

No 99 Equity  
in  
Circuit Court

The Am Mtg Co of  
Australia Ltd  
Plaintiff  
vs

D K Smith  
et al  
Defendant

Action for

Docket Page

Baker Shellen & Baker  
Attorney for Plaintiff

Attorney for Defendant

MADE IN THE UNITED STATES OF AMERICA  
PRINTED IN THE UNITED STATES OF AMERICA

1880  
 May 13 Petition see Viewers app'd  
 Journal B of 457  
 July 5 1st reading report  
 Journal B of 482  
 July 8 Court session  
 Journal B of 488

Road

Commencement at N E Cor of Sec 15 T 2 S  
 R 38 E to Ben Hally Hollow Creek road

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

To the Hon. County Court of  
Union County, Oregon,  
We the undersigned twelve citizens  
and householders residing in the  
vicinity, and along the  
after described route and others  
interested therein respectfully Peti-  
tion your Hon. Body to cause to  
be located and established a  
County Road as follows to  
wit. Beginning at the N. E.  
corner of Sec. 15, Town 2 South  
Range 38 East, running thence  
South one fourth of a mile  
thence East to the Ben. Hundley  
and Willow Creek County road,  
and to vacate all that part  
of the County road beginning  
at the N. E. corner of Sec. 15  
Town 2 South, Range 38 East  
and running thence East  
one mile through the lands  
owned by W. Gray. ~~And~~  
All of which above named points  
and places are in Union  
County, Oregon

Tanner

E. M. McQuinn

Tanner

E. P. Schilder

Names  
J. L. Harris  
David Hamrick  
M. S. Hulsey  
S. Trussell  
A. E. [unclear]  
W. M. [unclear]  
L. [unclear]  
W. A. Baker  
M. Mitchell  
A. P. Powers  
H. S. [unclear]  
J. D. [unclear]  
Samuel E. Bricker  
S. O. Bricker  
A. [unclear]

H. S. Baldwin  
J. D. [unclear]  
H. R. [unclear]  
J. [unclear]  
J. [unclear]  
E. W. [unclear]  
A. [unclear]

J. [unclear]  
W. S. Hamilton  
D. [unclear]

Names  
J. J. Hughes  
J. B. [unclear]  
[unclear]  
P. [unclear]  
J. H. [unclear]  
L. D. [unclear]  
J. [unclear]  
J. W. [unclear]  
D. W. [unclear]  
Wm. Hamilton  
W. R. Wilson  
R. [unclear]  
D. M. Lane  
Rodolph [unclear]

[unclear]  
J. [unclear]  
R. J. [unclear]  
M. [unclear]  
Richard [unclear]

[unclear]  
Jas. Hallister

Recd. May 12. 1889  
W. H. Allen's Office  
Dr. Allen

Boone Station  
for exchange.

Know all Men by these Presents:

That ~~we~~ J Wm B Gray

are held and firmly bound unto The County of Union  
of the State of Oregon in the sum of  
Fifty DOLLARS,

lawful money of the United States, to be paid to the said County of Union  
~~My~~ Executors, Administrators or Assigns, for which payment well and truly to be made, ~~to~~ bind  
~~myself~~ ~~and~~ ~~each~~ ~~of~~ ~~our~~ ~~Heirs~~, Executors, Administrators and Assigns, jointly and severally  
firmly by these Presents.

Sealed with our Seals, and dated this 12 day of May one thousand  
eight hundred and eighty

The condition of the above obligation is such that if the change of  
the County Record asked for by  
A. P. Chilchess et al be granted then  
this obligation shall be void  
otherwise to remain in full force  
and virtue in law

Signed, Sealed and delivered in presence of

Elias A. Eleuterio

J Wm B Gray [SEAL.]

[SEAL.]

**BOND**

FROM

*Wm Gray*

TO

*Quinn County*

Executed *May 12 1880*

*Frid, May 12 1880*

At *11 o'clock, A. M.*

*Wm's Skiff*

County Clerk.

*Wm's Skiff*  
*Wm's Skiff*

## Notice

Is hereby given that at the next-regular term of the County Court of Union County, Oregon to be held in May A. D. 1880 a petition will be presented asking to have a County road located and established as follows to wit: Beginning at the N. E. corner of Sec. 15 Town 2 South, Range 38 East Thence South one fourth of a mile thence East one mile to the Ben. Hawley and Willow Creek County road, and to vacate all that part of the County road beginning at the N. E. corner of Sec. 15 Town 2 South, Range 38 East <sup>running thence East,</sup> one mile through the lands of William Gray.

Dated March 8<sup>th</sup> 1880

Wm. G. Hunter



State of Oregon }  
Union County }

J W G Hunter

being duly sworn say that I  
posted the within notice on  
the court house door in Union  
County, <sup>Oregon</sup> more than  
30 days prior to this date  
and that I posted three  
copies thereof in three public  
places in the vicinity of said  
within described and  
proposed road more  
than 30 days prior to this  
date

Subscribed and sworn  
to before me this 12<sup>th</sup> day of May  
day of May 1880

Wm Siff  
Clerk

Wm Siff

Day

Board of Public

Filed May 12

1880

Wm Siff

Clerk

Wm Siff

Day

To the Hon. County Court of  
Union County, Oregon,

Whereas a Petition has been  
circulated and will be presented  
to your Hon. Body at the May  
Term asking to have a change located  
and granted in the County road  
as follows to wit: Beginning at  
the North East corner of Sec. 15  
Town 2 South, Range 38 East  
thence south one fourth of a  
mile, thence East one mile to the  
Rev. Hawley and Willow Creek  
County road and to vacate all that  
part of the County road beginning  
at the North East corner of Sec. 15;  
Town 2 South, Range 38 East, running  
thence East one mile through the  
lands of Wm. Grey.

Whereas it would entail a great  
expense on the County  
by changing to the parties living and  
owning the land adjacent to the  
proposed change, and also in-  
crease the distance of travel  
without any material benefit  
to any one, Therefore your petition-  
ers respectfully remonstrate

against the location and establishment of said change as a County road.

Names

Names

W. S. Goldsberry  
 J. Hammack  
 D. J. Portland  
 George Allen  
 James McCoy  
 C. G. Wyatt  
 N. F. Wyatt  
 A. S. Wyatt  
 W. J. Saling  
 S. S. Bostle  
 Henry Patterson  
 A. W. Patterson  
 Peter Saling  
 Andrew Ladd  
 M. Hammack  
 J. K. Smith  
 James Hammack  
 J. M. Hammack  
 M. S. Hulse  
 Ben. Lee  
 James Mc Kinney  
 G. H. Grimmett  
 M. Standley  
 A. Pyrdam

Filed May 12. 1886  
Wells's Office  
Co. Clerk

*Remembrance*

To the How County Court of Union  
County State of Oregon,

Whereas a petition has been presented  
to your Hon. Body asking for the  
location and establishment of a  
change of the county road extending  
East from the N.E. corner of Sec 15  
Town 2 South, Range 38 East as follows  
to wit. Beginning at the ~~S.E. corner of~~  
~~the~~ N.E. corner of said section 15 T 2 S.  
Range 38 East, thence South one fourth  
of a mile. thence East to the Ben.  
Howley and Willow Creek County road.  
and the said road has been surveyed and  
located and if established will cause  
me to build 80 rods of fence and  
the loss of the use of the land occu-  
pied by said road

You will therefore take notice that if  
said road is established I claim  
damages in the sum of One hundred  
and fifty dollars

Arie Rydman

By Willis Skiff,

Special Agt.

Oliver Goodenough  
One County Road

Wm. H. Gray et al

Price July 6<sup>th</sup> 1886

Willis H. Hays  
Bo. Clerk

To the Hon. County Court of Union  
County, State of Oregon.

Whereas a petition has been presented to  
your Hon. Body asking to have a change  
located and established in the County road  
extending east from the N. E. corner of  
Section 15 Town 2 South, Range 38 East as  
follows to wit: Beginning at the N. E. corner  
of said Section 15 T. 2 S. R. 38 E, thence south  
one fourth of a mile thence east to the  
Ben. Hawley and Willow Creek County roads.  
Which said petition has been granted and  
survey ordered and made and if estab-  
lished will separate forty acres of land  
owned by Anna Caggan minor heir of  
George Caggan Dec from the balance  
of her land necessitating the building of  
one half mile of additional fence and  
the separation of forty acres of valuable  
land without water making the same  
nearly valueless.

You will therefore please take notice  
that I claim five hundred (\$500.00)  
Dollars of damage by reason of the location  
and establishment of said County road.  
E. J. Fisher, Guardian  
of Anna Caggan

By Willis Skeff  
Special Agt.



Electric for damage  
Bro County Road

Wm Gray et al

Piece July 6<sup>th</sup> 1880

Miss Stett  
Co. Clerk

To the Hon County of  
Union County Oregon

We the undersigned viewers beg leave to submit the following as our report on a road commencing at the N E cor of Sec 15 T 2 S Range 38 East running thence South  $\frac{1}{4}$  of a mile thence East to the Willow Creek and Ben Halley County Road and to vacate all that part of the County Road commencing at N E cor of Sec 15 T 2 S. R 38 East and running thence East 1 mile through the lands of W<sup>m</sup> Gray.

We met on the 25<sup>th</sup> of May 1880 as mentioned in your order and after being first duly sworn in company with the surveyor proceeded to view survey and lay out said road and we would recommend said proposed change

J. K. Kellogg  
John A Childers  
Henry A Myers

} Viewers of -  
} proposed Co Road

1  
Dewey Report  
~~Colburn's Strength~~  
Wm Gray et al

Rec'd Aug 24 1880  
Willi Steph  
Co Colar

To - John A Childers, J R Kellogg  
v Henry Myers. Viewers appointed  
to review the County Road  
commencing at NE corner of Sec 15  
T 2 South - Range 38 East running  
thence South  $\frac{1}{4}$  of a mile; thence  
East to the Ben Hally & Willow  
Creek Co Road and to vacate  
all that part of the County  
Road commencing at NE cor of  
said Sec 15 and running thence  
East 1 mile through the land  
of W<sup>m</sup> Gray - The following are  
the field notes of the survey of  
the above described road

Beginning at NE cor of Sec 15 - T 2 South  
Range 38 East at a post marked R  
Thence South 80 rods to post " A 1.  
" East 1 mile " " R 1 and  
intersecting the Ben Hally & Willow  
Creek Co Road

State of Oregon } SS  
County of Union }

I Eugene Chase County  
Surveyor in and for the County and  
state aforesaid do hereby certify that  
the field notes of the survey of the  
above described road are correct  
as surveyed by me on the 25<sup>th</sup>  
day of May 1880

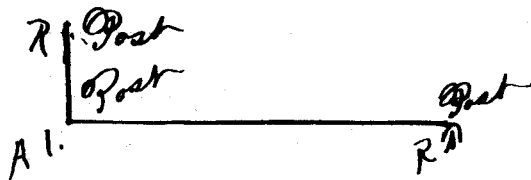
Eugene Chase  
Co Surveyor

Survey of County Road leading  
from W<sup>m</sup> B Gray's to intersect  
the Ben Halley & Willow Creek Leo Road

Surveyed May 25<sup>th</sup> 1880

Variation 30° East

Scale of distances  
160 rods to the inch



Plat of survey of

Acres of land of  
Mrs. Benjamin

Price per acre 8<sup>1/2</sup> 1880

William H. H. H.  
Co. Clerk

May 13. 1880 has been filed.

It is therefore ordered by the Court, that John A Childers, J. R. Kellogg and Henry Myers, three disinterested Persons, be and the same are hereby appointed Viewers and Eugene Chase, Surveyor, to view, survey and report upon said proposed road, and that they meet at the residence of Wm Swens on the 25<sup>th</sup> day of May A. D. 1880 and duly qualify before entering upon the discharge of their duties in this behalf.

In the Matter  
of  
Petition for Co. Road,  
petitioned for, by Wm  
B. Gray and others.

On this day came Wm B. Gray who presents to the Court the petition of himself and many others, praying for the location and establishment of a County Road as follows to-wit:

Commencing at the N. E. Cor. of Sec. 15. T. 2. R. 38 E. running thence South 1/4 mile, thence E. to the Bear Halley and Willow Creek County road, and to vacate all that part of the County Road beginning at the N. E. Cor. of Sec 15 T. 2. R. 38 E. and running thence E. one mile through the lands owned by Wm Gray.

And it is satisfactory appearing to the Court, from the proof filed herein that due notice of the pendency of this proceeding has been given as by law required; that more than twelve of said petitioners are legal householders residing in the vicinity of said road, and that a good and sufficient bond had been filed.

It is therefore ordered by the Court

May 13.  
1880

that John A Childers, J. R. Kellogg and Henry Myers be appointed Viewers (who are three disinterested Persons in said Road) and Eugene Chase is hereby appointed Surveyor, to view, survey and report upon said proposed Road & Change, and that they meet at the Residence of Wm. B. Gray on the 25 day of May A.D. 1880— and duly qualify before entering upon the discharge of their duties in this behalf

In the Matter  
of  
the Petition of  
W. J. Ficklin & others  
for a Change of Road } Road Change  
in  
Pyle Canyon

On this Day came Wm. J. Ficklin who presents to the Court the petition of himself and many others, praying for the Change, location and establishment of a County Road in the Pyle Canyon as follows to wit:

Beginning at the South West Corner of Wm. Huffman's Orchard, thence to the West side of J. Stanley's Garden, thence to the East side of B. Ashby's house, thence to the County Road, thence along said road as now travelled, to a point about 20 rods South of the South line of the land owned by B. Ashby, thence across the run and up on the West side about one and one half miles on the most practicable route without creating damage and intersecting the above named County Road South of the Schoolhouse and to vacate so much of the County Road as now located as is included in the proposed Change—

and it satisfactory appearing to the Court, from Proof filed herein, that due notice of the pendency of this proceed



In the matter of }  
Viewers Report }

Now at this time was read the first time the viewers report on the proposed County Road petitioned for by J. J. Blevens and others and laid over until to-morrow for further consideration.

In the matter of }  
Viewers report }

Now at this time was read for the first time the viewers report on a proposed change of County road petitioned for by Wm. Gray and others which said report was laid for further action to-morrow.

In the matter of first }  
reading of viewers report }

Now at this time was read the viewers report on the proposed County road petitioned for by Calvin Knapp and others which said report was laid over for further consideration until to-morrow.

In the matter of }  
Viewers report }

Now at this time was read the viewers report on a proposed change of County road petitioned for by W. T. Picklin and others for the first time which said report was laid over for further consideration to-morrow.

In the matter of }  
first reading of }  
Viewers report }

Now at this time was read for the first time the viewers report on a proposed County road petitioned for by G. L. Blacklee and others and laid over for further consideration until to-morrow.

County Court reserving the right to reject any and all bids.

In the matter of hauling  
the bridges at Oro Dell and  
below Henderson's Point

Now it appearing to the Court that it would be economy to have the bridges at Oro Dell and on the Summerville and Henderson's Point County road housed to protect the same from the weather and decay it is ordered that the clerk have an advertisement published in the Mountain Sentinel for three issues that sealed bids will be received at the clerk's office until August 4<sup>th</sup> 1880 for constructing said improvements, the Court reserving the right to reject any and all bids.

In the matter of petition  
of Wm B. Gray et al.  
for change of Co Road

Now at this time came on to be heard the reading of the miners report on a proposed <sup>change</sup> of County road petitioned for by Wm B Gray and others and it appearing that there has been two bills for damages filed herein and in order to save expense to the petitioners if desired the further action on this matter is postponed until the next regular term of this court.

In the matter of Damages  
and establishment of the County  
Road petitioned for by A. R.  
Robinson and others

Now at this time came on to be heard the report of the appraisors of damage heretofore appointed to appraise the damage that Frederick Mitchell and Franklin Mitchell would sustain by reason of the establishment of a County road petitioned for by A. R. Robinson and others and it appearing from their report that said parties will sustain no damage by the said County road being