

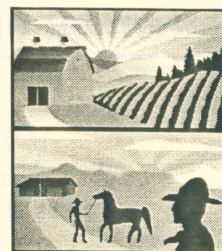
CFR 1028

Russell and Debbie Heller



Oregon Historical Society

Century Farm & Ranch Program Application

Date June 26, 2001Type of designation (please check) ☒ Century Farm ☐ Century RanchOwner's name Russell & Debbie Heller

Redacted for Privacy

Mailing address Redacted for PrivacyTelephone Redacted for Privacy County CoosLocation of farm or ranch Redacted for PrivacyTownship 27 Range 11 Section 27Original family owner(s) or founder(s) Louis HellerDate (year) this farm or ranch was acquired by founder(s) 1869

(Attach verifying documentation, see Rule 7)

Founder(s) came to Oregon from Los Angeles - CaliforniaWho farms or ranches the land today? Russell & Debbie HellerRelationship to original owner Great GrandsonAre any of the original buildings still in use? ☐ Yes ☒ No Listed on National Register? ☐ Yes ☒ No

If yes, please describe _____

History of crops or livestock raised on farm or ranch Oats, wheat, hay,vegetables, & fruit. Beef & TimberWhat is raised on the farm or ranch today? Beef & timber.How many generations live on the farm or ranch today? 2Please list names and birth years Russ Heller - 7-1-54, Amanda Heller -
4-18-81, Heidi Heller 2-16-85 Debbie Heller -
11-24-56

Please submit two or three pages of family history narrative. You are also encouraged to submit photos of the property.

(Please continue application on the back of this form.)

Statement of Affirmation

I, Russ Heller,
hereby affirm and declare that the farm or ranch which I own at Cherry Creek,
in the County of Coos,
shall have been owned by my family for at least 100 years, as specified in the qualifications for the Century
Farm & Ranch Program, on or before December 31 of the current calendar year. Further, I hereby affirm
that this property meets all other requirements for Century Farm or Century Ranch honors.

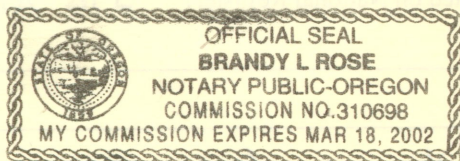
Russ Heller 6-26-01
Signature of Owner Date

Certification by Notary Public

State of Oregon
County of Coos

Be it remembered, that on this 26 day of June, 20 01, before me, the undersigned, a
Notary Public in and for said county and state, personally appeared the within named
Russ Heller, known to me to be the identical individual described in
and who executed the within instrument and acknowledged to me that
_____ executed the same freely and voluntarily.

In Testimony Whereof, I have set my hand and affixed my official seal the day and year last above written.



Brandy L. Rose
Notary Public for Oregon
My Commission Expires 03-18-02

Fees

Application Fee
(includes one certificate) \$ 30.00

Additional Certificates (\$10 each) \$ 0

Total enclosed CK # 1329 \$ 30.00

Make checks payable to Oregon Historical Society or OHS

For office use only

Date Received 7-2-01

Approved? ☐ Yes ☐ No

Authorization _____
Field Services Coordinator

OHS Library _____

MSS 1604 Program ID No. _____

Heller Homestead

1869

Louis and Francisco Heller came to the United States from Germany. They settled in Los Angeles, California sometime prior to 1859.

My Grandfather Louis Heller was born in Los Angeles in 1859. They owned and ran a bakery there. They moved to Oregon and homesteaded on Cherry Creek in October of 1869.

The first house was started immediately and was constructed of split timbers. After the house was built, they went to work clearing land for plowing.

The second house was constructed in 1881. They also constructed a 60' x 68' barn, a frame barn, and orchard of 500 fruit trees, plowed and fenced 25-30 acres of land, and 60 acres of pastureland was established during that time.

They also established a lumber mill and acquired a threshing machine. They threshed all over Coos County for the next 40 years or more.

Louis and Francisco had two sons, Charles and Louis. Louis Heller (father) died in 1898 and his wife Francisco died in 1890. Their son Charles Heller filed a homestead claim on October 22, 1892. He found out that this was an odd section and belonged to the California R. R. Co.

Soon after, Charles Heller and other settlers hired attorneys to fight the California Railroad. It took a lot of time and money to fight for the land. Finally many years later he received the good news that the Supreme Court ruled in the settlers favor. That decision was made on August 5, 1903. Charles Heller was the primary one to fight the California Railroad for the return of sections to the homestead settlers.

Along with running his own farm, Charles also bought and sold supplies from Roseburg to many people in the Fairview, Dora, and Sitkum areas. Charles also hired himself and his horses out, to plow and plant crops.

Charles and his brother Louis built a sawmill and installed a planer. They produced lumber for their own use and sold lumber to others. Some of those buildings are still in use today.

Charles and Louis each married a Culbertson sister. Charles Heller married Amanda Culbertson in 1891. Louis Heller married Telitha Culbertson in 1892. The Culbertson's lived just south of the Heller Homestead. Charles and Amanda had 3 sons and 1 daughter. The children in order were, William C., Clara E., Frank A., and Nevy L. Louis and Telitha never had any children.

William C. and Frank A. never married. Clara E. died in her early forties, she had never married or had children. Nevy L. married Louise Tripp. They had 4 children. In order of birth, Margaret (Margo), twins Rocky and Raye, and Russell.

William C., Frank A., and Nevy L. spent their entire life on the Heller Homestead. They raised cattle and in the later years, logged timber. Timber was logged from the 1940's on. As they logged an area it went back into pasture for cattle. As they retired, it all grew back into timber as it is today.

Below is the life span chart for the Heller's that are buried at the Dora Cemetery.

Charles Heller	1859 - 1937	Amanda Heller	1870 - 1958
Louis F. Heller	1872 - 1930	Telitha Heller	1865 - 1932
William C. Heller	1892 - 1972		
Clara E. Heller	1896 - 1939		
Frank A. Heller	1898 - 1970		
Nevy L. Heller	1903 - 1982	Louise Heller	1922 - 1983

3-25
UNITED STATES LAND OFFICE.

Roseburg, Oregon. January 10th, 1893.

Charles. Heller, Son and heir at law of Louis Heller, dec'd.

vs

The Oregon and California R. R. Co.,

Involving title to the S $\frac{1}{2}$ of S E $\frac{1}{4}$, N E $\frac{1}{4}$ of S E $\frac{1}{4}$ and S E $\frac{1}{4}$ of N E $\frac{1}{4}$ of Section 27, T'p 27 S, R 11 West. W. M.

On Oct 25, th 1892 Charles. Heller, filed his application to enter as a homestead, as The Son and heir at law of Louis Heller dec'd, the S $\frac{1}{2}$ of S E $\frac{1}{4}$ and N E $\frac{1}{4}$ of S E $\frac{1}{4}$ and S E $\frac{1}{4}$ of N E $\frac{1}{4}$ of Sec 27, T'p 27 S, R 11 West.

The said application being in conflict with the Indemnity selection -List No 27, filed August 16th, 1892,- of The Oregon and California R. R. Co., the said Company was, on the 25th, day of October 1892. notified of the application of Heller to file, and allowed 30 days to protest against said entry. On the 14th, day of November the Oregon and California R. R. Co., filed its protest against said entry and asked that a hearing be ordered to determine the rights of the respective parties ~~part~~

On November 15th, 1892 notice of contest was issued by this office and the 10th, day of January was set for hearing.

On this the said 10th, day of January 1893 the said parties appeared, Charles. Heller in person and with his Attorneys, Lane and Lane, and E. B. Preble, Esq, and the Oregon and California R. R. Co., by its Attorneys. Wm Singer. Jr, and Wm R. Willis. Esq
The case was called up and the following testimony taken.

L. A. Lawhorn, being called on behalf of the homestead claimant Charles Heller, testifies as follows:

Ques. State your name age residence and occupation?

Ans. L. A. Lawhorn, age 42 years, residence Fairview, Croas Co Oregon, occupation farmer.

Ques. In his lifetime, were you acquainted with one Louis Heller, ancestor of the homestead applicant herein. And if so how long did you know him?

Ans. Yes sir. Since July 1871 up to the time of his death.

Ques. State fully all you know about the said Louis Heller in his lifetime exercising the rights of citizenship?

Ans. He exercised all the tights of a citizen. In voting setting on juries.

L. A. Lawhorn

State of Oregon)
 189.
 County of Coos)

I, George W. Norris, being first duly sworn, depose and say that I am a resident of Coos County, State of Oregon, and have been a continuous permanent resident of said county and state since the year 1868. That I was acquainted with the identical Louis Heller who settled upon the South half of the South East Quarter, North East Quarter of the South East Quarter and South East Quarter of the North East Quarter of Section Twenty Seven, Township Twenty Seven South of Range Eleven West of Willamette Meridian in Coos County, Oregon, that the said Louis Heller settled upon said land on the 4th day of October 1869, and that at the date of his said settlement upon said land he was a naturalized citizen of the United States, and that I have seen the naturalization papers of the said Louis Heller. That he resided continuously upon said land, with his family till the date of his death February 13th 1889.

George W. Norris

Subscribed and sworn to before me
 this 15th day of October A.D. 1892.

A. J. Sherwood
 Notary Public

for Oregon.

S- 27

State of Oregon)
ss.
County of Coos)

I, Thomas ~~N~~. Norris, being first duly sworn, depose and say that I am a resident of Coos County, state of Oregon, and have been a continuous, permanent resident of said county and state since the year 1868, that I was acquainted with the identical Louis Heller who settled upon the South Half of the South East Quarter, North East Quarter of the South East Quarter and the South East Quarter of the North East Quarter of Section Twenty Seven, Township Twenty Seven South, of Range Eleven West of Willamette Meridian, in Coos County, Oregon, that the said Louis Heller settled upon said land on the 4th day of October 1869, at and that the date of his said settlement upon said land he was a naturalized citizen of the United States, and that he resided with his family, continuously upon said land till the date of his death Feb. 15th 1899.

Thos Norris

Subscribed and sworn to before me
this 18th day of October A.D. 1892.

A. J. Sherman
Notary Public

for Oregon.

RAILROAD CONTEST.—NOTICE OF HEARING.

United States Land Office,

Roseburg, Oregon.

November 15, 1892.

, 188

Charles Keller,

having applied for the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, NE $\frac{1}{4}$ of SE $\frac{1}{4}$, and SE $\frac{1}{4}$ of NE $\frac{1}{4}$.

of section No. 27, T. 27 S., of R. 11 W., under

the Homestead laws; and the Oregon and Califor-

nia Railroad Company having filed objections to the allowance of

said application, claiming that said land was selected for the benefit of said company on

the 10th. day of August 1892, A. D. 188, an investigation is

hereby ordered to determine whether said land is subject to the right of the said company,

and a hearing therein will be had before the Register and Receiver at this office on the

10th day of January 1893, A. D. 188, at 10 o'clock

A. M., at which time and place the parties interested are hereby summoned to be present

and produce testimony.

John Shupe

Register.

J. M. Crawford

Receiver.

Charles. Heller. Son and heir at law of
Lewis. Heller. deceased. Homestead claimant.

vs

The Oregon and California R. R. Co.,

Involving title to the S 1/2 of S E 1/4, N E 1/4 of S E 1/4 and
S E 1/4 of N E 1/4 of Sec 27. T 1p 27 S. R 11 West.

Charles. Heller being called in his own behalf testifies
as follows:

Ques. State your name, age, residence and occupation?

Ans. Charles Heller, age 32 years, residence Dora Cons Co
Oregon. occupation. farmer.

Ques. Are you a native born, or a naturalized citizen
of the United States, if either?

Ans. I am native born. I was born in Los Angeles, Califor,
nia.

Ques. Are you the identical person who on October 22nd.
1882 filed homestead application for the above described land
land in this Office?

Ans. Yes sir.

Ques. State the name of your Father?

Ans. Lewis. Heller.

Ques. When did Louis Heller, your Father die?

Ans. In October 1889.

Ques. your Father, the said Lewis. Heller, a citizen of the
United States, and if so by birth or naturalization?

Ans. He was a citizen of the United States, by natural
-ization.

Ques. Have you his naturalization papers, and if not accou

account for their absence?

Ans. No sir. They must have got destroyed some way. I cant find them. I have seen them.

Ques. Have you made diligent search and effort to find the said naturalization papers?

Ans. I have made all efforts to find them.

Ques. State if you know dy what Court the said papers were issued?

Ans. I do not know. It has been so long ago that I have forgotten.

Ques. Since your Fathers death, havy you had possession or access to his papers and property and effects?

Ans. My Mother has taken care of his papers and I have had nothing to do with them.

Ques. Is your Mother living, and if not, when and where did she die?

Ans. She is dead. She died on the same palce in 1890.

Ques. Have you searched among your Mothers papers and effects for said naturalization papers?

Ans. I have searched everything through.

Ques. How long if at all, have you known the land embraced in the said homestead application to wit: the S $\frac{1}{2}$ of S E $\frac{1}{4}$. and N E $\frac{1}{4}$ of S E $\frac{1}{4}$ and S E $\frac{1}{4}$ of N E $\frac{1}{4}$ of Sec 27, in T'p 27 S. of R II West of the W. M.?

Ans. October 1869.

Ques. Since you have been acquainted with the said land who has been in possession thereof and resided thereon?

Ans. Louis Heller, and his family.

~~XXXXXXXXXXXXXXXXXXXX~~ I mean my Father and his family.

Ques. State when, if you know, your Father said Louis Heller commenced to reside upon the said land?

Ans. October 1869.

Ques. Did he continue to reside there up to the time of his death?

Ans. Yes sir he staid right there.

Ques. During that time did he have any other home?

Ans. No sir.

Ques. Was he residing upon said land at the time of his death?

Ans. Yes sir. He died right there.

Ques. Where did your Mother die?

Ans. At the same house.

Ques. Since your Father and Mothers death, who has been in possession and control of said land?

Ans. I and my brother.

Ques. Since your Father as you have testified went into possession of said land, has there been any time, that the said land was not in the possession and control of your Father or your Mother, or yourself and brother?

Ans. No sir, some of us was there all the time.

Ques. What if any, improvements did your Father in his lifetime make upon said land. Described the same fully?

Ans. A house, the main house is 30 x 16, ell 26 x 14 pretty good house rusticed and painted, barn 60 x 68, frame barn, orchard of 500 bearing trees, plow land about 25 or

30 acres and fenced, about 60 acres pasutre land,.

Ques. When was the said house built, if you know?

Ans. I think it was in 1881.

Ques. What is the fact about your Father having built a house upon said land prior to 1881?

Ans. He built one out of rough split timber first.

Ques. When did he built the last named house.

Ans. In October 1869. He started right in then he settled on the land".

Ques. State when the said farm land was gotten under the plough?

Ans. First year cleared up some and begin to plow the next year, and he kept improving right along.

Ques. What is the value of the said improvements?

Ans. Well as near as I could judge, between \$3000.00 and \$4000.00,

Ques. Since your Fathers and Mothers death, have you continued to improve and cultivate the said land?

Ans. Yes sir.

Ques. State if you know, if your Father, entered upon and improved and possessed the said land with the intention of perfecting his title thereto, under the laws of the United States regulating the disposal of the public lands to settlers thereon?

Ans. Yes sir. He always claimed it as a homestead. He also had tried to get it surveyed for several years past.

RECEIVED

Attorney for the Oregon and California R. R. Co.,
Mr. Singer. ^ herewithdraws all objection of the Oregon and
California R. R. Co., to the entry sought to be made subject

only to proof of citizenship of the said Louis. Heller.

G. W. Norris. being sworn on behalf of ~~XXXXX~~ Charles. Heller testifies as follows:

Ques. State your name age, residence, and occupation?

Ans. G. W. Norris. age 44 years, residence Fairview Coos County Oregon. occupation farmer.

Ques. Were you acquainted with in his lifetime, with Louis Heller, now deceased, Father of Charles Heller, homestead applicant herein, and if so how long did you know him?

Ans. I was acquainted with him since 1869.

Ques. Do you know whether the said Louis Heller, deceased, in his lifetime was a citizen of the United States of America. And if he was how did you know it?

Ans. I know that he had naturalization papers and voted.

Ques. State how you know of his having naturalization papers?

Ans. Louis Heller was initiated into the Odd-Fellows order on November 18th, 1876, I was an officer of the Lodge at the time and on the night of his initiation he produced his naturalization papers, stating that he thought perhaps it might be necessary. I saw the papers on that date.

Ques. Do you know by what Court the said papers was issued, and if not why not?

Ans. I cant recall to memory the Court.

Ques. State fully what you know about the said Louis Heller deceased, in his lifetime, exercising the rights of citizen-

ship?

Ans. I have saw him vote several times, and I have saw him n
on the jury.

Ques. Were the naturalization papers to which you refer
his final papers?

Ans. They were.

DESERDANTS EXHIBIT
5

DEPARTMENT OF THE INTERIOR,
UNITED STATES LAND OFFICE,

9407-F
5

Roseburg, Oregon August 5, 1903.

Mr Chas. J. Schnabel,
Chamber of Commerce Building,
Portland, Oregon.

Dear Sir:

Referring to the case of your clients vs the Oregon & California R. R. CO. I have to advise that under date of the 3rd instant, the following homestead claimants were notified of a settlement of their suit, and of their preference right to make entry of the land within 30 days from the date thereof. These notices were sent by registered mail as follows:

Chas. S. Seeley, Alsea, Oregon
Abraham M Peek, Lobster, Oregon
Chas. E. Banton, Alsea, Oregon
John C Cox, Crawfordsville, Oregon
F M Huddleston, Alsea, Oregon
Uriah W Wren, Alsea, Oregon
Charles Heller, McKinley, Oregon
John Sapp, Lobster, Oregon
Baxter W Jenkins, Lobster, Oregon
George C Peek, Lobster Oregon

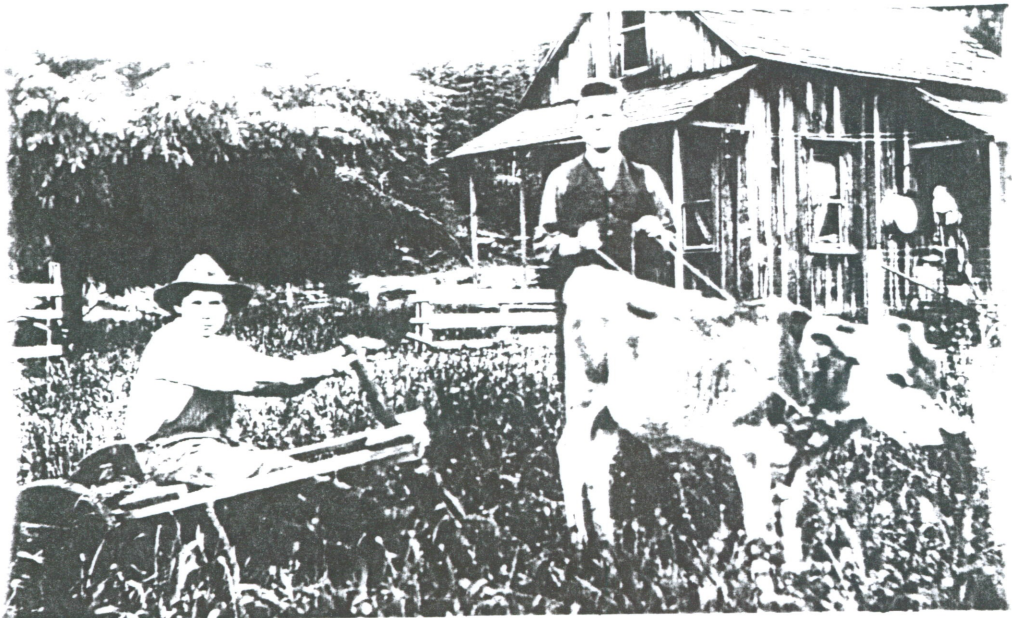
These addresses are taken from the old contest record in this office, and we have no advices as to any later date. Should you know of any, doubtless you will advise the entrymen direct or this office.

Respectfully,


Receiver.



Pictures of the original Hell Homestead before the turn of the century.

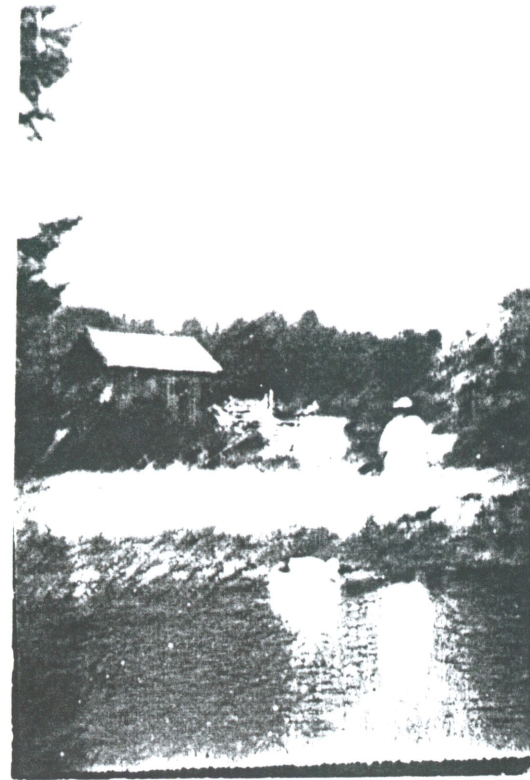


Livestock own fields irrigated and vegetable garden is developed.





Water Wheel by County Road
which powered the Grist Mill.



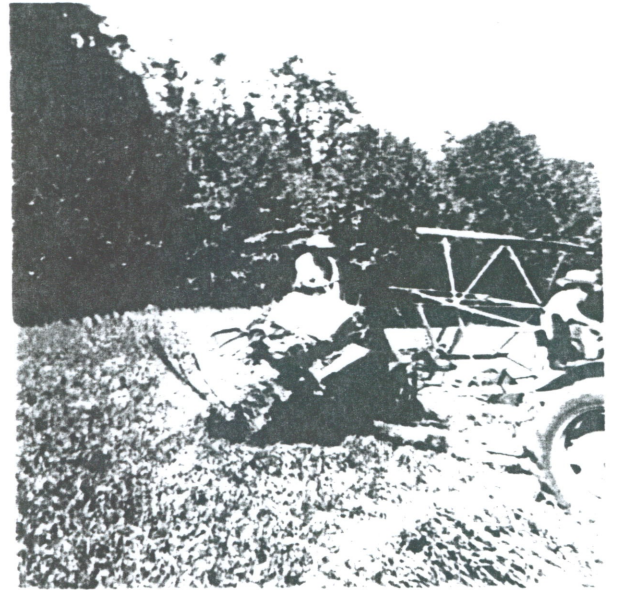
Water Wheel Building in
backdrop of picture.



Heller Sawmill located on
Cherry Creek, Heller Home-
stead.



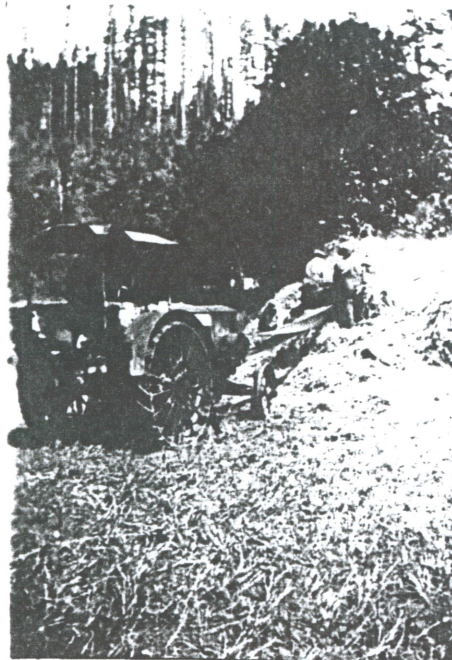
Heller's Threshing Machine in use.



Heller's Combine in Use.



Heller's Horse drawn Hay wagon in use.



1923 Russell Gas Tractor
suppling power to Heller's
Threshing Machine.



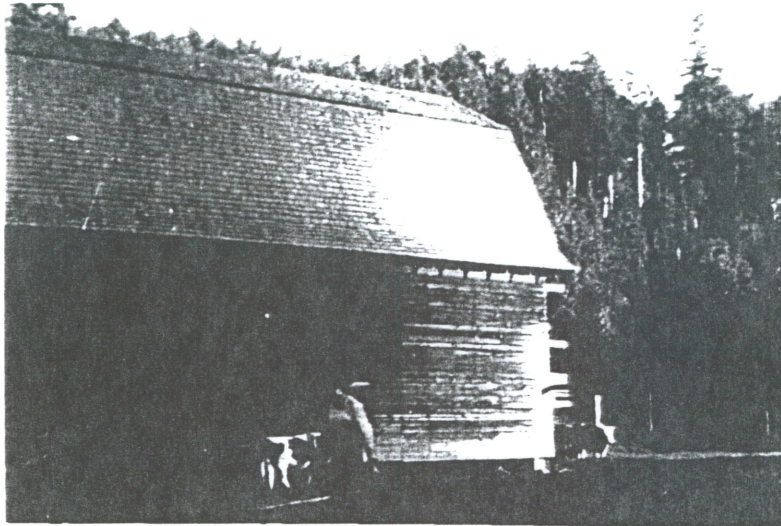
Heller's Horses pulling
Hay Wagon.



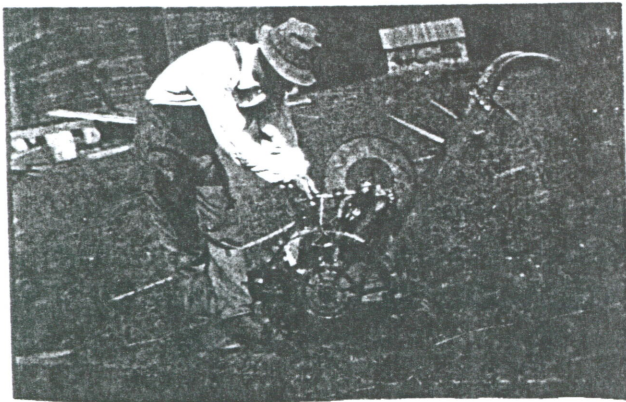
Construction of the Heller Sawmill located on Heller Homestead.



House built by Charles and Louis Heller on the Heller Homestead.
House was white with blue trim.



Heller's Barn build in the 1920's. Livestock depicted.



Gas powered cultivator built by Frank Heller in the early 1920's .



Electric Fence built by Frank Heller.