

EQUITY.

No

In CIRCUIT COURT  
UNION COUNTY

Mrs Rebecca McGarry  
G H McGarry and  
vs

Plaintiff

John Vass

Defendant

J. D. Swanhoe

Attorney for Plaintiff

Attorney for Defendant

Sept 7, 1877

Petitioned for by  
Hardy Reed Lumber  
Company

1712 1/2 1/2 1/2 1/2 1/2 1/2

STATE OF OREGON  
COUNTY OF UNION

IN THE COUNTY COURT OF UNION COUNTY  
OREGON — In the matter of the Application of the Grande Ronde Lumber Company (a private corporation) — to establish a logging road, in Union county

To ALL WHOM IT MAY CONCERN — You will take notice that the Grande Ronde Lumber Company of Perry, Oregon has filed its written application for the order and license of the said County Court of Union County Oregon — viewing and establishing a logging road or chute in accordance with the applicants map filed herein which said proposed logging road or chute is to commence at a point near the northeast corner of and in the northwest  $\frac{1}{4}$  of the south  $\frac{1}{2}$  of Section 18 in Township 4 South of Range 36 E W M — running hence in a north westerly direction through a ravine to a point on the north line of the southwest  $\frac{1}{4}$  of the northeast  $\frac{1}{4}$  — (about 12 chains east of the northwest corner) — thence northwesterly to its intersection with the Grande Ronde river in the south  $\frac{1}{2}$  of Section 36 in Township 4 South of Range 36 E W M where the petitioner has a landing for the floating of its logs to its manufacturing plant at Perry Union County Oregon said proposed road or chute will be located through the northwest  $\frac{1}{4}$  of Section 18 in Township 4 South of Range 36 E W M — across the east half of Sections 1 and 12 in Township 4 South of Range 36 E W M — in the southwest  $\frac{1}{4}$  of Section 36 in Township 3 South of Range 35 E W M in said Union County Oregon All persons are notified that the hearing of said petition and appointment of viewers will come up at 2 o'clock p.m. of Wednesday the 7th day of September, A. D. 1904 and if they have or claim any interest in any of said lands through which said road or chute is proposed to be located — to be and appear before the said county court of said Union county at said time and file their complaints for damages or show cause why said road should not be located as asked by the petitioners

WITNESS my hand and Seal of the said County Court of Union County Oregon this the 4 day of August A. D. 1904

J. B. GILHAM

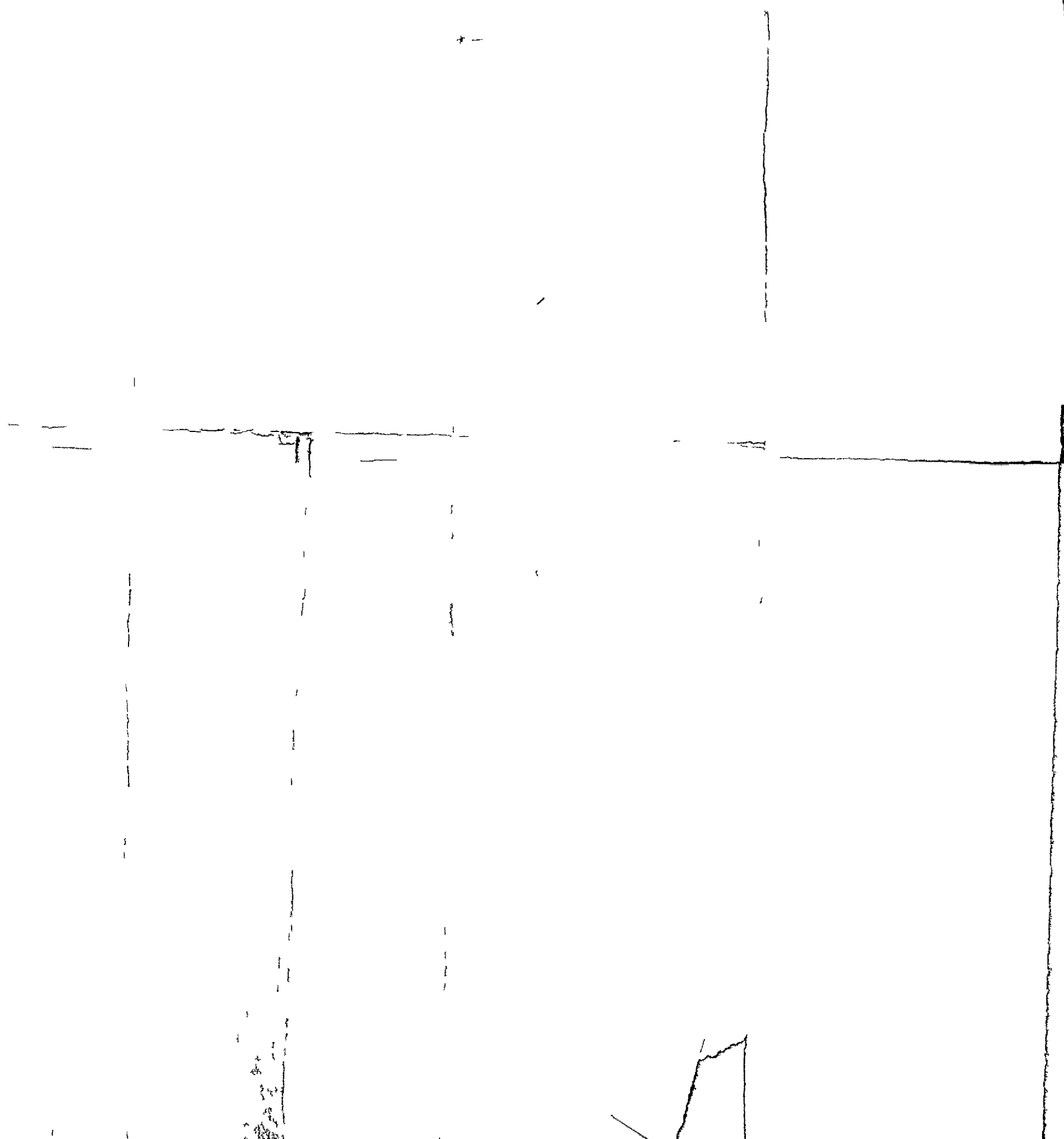
County Clerk of Union County Ore  
By F. C. BRAMWELL  
Deputy

C. H. FINN  
Atty for Petitioner

The Weekly CROOKED LE \$1.00 a year



Flat - Field Notes of  
Logging Road (Petitioner  
for a - Grand Road of ...)



Ship No 3 South

Range No 35 E.W.M.

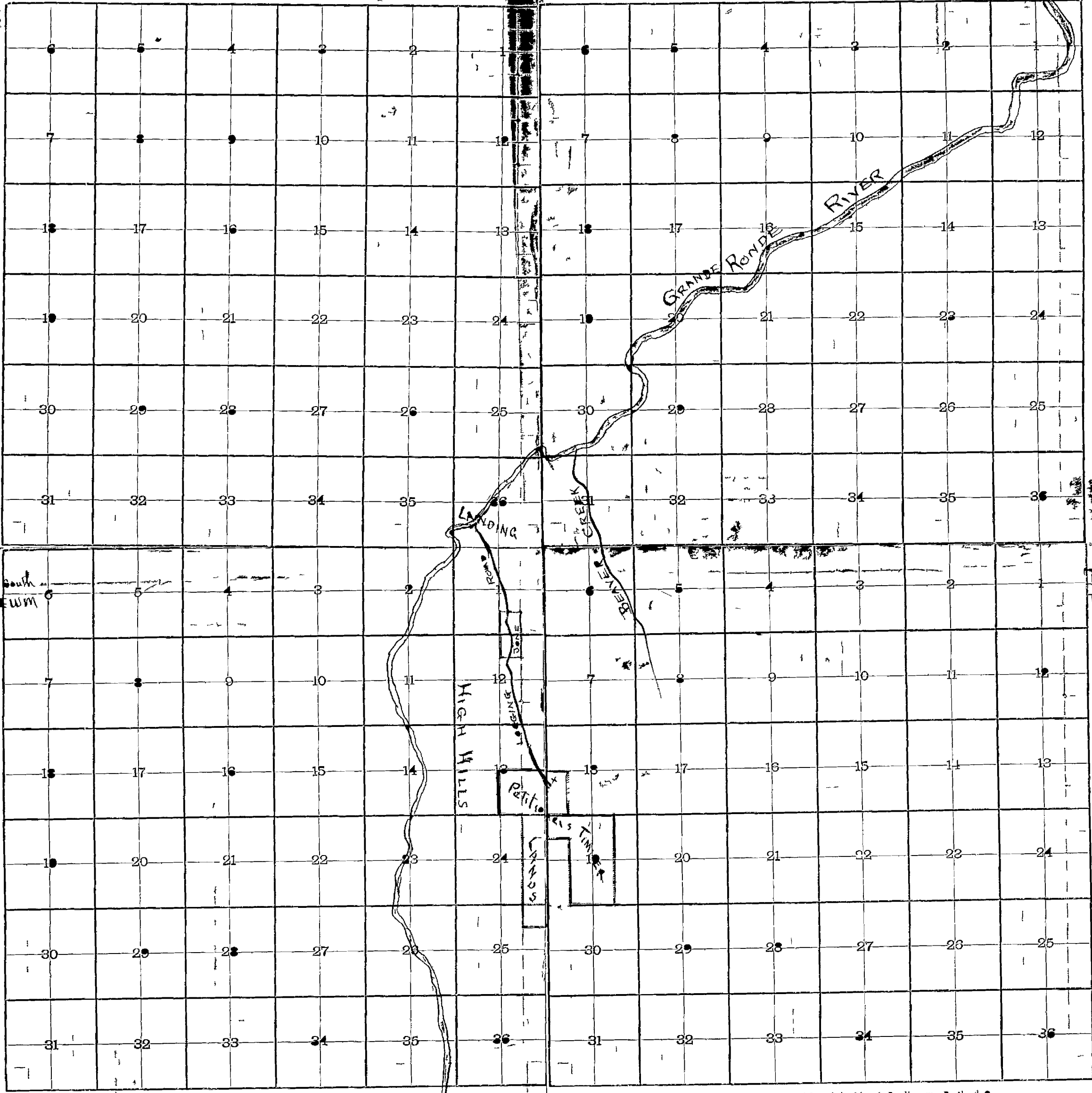
Grande Ronde Survey Co vs JONES

Meridian No 3 South

Range No 36 E.W.M.

Map showing proposed logging road, lands

Map of Proposed Logging Road Timber Lands ETC



Township 4 South Range 35 E.W.M.

Township 4 South Range 36 E.W.M.

N 247 TOWNSHIP PLAT 1 of 1

N 247 TOWNSHIP PLAT 2 of 2

Meridian Line

Section Line

Standard Line

Township Lines

Section Line

Meander Lines

Office Work

Range Lines Re Survey

Meridian Line

Section Line

Standard Line

Township Lines

Section Line

Meander Lines

Office Work

Range Lines Re Survey

TO THE HONORABLE COUNTY COURT  
OF UNION COUNTY, OREGON -

Your Petitioner respectfully represents -

(1) That it is a private corporation duly organized and existing under the laws of the State of Oregon, having its principal place of business and office at Perry, Union County, Oregon

(2) That as such corporation it is engaged in the manufacture of lumber, having a large plant at said Perry, Union County, Oregon and as such manufacturer it is also the owner of large tracts of timbered lands in the vicinity of said mill, and along the Grande Ronde River and its tributaries south and west of its said plant

(3) That the Grande Ronde River is a navigable stream rising in Township 3 south of Range 35 <sup>E.W.M.</sup> and flows in a northeasterly direction through and by the lands of your petitioner, and through said Perry, Union County, Oregon adjacent to the said manufacturing plant of your petitioner.

(4) That your petitioner in order to obtain the timber from its said lands and to haul or transport the same to its said manufacturing plant at Perry as aforesaid can and does utilize the channel and water of said Grande Ronde River

(5) That your petitioner is the owner of the timber on the following described lands, to-wit: East Half of Section 13, West Half of North East Quarter and North East Quarter of North East Quarter Section 24 in Township 4 South Range 35 F.W.M. and West Half of North West Quarter and North East Quarter of North West Quarter and West Half of South West Quarter and South East Quarter of South West Quarter and South West Quarter of South East Quarter, Section 18, North West Quarter, North West Quarter and East Half of North West Quarter, West Half of North East Quarter, North West Quarter, of South East Quarter and North East Quarter of South West Quarter Section 19, in Township 4 South Range 36 F.W.M.

(6) And that said lands contain an estimated amount of six million feet of merchantable timber growing and being thereon, which lands are designated as to location upon the accompanying map, that there is no public road or highway or acquired right of way during the years for which your petitioner desires to log said lands

1 and that there is no direct or feasible way ~~for~~ your petitioner's  
2 said timber lands to arrivable or navigable water, or to railroad-  
3 whereon or whereby said timber can be moved or hauled to market-or  
4 to your petitioner's said manufacturing plant-(except the route  
5 hereinafter designated)-and that your petitioner desires that it  
6 may have your order and license therefor-and that your honorable  
7 body will view, locate and establish for your petitioner a logging  
8 road leading from its said timber lands to the Grande Ronde River-  
9 so that your petitioner may transport and haul its said timber-for  
10 that the only feasible way for said road will be across the priv-  
11 ate lands of of another, especially the southwest qr of the south-  
12 east qr of Section 1-and the northwest qr of the northeast qr of  
13 Section 12-in Township 4 south of Range 35 E.W.M. which tract of  
14 land belongs to one J.M. Jones-and that this party does not desire  
15 to permit your petitioner to use his said land for such logging  
16 road-without onerous obligations which will be a hardship to your  
17 petitioner and not a fair or just price therefor.

(7) 18 That your petitioner has thoroughly examined the proper and  
19 feasible route, and at its own expense has surveyed and marked out  
20 on the ground and on the accompanying map or plat-such route and  
21 right of way for such proposed logging road-which it is desirous  
22 of constructing-and that the said lands over which the same is so  
23 located is not valuable or highly improved lands-and the taking  
24 of the same for such logging road of thirty three feet in width  
25 will not injure said lands nor be a burden on the same, or the  
26 owner thereof-and said route so surveyed is as follows:-

27 Commencing at a point near the northeast corner of the northwest  
28 qr of the southwest qr of Section 18 in Township 4 south of Range  
29 36 E.W.M.-running thence in a northwesterly direction through a  
30 ravine to a point on the north line of the southwest qr of the  
31 northeast qr (about 12 chains east of the northwest corner) thence



1 north 8° 30' east 5 chs—thence north 15.25 chs to a point 10 chs  
2 east of  $\frac{1}{2}$  Sec.cor, between said Sec.12 and Sec.1—thence north 9°  
3 east'2.40 chs—thence north 16° west 11 chs—and thence north 2°  
4 east 7 chs to the north line of said forty acre tract—the said  
5 two forty acre tracts being that of said J.M.Jones—thence in a  
6 northwesterly direction across Section 1 and the southeast qr of  
7 the southwest qr of Section 36 in Township 3 south of Range 35  
8 E.W.M.intersecting the Grande Ronde River in said southwest qr of  
9 said Section 36—where your petitioner has a landing for the said  
10 saw logs and timber—sought to be floated to its said manufacturing  
11 plant at Perry, Union County, Oregon, and this being the terminus of  
12 said proposed logging road —and which road is about 1000 rods in  
13 length, and in ~~an~~ a northwesterly direction.

14 That said road so surveyed and described as to direction is to  
15 be thirty three (33) feet in width, and runs along or in the vicin-  
16 ity of a ravine and that said section of the country being hilly  
17 it is necessary to make the angles as aforesaid in order to obtain  
18 a feasible and direct route between said timbered lands of your  
19 petitioner and said navigable or drivable water of said Grande  
20 Ronde River—and by means of the construction of said road, your  
21 petitioner will be enabled to cut from its said lands said timber,  
22 haul the same over the proposed route and road to said Grande  
23 Ronde River and therein float the same to its said mill and manu-  
24 factory plant,

25 And your petitioner further represents that it has secured at  
26 its own expense the right of way of all of said road—except that  
27 over the said lands of  
28 said J.M.Jones—being the northwest qr of the northeast qr of Sec.  
29 12 and over the southwest qr of the southeast qr of Sec.1—in said  
30 Township 4 south of Range 35 E.W.M.or across eighty acres of land—  
and has built a road the entire distance—as aforesaid.

(10) 1 And your petitioner further represents that it will require said  
2 road across the said lands of the said J.M.Jones-as aforesaid-for  
3 a period of but three (3) years-when it will have removed from  
4 its said timbered lands the timber thereon.

(11) 5 That your petitioner is willing to fence the said right of way  
6 across said land of said J.M.Jones-and keep the same in repair  
7 during the time it so uses such right of way-and to protect the  
8 said Jones from damage during the use of said road which he may  
9 incur by reason the acts of your petitioner.  
10

(12) 11 That your petitioner herewith presents a good and sufficient  
12 undertaking with two sureties, conditioned that you petitioner  
13 or applicant will pay all costs and expenses that may be incurred  
14 by reason of filing this petition-and all costs and expenses of  
15 viewing a survey of such road whether the same is located or not.

(13) 16 And your petitioner prays for the order and license of the Court  
17 viewing said proposed road and the establishing of a right of  
18 way over said survey <sup>on</sup> said land of said J.M.Jones-as aforesaid  
19 so as to establish a logging road from your petitioner's said  
20 timber lands as aforesaid to the Grande Ronde River-where your  
21 petitioner's landing is situated-so that it may have a logging  
22 road feasible and convenient for the removal of its timber as  
23 aforesaid-and your petitioner will ever pray-etc.  
24

Grande Ronde Lumber Co.  
*F.S. Murphy*

By

Manager.

27  
28 State of Oregon-  
29 County of Union-SS-I-F.S.Murphy-being first duly sworn sworn  
30 say:-That I am the secretary and manager of the Grande Ronde  
31 Lumber Co-(a private corporation) the foregoing petitioner-and  
have authority to sign said petition and make this affidavit-  
and that said petition is true as I verily believe.

*F.S. Murphy*

Subscribed and sworn to before me this July 14th 1904.

Notary Public for Oregon

In County Court,  
Union County, Oregon

Petition for  
Logging Road  
of  
The Grande Ronde Lumber Co

Filed August 21, 1904  
J. H. Finn  
Clerk

FROM THE LAW OFFICE OF  
C. H. FINN,  
LA GRANDE, OREGON.

Attorney for Petitioner

State of Oregon

ss

County of Union. I, the undersigned, do hereby accept service of  
the within notice, within said County and State, on this the 20 day  
of August, 1904, by receipt of a copy thereof prepared and certified  
to by J. B. Gilham, County Clerk of said County.

J. M. Jones

1 State of Oregon-

2 County of Union-SS:- In the County Court of Union County, Oregon

3 The Matter of the Application of  
4 the Grande Ronde Lumber Company-  
5 (a private corporation) to estab-  
6 lish a logging road in Union County.

7  
8 To J.M.Jones:- You will please take notice that the Grande  
9 Ronde Lumber Company has this day filed a petition and map in the  
10 County Court providing the location of a right of way for a logging  
11 road or chute through lands now in your possession in Sections 1 &  
12 12 in Township 4 south of Range 35 E.W.M. in said Union County, and  
13 said application will come on to be heard before said court at the  
14 regular term therein of September A.D.1904-for appointment of view-  
15 ers to locate said road or chute in said county in which court will  
16 be held, commencing on the 7th day of September A.D.1904-at which  
17 time you are required to appear and file your claim for any damages  
18 that you may consider you will sustain in case said right of way is  
19 located as by said map shown and in said petition prayed; and furth-  
20 er you do then shew cause, if any you have, why said right of way  
21 should not be located as by said map shown and projected.

22 Witness my hand and seal of the said Court of Union County,  
23 this the <sup>3<sup>rd</sup></sup> day of ~~July~~ <sup>August</sup> A.D.1904.

24  
25 *J. B. Gisham* County Clerk.  
26 Union County, Oregon.

27 By *F. H. Bramwell*  
28 Deputy  
29  
30  
31

Original

Received of  
W. W. P. [unclear]  
— [unclear]

Check Aug. 24-1904  
of [unclear]  
W. W. P. [unclear]  
[unclear]

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

In the Matter of the Application of the Grande Road  
Lumber Company to establish a logging road in Union County:

J.M. Jones, the person referred to in the petition for the location of said logging road, for his claim for damages in said proceeding, shews to the Court the following facts: That he is possessed as owner in fee of said N.E. 1/4 of the N.E. 1/4 of section 12 and the S.W. 1/4 of the N.E. 1/4 of section 1 of T. 4 S. R. 35 E. in Union county, State of Oregon, and of other lands contiguous thereto, and that said two forties of land ~~are~~ are described in the petition for the location of said proposed logging road; that said proposed logging road, if established, will run through said two forties along a gulch referred to in said said petition, and if it should be located as described in said petition and in the map therein referred to, it will run through the barn-yard of said Jones and very near his barn therein; that all of the lands of the said Jones above described are fenced and inclosed with other lands belonging to him; that he raises hay and feed for his stock and for other purposes on his said lands, inclosed as aforesaid; that there is a natural spring of water on the lands of said Jones above described located in said gulch which is referred to in said petition and that the water from said spring runs down said gulch to the plaintiff's said barn-yard, which is on said lands and through which barn-yard, said road, if located, will run, and that the water from said spring affords the plaintiff's stock water for about one half the year, and that if said proposed road is located, as prayed for by said petitioner, the 33 feet width thereof will include said spring and the creek that runs therefrom to the barn-yard of said Jones, and that locating of said road and fencing the same, as required by law, would take said spring and water and deprive said Jones of the use thereof to his great damage and inconvenience; That the fencing of said proposed, or the opening of the same through the premises of said Jones as prayed for would expose the said lands of said Jones, which are now fenced and inclosed, to the trespass and ravages of all sorts of stock and be of great damage and inconvenience to said Jones; that said Jones owns 240 acres of lands besides said two forties and that said lands all lie in one body and all are inclosed by a fence and used as one place and that he raises different sorts of hay thereon and that the opening up of said proposed road would expose his said lands to the trespass and ravages of all sorts of stock to the great damage of said Jones, and that the opening of said road through the said premises would take a strip of land 33 feet wide and 80 rods long, and by reason of being deprived of said water for stock, he will not be able to pasture stock on his said premises. That the only other stock water on said premises is a well in the plaintiff's said barn-yard, and it will be either within the said proposed road or the said road will be between said well and the barn of said Jones in said barn-yard, thus cutting the

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barn of said Jones and his stock off from water from said well,  
and making it practically impossible for him to obtain water on his  
said lands for stock, and that the said Jones lives part of the time  
on said 80 acres of land, and by the loss of water as aforesaid, he  
will be <sup>greatly</sup> damaged.

That if said proposed road should be established <sup>and built</sup> as prayed for by  
said petitioner, said J.M. Jones will be damaged thereby, for the  
period of three years for which the petitioner <sup>is</sup> the case in  
the respects above stated and that his said damages <sup>caused by building said road</sup> will amount to  
\$600.00, and he prays that his damages may be duly ascertained  
and that he may be allowed said sum of \$600.00 as damages for locating  
and opening <sup>and building</sup> and maintaining said proposed road through his said prem-  
ises, and your petitioner will, as in duty bound, ever pray, etc., etc.

*J M Jones*

State of Oregon,  
Union County:-

I, J.M. Jones, being duly sworn, say:- That I am  
the abovenamed claimant for damages and that the foregoing statement  
of claim of damages is true, as I believe.

*J M Jones*

Subscribed and sworn to before me this 8th day of September, 1904.

*W. M. Ramsey*  
Notary Public for Oregon.



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

I, \_\_\_\_\_, being first duly sworn, depose and say  
that I am the \_\_\_\_\_ in the above entitled \_\_\_\_\_;  
and that the foregoing \_\_\_\_\_ is true as I verily believe.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_\_

Notary Public for Oregon.

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

I, \_\_\_\_\_, do hereby certify that I am  
\_\_\_\_\_ attorney herein; that the foregoing  
copy of \_\_\_\_\_ has been by me carefully compared with  
the original thereof and that it is a correct transcript therefrom and the whole of such original.

La Grande, Oregon, dated this \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_\_

Due service of the within \_\_\_\_\_ is hereby accepted in  
\_\_\_\_\_ County, Oregon, this \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_\_, by receiving a  
copy thereof, duly certified to be such by \_\_\_\_\_ attorney for \_\_\_\_\_

Attorney for the \_\_\_\_\_

No. ....

# In the *Seamity* Court

STATE OF OREGON,  
FOR THE  
COUNTY OF UNION.

*Mathew Hatcher of the Co-  
operation of the Grande  
Fork & Quimby Corset  
Co. Inc. Secretary of  
Coopering Road*

Defendant.

*Clavin A. Tompkins*

Filed

190 *4*

*J. J. Gillham*

Clerk.

Deputy.

FROM THE OFFICE OF  
**RAMSEY & OLIVER**  
LA GRANDE, OREGON

Attorneys for

*W. J. Jones*

STATE OF OREGON }  
COUNTY OF UNION }

IN THE COUNTY COURT OF UNION COUNTY  
OREGON —In the matter of the Application of the Grande Ronde Lumber Company—(a private corporation)—to establish a logging road in Union county

To ALL WHOM IT MAY CONCERN —You will be notified that the Grande Ronde Lumber Company of Perry Oregon has filed its written application for the order in all cases of the said County Court of Union County Oregon —viewing and establishing a logging road or chute in accordance with the application made herein which said proposed logging road or chute is to commence at a point near the northeast corner of and in the north west ¼ of the south west ¼ of Section 18 in Township 4 South of Range 36 E W M —running thence in a north westerly direction through a ravine to a point on the north line of the southwest ¼ of the northeast ¼ —(about 12 chains east of the northwest corner)—thence northwesterly to its intersection with the Grande Ronde river in the southwest ¼ of Section 36 in Township South of Range 35 E W M where the petitioner has a landing for the flotation of its logs to its manufacturing plant at Perry Union County Oregon said proposed road or chute will be located through the northwest ¼ of Section 18 in Township 4 South of Range 36 E W M —across the east half of Sections 1 and 12 in Township 4 South of Range 35 E W M —and the southwest ¼ of Section 36 in Township 3 South of Range 35 E W M in said Union County Oregon All persons are notified that the hearing of said petition and appointment of viewers will come up at 2 o'clock p.m. of Wednesday the 7th day of September A D 1904 and if they have or claim any interest in any of said lands through which said road or chute is proposed to be located—to be and appear before the said county court of said Union county at said time and file their complaints for damages or show cause why said road should not be located as asked by the petitioners

WITNESS my hand and Seal of the said County Court of Union County Oregon this the 3d day of August A D 1904  
J B GILMAN  
County Clerk of Union County Oregon  
By E. C. FRANKWELL  
Deputy

O H ERVIN  
Atty for Petitioner

# Affidavit of Publication

STATE OF OREGON }  
COUNTY OF UNION } SS

I *E. L. Eckley*

being first duly

sworn say that I am one of the printers of the *La Grande Chronicle* a general newspaper published at La Grande, Union County, Oregon, that the 'Notice for Publication' hereto attached was printed in said newspaper proper and not in any supplement thereof, for the period of *4 (Four)* consecutive weeks, beginning with the issue of *August 1*, 1904, and ending with the issue of *Sept 1*, 1904 and that during said time said newspaper was duly circulated among its subscribers in Union County and elsewhere throughout the State

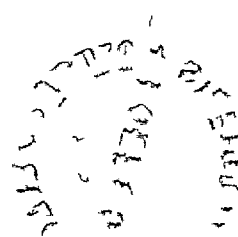
*E. L. Eckley*

Subscribed and sworn to before me this *7th* day of *Sept*, A D 1904

*Ab. Williams*  
Notary Public for Oregon

In the  
County Court  
of the  
State of Oregon  
for  
Union County

affidavit  
of  
Publication



Filed Sept 7 of  
J B Gilham  
Clerk

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

1 In the matter of the petition of )  
2 the Grande Ronde Lumber Company )  
3 for the location of a logging )  
4 road and the appointment of viewers. )

5  
6 And now on this 8th day of September 1904, the same being  
7 at a regular term of this Court, this matter came on for <sup>final</sup> hearing  
8 having been continued from yesterday, upon the application,  
9 verified petition and map of the Grande Ronde Lumber Company,  
10 praying for the appointment of three competent and disinterested  
11 persons as viewers to ascertain and determine the compensation  
12 to be made to the owner of the private lands of J.M.Jones, de-  
13 scribed as the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 1 and NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 2  
14 in township 4 south of range 35 E.W.M. and in Union County,  
15 over which the petitioner desires a logging road established,  
16 to permit said petitioner to transport and haul its timber from  
17 its timbered lands in Sections 13, 24 and 25 in twp. 3 south of  
18 range 35 E.W.M. and Sections 18 and 19 in twp. 4 south of range  
19 36 E.W.M. to its landing on the bank of the Grande Ronde River  
20 in SW $\frac{1}{4}$  of Sec. 36 in tp. 3 south of range 35 E.W.M. together  
21 with the answer of said J.M.Jones setting forth his adverse  
22 claims to the proposed location of said road.

23 And it appears to the Court now that all the proceedings  
24 connected with said petition, consisting of notice to said land  
25 owner and all the interested persons, having been properly  
26 served together with printed notice as required by law, and the  
27 filing of a bond approved by the County Clerk for the payment  
28 of all costs of this proceeding, <sup>and</sup> after full hearing of all said  
29 matters the Court deems the petition and map sufficient and deny  
30 and overrule the <sup>motions and</sup> objections of said J.M.Jones adverse to the  
proposed location of said logging road.

1       And the Court after hearing the allegations of all persons  
2 interested, and having this matter under consideration, do  
3 now determine and find that said road so prayed for is necessary,  
4 feasible and advisable, and that the prayer of said petition  
5 should be granted. It is hereby considered and ordered that W.S.  
6 McMillan, Frank Alden and Albert Winters, three competent and  
7 disinterested persons residing in Union County, be, and they are  
8 hereby appointed as viewers to view and locate said proposed  
9 logging road, and Thursday, Oct. 6th-1904, which is a day of  
10 the next regular term of this Court, is hereby fixed as the time  
11 to receive and hear the report of said viewers as to their view  
12 and location of said proposed road and the amount of damages  
13 if any, the said objector, J.M.Jones, shall sustain by such  
14 location as prayed for in said petition.

*M.A. Harris*

County Judge-

*Robert Blumenstein*

County Commissioner-

\_\_\_\_\_

County Commissioner-

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In the County Court of the  
County of Lewis & State  
of Oregon

In the matter  
of the <sup>legally</sup> petition  
for a Grand Road  
Lumber Co -

Considers the petitions  
and remands the Court to  
strike out the objection  
and claim for damages  
filed in by J. W. Jones for  
the reason that the  
same were not filed or  
presented in time, as not  
being filed before the day  
set for hearing of such  
petitions as required  
by law

C. A. Paine  
Attorney for petitioners

Dr Cash

Dr Cash

Dr Cash

Dr Cash

Dr Cash

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Dr Cash

Dr Cash

Dr Cash



IN THE COUNTY COURT OF UNION COUNTY-STATE OF OREGON-

In the matter of the logging road )  
petitioned for by the Grande Ronde )  
Lumber Company, in Union County. )

State of Oregon,

County of Union, SS:- We- Frank Alden, W.S. McMillan and Albert Winters heretofore appointed by the County Court of said County and State to assess the damages that would accrue to the claimant J.M. Jones by reason of the location and establishment of a proposed logging road petitioned for by the Grande Ronde Lumber Company across certain lands of J.M. Jones, being first duly sworn each for himself and not for the other, say:-

That we will faithfully and impartially locate, and appraise the damage that would accrue to the said claimant by reason of the location and establishment, -of said proposed logging road to the best of our ability.

Frank Alden

W.S. McMillan

Albert Winters

Subscribed and sworn to before me this the 16th day of September, A.D. 1904.

O. N. Minnaman

Notary Public for Oregon.

In County Court  
Union County  
Oregon

In re logging road.  
petitioned for by  
Granville Rowde  
Lumber Co

Both of Viewers-

Filed for out 1904  
J. B. Johnson  
Clerk

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

In the matter of the logging  
road petitioned for by the  
Grande Ronde Lumber Company.  
-----

State of Oregon,

County of Union, SS:- I-Arthur Curtis, being first duly sworn say:-

That I am County Surveyor of Union County, Oregon; that I surveyed the  
foregoing proposed logging road across the lands of J.M.Jones as described  
in the logging petition of the Grande Ronde Lumber Company <sup>for it</sup> on July 2d-  
1904; that I followed as a route ~~an old~~ <sup>an old</sup> and well established logging road  
across said land, and that the route so surveyed and as mentioned in  
the petition of the Grande Ronde Lumber Company for a right of way for  
their logging road, did not at that date of survey pass through the barn  
yard of said J.M.Jones or any barnyard, or was there any barnyard in the  
vicinity thereof.

*Arthur Curtis*  
\_\_\_\_\_

Subscribed and sworn to before me this 7th day of September, A.D. 1904.

*C. H. Fisher*  
\_\_\_\_\_

Notary Public for Oregon.

*Arthur Curtis*      *66*

THE UNIVERSITY OF CHICAGO LIBRARY

In the name of the University of Chicago  
and the Board of Trustees  
of the University of Chicago

Library of the University of Chicago  
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Telephone: 773-936-3300  
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In County Court  
Winnipeg  
Manitoba  
Canada  
In the presence of  
J. J. [unclear]  
for [unclear]  
of [unclear] Bank  
Limited

Witness my hand and seal this 1st day of [unclear] 19[unclear]



*Pen*

IN THE COUNTY COURT OF UNION COUNTY, STATE OF OREGON-

1 In the matter of the logging )  
2 road petitioned for by the )  
3 Grande Ronde Lumber Company, )  
In Union County, Oregon. )

4 And now on this the 6th day of October, A.D. 1904, this  
5 matter came on for hearing before the County Court upon the  
6 report of the viewers heretofore appointed at the September  
7 term, 1904 of this Court, to view and locate a logging road  
8 as applied for by said Grande Ronde Lumber Company, through  
9 and across the lands of J.M.Jones, and determine the damages  
10 if any, suffered by him as owner of the said lands, viz:-  
11 The northwest qr. of the northeast qr, of section  
12 12 and the southwest qr. of the southeast qr. of  
section 1, all in township 4 south of range 36 E.W.M.

13 And it appearing to the Court that the said viewers Frank  
14 Alden, Albert Winters and W.S.McMillan, met on the 16th day  
15 of September A.D. 1904, at the place of said proposed road  
16 and after having taken an oath as required by law, to perform  
17 the duties of said viewers, they proceeded to discharge their  
18 duties, and did-and viewed and located said logging road,  
19 commencing at a point designated on petitioner's map and plat,  
20 being at a point in the northwest qr. of the southwest qr. of  
21 Section 18 in township 4 south of range 36 E.W.M., and thence  
22 running in a northwesterly direction by way of the route so  
23 designated on the applicant's map and the survey, establishing  
24 the width of said logging road at 33 feet, and that said logging  
25 road was located and determined by them through said lands of  
26 said J.M.Jones, as follows:-

27 Commencing on the south line of the northwest qr of  
28 the northeast qr. of section 12, in township 4 south  
29 of range 36, E.W.M., at a point about 48 rods east of  
30 the southwest corner thereof, thence running north  
31 8° 30 min. east 5 chains to a point; thence north  
15.25 chains to a point 10 chains east of the quarter  
section corner between sections 12 and 1; thence north  
9° east 2.40 chains to a point; thence north 16°  
west 11 chains to a point; thence north 2° east 7 chs.  
to the north line of said southwest qr. of the south-  
east qr. of said section 1 in said township 4 south  
of range 36 E.W.M., and from there said route was run  
1.

1 and was terminated at the Grande Ronde River in the  
2 southwest qr. in section 36 township 3 south range 36  
3 E.W.M., all of said route being as designated on  
4 petitioners map, and the same already being in posses-  
5 sion of the petitioners by consent of the owners  
6 of the lands crossed, except said northwest qr. of  
7 the northeast qr. of section 12 and the southwest qr.  
8 of the southeast qr. of section 1 in township 4  
9 south of range 36 E.W.M., claimed by said J.M.Jones.

10 That said viewers reported that <sup>they</sup> found no buildings, door yards,  
11 barn yards, hop yards or gardens of any kind across said located  
12 route or logging road, and that they assessed the damage sus-  
13 tained by said J.M.Jones claimant by reason of the said logging  
14 road crossing his lands towit: the northwest qr. of the north-  
15 east qr. of section 12 and the southwest qr. of the southeast  
16 qr. of section 1, the sum of \$150 for the use thereof for the  
17 period of three years, as asked for in the petition or the sum  
18 of \$50.00 per year so used by said petitioners, it requiring  
19 about that time for petitioners for said logging road-to remove  
20 their timber from their lands-and that said viewers completed  
21 their work on said September 16th-1904.

22 That further by request of said J.M.Jones, the said Grande  
23 Ronde Lumber Company agreed not to fence up the road way  
24 through the land of said J.M.Jones, but to use his gates and  
25 to close them and in no way damage the same during the season  
26 except sleighing seasons, when <sup>said</sup> roadway is to be left open, and  
27 agreeing to fix up fences and gaps and damages caused by them,  
28 to fence after each logging season is over.

29 And the Court now being fully advised in the premises, said  
30 viewers report is adopted, that said logging road be established  
31 and be in full force for the time in said viewers' report  
specified, upon said petitioner, the Grande Ronde Lumber Company  
paying into this Court for the use of said J.M.Jones, the owner  
of said land crossed by said logging road, the sum of \$150 or  
the sum of \$50.00 per year, during the time such logging

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road shall be used by said petitioners for the purpose of  
removing their timber from their lands over the same.

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In County Court of Union County, Oregon-

1 In the matter of the petition  
2 for a logging road by the  
3 Grande Lumber Company-

4  
5 Comes now the petitioner and submits the following affidavits  
6 in answer to the objections of J.M.Jones filed herein:-

7 State of Oregon-

8 County of Union-SS - I -F.S.Murphy being first duly sworn say:-

9 That I am manager of the petitioner -The Grande Ronde Lumber Co-  
10 for a logging road over the lands of J.M.Jones; that for the past  
11 two years the said petitioner has had a logging road over said lands  
12 and the very route now petitioned for in this proceeding; that said  
13 petitioner has a reserved right of way over the same from the orig-  
14 inal owner-S.F.Richardson-which expires this month; that the said  
15 J.M.Jones the present owner of the lands-as shown by the petition  
16 and maps-knew of said road-that he and this affiant had a conversa-  
17 tion the latter part of June 1904:when he wanted an exorbitant  
18 price for the right of way for petitioner to continue its logging  
19 for the winter of 1904-5-and offered to permit such right of way-  
20 *for a certain length of road without price as per agreement*  
21 that there was no barn or barn yard in the vicinity of said logging  
22 road nor did said Jones live near it; that affiant notified said  
23 Jones that he must have a right of way and was willing to pay a  
24 reasonable price for such use of such way-but that he would bring  
25 this proceeding to obtain such right of way-at a reasonable price  
26 and was willing to leave it to others who should be disinterested  
27 to fix the amount-but said Jones refused and said we could not go  
28 through unless we paid his price; that after we had commenced survey  
29 and proceedings-and after I had notified him we would commence pro-  
30 ceedings he commenced the building of a log barn and yard just to  
31 prevent the petitioner from obtaining this road-and that he boasted  
to others that he would do this to prevent such petition in this  
court-and also that such obstacle was put there to defeat the said



1 proceeding of this logging road; that said land over which such  
2 logging road runs is not worth to exceed \$2.50 per acre-and the  
3 entire eighty acres over which said road runs is worth not to ex  
4 ceed \$200-that said road only uses two acres of the same; that  
5 said building and barn yard are not of value to said Jones-as his  
6 residence and other buildings are 200 rods away-and there is no  
7 tillable or cultivated lands around this barn or barn-yard-on his  
8 tract of land; that there is land over which this logging road can  
9 run not to interfere with his well of water that he claims will be  
10 separated from his barn-should the viewers see fit to locate there  
11 on. That said logging road is not fit for cultivation  
12 route or ravine

*J. Murphy*

13  
14 Subscribed and sworn to before me this the 8th day of September  
15 1904-

*C. H. Quinn*  
*Richy P. Quinn*  
*John Quinn*

16  
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18  
19 State of Oregon-  
20 County of Union-SS:-I--Charles Minnaugh-being sworn say that I  
21 know the route of the proposed logging road petitioned for by  
22 the Grande Ronde Lumber Co-and have known it for more than five  
23 years last past; that it is an old logging road used by the gener  
24 al public-and is in a ravine with no tillable land in its vicinity  
25 that I know of where the owner of the land J.M. Jones lives -and  
26 his residence and buildings are on another tract of land and  
27 ~~Minnaugh~~ has no residence nearer than 20 rods away from this  
28 location of his newly built barn and barn yard; that it is general  
29 reputation in that vicinity from the boasts of said Jones that  
30 he built the barn and barnyard to prevent the petitioner from  
31 obtaining this road and has no use for such buildings.

*Charles Minnaugh*  
*John Quinn*

In the Matter

John T. 797

W. R. H. Co.

John T. 797

W. R. H. Co.

Filed Sept. 8, 1901

J. B. Buchanan  
Co. Clerk

By J. H. Brammell  
Deputy

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

In the Matter of the Application of the Grande Ronde  
Lumber Company to establish a logging <sup>road</sup> in Union County:

To the above named Court:-

J.M. Jones, who is mentioned in the petition of the Grande Ronde Lumber Company, the above named petitioner for the location of a logging road, comes now, and for the purpose of showing cause why said proposed logging road should not be located as prayed for in said petition, or at all, respectfully shows to the Court the following reasons why said proposed road should not be located through ~~the~~ lands of the undersigned, J.M. Jones, to wit:-

First, because said court has not acquired any jurisdiction of the subject-matter of said petition, in that said petition for the location of said proposed logging road does not describe the beginning point of said proposed logging road, and in that the map filed by said petitioner does not correspond as to the beginning point of said road with said petition and the proposed road described by said map is not the one described by said ~~petition~~ <sup>petition</sup>;

And the said J.M. Jones further shows to the Court that said proposed logging road should not be located as petitioned for by said petition through his lands for the following stated reasons, to wit; That said J.M. Jones is the owner in fee of the N.W. 1/4 of the N.E. 1/4 of section 12 and the S.W. 1/4 of the S.E. 1/4 of section 1 in T.4 S. R. 35 E. of the Willamette Meridian in Union County, State of Oregon, containing 80 acres and other lands contiguous thereto, and that said Jones has possession of said lands, and that said proposed logging road and the survey thereof as made by the said petitioner and referred to in his petition runs through the two forties of land above described as aforesaid; that said Jones owns and possesses horses and cattle and keeps them on said lands a portion of the time each year, and that he ~~resides~~ <sup>lives</sup> on said lands a portion of the time; that in the month of July last the said J.M. Jones built a log barn twenty feet ~~long~~ wide and thirty feet long ~~← long~~ and that said barn was built for necessary use by him on said premise and that he ~~at~~ <sup>then</sup> time built a barn yard around said barn and that said barn ~~encloses~~ <sup>has</sup> nearly one half acre of land and that the fence enclosing said land is composed of posts and rails and some wire; that said proposed logging road as described in said petition and said map and survey runs through said barn-yard near the middle thereof and if ~~opened~~ <sup>run</sup> would destroy the same and said Jones alleges that said Court has no power or right to locate said proposed road or any part thereof through the said barn-yard, and that said barn yard extends entirely across the gulch referred to in said petition. The said J.M. Jones hereby objects to the location of said proposed logging road through his said lands or through his said barn-yard, and asks that said petition be denied or that said ~~said~~ proposed road be run so as not to go through his ~~said~~ <sup>land</sup>.

barn-yard.

September 6th, 1904.

*J M Jones*

State of Oregon,

Union County:-

I, J.M. Jones, being sworn, say:- That I am the person who signed the foregoing paper and that it is true as I verily believe.

*J M Jones*

Subscribed and sworn to before me this the 6th day of September, 1904.

*J. M. Ramsey*  
Notary Public for Oregon.

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

I, \_\_\_\_\_, being first duly sworn, depose and say  
that I am the \_\_\_\_\_ in the above entitled \_\_\_\_\_;  
and that the foregoing \_\_\_\_\_ is true as I verily believe.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_\_

Notary Public for Oregon.

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

I, \_\_\_\_\_, do hereby certify that I am  
\_\_\_\_\_ attorney herein; that the foregoing  
copy of \_\_\_\_\_ has been by me carefully compared with  
the original thereof and that it is a correct transcript therefrom and the whole of such original.

La Grande, Oregon, dated this \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_\_

Due service of the within \_\_\_\_\_ is hereby accepted in  
\_\_\_\_\_ County, Oregon, this \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_\_, by receiving a  
copy thereof, duly certified to be such by \_\_\_\_\_ attorney for \_\_\_\_\_

Attorney for the \_\_\_\_\_



STATE OF OREGON,  
County of Union } ss.

C. H. Munnick and J. G. Scott

whose names are subscribed as the sureties to the above bond, being severally duly sworn, each for himself says: that I am a resident and householder ~~holder~~ of the County of Union State of Oregon and am worth the sum in the said bond specified as the penalty thereof, over and above all my just debts and liabilities, exclusive of property exempt from execution.

x C. H. Munnick  
x J. G. Scott

Subscribed and sworn to before me, this 14th day of July A. D. 1904

Alexander Nibley  
Notary Public for Oregon

General ~~Public~~ Bond.

Wm. Frankel Bonds  
Union County

Union County  
Deputy

Filed Aug 23 1904

J. G. Scott  
Deputy

Deputy

Know all Men by these Presents: That we, The Grande Ronde Lumber Co- as principal and C.A. Minnaugh and J.G. Scott as sureties-

of the County of Union- and State of Oregon, are held and firmly bound unto Union County, Oregon-

in the sum of Two hundred-(\$200.00) Dollars,

to the payment of which to the said Union County, Oregon-

we do hereby jointly and severally bind ourselves, and our heirs, executors and administrators, firmly by these presents.

Sealed with our seals and dated at Parry, Union County, Oregon- this fourteenth- day of July- A. D. 1904.

The Conditions of this obligation are such, that whereas, The said Grande Ronde Lumber Company-of Parry, Oregon-a private corporation has petitioned to the County Court of Union County, Oregon-for the survey, laying out and establishment of a logging road-from a point near NE corner NW 1/4 SW 1/4 Sec. 18 Twp 4 S. Rge 36 E.W.M. to landing in SW 1/4 Sec. 36 Twp 3 S. Rge 35 E.W.M.-especially over the lands of one J.M. Jones-

Now, Therefore, If the said The Grande Ronde Lumber Co-the said applicant will pay all costs and expenses shall indemnify and save harmless the said that may be incurred by reason of filing said petition, and all costs and expenses of viewing and from and against all surveying said road whether the same is located or not-

then this bond shall be void, otherwise to be and remain in full force and virtue.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF US AS WITNESSES:

Alex Nibley
A.M. Gilliam
A.R. Krump

Grande Ronde Lbr Co. (SEAL)
By Murphy Chen (SEAL)
J.G. Scott (SEAL)



1 In the Matter of the Logging Road )  
2 petitioned for by the Grande Ronde )  
3 Lumber Company—in Union County. )

Viewers' Report.

4  
5 We, the Undersigned viewers appointed at the September term 1904  
6 of your Hon. Court to view and locate a logging road as applied  
7 for by said Grande Ronde Lumber Company through and across the  
8 lands of J.M. Jones, and to fix and determine the damages, if any,  
9 suffered by him as owner of said lands viz:—The northwest qr of  
10 the northeast qr of Section 12 and the southwest qr of the south-  
11 east qr of Section 1—all in Township 4 south of Range 36 E.W.M.

12 BEG LEAVE TO REPORT:— That on the 16th day of Septem-  
13 ber A.D. 1904—the day fixed by us to begin—and after being duly  
14 sworn to discharge our duties as such viewers lawfully and impar-  
15 tially—we proceeded to view and locate—and did view and located  
16 said logging road—commencing at point designated on petitioners'  
17 map and plat—being at a point in the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  Sec. 18 in Tp 4 S-  
18 Rge 36 E.W.M.—thence running in a northwesterly direction by way  
19 of the route so designated on the applicant's map—and the survey-  
20 establishing the width of said logging road at thirty three (33)  
21 feet; that the said logging road was located and determined through  
22 said lands of said J.M. Jones—as follows:—

23 Commencing on the south line of the northwest qr of the north-  
24 east qr of Section 12—at a point about 48 rds east of the SW  
25 corner thereof—thence north 8° 30' east —5 chains to a point;—  
26 thence north 15.25 chains to a point 10 chains east of the qr Sec-  
27 tion corner between Section 12 and Section 1—thence north 9° east  
28 2.40 chains to a point—thence north 16° west 11 chains to a point,  
29 thence north 3° east 7 chains to the north line of said southwest  
30 qr of the southeast qr of said Section 1—all being in Township 4  
31 south of Range 36 E.W.M.—and from there said route ran and was  
terminated at the Grande Ronde River in the SW $\frac{1}{4}$  Sec. 36 in Tp 3  
south of Range 36 E.W.M.—all the

1 said route being as designated on petitioner's map and the  
2 same being already in possession of the petitioners by consent of  
3 owners of the lands crossed—except said NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 12 and SW $\frac{1}{4}$  SE $\frac{1}{4}$   
4 Sec. 1—Twp 4 S. Rge 36 E.W.M.—claimed by said J.M. Jones. That we  
5 found no buildings—dooryards, barnyards, hayyards, gardens of any  
6 kind across our located route or logging road—

7 That we assessed the damage sustained by said J.M. Jones  
8 claimant—by reason of the said logging road crossing his lands—viz  
9 the northwest qr of the northeast qr of Sec. 12 and Southwest qr  
10 of the southeast qr of Sec. 1—in Twp 4 south of Range 36 E.W.M.  
11 at the sum of \$ 150<sup>00</sup> for the use thereof for the period of  
12 three (3) years as asked for in the petition—or the sum of \$ 50<sup>00</sup>  
13 per year so used by said petitioners—it requiring about that time  
14 for said petitioners for said logging road to remove their timber  
15 from their lands. That we completed our work on September 16th 1904  
16 Done and dated at Hilgard, Oregon, ~~the~~ September 16th 1904.

17 *By request of J.M. Jones*  
18 *The said Grand Jurors do agree*  
19 *to not fence up the roadway through*  
20 *lands of said J.M. Jones but to use*  
21 *his gates and bars opening &*  
22 *closing same in no way*  
23 *damaging same; during all seasons*  
24 *except sleighing season when the*  
25 *roadway is to be left open.*  
26 *and agreeing to fix up fences*  
27 *& gaps & damages caused by them after*  
28 *each logging season is over.*

29 *Frank*

30 *J. Alden*

31 *W.S. Miller*

*Albert Kistner*  
*viewers*

April 1911

In County Court  
of Marion County  
Oregon

In re Logging road  
petitioners J. W. S.  
H. W. S. & R. S. S.  
Respondents

Report of Viewers

Filed for record  
J. W. S.

PROVIDE LAW OFFICE OF  
C. H. FINN,  
LA GRANDE, OREGON

FIRST JUDICIAL DAY

WEDNESDAY, SEPTEMBER 7, 9  
1904.

George May,	8.00
Ella Neason,	15.00.
Annie Holman,	12.00
Inez Guild,	12.00.
John Medlock,	5.00.
John Hildebrand,	8.00

In the matter of the logging road  
petitioned for by the Grande Ronde Lumber Co.

Now on the 7th day of September, 1904, the same being at a regular term of this Court, this matter came on to be heard upon the petition of the Grande Ronde Lumber Co., for a right of way for a logging road across the private lands of J. M. Jones, described as follows:

The S.W. 1/4, S.E. 1/4 of Sec. 1, and the N.W. 1/4 N.E. 1/4 Sec. 12, in Tp. 4 S. R. 35 E.W.M., the petitioner appearing by C. H. Finn, of counsel, and a remonstrance being filed by the said J. M. Jones, appearing in person and by W.M. Ramsey of counsel, and upon mutual consent of the parties concerned, it IS ORDERED BY THE COURT that this matter be continued until tomorrow, September 8, at 1:30 P.M.

In the matter of the resignation of F. H.  
Tatman, Road Supervisor of R.D. No. 20:

This matter came on to be heard at this time upon the resignation of F. H. Tatman, Supervisor of R.D. No. 20, and it appearing to the Court that the time of the said F.H. Tatman is so fully occupied with Private business that he is unable to give the proper time and attention to the duties of his office, IT IS CONSIDERED, AND ADJUDGED that the said Resignation be, and the same is hereby accepted, and the office of Supervisor of R.D. No. 2), is hereby declared vacant:

In the matter of the appointment of a  
Supervisor for R.D. No. 20.

This matter came on to be heard at this time, and it appearing to the Court that a vacancy exists in the office of Road Supervisor of R.D. No. 20 and it further appearing that C.D. Huffman is a fit and proper person for said trust, IT IS CONSIDERED AND ORDERED by the Court that the said C.D. Huffman be and he is hereby appointed Supervisor of R.D. No. 20, upon the filing of a good and sufficient bond in the sum of \$500, conditioned as required by law.

SECOND JUDICIAL DAY

T HURSDAY, SEPT. 8, 1904.

Court met pursuant to adjournment.

The same officers were present as on yesterday.

Due proclamation of the opening of Court having been made, the Journal of the last day's proceedings was read, approved, and is here now signed:

*M. A. Hamilton* County Judge,  
*Robert Blumenstein,* Commissioner,  
*J. M. Seldin* Commissioner,

Thereupon the following proceedings were had, to-wit:

In the matter of the petition of  
 the Grande Ronde Lumber Company  
 for the location of a logging  
 road and the appointment of viewers.

And now on this 8th day of September 1904, the same being at a regular term of this Court, this matter came on for final hearing, having been continued from yesterday, upon the application, verified petition, and map of the Grande Ronde Lumber Company, praying for the appointment of three competent and disinterested persons as viewers to ascertain and determine the compensation to be made to the owner of the private lands of J. M. Jones, described as the SW 1/4 of SE 1/4 of Sec. 1 and NW 1/4 of NE 1/4 of Sec. 2, in Tp. 4 south of range 35 E.W.M., and in Union County, over which the petitioner desires a logging road established, to permit said petitioner to transport and haul its timber from its timbered lands in Sections 13, 24 and 25, in twp. 3 south of range 35 E.W.M., and Sections 18 and 19 in twp. 4 south of ranger 36 E.W.M. to its landing on the bank of the Grande Ronde River in S.W. 1/4 of Sec. 36 in tp. 3 south of range 35 E.W.M. together with the answer of said J.M. Jones, setting forth his adverse claims to the proposed location of said road.

And it appears to the Court now that all the proceedings connected with said petition, consisting of notice to said land owner and all the interested persons, having been properly served, together with printed notice as required by law, and the filing of a bond approved by the County Clerk for the payment of all costs of this proceeding, and after full hearing of all said matters the Court deems the petition and map sufficient, and deny and overrule the motions and objections of said J.M. Jones adverse to the proposed location of said logging road. And the court after hearing the allegations of all persons interested, and having this matter under consideration, do now determine and find that said road so prayed for is necessary, feasible and advisable, and that the prayer of said petition should be granted. IT IS HEREBY CONSIDERED AND ORDERED that W.S. Mc Millan, Frank Alden, and Albert Winters three competent and disinterested persons residing in Union County, be, and they are hereby appointed as viewers to

SECOND JUDICIAL DAYTHURSDAY, SEPTEMBER 8, 1904.

to view and locate said proposed logging road; and Thursday, Oct. 6, 1904, which is a day of the next regular term of this Court, is hereby fixed as the time to receive and hear the report of said viewers as to their view and location of said proposed road and the amount of damages if any, the said objector, J. M. Jones, shall sustain by such location as prayed for in said petition.

IN THE MATTER OF THE PROPOSED  
COUNTY ROAD PETITIONED FOR BY  
H. L. BUELL, ET AL.

This matter came on to be heard at this time on the report of the Board of County Road Viewers for the first reading; and said report having been read in open court, as provided by law, IT IS CONSIDERED AND ORDERED that this report be laid over for a second reading on some other day of this term of Court.

Thereupon it was ordered that Court be now adjourned until tomorrow morning at nine o'clock.

FIRST JUDICIAL DAY

WEDNESDAY, OCTOBER 5, 1904.

In the matter of the appointment  
of a supervisor for R.D. #36.

It is hereby considered and ordered that this matter be continued for the  
term.

In the matter of the lost  
County Warrant # 517, Class EE.

It is hereby considered and ordered that this matter be continued for the  
term.

In the matter of the petition of  
W.S. Mc Millan et al., to re-  
quire the Grande Ronde Lumber Co.  
to build a bridge over Starkey Creek.

It is hereby considered and ordered that this matter be continued for the  
term.

In the matter of the County Road  
petitioned for by Geo. Gettle et al.

It is hereby considered and ordered that this matter be continued for the  
term.

In the matter of the Logging Road petitioned for by the Grande Ronde Lumber Company  
for by the Grande Ronde Lumber Company.

This matter came on to be heard upon the report of the Viewers heretofore  
the September term,  
appointed for a first reading; and such report having been read in open Court as pro-  
vided by law, it is considered and ordered that this report be laid over for a  
second reading upon some other day of this term of court.

In the matter of the allowance  
of miscellaneous bills against  
the County, and the issuance  
of warrants in payment of same.

Now at this time this matter comes on to be heard upon the presentation

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years prior to July 1st, 1904, remaining in the hands of the County Clerk, and not called for or receipted for by the persons to whom issued:--

No.	Class	To whom issued,	Amount.
1320.	EE	Ida Patton,	1.70
1323.	EE	Charlotte Lombard,	1.70
1324.	EE	Sarah Primmer,	1.70
1344.	EE	Andy Shelton,	1.70
1349.	EE	Tom Huffman,	1.20
1850.	EE	M. Standley,	5.00
221.	FF	M. S. Smith,	2.00
243.	FF	John Parker,	1.70
328.	FF	John Wilson,	1.70
626.	FF	Allen Parker,	1.70
634.	FF	John Meyer	1.70

In the matter of the logging road petitioned for by the Grande Ronde Lumber Company, in Union County, Oregon.

And now on this sixth day of October, A.D. 1904, this matter came on for hearing before the County Court upon the report of the viewers heretofore appointed at the September term, 1904, of this Court, to view, and locate a logging road as applied for by said Grande Ronde Lumber Company, through and across the lands of J. M. Jones, and determine the damages, if any, suffered by him as owner of the said lands, viz:--

The northwest qr. of the northeast qr. of section 12, and the southwest qr. of the southeast qr. of section 1, all in township 4 south of range 36 E.W.M.

And it appearing to the Court that the said viewers, Frank Alden, Albert Winters, and W. S. Mc Millan, met on the 16th day of September, A.D. 1904, at the place of said proposed road, and after having taken an oath as required by law, to perform the duties of said viewers, they proceeded to discharge their duties, and did, and viewed and located said logging road, commencing at a point designated on petitioner's map and plat, being at a point in the northwest qr. of the southwest qr. of section 18, in township 4 south of range 36 E.W.M., and thence running in a north-westerly direction by way of the route so designated on the applicant's map and the survey, establishing the width of said logging road at 33 feet, and that said logging road was located and determined by them through said lands of said J. M. Jones, as follows:--

Commencing on the south line of the northwest qr. of the northeast qr. of section 12, in township 4 south of range 36 E.W.M., at a point about 48 rods



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east of the southwest corner thereof, thence running north 8° 30' east 5 chains to a point; thence north 15.25 chains to a point 10 chains east of the quarter section corner between sections 12 and 1; thence north 9° east 2.40 chains to a point; thence north 16° west 11 chains to a point; thence north 2° east 7 chains to the north line of said southwest qr. of the southeast quarter of said section 1, in said township 4 south of range 36 E.W.M., and from there said route was run and was terminated at the Grande Ronde River in the southwest qr. in section 36, township 3 south, range 36 E.W.M., all of said route being as designated on petitioner's map, and the same already being in possession of petitioners by consent of the owners of the lands crossed, except said northwest qr. of the northeast qr of section 12, and the southwest qr. of the southeast qr. of section 1 in township 4 south of range 36 E.W.M., claimed by said J. M. Jones.

That said viewers reported that they found no buildings, door yards, barn yards, hop yards, or gardens of any kind across said located route or logging road, and that they assessed the damage sustained by said J. M. Jones, claimant, by reason of the said logging road crossing his lands, to-wit: the northwest quarter of the northeast quarter of section 12 of the southwest qr. of the southeast qr. of section 1, the sum of \$150 for the use thereof for the period of three years, as asked for in the petition, or the sum of \$50.00 per year so used by said petitioners, it requiring about that time for petitioners for said logging road to remove their timber from their lands,--and that said viewers completed their work on said Sept. 16th, 1904.

That further, by request of said J. M. Jones, the said Grande Ronde Lumber Company agreed not to fence up the roadway through the land of said J. M. Jones, but to use his gates and to close them, and in no way damage the same during the season except sleighing seasons, when said roadway is to be left open, and agreeing to fix up fences and gaps and damages caused by them, to fence after each logging season is over

And the court being now fully advised in the premises, said viewers' report is adopted, that said logging road be established, and be in full force for the time in said viewers' report specified, upon said petitioner, the Grande Ronde Lumber Company, paying into this Court for the use of said J. M. Jones, the owner of said land crossed by said logging road, the sum of \$150.00, or the sum of \$50.00 per year, during the time such logging road shall be used by said petitioners for the purpose of removing their timber from their lands over the same.

Thereupon it was ordered that Court be now adjourned for the term, and the journal of today's proceedings be read, approved, and here now signed,

*J. M. Selder*      *M. A. Harrison County Judge*  
*Robert Blumenthal*      *Commissioner*