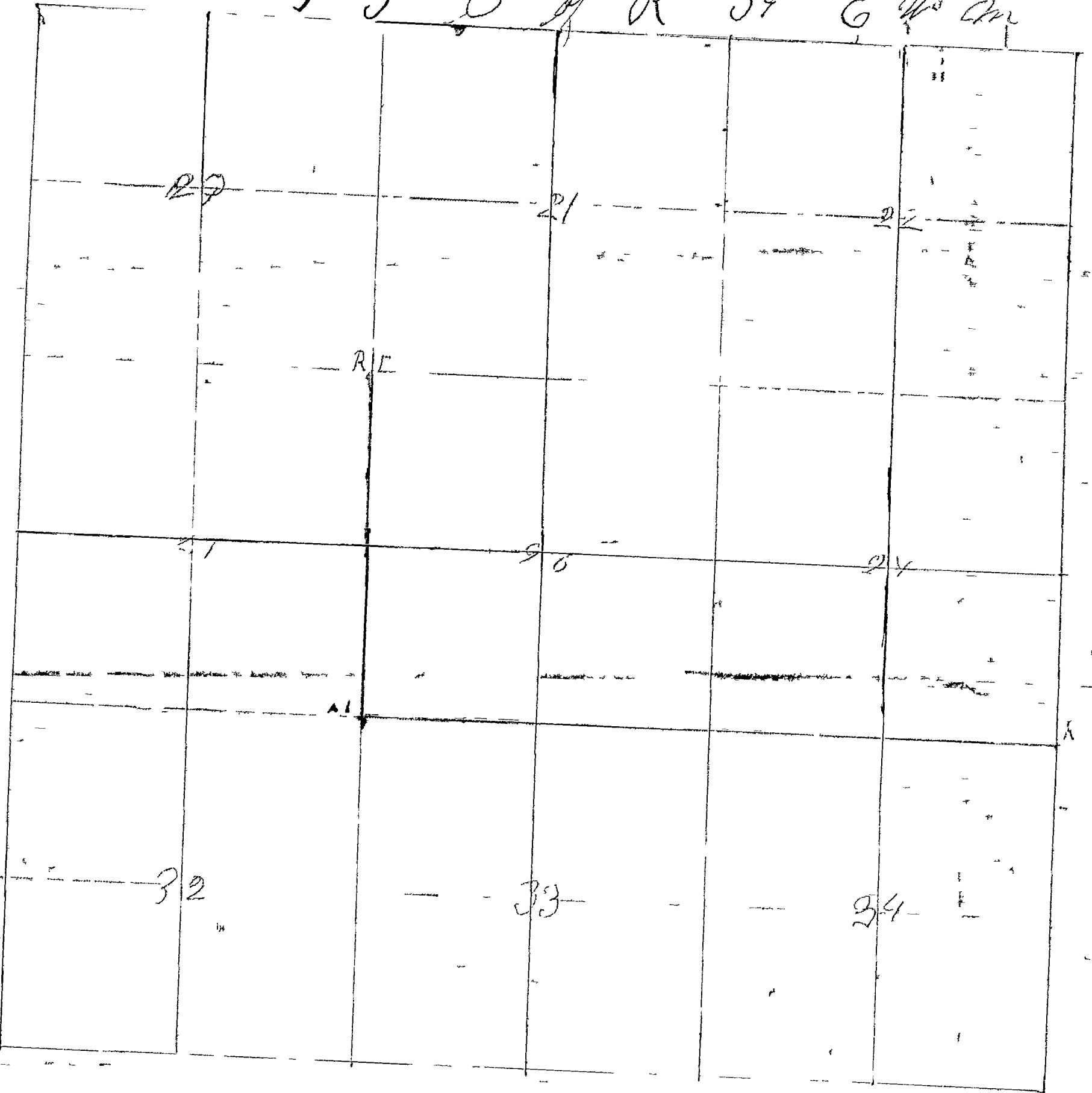
COUNTY CLERK

FEB 20 1880

FILED

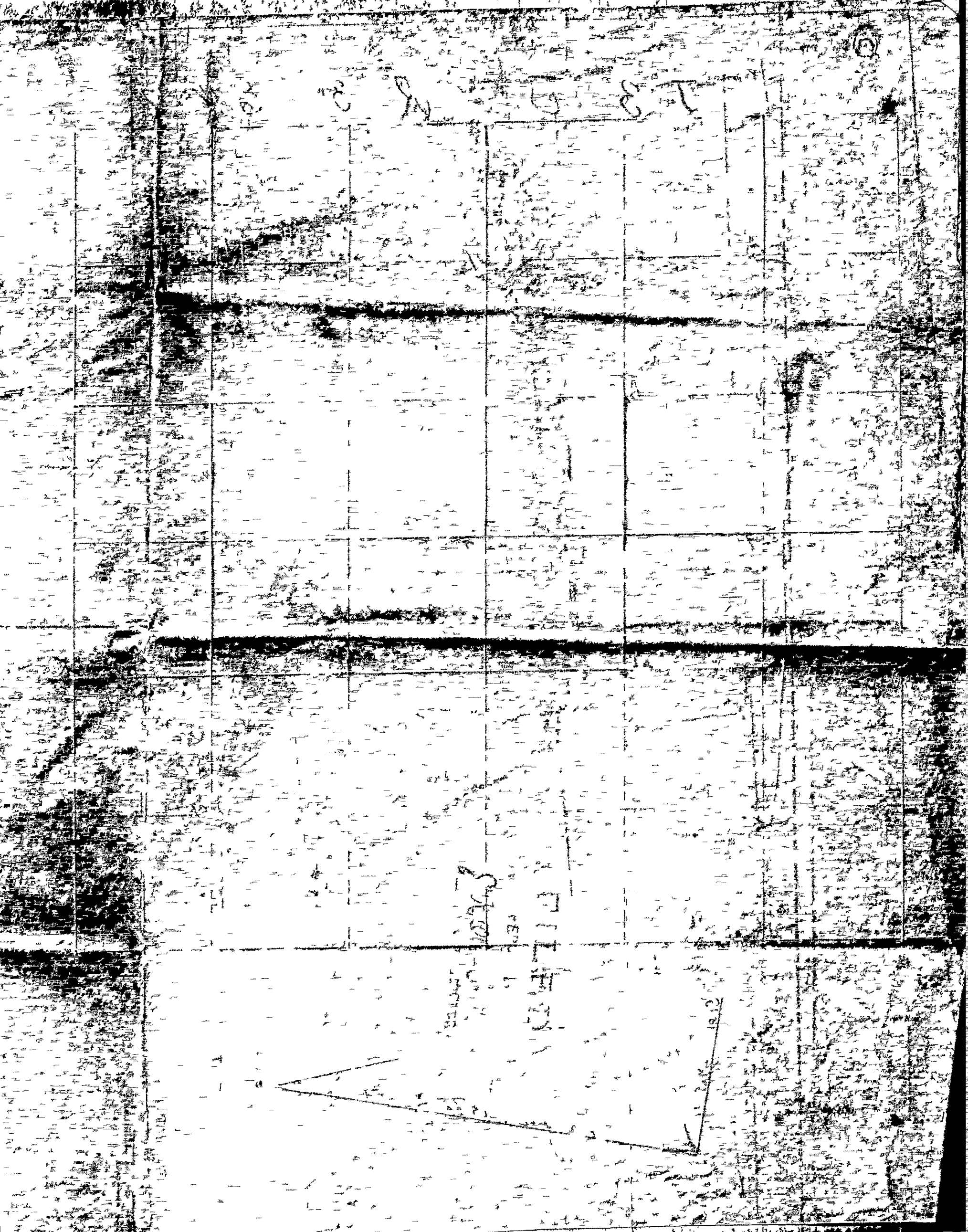
*S. A. Oliver*

T 3 S of R 39 E 4th Ctr



SEAS & TER

of R from 12 to 21/15



Be it Remembered, That at a Regular Term of the County Court of the State of Oregon for Union County begun 3<sup>rd</sup> held at the Court House in the City of Union in said County and State on Monday the 7<sup>th</sup> day of January 1895 and from day to day thereafter during the continuance of said Term when on Wednesday the 9<sup>th</sup> day of January 1895 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:

The Hon N Sanders County Judge  
 Hon W D Arnold County Commissioner  
 Hon O J Brown County Commissioner  
 R Olson Clerk  
 J F Phey Sheriff

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 petitions  
 for by Thos Wilkinson et al }

Come now Thomas Wilkinson 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 on the line of the County road leading from Union to La Grande by way of the J. D. Shirley ranch and Catherine Creek bridge at the N<sup>o</sup> corner of Sec 34 T<sup>p</sup> 3 S of R 32 E W M, thence West on the section line 2 miles to Section Corner Common to Sections 28, 29, 32 and 33 said T<sup>p</sup> and Range, thence N on section line one mile intersecting the said County road leading from Union to La Grande and terminating at the N<sup>o</sup> E corner of Section 29 said township and Range all of the said points 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 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

Third Judicial Day

Wednesday January 9<sup>th</sup> 1895

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 road, to-wit:

One on the fence at the beginning of the road, One on the fence by side of public road at corner of J. Wilson's field and one at the terminus of the proposed road by the side of the public road 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 E. F. Springer, Lou Eaton and Charles Alloway be appointed Viewers of said road and that W. B. Blakeslee be appointed surveyor of said road and that they meet at Union on the 26<sup>th</sup> day of January 1895 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 letting  
Contract for Court House Wood }

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

In the matter of the  
affidavit of H. Hamilton }  
in regard to Report of R. V. Alexander }

At this time the Court not being fully advised in the premises it is considered and ordered that this matter be continued for the term

In the matter of advertis-  
ing property for sale for  
Delinquent Taxes }

It appearing to the Court at this time that there will be a large amount of property to be sold for delinquent taxes and that it would be to the best interests of the County to let said advertising to the lowest bidder it is therefore considered and ordered that the clerk be instructed

Third Judicial Day.

Wednesday February 6<sup>th</sup> 1896

Output Washington Rail Road, for the year 1890, \$70<sup>00</sup> upon the Roadbed situated in this County.

That the same is of sufficient value to justify the payment of said taxes, and the Court being of the opinion that said taxes can be enforced against said property, and it is hereby ordered that the Sheriff of this County proceed at once and enforce the collection of said taxes against said property, by levy & sale thereof, as directed in his warrant attached to said delinquent tax list.

In the matter of the proposed County Road petitioned for by George Wilkinson, in his own right.

On this day came George Wilkinson, who appeared to the Court the petition of himself, praying for a change of a County road in his own right, and at his own expense, as follows, to wit: Commencing at or near where said Road No 81 crosses the Section line between Sections 21<sup>st</sup> & 22<sup>nd</sup>, in T. 14. S. R. 40 E. W. M. thence angling North easterly about 400 yards, intersecting said Road No 81, near angle of said road, as surveyed & platted on Co Records, and thence terminating, and to vacate the present County road between the points above mentioned.

In the matter of the proposed County Road petitioned for by Theo. Wilkinson, et al.

This matter came on to be heard at this time in 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.

To the Honorable County Court for Minn. County, Oregon.  
The undersigned viewers heretofore on the 26<sup>th</sup> day of January 1896 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 Theo. Wilkinson, et al. has heard to report that on the 26<sup>th</sup> day of January 1896 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

Third Judicial Day.

Wednesday July 6<sup>th</sup> 1895.

proposed road for the whole distance thereof, and that in our opinion said proposed road should not be laid out and established as a public Highway of Lincoln County, Oregon. That the same is not practicable and would not add to the convenience of the householders residing in the vicinity thereof, we therefore recommend that said proposed road be not laid out.

E. J. Spruiger, Attorney.  
W. L. Eaton.

It appearing to the Court that said Jurors have reported unfavorable, and recommended that said road be not laid out and established as a public Highway, It is therefore considered and ordered that said petition be dismissed.

In the matter of settlement with R. J. Alexander, Supervisor of Road District No. 18.

Came now R. J. Alexander, and presents to the Court his report as Supervisor of Road District No. 18, for the year ending Dec 31<sup>st</sup> 1894, and it appearing to the Court that the same is regular, It is therefore ordered that said report be approved, and the bill of ~~55.00~~ <sup>53.00</sup> allowed; It is further ordered that the bill of L. Crook, as Supervisor of said Road Dist No 18, be allowed.

In the matter of settlement with W. G. Hunter, Supervisor of Road District No. 34.

Came now W. G. Hunter and presents to the Court his report as Supervisor of Road District No. 34, for the year ending December 31<sup>st</sup> 1894, and it appearing to the Court that the same is regular It is therefore ordered that said report be approved and the bill of \$17.<sup>00</sup> allowed.