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Be It Remembered that before the Hon J. E. Dean, County Judge of Umatilla County, State of Oregon in vacation after the Regular March Term thereof, the following proceedings were had in the County Court House in the City of Pendleton in said County and State on Saturday the 31st day of March, A.D. 1900.

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

In the matter of the petition of F. S. Clifton and J. M. Gilliland for the laying out, locating and establishing of a road from the residence of the petitioner, J. M. Gilliland on the S 1/4 of the N 1/4 of Sec 8 in Tp 2 N of R 32, E 11 W over and across what is known as the N. C. McKay Donation Land Claim in the E 1/2 of the E 1/4 of Sec 8 and the N 1/2 of the N 1/2 of Sec 9, in said Township and Range, and over and across Lots 3, 11, 10 and 7 to the E E corner of said Lot 7 in said Sec 9, Township and Range aforesaid, thence East along the Section line between Lot 8 in Section 9 and Sec 16 in said Township and Range, to a point upon the said line where the same intersects the public road leading from the City of Pendleton to Pilot Rock, in said County and State, said point being 445 1/2 feet west of the Southeast corner of said Section 9, and also the point at which commences County Road No. 430.

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Now on this day this cause coming on to be heard upon the application of the petitioners above named for an order opening up the road heretofore laid out, located and established by an order of this Court made and entered in the above entitled cause on May 6th 1899, said road being described as a road thirty feet wide, and commencing at the gate in the doorway of said petitioners, about 400 feet North and fifty feet west from a point on the East line of Lot No. 2 of Section 8 in Township 2 North of Range 32 East of the Willamette Meridian, which said point is at a distance of three hundred and eighty links north and 1550 links East of the Center line of said section 8 said point being on the West boundary line of the N. C. McKay Donation Land Claim Number 38, now claimed and occupied by C. O. Fanning, and running from said place of beginning in a southerly direction to the said point on the West boundary line of the said N. C. McKay Donation claim,

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thence running in a southeasterly direction, following the course of the old road as it now runs through the McMay Donation claim, thence following said traveled road in a southeasterly direction through Lots 8, 11 and 10 in Section 9, and Township 2 North of Range 32, East of the Willamette Meridian, now owned by Mary Kine, thence following said traveled road in a southeasterly direction through said Lot 7 in said Section 9, Township 2, in Range 32, East of the Willamette Meridian, now owned by J. H. Raley, to the southeast corner of said Lot 7 in said Section 9, Township 2 North, of Range 32, East of the Willamette Meridian; thence in an easterly direction on the Section line between Lot 8 in said Section 9, which is now owned by E. Welch, and Section 16, said part of Section 16 being now owned by Stephen E. Walker, in said Township and Range, to a point where said line intersects the County Road leading from the City of Pendleton to Pilot Rock in said County and State, which said road crosses the said Lot 8 in said Township and Range aforesaid, said point being 445 1/4 feet from the southeast corner in said Section 9, and also the point at which commences Road No. 430; and it appearing to the Court at said May term of said County Court, 1899, the petitioners above named, upon the entry of the said order locating and establishing said road as aforesaid, paid the Clerk of this Court, the costs of laying out, locating and establishing this road and of these proceedings, and the damages assessed and awarded to each of the parties across whose land the said road passes, to-wit: G. O. Fanning \$166⁰⁰; Mary Kine \$122⁰⁰; J. H. Raley \$85⁰⁰; E. Welch \$2⁵⁰; and S. E. Walker \$2⁵⁰; that thereafter the said parties across whose lands said road passes, to-wit: G. O. Fanning, Mary Kine, James H. Raley, E. Welch and S. E. Walker sued out a Writ of Review in the above entitled cause for the purpose of reviewing the proceedings of this Court in the establishing, laying out and locating of the road hereinbefore described; that by consideration of the Circuit Court of Umatilla County, State of Oregon, where the said Writ of Review was pending, the same was dismissed on the day of March, A.D. 1900, and the Court being fully advised in the premises.

It is now therefore hereby Ordered, Adjudged and Decreed that the petitioners, at the May Term, 1898, of this Court, paid the costs and expenses of laying out, locating and establishing the said road, and paid the damages assessed to each of the parties across whose land

The said road passes, and the said road is hereby declared to be a road of public easement and a public County road.

It is further ordered, adjudged and decreed that the petitioners open up the said road heretofore described, and remove the fences and obstructions therefrom to the width of thirty feet, and the said parties, across whose land said road passes, their agents, servants and employees, and all persons claiming by, through or under them, or either or any of them are hereby enjoined, inhibited and restrained from in any manner interfering with the opening up of said road, and the removal of any or all of the obstructions therefrom; and they are further enjoined and restrained from attempting to close said road, or any part thereof, after the same has been opened up in pursuance of this order.

Dated this 31 day of March, 1900

J. E. Bean

County Judge

Filed March 31 1900

B. S. Burroughs, Clerk

In the matter of the Estate of Francis M. Salisbury, Deceased }
Edith M. Davis }
Complainant }

v s

Chas. A. Frazier, Administrator of the Estate of Francis M. Salisbury, Deceased }
Defendant }

This matter comes on now to be heard upon the petition of Edith M. Davis to have her claim against the estate of Francis M. Salisbury, for \$1,000 and interest allowed, (which petition was filed March 3, 1900) the answer of said Chas. A. Frazier, as Administrator thereof, and the claimants reply to said answer; the Court having on a former day of this term of the County Court heard the testimony offered by each party in this matter, and heard the argument of counsel therein, and having taken the matter under advisement since the 2nd day of April, 1900, until this time, the cause having been argued on the 2nd day of May, 1900, by Mr. J. H. Wiley and J. J. Dulleavey, counsel for the claimant Davis, and by Mr. G. H. Carter, counsel for the administrator, and being now fully advised in the premises, the Court finds that the said petition of Edith M. Davis, filed herein March 3, 1900, is not sustained, and that the promissory note described therein, which is for \$1,000 dated August 18th 1899, due one day after date, payable to Edith M. Davis, and purporting to be signed by F. M. Salisbury, is not a just or legal claim against the estate of the said Francis M. Salisbury, Deceased.

It is therefore now considered, Ordered, Adjudged and Decreed by the Court that complainant take nothing by her said petition and claim against the said Chas. A. Frazier, as administrator as aforesaid; and that the said Chas. A. Frazier, as administrator of the said Estate of Francis M. Salisbury, deceased, do have and receive of and from the said Edith M. Davis his costs and disbursements in this matter taxed at \$50.00; and that execution shall issue to enforce this order and decree.

Done and dated in open Court at 10 o'clock in the forenoon this 5th day of May, 1900

J. E. Bean

County Judge