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In County Court January term 1883  
11 Judicial day Saturday Jan 13

Court met pursuant to adjournment, present same judge and Officers as of yesterday, and after due proclamation of the opening of Court by the proper officer, the following proceedings were had

In the matter of County Road in and for Unmulla } Road No 133  
County State of Oregon, as follows to wit:

Commencing at the NW corner of Sec 10 T4 NR 34 E, thence East to the NE cor of the NW 1/4 of Sec 11 in said T & Range, thence South to the center of said Sec 11, thence East on main travelled road to the NE corner of the SE 1/4 Sec 8 T4 NR 35 E, thence South 1/4 mile to the Sec line between Sec 9 & 16 in said last named T & Range, thence East on the main travelled road to the half mile stake on West line of said Sec 15, in T4 NR 35 E.

Now on this day comes on to be heard the report of viewers appointed to assess the damages sustained by Amos Schick by the location of said road. Everts & Walker appearing as counsel for the petitioners and L B Cox and S A Johns appearing as counsel for said Amos Schick.

Whereupon, the objections filed to said report were taken up and considered severally and the following conclusions reached, which are based on the following findings of facts, to wit: As to objection No 1 the court finds, that the appointment of said viewers therein named, and the ordering of them to report forthwith, after assessing said damages was done in the presence of and by as the Court understood it the consent of said Amos Schick and his counsel and that they are now precluded by such consent from objecting to the same.

As to objection No 2, the court finds that NW 1/4 of Sec 3 T4 NR 34 E of NW 1/4 of NW 1/4 is held by Amos Schick by virtue of a Railroad filing and not otherwise; that the NW 1/4 of the NW 1/4 of Sec 10 T4 NR 34 E of NW 1/4 is held by said Schick as a homestead entry and not otherwise, that the line of said road runs on the Section line between said claims. from these facts the court concludes that said objection No 2, is not well taken. As to objection No 3 the court finds that James McEwan did not forthwith, or in any manner, or at any time to this date signify his desire or willingness to assess damages or report the same to this court, as a conclusion the court finds that it is unnecessary for them to pass on the legality of Peter Lerkings appointment as one of said viewers for the reason that the report of the two legally appointed viewers

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filed herein authorizes said Court to act on said report

As to the 4<sup>th</sup> objection the court finds the said R. W. Clark at the time of his appointment as such viewer was a householder and resident of Umatilla County, State of Oregon, and that he was duly qualified to act as such viewer

As to objection to 5, the court concludes that the same is not well taken

Wherefore it is ordered by the Court that the report of the viewers appointed to assess the damages sustained by Amos Schick by laying said road be received and adopted, and that based on the report of the viewers appointed to view and locate said road, which was duly passed on and approved by this Court on July 7<sup>th</sup> 1882, from which report it appears that said last named viewers have reported favorably and recommending the establishing of the said road as a County road, and the field notes and plat of survey being on file and certified to by the surveyor appointed to survey said road and there being no remonstrance on file against said petition

It is therefore further ordered by the Court that said road be established as a County Road in accordance with the report of the viewers and that the report of said viewers, field notes and plat of survey thereof be recorded, as by law required and that the road supervisors through whose districts said road runs proceed to open the same as a public highway, Provided that before this order becomes operative the petitioners or one of them pay or cause to be paid to said Amos Schick the sum of one cent the same being the damages reported as sustained by him by reason of the location of said road

Whereupon Court adjourned until Monday morning at 9 o'clock a.m.

W. C. Ladd County Judge  
 J. W. Salisbury  
 R. W. Dorothy & Commissioners