

No

IN

Court

Plaintiff

VS

Defendant

Action for

Docket

Page

Attorney for Plaintiff

Attorney for Defendant

MEMORANDA

WITNESSES

Viewers app'd Jul 21

Retained for by
W W Arnold
et al

Commencing the Bridge
across Dry Creek on the
Mechan Road near Five
Point Mill Near NE corner
of the SW¹/₄ of NW¹/₄ Sec 30 T¹P²S¹
R 37 E N W and running
up Five Point Creek to
Arnold's Mill

Viewers appointed Jul 26 page 288
Ordered opened " " 330

Platted

Petition for County Road.

TO THE HONORABLE COUNTY COURT FOR Union COUNTY, OREGON:

The undersigned, householders of Union County, Oregon, residing in the vicinity where the hereinafter described road is proposed to be, respectfully petition your Honorable body to lay out, alter and establish a County road within said County on the following line or route, to-wit:

Commencing at a Bridge across dry creek on the Meacham road near Five Point Mill near the N.E. corner of the S.W. $\frac{1}{4}$ of the Section 30 Town 2 South Range 37 E.W.M. Curving from the Starting Point S. E. about 20 Rods and under the O. R. & N. R. R. Trussell thence in a N. E. direction and up what is known as Five Point Creek on the most Practical Route through Sections 30 19 18 7 & 8 and terminating at a Rock Fall situated where the Fox Hill Road crosses Five Point Creek on the N.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of S. 4 Town 2 S Range 37 E.W.M.

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

NAMES:

NAMES:

W. R. Arnold

L. H. Warlick

O. S. Decker

W. A. Ornd

John Byrneson

William Byrneson

J. K. Arnold

E. Hunt

J. O. Casey

H. E. Kaita

C. E. Garvin

R. Ryan

FILED

NOV 5 1895

J. R. 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 5 day of November

A. D. 1895 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 a 13 ft wide
across Five Creek on the Meacham Road near
Five Point Mill near the N. E. Corner of the N. W. 1/4
of Section 30, Town 2 South Range
W. C. W. M. Commencing from the Starting Point
South East about 20 rods and up the N. E. 1/4
of R. Trusel Thence N. E. direction and up
what is known as Five Point Creek on a
Practical Road through Section 30 to the
road crossing at a Rock Pile situated
where the Fort Hill Road crosses from West
on the N. E. 1/4 of S. W. 1/4 of Section 4 Town 2 South Range
 Posted on Court door Sept. 5 1895

NAMES:

NAMES:

W. L. Arnold

C. W. Decker

W. A. Wade

J. H. Evans

L. D. Ogden

R. M. [unclear]

N. M. [unclear]

John [unclear]

William [unclear]

F. K. Arnold

H. Kesler

E. W. [unclear]

J. A. [unclear]

A. E. Waite

W. Jarvis

R. Ryan

FILED

NOV 5 1895

J. R. Oliver
COUNTY CLERK.

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

I, W H Arnold 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 a Tree above the Bridge across
dry Creek at the beginning of the Road one on
a tree at the H. L. Co. Paper Mill on the line of the
Proposed road 1 1/2 miles from the Starting Point -
and one one at the Linnaines or a Post at the
Hely and Lumbering Cos. Band Mill about six
miles from the beginning of the road

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 15 day
of September 1895, 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 5 day of Nov 1895

W H Arnold
J. R. Oliver Collector
By G. W. Benson Deputy

Filed Nov 6, 1895
J. R. Oliver Clerk
By G. W. Cannon Secy

FILED

NOV 5 1895

J. R. Oliver
COUNTY CLERK.

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

I, F. S. Saxon 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~~

~~that~~ Thirty days previous to the presentation of the road petition ^{of W. D. Arnold et al} ~~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 15th day of September 1895, 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 5th day of November 1895.

F. S. Saxon

J. R. Oliver
Clerk

FILED

NOV 9 1895

J. R. W. - J
COUNTY CLERK.

BOND OF ROAD PETITIONERS.

Know All Men by These Presents, That

J. F. Baker

and W. D. Arnold

of the County of Union and State of Oregon, are held and firmly

bound unto said County of Union in the sum of Two 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 Nov A. D. 1895

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

J. F. Baker

and

W. D. Arnold

, and others, have

petitioned the County Court of said County of Union, at the November Term, 1895, thereof for a

County Road, commencing at a bridge across Dry Creek on the

Mecham Road near Five Point Mill near the

NE corner of the SW 1/4 of the NW 1/4 of Section 30

Town 2 South, Range 37 E N 7 W. ~~thence commencing~~

at a rock pile situated where the Fox Hill Road

crosses Five Point Creek on NE 1/4 SW 1/4 Sec 25. R 37 E

Now, if the above named

W. D. Arnold

and

J. F. Baker

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. D. Arnold

(L. S.)

J. F. Baker

(L. S.)

STATE OF OREGON, }
County of Union. }

I, W. D. Arnold

and

J. F. Baker

, 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.

Subscribed and sworn to before me this 5th day of Nov A. D. 1895

J. F. Baker

J. R. Oliver

County Clerk.

By W. H. Stacey
Deputy

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

IN THE MATTER OF THE

W. H. Arnold

ROAD.

BOND OF ROAD PETITIONERS.

Approved: 189

County Judge.

Filed Nov 5 189

County Clerk.

F. P. Oliver

Deputy.

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 6 day of Nov, 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 W. D. Arnold, et al, beg leave to report that on the 15 day of Nov 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 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.

Alex. Thompson
J. M. Kelly
C. H. Lanning
VIEWERS.

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 *W D Arnold* et al, beg leave to report that on the *15* day of *November* 189*5* 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

Commencing at a point 2 Chances & 60 Cks South 15° East of the NE corner of the S W 1/4 of the N W 1/4 of Section 30 Twp 25° R 37° E Wm

Chances	Dist	Direction	Chances	Dist	Direction	Chances	Dist	Direction
3	20	S	1	50	N 50 E	3	50	N 80 E
1	16		2	50	20 W	3	50	50 E
7	26	N	5	10		4	50	20
5	4	E	4	50	20 E	2	50	40 W
2	5		3	30	30	8		N
10	10	W	3	50	10 E	2	50	County Surveyor
			2	5	N	2	40	N 10 E

3	25	E	6	50	N 20 W	5	70	E	N 5 W		
4	50	N 50 W	3		N 40 W	3	50	80	10 E		
30	00	N 45 E	5		N	2	50	90	20 W		
6		36 W	4		N 10 E	3		90	20 E		
2	50	25 E	4	50	N 3	8	70	4	50	60	
2		70	3	5	N	3	50	40	3	30	
2	50	20	5		N 25 E	2	50	46	13	44 E	
3	50	40	4		N 3 E	3	50	65 E	4	50	55 E
1		10	3	50	40	3	20	7		80 E	
5		30	3	50	5	2	40	4		E 10 S	
5		10	2		10 W	4	50	50	to Post on Rock Pile		
5		30	3	50	32	3	50	80			
2	50	N	4	75	N	4	50	60			
4		N 30 W	4		N 10 E	3	50	65			
2		N 15 E	4		12 W	3	50	66			
1	50	66	1	50	36	5		46			
8		5 W	1	50	10 E	3		30			
4	50	N	3		55 E	3		80			
7	50	N 10 E	3		30	4		90			
7		N 20	3	50	20	3		E 15 S			
9		N 1 W	3	50	N	4		2 80 E			
2	50	N 20 N	4		N 30 W	4	50	E 5 S			

Shaded
J.P.D. 44 1895
J.P.D. House
Blank

Be it Remembered, that at a Regular Term of the County Court of the State of Oregon for Union County, begun and held at the Court House in the City of Union in said County, and State on Monday the 4th day of November, 1895, and from day to day thereafter during the continuance of said Term, when on Wednesday the 6th day of November, 1895, or Third Judicial Day of said Term, the said County Court opened for the transacting of business with the following officers present, to-wit:

Mr. H. N. Sanders,	County Judge.
" W. A. Arnold,	Commissioner.
" P. J. Groom,	Commissioner.
J. E. Phy,	Sheriff.
J. A. Shoen,	Clerk.

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

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

Came now W. A. Arnold, 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 the County Road, described as follows, to-wit: Commencing at a bridge across Dry Creek on the Meacham Road near Iron Point Mill near the N.E. corner of the S.W. 1/4 of the N.W. 1/4 Sec 30, Tp. 7. S.R. 37 E. W. M. running from the starting point N.E. about 70 rods and under the O.R. & N.R.R. Trestle, thence in a N.E. direction up what is known as Iron Point Creek in the most practicable route through Secs. 30, 19, 18, 7th and terminating at a rock pile situated where the Fox Hill Road crosses Iron Point Creek, on the N.E. 1/4 of S.W. 1/4 Sec. 7, S.R. 37 E. W. M. And it appears to the Court that said petition is signed by more than three hundred holders of the 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 also factually appearing to the Court that notice has been given by address to several parties at the place of holding County Court, to-wit: At the Court House in the town of Union.

Thurs Judicial Day.

Wednesday Nov 6/1895.

County of Union, State of Oregon, and, also in three public places in the vicinity of said proposed road, to wit: One on a tree above the bridge across Dry Creek, at the beginning of the road, one on a tree at the K. L. Co. Pines Mill, on the line of the proposed road $1\frac{1}{4}$ miles from the starting point, and, one at the terminus or end of the road at the Hilgard Lumbering Co's Paul Mill about 6 miles from the beginning 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 expected, 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 C. L. Lansing, Alex. Thompson, and John Riley be appointed Viewers of said road, and that W. B. Blake be appointed Surveyor, of said road, and that they meet at the beginning of the Road, on the 15 day of Nov. 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 the proposed change in the County Road petitioned for by E. F. Mills, in his own right.

Came now E. F. Mills, and represents to the Court that he is the owner of the North half of the N.E. $\frac{1}{4}$ of Sec 36, Tp 7, R. 45, East: that the present county road runs through said lands of E. F. Mills greatly to his detriment and that the petitioner desires to change said road on his own lands, in his own right, as follows: Commencing on the South line of the North half of the N.E. $\frac{1}{4}$ Sec 36, Tp 7, R. 45 East where county road No 777 crosses said line, thence running west on said line to the SW Corner of the North half of the N.E. $\frac{1}{4}$ of said Sec 36, thence North on the quarter line to intersect the said county road No 777 at the point where the same leaves the said lands of E. F. Mills on the west line thereof, and there terminate. The said road, when so changed, to be four feet in width and wheels on the petitioner's land. And it appearing to the Court from said petition that said road would not be materially

Third Judicial Day Wednesday Dec^r 1895.

The claimants will accept the same and allow same road to be opened up and placed in repair for travel. It is therefore considered and ordered that the said Forty dollar damages be paid out of the County Fund and the Clerk of this Court is instructed to draw a warrant on the Treasurer in favor of Proctor Boyer for \$10⁰⁰ and one in favor of C. E. & L. L. Holcomb for \$30⁰⁰.

In the matter of the proposed }
County Road, petitioners for by }
A. Augustus et al }

This matter came on to be heard at this time upon the report of the Viewers heretofore appointed herein for a first reading as by law required, and the 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 at some other day of this present term of this Court.

In the matter of the proposed }
County Road petitioners }
for by W. D. Arnold et al }

This matter came on to be heard at this time upon the report of the Viewers heretofore appointed herein for a first reading as by law required, and the 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 upon some other day of this present term of this Court.

In the matter of the }
petition to vacate the }
County Road East of Elgin }

This matter came on to be heard at this time upon the petition of J. D. Gould et al to vacate the County Road East of Elgin, and the Court not being fully advised in the premises, It is ordered that the same be continued for the term.

Fourth Judicial Day

Thursday Dec 5th 1895.

Court met pursuant to adjournment:

The same officers were present as of yesterday:

Due proclamation of the opening of Court having been made the journal of yesterday's proceedings was read, approved and is here now signed.

J. V. Sanders
County Judge.

Whereupon the following proceedings were had, to wit:

In the matter of the proposed
County Road petitioned
for by W. D. Arnold 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 the viewers being in words following, to wit:

Report of Viewers.

To the Hon County Court for Union County, Oregon:

The undersigned viewers heretofore on the 6th day of Nov. 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, and petitioned for by W. D. Arnold et al. by leave to report that on the 15th day of Nov. 1895, in pursuance with said appointments and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view our 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.

Alex. Thompson,
J. M. Reiley,
C. W. Lawson.

And said report of the viewers and the report of the surveyors 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

Fourth Judicial Day

Thursday Dec 5th 1895.

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 objection 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 County, 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 C. M. Lousiney, Road Supervisor of road district No 34, 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
E. J. Mills et al.

This matter came on to be heard upon 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 Union County, Oregon.
The undersigned viewers heretofore on the 6 day of November 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 E. J. Mills in his own right, beg leave to report that on the 23 day of Nov 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 our said proposed road for the whole distance thereof, and that in our opinions said proposed road should be laid out and established