

Hon. R. A. Ballinger, Secretary of the Interior,  
Washington, D. C.

Sir:

T. P. Gilliland, County Judge of Umatilla County, Oregon, and Horace Walker and H. B. Lee, County Commissioners of the said county, composing the County Court of said Umatilla County for the transaction of county business, in their character as such County Court and pursuant to order duly entered in the journal of said county Court, present this petition and application for the establishment of certain public roads and highways over, through and across the Umatilla Indian Reservation in the State of Oregon, and in this connection said County Court shows:

1. That the said county Court of Umatilla county, Oregon, sitting for the transaction of county business, is composed of the said County Judge and said two county Commissioners, and under the laws of the State of Oregon they constitute the local road authorities of said Umatilla County, having the exclusive control and management of all public roads and highways within the said county, and of all matters connected therewith.

2. That said Umatilla Indian Reservation is wholly within the boundaries of Umatilla County, Oregon, which Reservation lies between the thickly populated parts of said county on the northwest, west and southwest sides thereof and the grazing and timbered lands in and around the mountainous districts of said county lying on the east of said reservation. The people living in the thickly populated parts of said county above mentioned are engaged in farming and the raising of livestock chiefly, except such as reside in the incorporated towns of Bendleton, Adams, Athena, Weston, Echo and Pilot Rock; all of which towns, except Echo, are in close proximity to the northwestern, western and southwestern boundaries of said Reservation, and it is necessary for the said livestock to be driven from

said thickly populated districts, in going and returning from the summer ranges and grazing districts in the mountainous land on the east of said Reservation, over and across said Umatilla Indian Reservation; and a large number of farmers and ranchmen living in said thickly populated portion of said county must continually cross and recross the said Reservation in hauling their supplies of wood for fuel from said mountainous districts. The Indians who cultivate their lands on the said Reservation and the lessees of Indian lands who reside on the leased lands upon said Reservation constantly need and require established public highways in passing and repassing from their homes on said Reservation to market for their produce raised thereon in the towns above mentioned on the northwestern, western and southwestern sides thereof, and to the warehouses on the same sides thereof, where these Indians and lessees must have their grain stored when the same is harvested, and they have constant use for such highways in the hauling of their grain and in the procuring of their supplies from said towns; and the said highways, if established, will be generally used and traveled by and become a great convenience to the citizens of said Umatilla County, including the Indians who reside on said Reservation, and the establishing of such roads and highways is at this time a public necessity for those citizens.

3. A map and plat showing the exact location in connection with the lines of the public surveys of the lands upon said Umatilla Indian Reservation of each one of the five proposed public roads is herewith presented. The width of each one of the said roads is to be sixty feet, which is the usual width of public roads in the State of Oregon, the laws of said state providing that all roads shall be sixty feet wide, unless by special order of the County Court sitting for the transaction of county business a different width is prescribed. The field notes showing the distances and course of each one

of said five proposed roads are also hereto attached and made a part of this application and petition, said field notes being numbered from 1 to 5 inclusive to correspond with the number of the roads applied for. The length of road No. 1 is 19 $\frac{1}{4}$  miles. The length of road No. 2 is 7 $\frac{1}{2}$  miles. The length of road No. 3 is 11 $\frac{1}{2}$  miles. The length of road No. 4 is 4 miles. The length of road No. 5 is 13 $\frac{1}{4}$  miles; all of said lengths being within the Umatilla Indian Reservation.

4. The lands traversed by the proposed five roads have all been surveyed, and the proposed roads are made to follow the section lines as far as practicable, and in each instance where the proposed route of the road varies from the section line the departure therefrom in the survey thereof is made because of the nature of the ground there to avoid steep and precipitous hills and cliffs or to prevent the crossing of deep gullies and canyons. In no case has any such departure been made from the section line except where the nature of the ground requires that it should be done.

5. The routes of the five roads above mentioned, as surveyed and shown upon the plat accompanying this petition, are the routes that the Indians residing upon the Umatilla Indian Reservation have usually adopted in traveling across the same for many years last past, but, owing to the fact that these roads have not been established as public roads by any authority, persons in crossing the Reservation have not always held themselves bound to follow those roads as the same are platted on said map; by allowing the roads to be established as public roads no land will be taken away from any of the Indians on said Reservation which has not already by the Indians and others been used for the purposes of a highway; but the establishing of said roads will have the effect of confining travel to the acknowledged highway and prevent trespass outside thereof and upon allotted lands adjacent thereto.

WHEREFORE petitioners , as such County Court, pray that the Honorable Secretary of the Interior shall grant permission to the County Court of Umatilla County, Oregon, for the opening, establishing and laying out of five (5) public roads and highways through, over and across the Umatilla Indian Reservation, in the State of Oregon, in accordance with the five surveys and plats of proposed highways and roads hereinabove mentioned, each of such roads to be sixty feet wide.

This application is prepared and presented pursuant to order duly adopted in and by the county court of the State of Oregon for Umatilla County sitting for the transaction of county business on the 5<sup>th</sup> day of May, 1909.

Respectfully submitted,

T. P. Gilliland  
County Judge.

N. B. Lee  
County Commissioner.

Harace Walker  
County Commissioner.

) OF  
) UMATILLA  
) COUNTY  
) OREGON.