

No

IN

Court

Plaintiff

vs

Defendant

Action for

Docket

Page

Attorney for Plaintiff

Attorney for Defendant

MEMORANDA

Viewers apd Jul 11th 1289 -
 Ordinal open to " " 322

288
 324
 337

759

Petitioned for by
 E. F. Mills
 Platted

WITNESSES

Commencing on the S line of N² of T⁶
 of Sec 36 T⁶ 7 S R 45 E where the
 County road No 277 as platted
 crosses said line, running
 thence west along said line
 to SW corner of the N² of N² E
 said Sec thence N on the
 1/4 line to where the said
 road crosses the line running
 north & south between the
 N² & NW² of said Sec 36

DIRECTIONS Pl. 11 n TOP OF RUBBER

Flt l h t t l m s l Th v t l b a v
 t o l a l l k a g m l t

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

In the matter of the application
of E. F. Mills, to change County Road
No. _____ upon other ground where the same
crosses the premises of said E. F. Mills.

Now at this time comes E. F. Mills, and by this his petition shows to the Court that County Road No. _____ as the same has been surveyed and viewed and laid out in Union County, Oregon, runs across the southwest corner of the North Half of the northeast quarter of Section 36, Tp. 7, S.R. 45, E. W. M. owned by your petitioner, E. F. Mills, and cut off from his other lands about 10 acres of the same.

That said County road No. _____ enters said lands on the south line thereof, about 20 rods east of the southwest corner thereof, and leaves said lands on the west line thereof, about 20 rods north of the said southwest corner thereof, and that the said road as surveyed will practically deprive your petitioner of the use of the said 10 acres of his said lands, so cut off from his other lands as aforesaid.

Your petitioner desires to change the said County Road so as to run west from the point where the same enters the south line of said lands to the corner thereof, thence north to intersect the said road at the point where the same leaves the said lands on the west line thereof, the said road when ^{changed} ~~changed~~ to occupy 40 feet of petitioner's lands; That said change will place the said road upon as good ground as where the same as surveyed, crosses petitioners lands, and will not materially lengthen the same to injury of the public.

Wherefore your petitioner prays that an order of Court be made allowing him to change the said road as by law required.

E. F. Mills, petitioner.

State of Oregon,) ss.
County of Union,)

I, E. F. Mills, being first duly sworn, say that I am the petitioner above named, and that the foregoing petition is true as I verily believe.

E. F. Mills,

Subscribed and sworn to before me this 11th day of Nov. A. D 1895,

J. R. Oliver, Clerk.

Endorsed:-

In the matter of the petition of
E. F. Mills, for a change in a county
Read on his own lands.

- - - - -

Filed Nov. 8th, 1895.

J. R. Oliver,
Clerk.

- - - - -

Journal Entry.
E. F. Mills Road.

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, 9in 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 transaction of business with the following officers present, to-wit:

- The Hon. I. N. Sanders, County Judge,
- " W. D. Arnold, Commissioner,
- " P. J. Brown, Commissioner,
- J. F. Phy, Sheriff,
- J. R. Oliver, Clerk,

When on Wednesday the 6th day of November, A. D/ 1895, or the third judicial day of said term, among other proceedings the following was had, to-wit:-

In the matter of the proposed change
in the County Road petitioned for
by E. F. Mills in his own right.

-----)
Comes now E. F. Mills and represents to the Court that he is the owner of the North half of the N.E.1/4 of Sec. 36, Tp. 7, S.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 land in his own right as follows:-

Commencing ^{on} at the South line of the north half of the N.E.1/4 Sec. 36, Tp. 7, S.R. 45, East, where County Road No. 277 crosses said line thence running west on said line to the S.W. Corner of the North half of the N.E.1/4 of said Sec. 36, thence north on the quarter line to intersect the said County road No. 277, 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 forty feet in width, and wholly on the petitioners land.

And it appearing to the Court from said petition that said road would not be materially lengthened to the detriment of the public by said change, would be on just as good ground for a road, as the road sought to be vacated, It is therefore considered and ordered that R. B. Crego, M. F. Holbrook, and C. B. Orai, be appointed viewers and W. B. Blakeslee, surveyor of said road, and that they meet at Casson, on the 23rd day of November, 1895, at the hour of 10 o'clock, A. M. and after qualifying to view, survey and lay out said road according to law.

(Signed) I. N. Sanders,
County Judge,

The foregoing order is entered in Comr's Jul.
'H' at page 289 thereof.

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. F. 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 said proposed road ^{out} 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.

M. F. Helbrook,
R. B. Crege,
C. B. Orai, Viewers.

(No filing)

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 E. F. Mills in his own right, et al, beg leave to report that on the 23 day of November, 1895, in pursuance with 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 10 chains, east & ³¹30 links north of the S.W. corner of the North 1/2 of the N.E. 1/4 of Section 36, Tp. 7, South of range 45, E. W. M. thence west 9 chains, and 69 links to stake marked A.1, thence north 10 chains & 69 lks. which is 31 lks East of the west line of the northeast 1/4 of section 36, T. 7, S.R. 45, E. W. M.

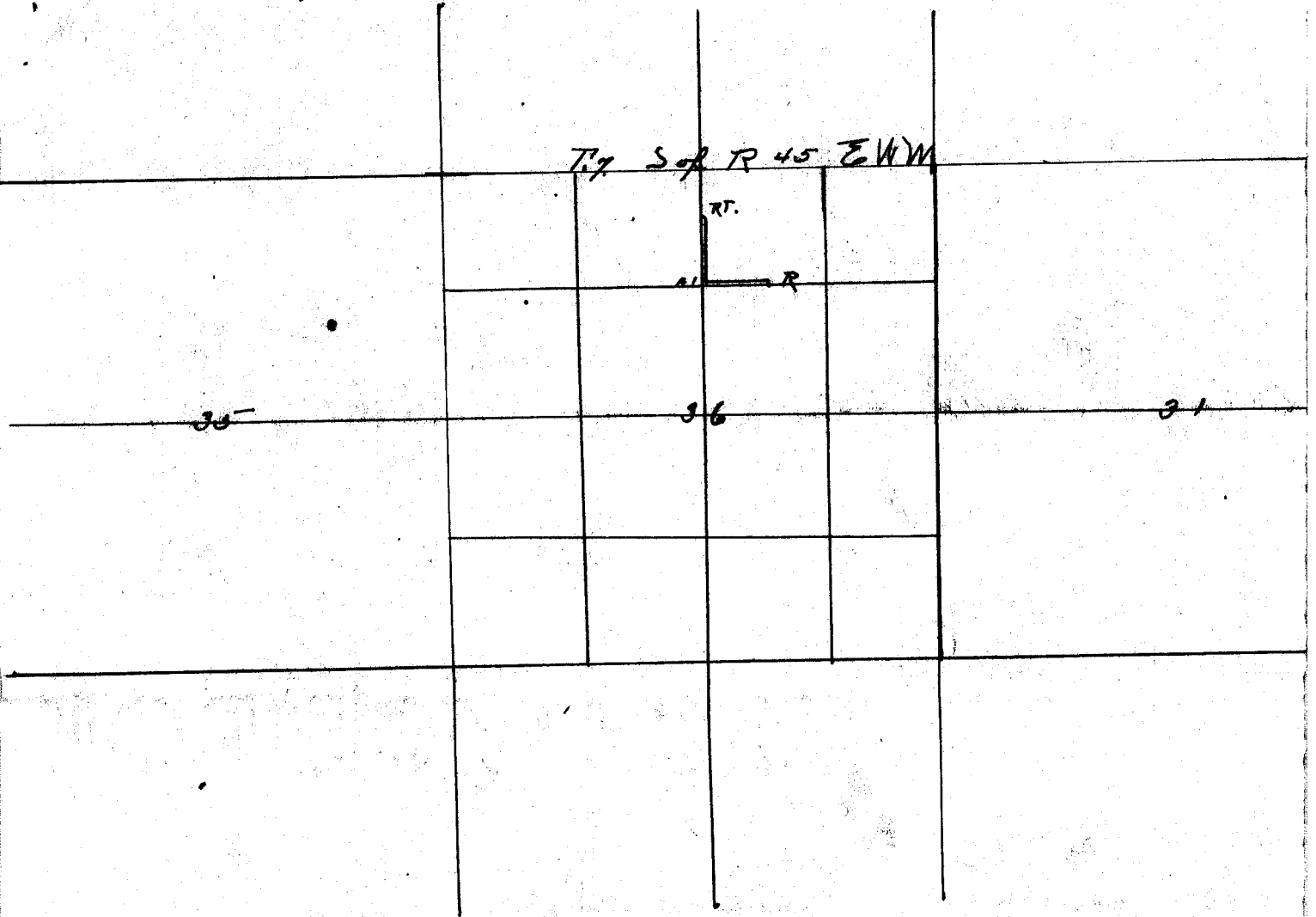
W. B. Blakseelee,

County Surveyor.

Endorsed:

Filed Dec. 4, 1895.

J. R. Oliver, Clerk.



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 2nd day of Dec. A. D. 1895, and from day to day thereafter during the continuance of said term, when on Wednesday the 4th day of Dec. 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. I. N. Sanders, County Judge,
" W. D. Arnold, Commissioner,
" P. J. Brown, Commissioner,
J. R. Oliver, Clerk,
J. F. Phy, Sheriff.

When on Wednesday the 4th day of december, A. D. 1895, or the third judicial day of said term, among other proceedings the following was had, to-wit:-

In the matter of the proposed road)
petitioned for by E. F. Mills,)
in his own right.)
-----)

This matter came on to be heard at this time upon the report of the viewers heretofore appointed herein, for the 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 until someother day of this present term of this Court.

(Signed) I. N. Sanders,
County Judge.

The foregoing order is entered in Comr's Jul.

'H' at page 325 thereof.

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 2nd day of dec. A. D. 1895, and from day to day thereafter during the continuance of said term, when on Wednesday the 4th day of Dec, 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. I. N. Sanders, County Judge,
- " W. D. Arnold, Commissioner,
- " P. J. Brown, Commissioner,
- J. R. Oliver, Clerk,
- J. F. Phy, Sheriff.

When on Thursday the 5th day of December, A. D. 1895, or the fourth judicial day of said term, among other proceedings the following was had, to-wit:

In the matter of the proposed County road)
petitioned for by E. F. 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 6th 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. F. 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 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.

M. F. Holbrook,

R. B. Crego,

C. B. Orai,

And said report of the viewers 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 therehaving been no cause shown why this proposed road should not be declared a public highway and ordered opened 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 Dan. F. Moore, Road Supervisor of Road Dist. No. 28, the same being the road district in which said road is located be furnished with a copy of this decree and ordered to receive the proposed road when it has been placed in as good condition for travel as the old one and allow the old road to be vacated.

(Signed) I. N. Sanders,

The foregoing order is entered in

County Judge,

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

In the matter of the *road*
petitioned for by C. F.
Mills in his own right.
.....
.....

State of Oregon,)
County of Union,) ss.

I, G. W. Benson, County Clerk of Union County,
State of Oregon, do hereby certify that the foregoing is a true
and correct copy of the original papers in the above entitled matter,
transferred to Baker County, Oregon, including a copy of the Orders
of the Court in said matter.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
the seal of the County Court, this 5th day of D July, A.D. 1902.

G. W. Benson Clerk.

Lucie
County Court
of the

State of Oregon
for
Wain County

Lucie wrote of
the road petition
for by E. J. Mills,
in his own right

Transcript of papers
transferred to

Baker County
Oregon

Filed July 5, 1902
By Mr. Bowen
Clerk

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 H. L. Co. Poney Mill, on the line of the proposed road $1\frac{1}{4}$ miles from the starting point, and, one at the terminus or end point 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. T. 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 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, T. 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, T. 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 forty 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 Nov 6th 1895.

lengthened to the detriment of the public by said change, would be on just as good ground for a road as the road sought to be vacated. It is therefore considered and ordered the R. B. Crego, M. F. Helbrock, and C. P. Daniels appointed surveyors and W. B. Blakeslee, Surveyor of said road and that they meet at Carsonville 9th day of November 1895, at the house 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
E. H. Rider, et al.

This matter came on to be heard at this time with the petition of E. H. Rider et al, praying for the location and establishment of a County road running from near Egui up Park's Creek and also with the motion of George Huidgreen vs John Elliott to dismiss the petition. And after hearing the argument of the Counsel in support of said motion and the Court being fully advised in the premises, It is therefore considered and ordered by the Court that said motion be overruled and denied.

In the matter of the
road petitioned for
by C. W. Neesly, et al.

This matter came on to be heard at this time with the petition of C. W. Neesly, et al praying for the location and establishment of a County road beginning at a point eight rods north of the N.W. corner of the S.W. 1/4 of the S.E. 1/4 of Section 37, Twp 7, R. 38. E.W. 77. and terminating at a point 1/2 7/100 chains North of the said N.E. corner of the said Section 37, and also with the remonstrance filed herein against said petition. And it appearing to the Court that said petition is insufficient to give the Court jurisdiction in the matter. It is therefore considered and ordered by the Court that the remonstrance be and hereby is sustained and the petition is hereby overruled and denied.

Third Judicial Day

Wednesday Dec 4th 1895.

In the matter of the proposed
Road petitioned for by
E. F. Miles in his own right.

This matter came on to be heard at this time upon the report of the assessors, heretofore appointed herein, for the 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 until some other day of this present term of this Court.

In the matter of the application
of P. M. Coffin for Rebate
on Taxes.

This matter came on to be heard upon the application of P. M. Coffin for Rebate on Taxes paid and the Court being fully advised in the premises It is hereby considered and ordered that the same be and is hereby denied and dismissed.

In the matter of a petition
for a
Bounty on Coyotes

This matter came on to be heard at this time upon the petition of citizens praying the Court to place a bounty on Coyotes, and the Court not being fully advised in the premises It is ordered that the same be continued for the term.

In the matter of the petition
for appropriation for the repair
of the grade at Wilhem Bridge

This matter came on to be heard upon the petition of G. G. Gray et al, and the Court being fully advised in the premises It is ordered that the petition be and the same is hereby dismissed.

In the matter of the petition
of Nels Halvorson for a
Liquor License

This matter came on to be heard upon the petition of Nels Halvorson for a license to sell spirits

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. Loushing, 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

Fourth Judicial Day Thursday Dec 5th 1895.

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.

M. J. Halbrook,

R. B. Crego,

C. B. Orsi.

And said report of the viewers 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 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 plan 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 Dan F. Moore, Road Supervisor of road Dist No 28, the same being the road district in which said road is located, be furnished with a copy of this decree and ordered to receive the proposed road when it has been placed in as good condition for travel as the old one and allow the old road to be vacated.

In the matter of the proposed
County Road petitioned for by
A Augustus 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 hearing as provided by law, and the Report of the Viewers being in words following to wit: