

U. of Oregon

Crook County Journal

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COUNTY COURT JULY TERM

Action Taken on Good Many Roads.

TWO NEW VOTING PRECINCTS

Culver Townsite Granted Permission to Build Water System.

County court met Wednesday, July 5, in regular session. Present—H. C. Ellis, judge, presiding; R. H. Bayley and James Rice, commissioners; Warren Brown, clerk, and T. N. Balfour, sheriff.

Walter D. Arney et al, petition for county road. It appearing to the court that there is another petition for a similar road, it is ordered that this petition be continued.

L. E. Baker et al, petition for county road. It appearing to the court that there is another petition for a similar road, and upon the opinion of the district attorney, showing certain defects, it is ordered that further hearing upon this petition be continued.

W. G. Fordham et al, petition for county road. Based upon the opinion of the district attorney, further action upon this petition is continued for the reason that there is no affidavit of the posting of notice at the courthouse. Clerk to notify petitioners.

G. R. Butts, et al, petition for county road. Now is presented to the court the petition of G. R. Butts et al, accompanied by a bond of \$200 with G. R. Butts and Ed M. Swalley as sureties, and it further appearing by the opinion of the district attorney that all papers are regular and in accordance with the statute, it is ordered that the board of road viewers meet at the beginning of said proposed road on July 26, 1911, view, review and survey said proposed road and report thereon at the next term of this court.

Petition for county road by Oscar Cox et al. Petition accompanied by a bond of \$200 with Tillman Reuter and Andrew Morrow as sureties. It is ordered that the board of road viewers meet at the beginning of said proposed road on the 24th of July, 1911, view, review and survey said proposed road and report thereon at the next term of this court.

Petition for county road by W. H. Ramsey et al. Petition accompanied by a bond of \$200 with W. H. Ramsey and C. G. Ramsey as sureties. It is ordered that the board of road viewers meet at the beginning of said proposed road on the 18th of July, 1911, view, review and survey said proposed road and report thereon at the next term of this court.

Petition for county road by W. Glenn Loucks et al. Petition accompanied by a bond of \$300 with W. Glenn Loucks and B. F. Preston as sureties. It is ordered that the board of road viewers meet at the beginning of said proposed road on July 21, 1911, view, review and survey said proposed road and report thereon at the next term of this court.

Petition for liquor license by Geo. A. Stevens and Edward H. Howell. It appearing that said petition is signed by 82 legal voters residing within Black Butte precinct, that a bond in the penal sum of \$1000 with W. N. Cobb and C. L. Gist as sureties, is hereby approved; that the receipt of the county treasurer for \$200 is on file herein, it is therefore ordered that the clerk issue a retail liquor license to the said George A. Stevens and Edward H. Howell to sell spirituous, malt and vinous liquors in less quantities than one gallon in said precinct for a period of six months, beginning July 1, 1911, and ending December 31, 1911, both inclusive.

Petition for liquor license by E. D. Gonser; said petition being signed by 39 legal voters residing within Ashwood precinct; bond in the penal sum of \$1000 with J. G. Clark and H. C. Grater as sureties, is hereby approved; that the receipt of the county treasurer for \$400 is on file herein,



News Snapshots Of the Week

will never be known. Lincoln Beachey, aviator, flew under the bridge across Niagara falls and so close to the rapids that the spray from the falling water reached his face. Joseph B. Reichmann was found guilty of making a fraudulent report while president of the Carnegie Trust company of New York. Through the efforts of Richard Parr, the deputy surveyor of the port of New York, a smuggling plot involving many millions has been unearthed.



It is therefore ordered that the clerk issue a retail liquor license to the said E. D. Gonser to sell liquors in less quantities than one gallon in the Ashwood precinct for a period of one year, beginning July 1, 1911, and ending June 30, 1912, both inclusive.

Petition of Roy L. Kidder et al, for county road. It appearing to the court that the notices of said road were not posted 30 days prior to the meeting of the court, as required by law, it is ordered that the said matter be continued until the next term of this court. Clerk to notify petitioners of said defect.

Petition of J. G. Edwards et al, for county road. County clerk instructed to forward all papers relating to said road to Fred W. Wilson, district attorney, for his opinion as to their validity. The papers of E. O. Logan et al and E. H. Sherwood et al were also sent to the district attorney for his opinion as to their validity.

Viewers' report of Frank Irvine et al road read a second time and approved. Road disallowed because of heavy grades and excessive cost. Clerk to notify bondsmen of cost to date and request immediate payment thereof.

Viewers' report on C. C. McNeely et al road approved. Road declared a public highway and clerk directed to notify local supervisor or supervisors to request petitioners to donate at least one day's labor in opening said road and fences across the same if any, and that the said supervisor or supervisors complete the work of opening said road as soon as he or they shall have sufficient funds in their hands therefor.

Viewers' report on L. W. Long et al road approved. Road declared a public highway and clerk directed to notify supervisor or supervisors to donate at least one day's labor in opening said road; said supervisors to complete the work of opening said road as soon as he or they shall have sufficient funds in their hands therefor.

Viewers' reports on the H. B. Ford et al road and the Robert C. Jordan et al road were approved. Roads declared a public highway and clerk directed to notify local supervisor to request petitioners to donate at least one day's labor in opening said roads; said supervisors to complete the work of opening said road as soon as he or they shall have sufficient funds in their hands therefor.

Upon the application of W. R. Cook, Howard W. Turner and C. W. E. Foote, trustees of the Mt. Jefferson I. O. O. F. Lodge No. 196, of Madras, Oregon, for approval of plat and tracing of Mt. Jefferson I. O. O. F. cemetery, and it satisfactorily appearing to the court that said plat and tracing thereof, together with the dedication of the walks and drives as shown thereon to the public forever, have been filed with the county clerk, that the same have been duly approved by the county surveyor and county assessor, and it further appearing that all of the requirements of law have been complied with, said plat and tracing thereof is hereby approved by the court and ordered spread of record.

Petition for the establishing of a water system for Culver townsite and for the use of farmers and residents in townships 11 s, range 12 e, tp 11 s, range 13 e, tp 12 s, range 12 e, and tp 12 s, range 12 e, all in Crook county, and for the use of railroad

companies and manufacturing purposes, asking that W. P. Myers and O. C. Young, their heirs, successors and assigns, be granted a permanent franchise to operate a system of water works and pipelines and to distribute water thereby to said citizens and residents of Culver, Oregon, and to the farmers in said above mentioned townships and to the railroad companies and manufacturing concerns. Leave is hereby given to the said W. P. Myers and O. C. Young to establish and maintain said system, provided said grantees save harmless Crook county from all loss or damage arising therefrom. Provided further, that this water system be completed and under operation not later than June 1, 1912.

Petition for right of way for Agency Plains Telephone Co., along the Kitcher and Lyle Gap precinct. It is ordered that said company be given such permission.

The Bend Company was granted permission until August 1, 1911, to remove certain rocks from the Deschutes river in order to drive logs thereon.

In the matter of the communication of Ambrose Gherini relative to \$84.40 found by coroner who held inquest on body of James Ross. Clerk requested to notify said counsel that the coroner's inquest, expenses of burial, etc., exceeded the total amount found on the person of said deceased.

The objection of 40 voters and taxpayers of Beaver creek precinct, requesting that this court refuse to grant a liquor license to any one to sell liquor in said precinct, etc., was read and ordered filed.

New voting precinct. Petition of J. W. Wright with 28 signers, asking for the creation of a new voting precinct, the boundaries of which shall correspond with the Cline Falls road district. It is ordered that said voting district be created with the boundaries as aforesaid that the voting place be designated as the local schoolhouse; that J. W. Wright, John Tetherow, and J. A. Voseburg act as judges, and that H. W. Martin, B. F. Chase and Loyd Harader act as clerks of election.

The Oregon Trunk Railway tendered to the Board of Commissioners of Crook county its check for \$1000, the same being the amount contributed by said railway company to said county to assist in the expense of the construction of a wagon road from Big Agency Plains to Vanora, which is accepted by the court with thanks. Clerk directed to place same to credit of general road fund.

The approval of the plat of Highland Park Addition to Metolius is continued upon the recommendation of Fred A. Rice, county surveyor, because of several minor defects.

The report of the county clerk, showing the payment of bounty on 314 coyote scalps, 70 bobcat front feet and 2 cougar front feet, amounting in all to \$551, was received. Said scalps and front feet were then referred to ashes. The petition of J. W. McCullom for a license to sell liquor was disallowed for failure to comply with the statute.

Refund of taxes to R. B. Mutzig. Receipts were presented to the court for payment of taxes upon property never owned by R. B. Mutzig. It is therefore ordered that the county tax collector issue a receipt to the

said Mutzig for the entire amount of his taxes for the year 1910, and it is further ordered that the county clerk draw a warrant on the general fund, payable to said R. B. Mutzig for the sum of \$16.96, the same being the excess of the total amount of taxes actually due from the said Mutzig.

Refund of taxes to Fred Anderson. It appearing to this court that Fred Anderson paid the sum of \$18.92 taxes upon certain property never owned by him, it is therefore ordered that the county clerk draw a warrant on the general fund in favor of said Fred Anderson for the sum of \$18.92.

Now is presented to the court the request of Claude C. Covey for permission to operate a ferry across the Deschutes river at Mecca, Oregon. It is therefore ordered that said Covey be granted permission to operate and maintain a ferry across the Deschutes river at Mecca, Oregon; that his maximum charge thereon will be 25 cents for the two-horse team and wagons, an auto, etc.; 40 cents for 4-horse teams, 10 cents for foot passengers, and 5 cents per head for horses and cattle. Said ferry to be owned and operated by the Indian Agency and open to the public at the above charges until the further order of this court.

Request for permission to construct Vanora-Metolius road. Now appears Ora Van Tassel and other residents and citizens of Crook county and requests this court to ask permission from and co-operation by the Warm Spring Indian Agency to construct a wagon bridge across the Deschutes river near the town of Vanora, and a public highway or wagon road leading therefrom in a westerly and southwesterly direction to the Metolius river. County clerk is requested to forward this request to Supt. Covey at the Warm Springs Agency and request that he give this matter his attention. It is understood that said road and bridge will be constructed and maintained without direct expense to Crook county or said Agency.

Wrongful assessment of C. J. Johnson. It appearing to the court by affidavit of C. J. Johnson that he had been wrongfully assessed for the sum of \$64.10 and that the sheriff has remitted the same, it is ordered that the county clerk credit the sheriff on the 1910 taxroll with said \$64.10. Wm. Stelke was wrongfully assessed for the sum of \$3.74 which the sheriff remitted; clerk directed to credit sheriff on 1910 tax roll for the amount.

Now is presented to the court the application for the creation of a new justice district, and upon a full hearing of the facts it is ordered that a justice of the peace district be created to be known as the Opal City precinct No. 40; that said justice be maintained in the town of Opal City or in the immediate vicinity thereof; it is further ordered that Van Tassel be and is hereby appointed justice of the peace within and for said district, and it is further ordered that James Bolen be appointed constable within and for said precinct. Both officers to serve until the next general election.

Petition for J. A. Peck et al county road. County clerk ordered to forward all papers to district attorney for his opinion as to their validity. The same action was taken in the J. W. Lewis et al county road.

Plat of Davidson addition to

Sisters. It appearing to the court that all requirements of law have been complied with, said plat and tracing thereof is hereby approved and ordered spread of record.

In the matter of the plat of Bend park. It appearing to the court that all the requirements of law have been complied with, said plat and tracing thereof is hereby approved and ordered spread of record.

Plat of First addition to Metolius. It appearing to the court that all the requirements of law have been complied with, said plat and tracing thereof is hereby approved and ordered spread of record.

File district voting precinct. Now is presented to the court the application for the creation of a new voting precinct, and upon a full hearing of the facts it is ordered that the territory described as follows be known as File precinct, to-wit: Commencing at the nw corner of sec. 6, tp. 19 s., range 22 e., w. m., in Crook county, Oregon, thence running due south 24 miles to the sw corner of sec. 31, tp. 22 s., range 22 e.; thence east 12 miles, thence north 6 miles, thence east 6 miles to the se corner of sec. 36, tp. 21 s., range 24 e., thence north 15 miles to the se corner of sec. 13, tp. 19 s., north 15 miles to the se corner of sec. 13, tp. 19 s., range 24 e.; thence west 12 miles, thence north 3 miles to ne corner sec. 1, tp. 19 s., range 22 e., thence due west 6 miles to place of beginning. It is further ordered that C. A. Gilchrist (be chairman), W. W. Brown and Joseph Street act as judges, and R. S. Dixon, Herman Schmidt and Chas. A. Sherman act as clerks of election for said precinct, and that the polling place shall be what is known as Riverdale schoolhouse in District No. 74.

White Buttes voting precinct. An application asking for the creation of a new voting precinct and upon a full hearing of the facts it is ordered that the territories described as follows be known as said voting precinct, to-wit: Commencing at the nw corner of sec. 6, tp. 19 s., range 22 e., thence running east on township line 6 miles to the ne corner of sec. 1, said township and range, thence south 3 miles, thence due east 12 miles to the se corner of sec. 13, tp. 19 s., range 24 e., thence north 3 miles along the county line, thence due east 6 miles, thence north 6 miles to the ne corner of sec. 1, tp. 18 s., range 25 e., thence due west 24 miles to the nw corner sec. 6, tp. 18 s., range 22 e., thence south 6 miles to the place of beginning. It is further ordered that J. O. Garner (chairman) Chas. Bolsby and J. A. Smith act as judges, and Orrin Mills, W. N. Dunkle and S. N. Morris act as clerks of election for said precinct, and that the polling place shall be what is known as Suplee schoolhouse in District No. 40.

Whereas Crook county has not during the year 1911 a large amount of road fund at its disposal and whereas said road fund should be expended in the most advantageous manner by the co-operation of the several road supervisors with the county court, it is therefore ordered that the county clerk notify each and every road supervisor to curtail

Continued on inside page.

FATAL ACCIDENT OREGON TRUNK

Caused by Heat Spreading the Rails.

CARS PLUNGE FORTY FEET

Day Coach Falls on Engine—Escaping Steam Causes Great Suffering.

The first serious railroad wreck on the Oregon Trunk happened Monday. A special dispatch to the Oregonian, dated July 10, says:

One man was killed, five persons fatally injured and a dozen more hurt when a southbound Oregon Trunk passenger train plunged over a 40-foot embankment 23 miles north of Sherar's bridge at 3:35 o'clock this afternoon. The train was running 40 miles an hour when it struck a spread rail, caused by the intense heat of the afternoon.

The dead: Louis Rising, storekeeper, Warm Springs Indian School.

Fatally injured: Mrs. Louis Rising. Mr. and Mrs. C. H. Baker and son, Morris, Sheridan, Or. Mrs. J. W. Rasmus, Ellsworth, Wis.

Seriously injured: J. W. Rasmus and baby daughter, Ellsworth, Wis.

Hester Baker, Sheridan, Or. George McKillip, fireman, Vancouver, scaled and cut. A. A. Camp, Seattle manager Kerrick & Company, nose broken. S. L. Arthur, Seattle, badly scalded.

Slightly injured: Thomas Miles, engineer, Vancouver, forehead cut; Walter Larson, brakeman, Vancouver, hands cut; George Suckich, Burns, Or.; Pat Collins, Spokane, Wash.; Thomas Redding, Portland, cuts and bruises; C. Swanson, brakeman, Minneapolis, bruised.

When the engine hit the sun-kink in the rail it left the track and rolled down a 40-foot embankment. The baggage car remained on the rails, but the day coach following, left the track, plunging 40 feet to the top of the locomotive in the ditch.

When the car struck the engine the escape valve of the boiler was ripped off and steam and hot water shot into the car filled with panicky passengers, who had been projected into the front end of the coach by the impact. P. J. Gallinger, a conductor, was riding with Conductor Cass, at the rear end of the car. Both clung to a seat as the car shot down the embankment. They escaped serious injury.

Thomas Miles, engineer, and George McKillip, fireman, said they knew nothing of the danger until the locomotive was rolling down the steep incline. Both men stayed with the engine until it struck the bottom of the ditch. McKillip was unconscious and was caught under the cab, but extricated himself before the safety valve was released. He was scalded on the back and neck and slightly injured internally, but his condition is not considered critical.

A special train was made up at The Dalles and physicians were hurried to the scene of the accident. The injured were brought to a hospital in this city late this afternoon.

Heroic work was performed by

Continued on page 8