

No

1188

m

Circuit

Court

L. O. Stearns

Plaintiff

vs

J. B. Sams

Defendant

Action for Money

Docket

Page

Hyde & Hyde & A. J. Lawrence  
Attorney for Plaintiff

Attorney for Defendant

RECEIVED  
FEB 1 1888  
U.S. DISTRICT COURT  
NEW YORK



1899  
 letters Volition rec. Wines & Hble  
 Journal B p 342  
 1898  
 Jan'y let. Wines & Hble  
 Jour. B p 347  
 Jan'y 9 ordered opened  
 Journal B p 349

Road

Commencing at N E cor of S E 1/4 of NW 1/4  
 Sec 16 T 1 N R 40 E thence to E side  
 of Cummins Meadows

DIRECTIONS—Place papers on TOP OF RUBBER  
 Fold ends first then sides Throw the rubber cords  
 over the ends and package is complete

**Know all Men by these Presents :**

THAT *MR. P. W. B. Hindman*

*and* ..... of the County of *Union* and

State of Oregon, are held and firmly bound unto the said County of *Union* in the sum of

*Sixty* ..... Dollars, the payment of which, well and truly

to be made, *I myself, my* we bind ourselves, ~~our~~ heirs, executors and administrators firmly by these presents.

Signed this *3<sup>rd</sup>* day of *September* A. D. 187*7*

Now the condition of the above obligation is such, that whereas, if the County Road petitioned for by *A. Hamilton* and others, and presented

at the *Sept* term, 187*7*, of the County Court of said *Union* county, commencing

at the *N. E.* corner of the *S. E. 1/4* of ~~the~~ the *N. W. 1/4* of *Sec. 16, T. 1, N. B. 40 East* thence ~~to the~~ *Cummings Meadows*

be located and established, then this obligation to be void; otherwise to remain in full force and virtue in law.

*P. W. B. Hindman*

Know all Men by these Presents

Rec'd Sept 8<sup>th</sup> 1879  
W. L. Smith  
Co. Clerk

Wrote July 15/79 — Ed & Co. also

Notice To all concerned is hereby  
given that a petition will be pre-  
sented to the county court of Union  
county Oregon at the next term there-  
of (commencing First Nov. in Sep. next.)  
praying for the location of a county  
road = Commencing at the North  
East corner of the S. E.  $\frac{1}{4}$  of the N. W.  
Quar. of Sec 16 T 1 N. R. 200.  
and running south along the half-section  
line  $2\frac{1}{2}$  miles (to the center of Sec 28)  
Thence in a south-easterly direction over  
the most practical route (3 miles, more or  
less) to the East side of the Cummins  
Meadows, The said road to be 30  
feet wide and lying in Union County  
Oregon.

Witness my hand and seal in Indian Valley  
Union Co. Ogn. this 14<sup>th</sup> day of July 1878.

State of Oregon } 85  
Union County }

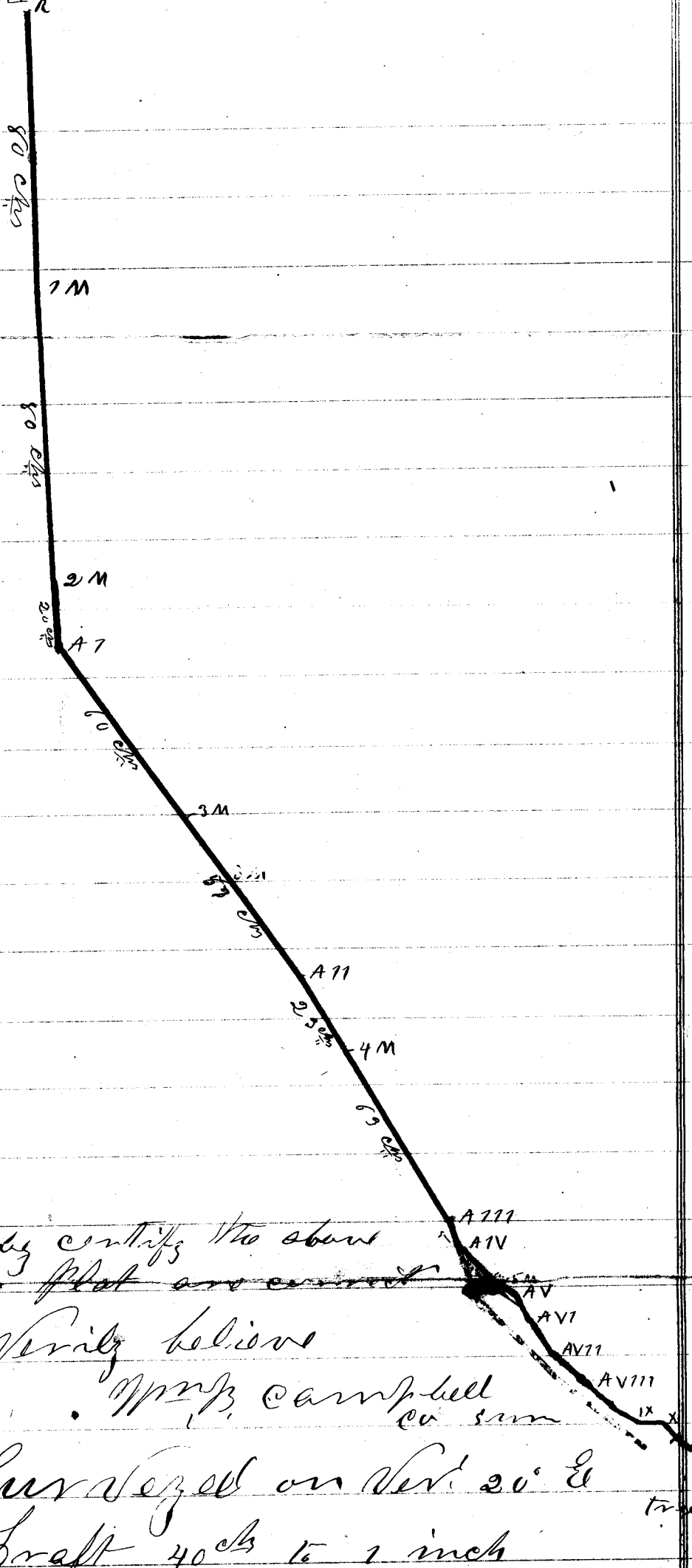
I ~~was~~ <sup>am</sup> W. B. Hindman  
being duly sworn say that I posted three copies  
of the within notice in Union County in  
three public places in the vicinity of the  
within proposed road. more than 30 days  
prior to this date.

Subscribed and sworn to before } W. B. Hindman,  
me this 3<sup>rd</sup> day of Sept 1879 }  
Willis Stuffs  
Co Clerk

Filed Sept-3<sup>rd</sup> 1879  
Willis Stuffs  
Co Clerk

Board Notice

Stokmek



I hereby certify the above  
 notes to be correct  
 as I verily believe

Wm. B. Campbell  
 Co. Sur.

Surveyed on Sept. 20<sup>th</sup> E  
 Draft 40 chs to 1 inch



Elk Flat Sept 18<sup>th</sup> 1875

To the Hon Viewers of Road to wit  
Wm Owensby John Christman  
And Jms Patterson

Meas<sup>rs</sup> I herewith submit field-  
[Plot of]  
-notes and survey made by me on  
the 18<sup>th</sup> Sept last for your Due  
consideration Hoping it will meet your  
Heartly approval I sign

Your Humble servt  
Wm B. Campbell  
County Sur

Filed Nov 8<sup>th</sup> 1875  
Wm B. Campbell  
County Sur



Road survey

Old Plat Sept 18<sup>th</sup> 1875

commencing at post marked B  
at the N E corner of the 5 E 14  
of the N E quarter sec 16 T 1 R 40 E  
bearing south to wit

517	S	10° E	80,00	to post	2 M	Thence
518	S	30° E	80,00	to post	2 M	Thence
1320	S	20° E	20,00	to post	A 7	Thence
2880	S	36° E	60,00	to post	3 M	Thence
322	S	36° E	57,00	to post	A 77	"
1515	S	38 30' E	22,00	to post	4 M	"
1491	S	30 30' E	63,00	to post	A 777	"
330	S	15° E	5,00	to post	A 74	"
297	S	45° E	4,50	to post	A 75	"
303	S	53° E	5,50	to post	A 76	"
98	S	25° E	1,00	to post	5 M	"
264	S	25° E	4,00	to post	A 77	"
1353	S	39 30' E	20,50	to post	A 78	"
716	S	49 50' E	11,00	to post	A 79	"
358	S	50° E	6,00	to post	A 80	"
362	S	62° E	7,00	to post	A 81	"
429	S	60° E	6,50	to post	A 82	"
199	S	43° E	9,00	to post	A 83	"
264	S	50° 30' E	4,00	to post	A 84	"
264	S	65° E	4,00	to post	A 85	"
330	S	10° E	5,00	to post	A 86	"
1199	S	12 30' E	18,00	to post	6 M	"

# Viewers Report

Elk. Flat Sept. 18<sup>th</sup> 1875

To the Hon- county Court of ~~viewers~~  
of Union county  
Oregon

We the undersigned viewers  
of road as shown by the above  
report of your surveyors  
met on the 18<sup>th</sup> Sept as mentioned  
in your order and  
after being duly sworn proceeded  
to view survey and Legant said  
road as described in your orders  
and as shown by said plat  
of survey with which we are  
well pleased and after due consid-  
eration we are of the decided opinion  
that said road should be located  
and therefore we beg leave to report favorably  
on said road

Signed } James Napier  
John F. ~~Shannon~~ Viewers  
William Crowley

Indian Valley Union County Oregon  
July 14<sup>th</sup> 1879

To the Hon. county court of Union  
County, State of Oregon.

The undersigned  
petitioners would respectfully pray that  
you locate a county road in their vic-  
inity - Commencing at the North East  
corner (near a road stake about 100 yds. west by  
north of the school house) of the South East  $\frac{1}{4}$   
of the North West Quarter of Section 16  
Township One North (of Range 40 East  
of the W. meridian) And running  
South along the half-section line  $2\frac{1}{2}$   
miles (to the centre of sec. 28) Then  
in a south-easterly direction (9 miles  
more or less) over the most practical  
route to the east side of  
Cummings Meadows.  
That the said road be thirty feet in  
width. All of which proposed road lies  
in Union County Oregon.

W. Hamilton.

H. J. Tucker  
W. B. Knight  
L. H. Tucker  
John P. Barnes  
John C. West  
J. J. Galloway  
J. J. Stillfield

W. W. Sinden  
Joseph Cannon  
W. F. Fine  
G. A. Hergford  
J. S. Fine  
W. B. Hindman  
H. Dukar  
Peter Rauscher

~~Michael~~ *Michael Schmitt*

1878

*William Schmitt*  
*ca Clerk*

Sept 3<sup>rd</sup> 1879.

At a regular Term of the Commissioners Court begun and held at the Court house in Union in Union County Oregon, <sup>Sept 3<sup>rd</sup> 1879</sup> for said County, there was present: Hon H. C. Craig County Judge, E. R. Holmes Esq. Commissioner, J. O. Swagthamer Sheriff by E. L. Eckley Deputy and Willis Stiff Clerk.

Due proclamation of the opening of Court having been made the following proceedings were had to wit:

In the matter of }  
Scholarships for }  
Union County }  
from State University }

Now at this time was chosen the following named persons ~~and~~ as chosen entitled to free scholarships in the State University at Eugene, to wit: Woodson Taylor Slater, James Milton, John McAlister and Eliza Elizabeth Shaw they having complied with the provisions of the act entitled "An Act to provide for the support and government of the University of Oregon" and approved Oct 21<sup>st</sup> 1876.

In the matter of }  
Petition for County }  
Road. }

Now at this time was presented the petition of J. H. Hindman and twelve others praying the location of a County Road as follows, to wit: commencing at the N.E. corner of the S.E. 1/4 of the N.W. 1/4 of Sec 16 T 1 N. R. 40. E. thence to the Cummins Meadows. And it appearing that due notice of the pendency of these proceedings having been given and a sufficient bond having been filed and the proceedings herein appearing in all things regular and in conformity

with law. It was ordered that W. M. Avenby James Patterson and John Lebrismann be and they are hereby appointed viewers and H. B. Campbell Surveyor to view, survey and report on said proposed Road, and that they meet at the Tucker School House on the 18<sup>th</sup> day of Sept. 1849 and after duly qualifying proceed to their duties in said behalf.

In the matter of  
Road Petition  
of T. B. M. Green et al.

Now at this time was presented the petition of T. B. M. Green and more than twelve other citizens and house holders living along and in the vicinity of a route they ask to be located as a County Road, as follows to wit: Commencing near T. P. Bairds house thence running west one mile thence north one half mile, thence one mile and 81 chains to the Terminus of the road at a post set at the margin of the foot hill road from La Grande to Union. And it appearing to the court that due and legal notice of the pendency of these proceedings have been given and a sufficient bond having been filed. And the proceedings herein having been regular. It was ordered that John Robbins, W. F. Ficklin and George Ames be appointed viewers and H. B. Campbell Surveyor to view, survey and report upon said proposed Road and that they meet at the residence of T. B. M. Green on the 22<sup>nd</sup> day of Sept. A.D. 1849 and after being duly sworn as such viewers, proceed to view and lay out said proposed route and report their proceedings in that behalf to this court at the next regular term of this court.

In the matter of  
Elliott  
a poor person

Now James J. W. Kennedy  
and represents to the court that one  
Elliott and family living in the lower  
part of Cove are in needy circumstances  
and that said Elliott is sickly and  
unable to maintain his said family.

It was therefore considered, ordered and  
adjudged, that the said J. W. Kennedy be and  
he is hereby authorized to purchase on the  
credit of the bounty fund all necessary  
clothing and provisions for the support of  
said family until they become able to  
maintain themselves and that he report  
to the court all his doings in connection  
therewith.

In the matter of  
Road petition of  
John McCall et al

Now at this time was  
read in open court for the first time  
the report of the viewers on a Road  
petitioned for by John McCall and others  
running from or near James Leoches  
house, to form a junction with the  
Willow Road near James Wrights yard  
on the Lake prong of the Willow River

Jan 9<sup>th</sup> 1880

In the matter of  
Viewers Report upon  
Co. Road Petitioners for  
J. St. Hamilton et al

Now at this time was read the second time the viewers report upon a proposed County Road Petitioners for J. St. Hamilton et al, which is as follows.

" Elk Flat, Sept 18<sup>th</sup> 1879.  
To the Hon. County Court of Elgin County  
Oregon — — — — — claims.

We the undersigned viewers of Road as shown by the above report of your Surveyor met on the 18<sup>th</sup> day of Sept as mentioned in your order and after being duly sworn proceeded to view survey and layout said Road as described in your order and as shown by Surveyors plat of survey, with which we are well pleased and after due consideration we are of the decided opinion that said Road should be located and therefor we beg leave to report favorably on said road.

Signed James Patterson }  
John F. Chiseman } Viewers  
William Oberly }

And it appearing to the satisfaction of the court that the proceedings herein have been regular and in conformity with law and no person having claimed damage and no remonstrance having been filed against the location thereof.

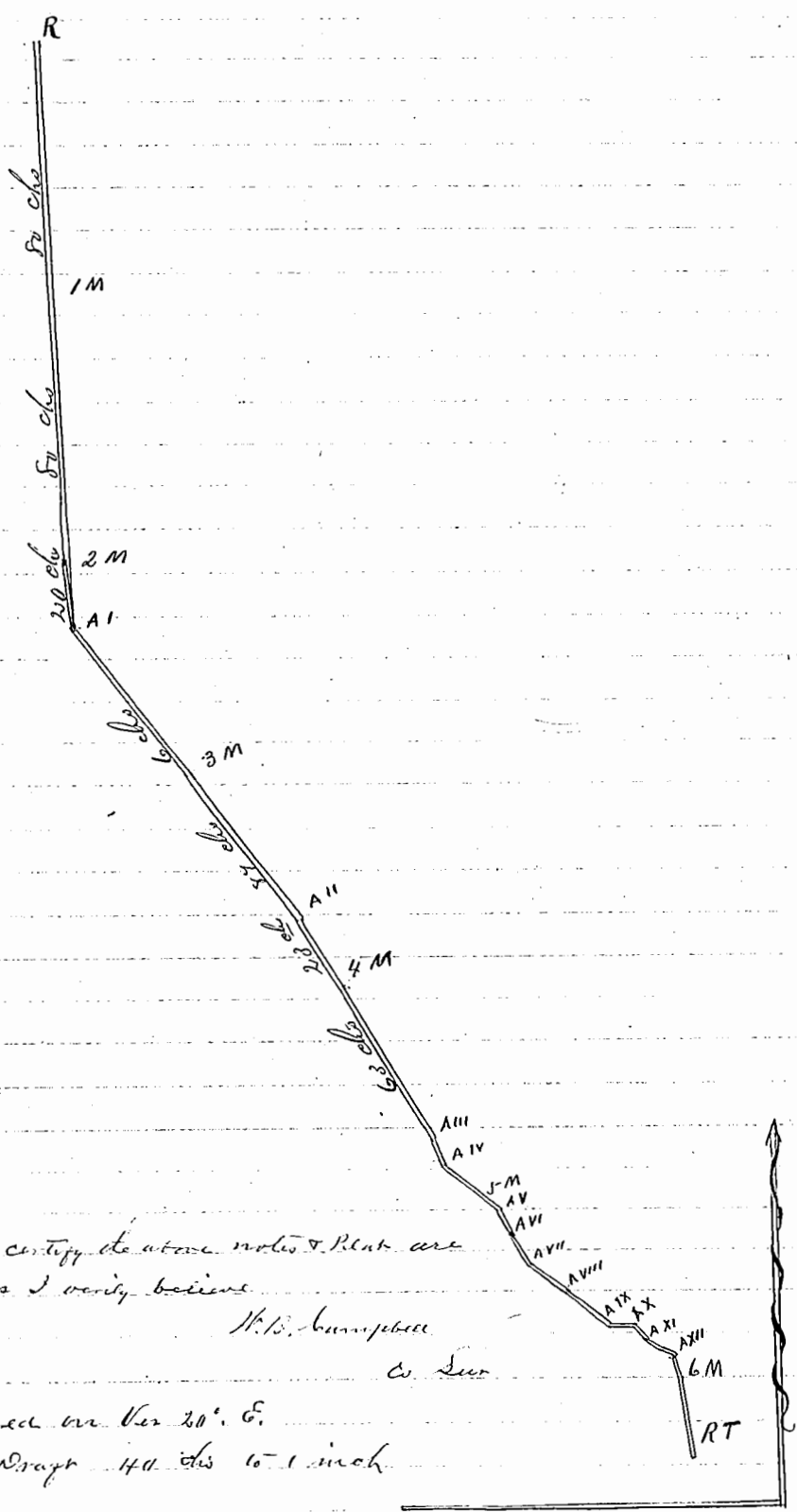
It was ordered and adjudged that said route be and the same is hereby established as a County Road in accordance with the petition and with the surveyors plat <sup>filed hereto</sup> thereof of which the following is a copy to wit:

Commencing at a first marked "R" at the N.E. Corner of the S.E. 1/4 of the N.E. 1/4 Sec 26 T 1 R 40. E. bearing South, to wit: South 1° E. 80 Chs to first marked T.M. thence  
" 1° " " " " " " S.M. "  
" 2° " 20 " " " " " A1 "



Thence	S.	36° E.	69	ch's	to post marked,	3 <sup>d</sup> M <sup>e</sup>
"	"	36° "	57	"	" " "	A II
"	"	30° 30' "	23.	"	" " "	4 M.
"	"	30° 30' E.	65 <sup>50</sup> / <sub>100</sub>	"	" " "	A III
"	"	19° "	5.	"	" " "	A IV
"	"	45° "	4 <sup>50</sup> / <sub>100</sub>	"	" " "	A V
"	"	53° "	5 <sup>50</sup> / <sub>100</sub>	"	" " "	A VI
"	"	25° "	1 <sup>50</sup> / <sub>100</sub>	"	" " "	5 M
"	"	25° "	4.	"	" " "	A VII
"	"	23° 30' "	20 <sup>50</sup> / <sub>100</sub>	"	" " "	A VIII
"	"	49° 59' "	11	"	" " "	A IX
"	"	50° "	6	"	" " "	A X
"	"	62° "	7	"	" " "	A XI
"	65		6 <sup>50</sup> / <sub>100</sub>	"	" " "	A XII
"	S	43° E	3	"	" " "	A XIII
"	"	50° 30' "	4	"	" " "	A XIV
"	"	65° "	4	"	" " "	A XV
"	"	10° "	5	"	" " "	A XVI
"	"	12° 20' "	18	"	" " "	6 M.

(See blank next page.)  
 ch's



I hereby certify the above notes & Plan are correct as I verily believe

H. B. Cunningham

C. Sec

Surveyed on the 20<sup>th</sup> E.

Drawn 140 chs to 1 inch

Y