

*Law*  
*No 56*  
*in*  
*Circuit* *Court*

*Chas Robin & Co*

*Plaintiff*

*A J Patton*

*Defendant*

*Action for Money*

*Docket Page*

*Baker & Baker*

*Attorney for Plaintiff*

*Attorney for Defendant*

FOR THE GENERAL ENVELOPE  
MAY 1870 I H.P. N.V.H.C. MP  
W. H. & C. H. O.  
1870

**Record of the Case**

1870

Sept 9 Petition rec Viewers affidts  
Journal B 4 515

Nov 3 lat reading report  
Journal B 4 526

Nov 4 ordered opened  
Journal B 571

147

Road

Beginning about 100 yards N Ely from  
EB Morelocks house to about 100 yards  
W of Matt Nichols house

**WITNESSES.**

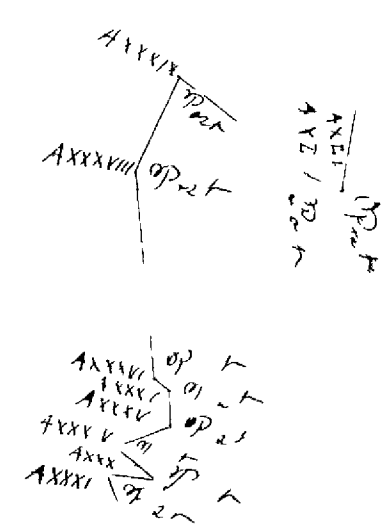
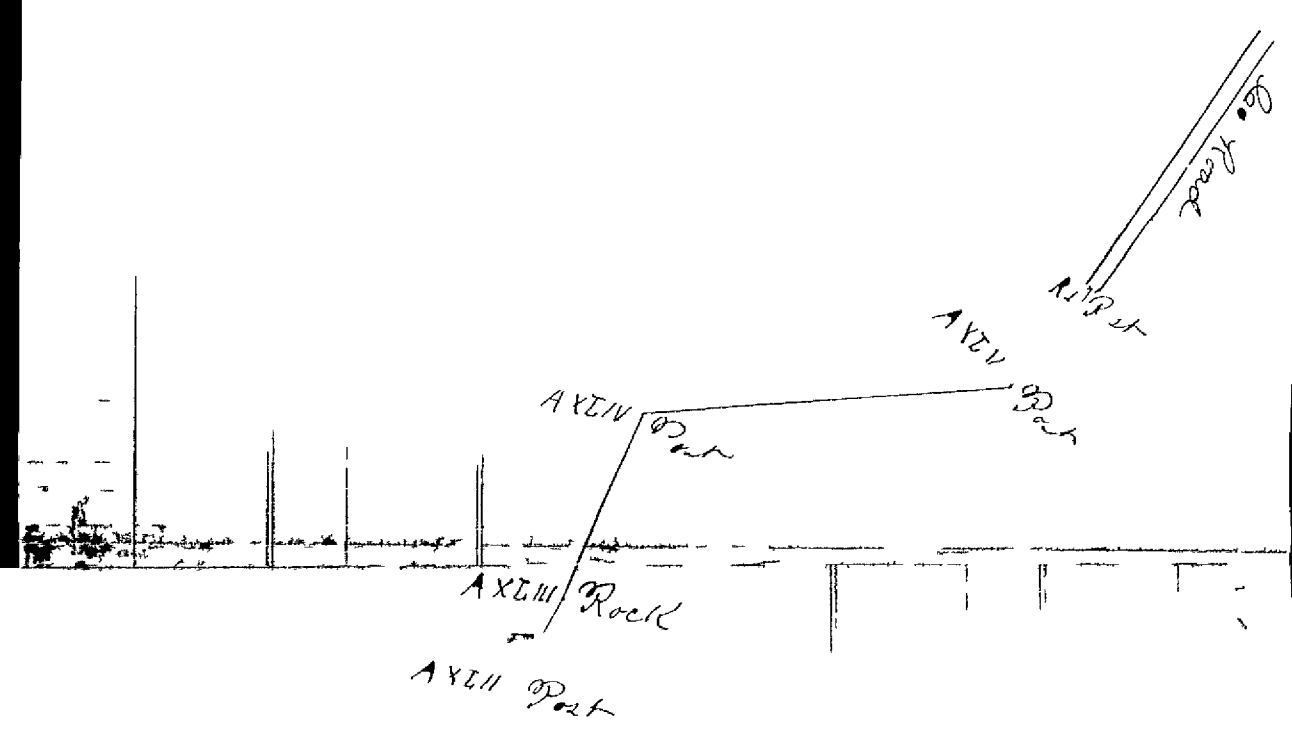
**DIRECTIONS**—Place papers on **TOP OF RUBBER**  
Fold ends first then sides Throw the rubber cords  
over the ends and package is complete

147

To Chas Wolgast and Joseph Harris viewers appointed to review a County Road from near the house of E B Morelock to intersect the County Road near the house of Matt Nichols. The following are the field notes of the survey of the above described road Beginning on the County Road near the house of E B Morelock at a Post marked R

S 18° E 100 rods to Post marked A I  
 S 49° E 46 " A II  
 East 50 " A III  
 N 5° E 26 " A IV  
 N 76° E 34 " A V  
 " N 19° E 44 " A VI  
 " N 81° E 68 " A VII  
 N 33° E 30 " A VIII  
 N 68° E 24 " A IX  
 N 46° E 28 " A X  
 N 3° E 116 " A XI  
 N 60° E 60 " A XII  
 N 67° E 14 " A XIII  
 N 53° E 40 " A XIV  
 N 70° E 52 " A XV  
 N 60° E 32 " A XVI  
 N 75° E 18 " A XVII  
 " S 82° E 62 " A XVIII  
 " S 55° E 74 " A XIX  
 N 4° E 54 " A XX  
 East 88 " A XXI  
 N 31° E 48 " A XXII  
 N 38° E 72 " A XXIII  
 N 35° E 28 " A XXIV  
 N 60° E 34 " A XXV  
 N 2° W 106 " A XXVI  
 N 89° E 74 " A XXVII  
 N 11° W 34 " A XXVIII  
 N 5° E 78 " A XXIX  
 N 80° E 26 " A XXX  
 N 9° W 64 " A XXXI  
 N 22° W 166 " A XXXII  
 S 86° E 22 " A XXXIII  
 N 48° W 24 " A XXXIV

Thence N 70° E 30 rods to Post marked A XXXV  
 N 1° E 20 " A XXXVI  
 N 55° W 10 " A XXXVII  
 N 5° W 110 " A XXXVIII  
 N 25° E 54 " A XXXIX  
 S 53° E 84 " A XL  
 S 65° E 20 " A XLI  
 N 10° E 120 " A XLII  
 N 27° E 60 " Rock A XLIII  
 N 23° E 106 " Post A XLIV  
 N 85° E 192 " A XLV  
 N 57° E 65 " " R I and  
 connecting with Willco's Co Road

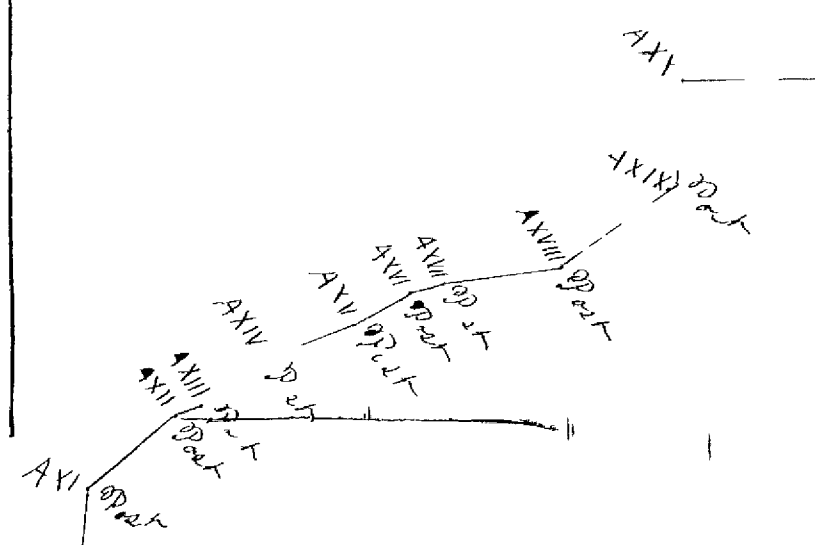
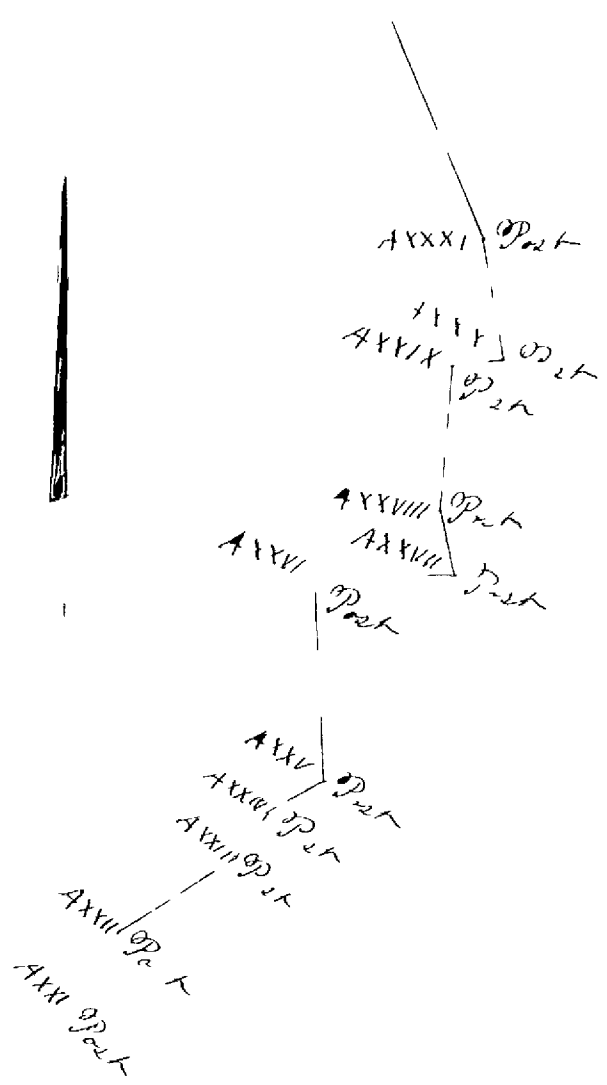


Surveyed Sept 28<sup>th</sup> 29<sup>th</sup> 30<sup>th</sup> 1880

Variation 20 East

Scale of distances  
100 rods to the inch

Whole distance  
8 miles 247 rods



State of Oregon }  
County of Union }

I Eugene Chase County Surveyor, 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 under the supervision of the viewers on the 28<sup>th</sup> 29<sup>th</sup> & 30<sup>th</sup> days of September 1880  
Eugene Chase Co Surveyor

Survey of Marshall Road

Field Notes 1880  
20-100-1880

Open

Perkins

or

✓

## Road - Petition

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

We the undersigned Citizens  
of the State of Oregon, householders  
and residents <sup>of Union County Oregon</sup> ~~of the State~~  
residing in the vicinity and  
along the line of the proposed  
road hereinafter described  
respectfully pray that you  
locate <sup>establish</sup> and cause to be opened  
a county road within Union  
County Oregon described as follows  
Beginning at a point in the  
County road near a gate about  
one hundred yards in a north  
easterly direction from the  
residence of E. B. Monrook thence  
thence in an easterly direction  
across the farm of E. B. Monrook  
crossing Grand Ronde river on  
the bridge built by the County  
of Union and by Citizens of the  
County, thence in a north  
easterly direction, along the fence  
road as near as may be prac-  
ticable, touching the corner between  
the farms of Joel Brown and  
M. A. Stemen on their west line

These existing crossing Indian  
 and Clark's crabs on the bridges  
 built thereon, and along the  
 road as now traveled as well  
 as practicable, to the foot of  
 Clark's Creek. There are  
 the same on the most practicable  
 route to the end of the County  
 road about one hundred  
 yards west of the residence of  
 Mott Nichols, the total distance  
 being about seven miles.  
 All of the foregoing roads and  
 the termini and intermediate  
 points mentioned herein  
 being within the County of  
 Minn and State of Oregon  
 Names

- 1 J M Tucker
- 2 V Cummings
- 3 G R Tucker
- 4 Mathias Nickel
- 5 L A Harpford
- 6 Wm. Fine
- 7 Robert Weaver
- W B Windman
- G J Wagner
- J H Alexander
- ~~W H Alexander~~
- J H. Orr

S. J. Barnes ..

William Bennett

J. L. Weaver

J. A. Morris

W. B. Knight

Joseph Huffman

x x

SEE ~~...~~

Manuel Book

Book Station

Price Sept-8<sup>th</sup> 1880

Willie Shuff  
Co Books



Notice

Notice is hereby given to all whom it may concern that a petition will be presented to the Hon. County Court of Union County State of Oregon at its next regular session to be held in Union Union County State of Oregon on the first Monday in the month of September, 1850

Praying for the location of a County road within Union County State of Oregon described as follows to wit, Beginning at a point in the County Road near a gate about one hundred yards in a north westerly direction from the residence of E. B. Moulton running thence in an easterly direction across the farm of E. B. Moulton crossing Grand River in a bridge built by the County of Union & City of them thence in a north westerly direction along the former road as near as may be practicable touching the corner between the farms of Jere Ward M. A.

Stewart on their west line thence easterly crossing Indian Creek on the bridge built there and along the road as now traveled as near as practicable to the foot of Clark's Creek thence over the same on the most practicable route to the end of the County road about one hundred yards west of the residence of Matt Nichols the total distance being about seven miles. all of the foregoing road and the termini and intermediate points mentioned herein being within the County of Union State of Oregon Dated this 5th day of July 1850

J. M. Tucker

STATE OF OREGON,

UNION COUNTY,

} SS.

*J. M. Tucker* .....

being

duly sworn, say: That I posted three copies of the annexed notice in three public places in the vicinity of the within proposed county road, and one on the Court House door in Union County, Oregon, on the *5<sup>th</sup>* day of *July* ..... 188*0* and more than thirty days prior to the presentation of the petition herein.

*J. M. Tucker* .....

Subscribed and sworn to before me this *8<sup>th</sup>* day of *Sept* ..... A. D. 188*0*

*Willie Skiff*  
*Calcluk*

E. B. Mearns

Beauty Book

Articles & Proverbs

Journaling

Price Sept 8<sup>th</sup> 1880

Wm. B. Eddy  
Co. Clerk

**Know all Men by these Presents:**

THAT WE, William Bennett  
 and Mathias Nickels, of the County of Union and  
 State of Oregon, are held and firmly bound unto the said County of Union in the sum of  
Fifty Dollars, the payment of which, well and truly  
 to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents.

Signed this 5<sup>th</sup> day of September A. D. 1880

Now the condition of the above obligation is such, that whereas, if the County Road petitioned  
 for by J. M. Tucker and others, and presented  
 at the Sept. term, 1880, of the County Court of said Union county, commencing  
about one hundred yards in a North East-  
erly direction from the residence of E. B. Marlock  
thence in an Easterly direction to about one  
hundred yards West of the residence of Matt Nickels  
 be located and established, then this obligation to be void; otherwise to remain in full force  
 and virtue in law.

William Bennett  
Mathias Nickels

Know all men by these presents

Margaret Bruce  
Boyer

Given Sept. 10<sup>th</sup>  
1880

Walter Shuff  
Co. Clerk

To the Hon. County Court of Union  
County Oregon

We submit the following as our  
report as viewers of road viz:  
from near the house of E. B. Morelock  
to within 100 yards of the house of  
Matt. Nichols. We met on the 28<sup>th</sup>  
of September 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 from <sup>said</sup> day to  
up to Thursday Sept 30<sup>th</sup> when  
we completed said survey.

We select from said Surveyors  
plat of surveys which as shown  
by Surveyors plat one which we  
heartily recommend for County  
Road and public travel.

We therefore submit the above  
hoping the same will meet  
your approval

Chas. Hallgarth } Viewers of proposed  
Joseph Harris } County Road

1850  
Helen Cox

Miss Wags  
Dear

J. B. & Co.  
Esq.

all of said road to be forty feet in width and it satisfactorily appearing to the court from proof filed herein, that due notice of the pendency of these proceedings 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 has been filed; It is therefore ordered by the court thos. James York, Johnathan Bogart and James Bogart be appointed viewers and Eugene Lehare Surveyor, to view, survey and report upon said proposed road and that they meet at the house of Andrew Riggs on the 20<sup>th</sup> day of Sept. 1850 and duly qualify upon entering upon the discharge of their duties in this behalf.

In the matter  
Road Petition

J. M. Tucker et al

On this day came J. M. Tucker who presents to the court the petition of himself and more than twelve others praying for the location and establishment of a county road as follows: to wit: Beginning at a point in the county road near a gate about one hundred yards in a northeasterly direction from the residence of E. B. Morelock running thence in an easterly direction across the farm of E. B. Morelock, crossing Grande Ronde River on a bridge built by the county of Elvion & citizens there; thence in a northeasterly direction along the traveled road as near as may be practicable touching the corner between the farms of Joel Weaver and W. C. Stevenson on their west line, thence Easterly crossing Indian and Belardo creeks on the bridges built thereon and along the road as now traveled as near as practicable to the foot of the Belardo Creek Hill, thence over the same on the most practicable route to the end of the county



Road about one hundred yards west of the residence of Matt Nichols, all in Union Co Oregon. And it satisfactorily appearing to the court from proof filed herein, that due notice of the pendency of these proceedings 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 has been filed. It is therefore ordered by the court that Lehat Keelgardh, Joseph Harris and S L Brooks be appointed receivers and Eugene Ellice Surveyor, to view, survey and report upon said proposed road and that they meet at the house of E B Woodcock on the 28<sup>th</sup> day of Sept 1890. and duly qualify before entering upon the discharge of their duties in this behalf.

In the matter }  
 of }  
 petition }  
 for }  
 County Road }  
 vs }  
 Wm B. Gray et al.

On this day came Wm B Gray who presents to the court the petition of himself and more than twelve others praying for a change in a County road as follows, to wit: Beginning at the N.E. corner of Section 15 T. 2. S. R. 38. E. running thence South  $\frac{1}{4}$  of a mile, thence East to which  $\frac{1}{4}$  of a mile of the Ben Hally and Willow Creek County Road; thence North  $\frac{1}{4}$  of a mile, thence East  $\frac{1}{4}$  of a mile to intersect the said Hally and Willow Creek road, and to encompass all that portion of the County Road now so called as is now included in the proposed change. And it satisfactorily appearing to the court from proof filed herein, that due notice of the pendency of these proceedings had been

In the matter } W. B. Gray road

Viewers report } Now at this time was read  
the first time the report of the viewers on a co  
road petitioned for by W. B. Gray and others

In the matter }

Viewers report }

Now at this time was read the  
first time the report of the viewers on a County  
road from James Sams on Big Creek to  
Sturgills bridge on Powder River

In the matter }

Viewers report }

Now at this time was read  
the first time the report of the viewers on  
a proposed road from the Daly bridge  
on North Powder River to intersect the Co  
Road from Union to Baker City.

In the matter }

Viewers report }

Now at this time was  
read the report of the viewers upon a proposed  
co road from W. Hagers on Clover Creek  
to the Pine trees on North Powder.

In the matter }

Viewers report }

Now at this time was  
the second first time read the report of  
the viewers on a proposed County road  
from near the house of E. B. Morelock to  
about the house of Edw. Nicholls

In the matter  
 of  
 Viewers Report } Morelock Road

Now at this time was read the second time the report of the viewers heretofore appointed to view, survey and lay out said a Co road leading near the house of E. B. Morelock to within about 100 yards of the house of Matt Dickler, which report is as follows: to wit:  
 "To the Hon County Court of Union County Oregon,

We submit the following as our report as Viewers of road viz: From near the house of E. B. Morelock to within 100 yards of the house of Matt Dickler. We met on the 28<sup>th</sup> day of Sept. 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 from said day up to Thursday Sept 30<sup>th</sup> when we completed said survey, we select from said Surveyors plat of Surveys which as shown by Surveyors plat, one which we heartily recommend for county road and public travel. We therefore submit the same above hoping the same will meet your approval.

Chas Holgart } Viewers of  
 Joseph Harris } proposed County  
 Road.

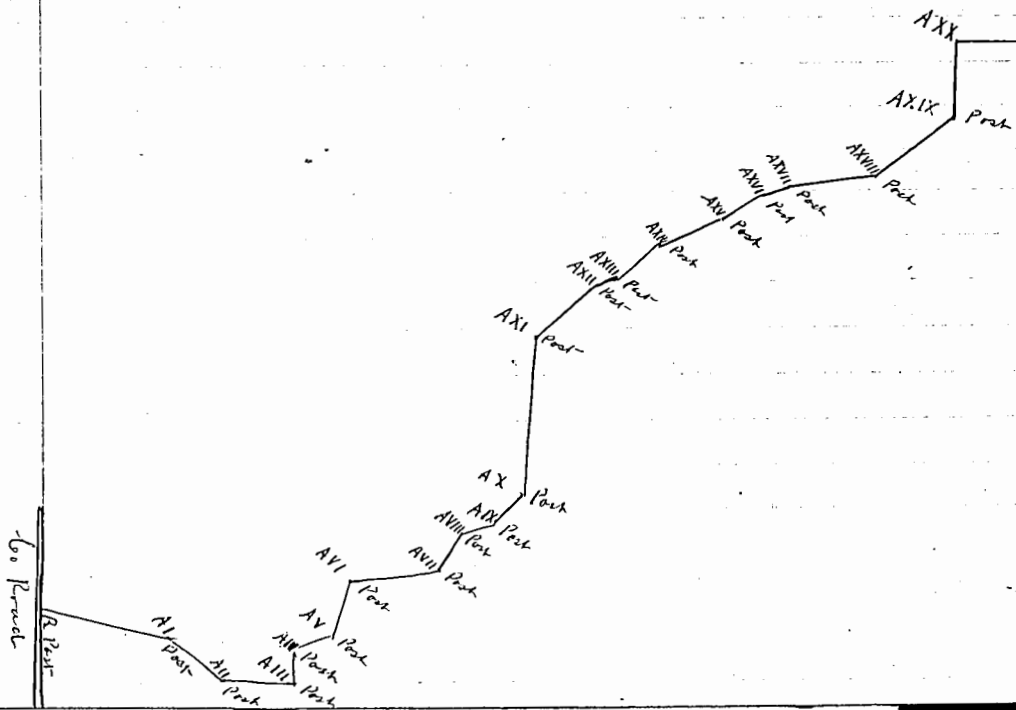
And it appearing to the Court that the proceedings herein have been regular and in due form of law, and it also appearing to the Court that said road is of great necessity to the traveling public and of great necessity, It was ordered and adjudged that said route be and the same is hereby established as a public highway and county road and that the same be opened in accordance with the plat and field notes of the survey thereof of which the following are copies, to wit:

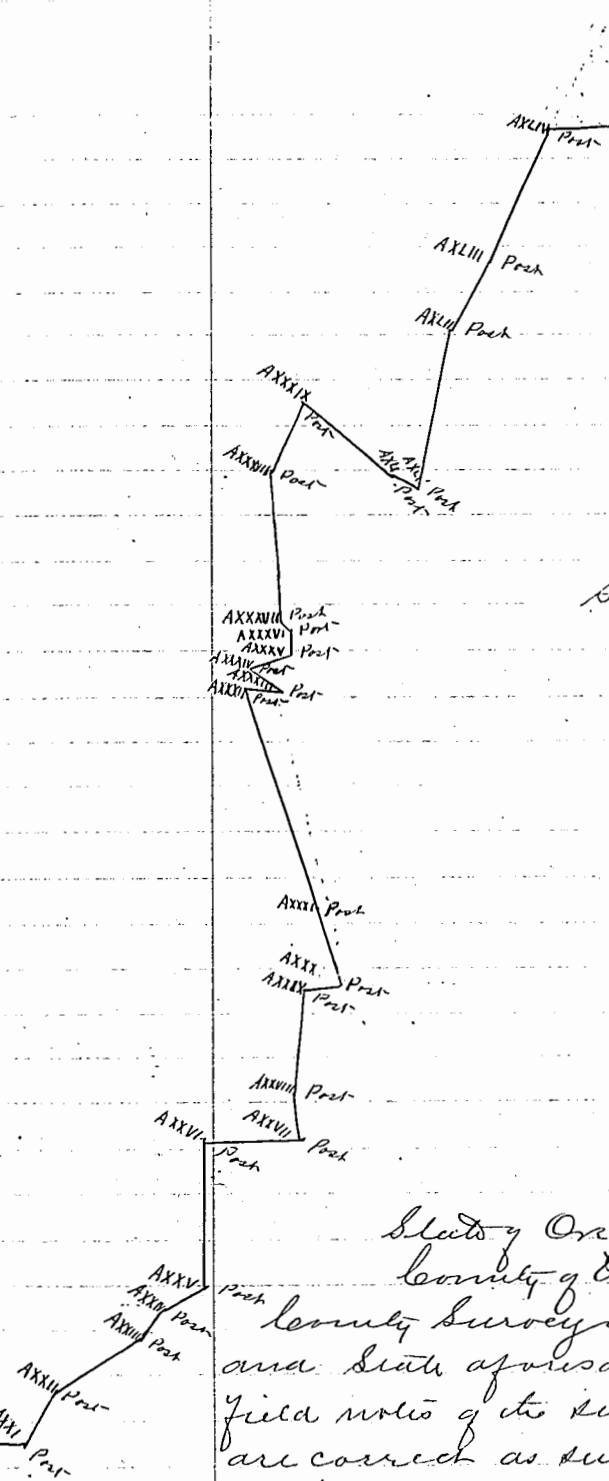
To Chas Holgart and Joseph Harris Viewers appointed to review a County Road from near the house of E. B. Morelock to intersect the County road near the house

of Matt Nichols. The following are the field notes of the survey of the above described road:  
 Beginning on the County road near the house of E. B. Morelock at a post marked R<sub>1</sub>

Thence S 78° E	100 rods to post marked A I	Thence N 35° E 28 rods to post marked	AXXIV
" S 49° E	46 " " " " A II	" " 60 " 34 " " " " "	AXXV
" East	50 " " " " A III	" " 2° W 106 " " " " "	AXXVI
" N 5° E	26 " " " " A IV	" " 89° E 74 " " " " "	AXXVII
" " 76° "	34 " " " " A V	" " 11° N 34 " " " " "	AXXVIII
" " 19° "	44 " " " " A VI	" " 5° E 78 " " " " "	AXXIX
" " 81° "	68 " " " " A VII	" " 81° E 26 " " " " "	AXXX
" " 35° "	30 " " " " A VIII	" " 9° W 64 " " " " "	AXXXI
" " 68° "	24 " " " " A IX	" " 22° " 166 " " " " "	AXXXII
" " 46° "	28 " " " " A X	" S 86° E 22 " " " " "	AXXXIII
" " 5° "	116 " " " " A XI	" N 45° W 24 " " " " "	AXXXIV
" " 50° "	60 " " " " A XII	" " 70° E 30 " " " " "	AXXXV
" " 67° "	14 " " " " A XIII	" " 1° " 20 " " " " "	AXXXVI
" " 53° "	40 " " " " A XIV	" " 55° W 10 " " " " "	AXXXVII
" " 70° "	52 " " " " A XV	" " 5° W 110 " " " " "	AXXXVIII
" " 60° "	32 " " " " A XVI	" " 25° E 54 " " " " "	AXXXIX
" " 75° "	18 " " " " A XVII	" S 53° " 84 " " " " "	AXL
" S 82° "	62 " " " " A XVIII	" " 65° " 20 " " " " "	AXLI
" N 55° "	74 " " " " A XIX	" N 10° " 120 " " " " "	AXLII
" " 54° "	54 " " " " A XX	" " 27° " 60 " " " " "	AXLIII
" East	188 " " " " A XXI	" " 23° " 106 " " " " "	AXLIV
" N 31° E	48 " " " " A XXII	" " 85° " 192 " " " " "	AXLV
" " 58° "	72 " " " " A XXIII	" " 57° " 65 " " " " "	RT

and connecting with the Willow Lea Road





Surveyed Sept 28<sup>th</sup> 29<sup>th</sup> + 30<sup>th</sup> 1880

Variation 20° East

Scale of distances  
100 rods to the inch

Whole distance  
8 miles 247 rods

State of Oregon }  
 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 under the super-  
 vision of the viewers on the 28<sup>th</sup> 29<sup>th</sup> + 30<sup>th</sup> days of  
 September 1880

Eugene Chase  
les Surveyor

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Whereupon the Court adjourned until 9  
o'clock to-morrow morning.