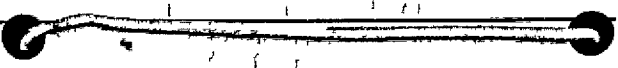


RECEIVED  
JAN 10 1893  
U.S. DEPT. OF JUSTICE  
WASHINGTON

No 28 E

16  
262  
Court

in Circuit



Newton Schoonover

Plaintiff

vs

Alexander LaRuff  
et al

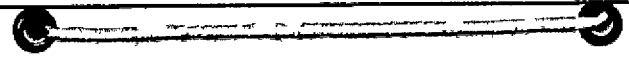
Defendant

Action for Procedure

Docket Page

J R writes

Attorney for Plaintiff



Attorney for Defendant

**Record of the Case**

171

**WITNESSES.**

1832  
Mar 8 *Patrick* rec *Viewers* of *land*  
*Journal B p 688*  
May 11 *Wren* rec  
*Journal B p 714*

Road

change in to be commencing at or near  
NW cor of *lot* Sec 31 T 2 S R 35 E  
to top of *hill* at tree marked X

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

171

In the County Court of Union County State  
of Oregon.

To the above entitled Court - we  
the undersigned - residents and householders  
in the County of Union State of Oregon <sup>and residing within the vicinity of the road therein described</sup> -  
respectfully apply - to have the County Road  
heretofore surveyed & layed out - and opened  
and described as follows to wit - begins at  
or near the N.W. Corner of the N.E. 1/4 of Sec  
31 Town 2 South Range 38 E - thence in a  
westerly direction on the line of said survey to the  
old mill site of W. J. Rodgers - ~~thence~~  
that said road shall be described as follows -

Commencing at or near the N.W. Corner of the  
N.E. 1/4 of Sec 31 Town 2 South Range 38 E - of the  
Willamette Meridian - thence North one half (1/2)  
mile - thence west one half (1/2) mile - thence in a  
South westerly direction to the foot of the grade  
abrupt on the S.W. 1/4 of Sec 30 Town 2 South of  
Range 38 East of the Willamette Meridian - thence in  
a North westerly direction to the top of Fox Hill  
to a pine tree marked X.

Names	Names
James Hally	Oliver Shafer
C. G. Erlace	J. Y. Miller
Wm. Mass	J. G. Atchley
John Brechard	H. W. Geary
John McDonald	J. Shafer
H. J. Goring	Egbert & Meulen

Signers

Stamps

P. B. Gault

J. B. [unclear]

John D. [unclear]

W. J. [unclear]

W. J. [unclear]

A. J. Hughes

J. A. [unclear]

Wm. [unclear]

Daniel [unclear]

~~J. [unclear]~~

W. E. [unclear]

J. M. [unclear]

County Clerks of  
Maine County Oregon

Records of W. [unclear]  
and others to have  
correct record changed

Filed March 7<sup>th</sup> 1882

Willis [unclear]  
Clerk

J. B. [unclear]

Feb 2

Notice Feb 2<sup>nd</sup> 1882

Notice is hereby given to all persons concerned - that application will be made to the County Court of Union County - State of Oregon at the next regular session of said court - for altering as hereinafter described - the County Road and Public Highway - heretofore surveyed - laid out and being and described as follows - Commencing at or near the N.W. corner of the N.E. 1/4 of Sec 31 Town 2 South Range 38 East - thence in a westerly direction on the line of said survey to the old mill site of W. J. Suedgrass - said road to be altered so that said road shall be described as follows - commencing at or near the N.W. corner the N.E. 1/4 of Sec 31 Town 2 South Range 38 East - thence north one 1/2 mile - thence west one half (1/2) mile - thence in a southerly direction one half (1/2) mile more or less to the foot of the grade - situated - on the S.W. 1/4 of Sec 30 Town two South of Range 38 East of the Willamette Meridian - thence in a north westerly direction to the top of Fox Hill to a pine tree marked "X" and to this effect the undersigned residents and householders in Union County State of Oregon <sup>and residents within the premises of said road</sup> shall petition said County Court at the next regular session thereof - as above

Feb - 1882

James Hally  
C. G. Embree

Wm. Mass

D. A. Kueper

John Buchanan

John McDaniel

Oliver Shafer

J. K. Miller

W. W. Geary

J. B. Ashley

J. Shafer

P. B. Louder

Geo. Jones

John Becklin

A. J. Holman

W. A. ...

J. ...

H. J. Young

Wm. Wells

Samuel ...

J. ...

W. E. ...

J. M. ...

J. M. ...

Proof of ...

June March 1870  
Wiley Hall  
back

State of Oregon 3<sup>rd</sup>  
Union County 3 J Ed Blake  
being duly sworn say  
that I posted the within  
notice on the Court house  
door in Union Union  
County Oregon on the 2<sup>nd</sup>  
day of February A.D. 1882  
Ed. Blake

Subscribed and sworn  
to before me this 7<sup>th</sup>  
day of ~~February~~ March 1882  
Willis Huff  
County Clerk

State of Oregon 3<sup>rd</sup>  
Union County 3<sup>rd</sup>

I Albert Hughes being duly  
sworn say that I am a resident ~~and~~ ~~and~~ ~~and~~  
holder within the county of Union State of  
Oregon and within the vicinity of the road  
referred to in the within notice and that I signed  
the within notice and on the 2<sup>nd</sup> day of  
Feb 1882 I posted two copies of the  
within notice in two public places  
in the vicinity of said road as follows  
to wit one at the western terminus of said

road - on at the NW corner of the NE 1/4  
of Sec 31 town 2 South Range 3 East of  
the Willamette Meridian on the gable  
of the fence belonging to this affiant -  
which is near the line of said proposed  
road

A. J. Hughes

Subscribed and sworn to

before me this 7 day of ~~May~~ 1882

Willis Huff  
Co. Clerk



# Know all Men by these Presents:

THAT WE, A. J. Hughes  
 and John Mc Dowell, of the County of Marion and  
 State of Oregon, are held and firmly bound unto the said County of Marion 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 9<sup>th</sup> day of Mar A. D. 1882

Now the condition of the above obligation is such, that whereas, if the County Road petitioned  
 for by A. J. Hughes and others, and presented  
 at the Mar term, 1882, of the County Court of said Marion county, commencing  
 at or near the north west-corner of the 1/4 E 1/4 of Sec 31 Town 2 & R 38 E of the  
Willamette Meridian - thence north one half mile - thence in a South  
 westerly direction to the foot of the grade situated on the S W 1/4 of  
Sec 30 Town 2 South of Range 38 East of the Willamette Meridian  
 thence in a north westerly direction to the top of the Fox Hill to a pine tree marked X  
 be located and established, then this obligation to be void; otherwise to remain in full force  
 and virtue in law.

A. J. Hughes  
John Mc Dowell

**STATE OF OREGON,** }  
**COUNTY OF MARION,** } ss.

I, A. J. Hughes and  
John Mc Dowell each for himself says that I am worth the sum  
 of fifty Hundred Dollars over and above all debts and liabilities and property  
 exempt from execution, and that I am a resident and householder in said County and State.

A. J. Hughes  
John Mc Dowell

Subscribed and sworn to before me, this 8  
 day of March A. D. 1882

Willis Skiff  
 C. Clerk.

Know all men by these presents:

I, the undersigned, do hereby certify that the following is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on the 14th day of March, 1950.

Witness my hand and seal of office this 14th day of March, 1950.

Attest:

Secretary

*Donald  
Co., Pa.  
A. J. Hughes et al  
Frank March 8 50  
Wells Fargo  
Co & bank*

STATE OF OHIO  
COUNTY OF WYOMING

Notary Public

My commission expires

Notary Public

→ **Be it Remembered** That at a term of the Honorable County Court of Mun County, State of Oregon, begun and held at the Court House, in Mun in said County, on the 8 day of March A. D. 1882 and from day to day thereafter, during the continuance of said term.

Present: Hon. A. G. Craig County Judge,  
" Wm. G. Hunter Commissioner,  
" A. K. Saunders Commissioner,  
Willis Staff Clerk,  
R. J. Rogers Sheriff,

The following, among other proceedings, were had, to-wit:

IN THE MATTER OF petition for a  
Change County  
Road

On this day came A. J. Hughes who presents to the Court the petition of himself and more than twelve others, praying for a change of a Co Road the location and establishment of which Co Road is as follows, to-wit: Commencing at or near the NW Cor of the NE 1/4 Sec 31, T. 2 S. R. 38 E. thence in a westerly direction to the old mill site of W. J. Swadgrass, be altered so that said road shall be described as follows, to-wit: Commencing at or near the NW Cor of the NW 1/4 Sec 31, T. 2 S. R. 38 E. of the Will. Mer. thence North one half mile, thence West one half mile, thence ~~westerly~~ in a Southwesterly direction to the foot of the grade situated on the SW 1/4 Sec 30, T. 2 S. R. 38 E. W. M. thence in a Northwesterly direction to the top of the Fox Hill to a pine tree marked "X"

And it satisfactorily appearing to the Court, from 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 has been filed:

IT IS THEREFORE ORDERED BY THE COURT that you Tilman  
George Bartness and W. D. Buchanan  
be appointed Viewers, and Eugene Chase Surveyor, to view, survey and report upon said Yapond Road and that they meet at On Dell on the 21<sup>st</sup> day of March 1882 and duly qualify before entering upon the discharge of their duties in this behalf.

(Signed)

A. G. Craig  
County Judge.

NOTE.—The three viewers must meet.

1860

Chase

→ **Be it Remembered** That at a term of the Honorable County Court of Union County, State of Oregon, begun and held at the Court House, in Union in said County, on the 8<sup>th</sup> day of March A. D. 1887 and from day to day thereafter, during the continuance of said term.

Present: Hon. A. C. Craig County Judge,  
" Wm G Hunter Commissioner,  
" A. L. Saunders Commissioner,  
Willis Skiff Clerk,  
R. J. Rogers Sheriff.

The following, among other proceedings, were had, to-wit:

IN THE MATTER OF Road petition  
for \_\_\_\_\_ County  
Road \_\_\_\_\_

On this day came A. J. Hughes who presents to the Court the petition of himself and twenty seven others, praying for the location and establishment of a county Road as follows:

as follows, to-wit:  
Commencing at the North West Corner of the County bridge across Grande Ronde River at Cro Dell in said County, thence in Easterly direction along the North side of Grande Ronde River to the North End of the County bridge across Grande Ronde River at Island City.

And it satisfactorily appearing to the Court, from 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 has been filed:

IT IS THEREFORE ORDERED BY THE COURT that William Dilman George Bartness and W. D. Buchanan be appointed Viewers, and Eugene Chase Surveyor, to view, survey and report upon said proposed road and that they meet at Cro Dell on the 20<sup>th</sup> day of March 1887 and duly qualify before entering upon the discharge of their duties in this behalf.

(Signed)

A. C. Craig  
County Judge.

State of Oregon  
Union County  
being duly sworn say that I will  
faithfully discharge the duties of surveyor  
in accordance with the within appoint-  
ments to the best of my ability.  
Subscribed and sworn to  
before me this 18<sup>th</sup> day of Eugene Chase  
March A.D. 1882  
E. C. Bates  
Justice of the Peace

Chase  
Filed  
March 10<sup>th</sup> 1882  
W. H. Smith  
Sec. Clerk

In the County Court of the State of  
Oregon for Union County

In the matter of changing  
County Road extending to  
Snodgrass old mill site }

Now comes A. J. Hughes and  
moves the Court to dismiss this  
proceeding at petitioners cost.

A. J. Hughes

One of the petitioners &  
on behalf of all of said  
petitioners

Motion to dismiss

Filed May 10<sup>th</sup> 1882

Wm. H. H. H.

Co. Clerk



To the Hon County Court of  
Union County - Oregon

We submit the following as our  
report as viewers of Change  
of road - Petition of A J Hughes  
et al Commencing at the  
NW cor of the NW  $\frac{1}{4}$  of Sec 31  
T 2 S - Range 38 East Thence  
North  $\frac{1}{2}$  mile Thence West  $\frac{1}{2}$  mile  
Thence in a Northwesterly direction  
to the top of the Fox hill to a  
tree marked X. We met on  
the 21<sup>st</sup> day of March 1882 as  
mentioned in your order and  
being duly qualified in company  
with the surveyor proceeded  
to view survey and lay out  
said road, which we heartily  
recommend for a county road  
and public travel

Viewers of  
proposed county  
road  
Wm Buchanan  
Wm Gilman  
C W Bartlett

Island City Oreg  
March 21<sup>st</sup> 1882

Deanna Report

Dated May 10<sup>th</sup> 1882

Willis West

See Clerk

Report of Surveyor, to the viewers  
of a proposed change of County  
road the location and establishment of  
which Co Road is as follows, to wit;  
Commencing at or near the NW corner  
of the NE 1/4 Sec 31 T 2 S. Range 38 East  
Thence in a westerly direction to the old  
mill site of W J Snodgrass, be altered  
so that said road shall be described  
as follows, to wit; Commencing at or  
near the NW cor of the NW 1/4 Sec 31  
T 2 S. Range 38 East Thence North 1/2 mile  
Thence West 1/2 mile, thence in a South  
westerly direction to the foot of the grade  
situated on the SW 1/4 Sec 30 T 2 S  
Range 38 East, thence in a NW  
direction to a pine tree marked X  
at the top of the Fox Hill.

The following are the field notes.

Beginning at a post marked R + mound  
placed at the NW cor of NW 1/4 Sec 31 T 2 S  
Range 38 E.

Thence	North	160	rods	to post marked	A I.
"	West	160	"	" " mound "	A II. + 1 M
"	S 46° W	44	"	" " " "	A III.
"	S 64° W	26	"	" " " "	A IV.
"	S 7° E	54	"	" " " "	A V.
"	S 25° W	66	"	" " " "	A VI.
"	N 23° W	20	"	" " " "	A VII.
"	N 60° W	120	"	" " tree "	X + R I

State of Oregon }  
County of Union } SS

I Eugene Lohse County Surveyor in and for  
the County & State aforesaid do hereby certify that the field notes of  
the ~~copy~~ of the above described road are correct as surveyed by  
me on the 21<sup>st</sup> day of March 1892 Eugene Lohse Co Surveyor.

Survey of A J Hughes change  
of road

Surveyed March 21<sup>st</sup> 1882

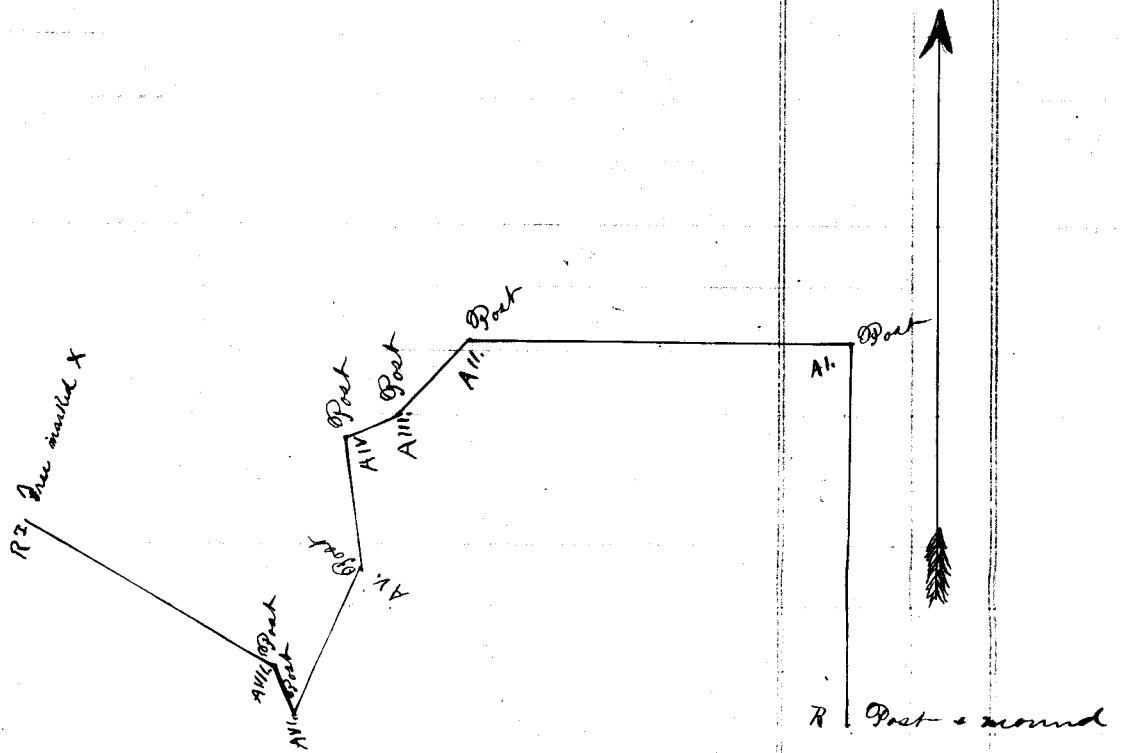
Variation 20° East

Scale of distances

80 rods to the inch

Whole distance

2 miles = 10 rods



Surveyor Report

Final May 10th 1882

Wm. H. Hall  
Co. Clerk

In the matter of the petition  
of A. J. Hughes to vacate  
County Road.

On this day was  
was presented the petition of A. J. Hughes and  
others praying the vacation of a certain Co  
road near Crowell, and said petition laid  
over until the next regular term of this  
Court.

In the Matter of Road  
Petition of A. J. Hughes } Island City  
and others }

On this day came A. J.  
Hughes who presents to the Court the petition  
of himself and more than twelve others  
praying <sup>for change of a County road the</sup> location and establishment  
of <sup>to be</sup> County road as follows, to wit:  
Commencing at or near the N.W. Corner of the  
N.E. 1/4 of Sec 31 Town 2 South Range 38 E.  
thence in a westerly direction on the line  
of <sup>the</sup> survey to the old mill site of W. J. Snodgrass  
thence <sup>so that</sup> said road shall be described  
as follows: Commencing at or near the N.W.  
Corner of the N.E. 1/4 of Sec 31 Town 2 South Range  
38 E. of the Willamette Meridian, thence North  
one half (1/2) mile thence West one half (1/2)  
mile thence in a South westerly direction  
to the foot of the grade situate on the S.W. 1/4 of  
Sec 30 Town 2 South of Range 38 East of the  
Willamette Meridian. Thence in northwesterly  
direction to the top of Fox Hill to a firm tree  
marked "X" And it satisfactorily appearing  
to the Court from proof filed herein, that  
due notice of the pendency of these proceed-  
ings 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 that William Dikman George Barnes  
and W. D. Buchanan be appointed viewas

and Eugene Chase Surveyor and that they meet at Oro Dell on the 21<sup>st</sup> day of March A.D. 1852 and duly qualify before entering upon the discharge of their duties in this behalf.

In the matter of the  
 appointment of Road  
 Supervisors of Road  
 Dist.

Now comes John  
 R. McLann heretofore appointed Supervisor  
 of Roads in and for the District Numbered  
 13 and offers his resignation of said office  
 which resignation is by the Court accepted  
 and Daniel Fruit appointed in his place  
 and stead. It was further ordered  
 that G. J. Wagner be and he is hereby  
 appointed Road Supervisor of Road Dist  
 No 14. John Beach Supervisor of Dist  
 No 22 and John Obryant, Supervisor of  
 Road Dist No 16 -

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



than one Quart for the period of Six Months and it appearing to the Court from proofs filed herein that due and lawful notice has been given of the pendency of this proceeding and no remonstrances having been filed and the receipt of the County Treasurer for the sum of \$50.<sup>00</sup> and a good and sufficient Bond having been filed. It is hereby ordered by the Court that a License issue authorizing the said Thomas Pugh to keep and offer for sale in Joseph Precinct Union County Oregon Spirituous Liquors in less quantities than one Quart for the Period of Six Months from the date hereof.

In the Matter of the location }  
of County Road from Cro Dell }  
to Island City }  
}

Now at this time comes A. J. Hughes and files his motion on behalf of the Petitioners to dismiss this proceeding, for the reason that the Petition is too indefinite and after due consideration by the Court it is hereby ordered and adjudged that the proceeding herein be dismissed.

In the Matter of relocating }  
County Road extending to Snodgraf's }  
old Mill Site by A. J. Hughes et al }  
}

Now at this time comes A. J. Hughes on behalf of the Petitioners to relocate the County Road commencing at or near the NW corner of the NE 1/4 of Section 31 T2 South of Range 38 East thence in a westerly direction to Snodgraf's old Mill Site and files his motion in writing asking the Court to dismiss this proceeding at petitioners cost.

And after due consideration by the Court it is hereby ordered and adjudged that this proceeding be dismissed and that the Petitioners pay all costs herein sustained.