

No 292

in

Circuit

Court

Jas Welch

Plaintiff

B F Rogers

Defendant

Action for Money

Docket A Page 472

J H Crawford

Attorney for Plaintiff

Attorney for Defendant

RECEIVED
MAY 11 1911
U.S. DEPT. OF JUSTICE

268

1886
 Nov 4 Station per Bureau of Repts
 1887 Journal D of 43
 Jan 6 - 1st of Adams report
 Journal D of 58
 Jan 7 dismissed
 Journal D of 61

Road

Beginning at a point 18 rods N of
 center sec 35 T 1 N R 38 E to a
 point 40 rods N of N E cor sec 25 T 1 N
 R 38 E

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

268

To the Honorable County Court of the State of
Oregon for Union County

We the undersigned householders in
the County of Union and State of Oregon
and residents in the vicinity of the proposed
County Road herein after described would
respectfully petition your Honorable Body to cause
to be surveyed and laid out and established
according to law a county Road in the County
of Union and State of Oregon described as
follows Beginning at a point 18 rods west
of the Centre of Section 35 Township One N
Range 38 E T. M. thence running north
easterly $\frac{1}{4}$ of a mile to the North West corner
of the North E $\frac{1}{4}$ of said Section 35, thence
due north $1\frac{1}{4}$ miles thence due east on
section line to intersect a travelled high-
way commonly called the Walla Walla
Wagon Road at a point 40 rods west
west of the N. E. corner of Section 25
Township One North Range 38 E, William
McMurdan all of said points and
pieces lying and being in Union
County State of Oregon

And as in duty bound will ever say &

Witness of householders and resi-
dents in vicinity of proposed County
Road

John Munroe
G. L. Williams
G. W. Grigsby
R. M. Thompson
Joseph Jewett
J. C. Smith
H. M. Patten
W. A. Patten
B. D. Hubert
John M. Lead
L. M. Kuyper
H. M. Kuyper
Wm. H. Andrews
Edm. Dowell
J. Maely
J. J. Russell
J. B. Boyette
W. H. Russell
J. J. Glenn
W. E. Spunkert
L. C. Leavine
J. E. Kimball
Ed. York
Chas. Shuman
J. S. Paul
Chas. Patten
J. D. Gardner
W. S. Gardner
A. Benson

C. R. McGuire
L. A. Myers
J. W. Chatter
Henry A. Myers
H. O. Throe
Frank Johnson
Ag. Johnston
J. M. D. Bland
E. S. Rubin

Levi Stewart
W. W. Woods
A. R. Beck
J. W. Childers
R. L. Palmer
R. J. Childers
K. Murchison
E. B. Marshall

FILED SEP 28 1886

at o'clock min m

W. H. [Signature]
County Clerk.

By [Signature]
Deputy

Recd. Notice

To all whom it may concern Greeting
You will take notice that the undersigned
Householder, in the county of Union
and State of Oregon and residents of
the vicinity of the proposed County
Road, herein after described will
present to the Hon County of the
State of Oregon, for the County of
Union at the next regular session
of said Court to be held at the next
November Term 1886 thereof at
the Court house in the City of Union,
in said County and State, a petition
praying said County Court to cause
to be surveyed laid out and established
according to law, a County road in
the County of Union and State
of Oregon described as follows:

Beginning at a point 18
Rods west of the center of Section 35-
Township one N Range 38 E W M. Thence
running North-easterly $\frac{1}{4}$ of a mile to
the North-west corner of the N E. $\frac{1}{4}$ of
said Section 35, thence due North $\frac{1}{4}$
mile, thence due East on section line
to intersect a traveled highway com-
monly called the Woodruff and
Walla Walla Wagon road, at a point

40 Rods west of the N E. corner of section
25 Township one N Range 38 E Willamette
Meridian all of said points and places lying
and being in Union County and State
of Oregon & dated 19 Sept A.D. 1886

Names of householders and Residents in vicinity
of County Road

J. W. Woodruff

of Trym, dated 19 Sept 1886
Names of householders and tenants in vicinity
of Cairn Road

Joh. Munchson
J. L. Munk
L. W. Frøystad
R. Munk
Joh. Drundall
O. Smith
H. P. Patten
W. Patten
B. D. Syburs
Joh. M. Leide
J. L. McKenye
Hys. M. Frøystad
Wm. H. Andross, sen
C. M. Dowell
G. Wæltz
E. A. Russell
J. C. Bonnette
W. H. Russell
J. T. Skerme
H. E. Rindhart
L. C. Clausen
W. C. Skerme
E. O. York

C. W. Skerme
G. D. Patten
G. D. Gardner
W. S. Gardner
L. K. McGuire
O. A. Meyer
J. M. Christensen
Henry A. Myers
J. P. Thoe
J. Frank Johnson
Ag. Edmiston
J. M. D. Bland
Elias Koster

A. D. Skerme
Sven Skerme
W. H. Skerme
J. M. Skerme
R. H. Skerme
H. Munchson
E. B. Munchson

138 E. Willamette Meridian, also
said points and places lying
being in Union County
State of Oregon.

Dated this 19. of Sept 1884

Names of Household and
Residents in vicinity of said
County Road.

Road Notice

To all whom it may concern Greeting
You will take notice that the undersigned Homeholders
in the County of Union and State of Oregon and residents
in the vicinity of the proposed County Road
hereinafter described will present to the Honorable
County Court of the State of Oregon for the County
of Union at the next term regular session
of said Court to wit at the November
Term 1886 thereof at the Court house in the
city of Union in said County and State a
petition praying said County Court to
cause to be surveyed laid out and
established according to law a County
Road in the County of Union and State of
Oregon and described as follows:

Beginning at a point 18 rods west of the
center of section 35 Township One N Range
38 E N M, thence running north easterly
1/4 of a mile to the North West corner of
the N E 1/4 of said Section 35, thence
due North 1 1/4 miles thence due east
in section line to intersect a travelled
highway commonly called the Woodward
and Walla Walla highway road at a
point 40 rods west of the N. E.
corner of section 25 Township One
N Range 38 E Willamette Meridian
all of said points and places lying
and being in Union County and
State of Oregon
Dated this 19th September 1886

James of Home Holders
and Residents in vicinity of said
County Road

Witness my hand and seal
this 19th day of September 1886
J. K. McGuire

Names of House Holders
and Residents in Vicinity of said
County Road

John McArthur
John McArthur
John Grigley
R. McKim
Joseph Driscoll
S. C. Smith
to D. D. Patton
W. H. Patton

W. R. McGuire
C. A. Myer
J. W. Whittier
Newrya Myers
H. J. Thrae
Frank Jones
Ag. Alveston
Elias Kuhn

W. D. Stevens
John MacLeod
P. W. Keegan
John McHenry
Wm. H. Andrews, sen
John M. Dowd
G. W. Healy
C. J. Benson
W. H. Bennett
W. H. Russell
J. J. Glenn
W. G. Buchanan
S. O. Clancy
Wm. R. Kuchart
E. H. York
Chas. Flanagan
Chas. Patton
D. D. Gardner
W. S. Gardner

A. J. ...
Linn Stewart
Amos Wood
Wm. B. ...
J. W. ...
R. D. ...
R. D. ...
Wm. ...
Wm. ...

STATE OF OREGON,

County of

Union

} ss

A. J. Johnson being first

duly sworn on oath say that I posted three notices (a copy of which I herewith annexed) of the proposed road in the following places to wit One at each end of the said proposed road = One at the N E cor of the N N 1/4 of Section 26 Township One North Range 3 E S. M

and one at the Court House door in

Union

in said

Union

County and State of Oregon thirty days prior to the presentation of petition herein and that all of said petitioners are householders residing in the vicinity of said proposed road, in said

Union

County and State of Oregon

A. J. Johnson

Subscribed and sworn to before me this

3rd

day of

November

A. D. 1886

A. J. Neill Co. Clerk

By J. D. Parker Deputy

Filed Nov. 3rd 1886

A. J. Newell
Co. Clerk

By J. D. Parker
Deputy

Know all Men by these Presents:

THAT ~~we~~ D. A. J. Johnson ~~and~~
of the County of Union

and State of Oregon, ~~are~~ ^{am} held and firmly bound unto the said County of Union in

the sum of One Hundred Dollars, the payment of which, well and truly to be made, ~~we bind ourselves, our~~ ^{I bind myself my} heirs, executors and administrators, firmly by these presents.

Signed this 3rd day of November 1886

Now the condition of the above obligation is such, that whereas, if the County Road petitioned for by John Murchison and others, and presented at the Novth Term, 1886 of the County Court of said Union

county, commencing at a point 18 rods west of the center of Section 35 Township One N. Range 38 E. W. M. thence running North Easterly $\frac{1}{4}$ of a mile to the North West Corner of the North E $\frac{1}{4}$ of said Section 35 thence due North $1\frac{1}{4}$ miles thence due east on Section line to intersect a travelled Highway commonly called the Walla Walla Wagon road at about 40 rods west of the N.E. Corner of Sec 25, T. 1 N. R. 38 E W. M., be located and established, then this obligation to be void, otherwise to remain in full force and virtue in law.

A. G. Gahrster

STATE OF OREGON,

County of _____ } ss.

I D. A. J. Johnson ~~and~~

for myself says that I am worth the sum of One 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. G. Gahrster

Subscribed and sworn to before me, this 3rd day of November A. D. 1886

A. J. Neill Clerk,

By T. D. Parker Deputy.

Bond of Road Petitioners.

.....
.....
.....
.....

Petitioners.

Filed Nov. 8th 1886

A. J. Neill
County Clerk.

By J. D. Parker
Deputy.

To the Honorable County
Court of Union County State of Ogn
We the Undersigned Viewers appointed
By your Honorable Body to view
a County Road petitioned for by
John Murchison and Others

Beginning 18 Rods West of Sec Center of
Sec 35 Township one North R 38 E of
the. W.M. Thence North one and one
half 1/2 miles, thence East an sec
line 104 Chains ~~to~~ ^{to the} Intersection
of what is known as the Woodard and
Walla Walla wagon Road, as will be shown
by surveyor Report

Total Distance of Road. 2 Miles, 70 Chains, 64, &c
We submit the following Report

We met on the 22 Day of Nov 1886 and
Being duly sworn in Company with
Moses Austin Swedeyor and J T Woodell
and Albert Barnes as chairman
Proceeded to survey and lay out said Road
as is shown by surveyor Report
and described above

We your Viewers do hereby Report
Favorable on the above Road

Done this the 1st Day of December 1886

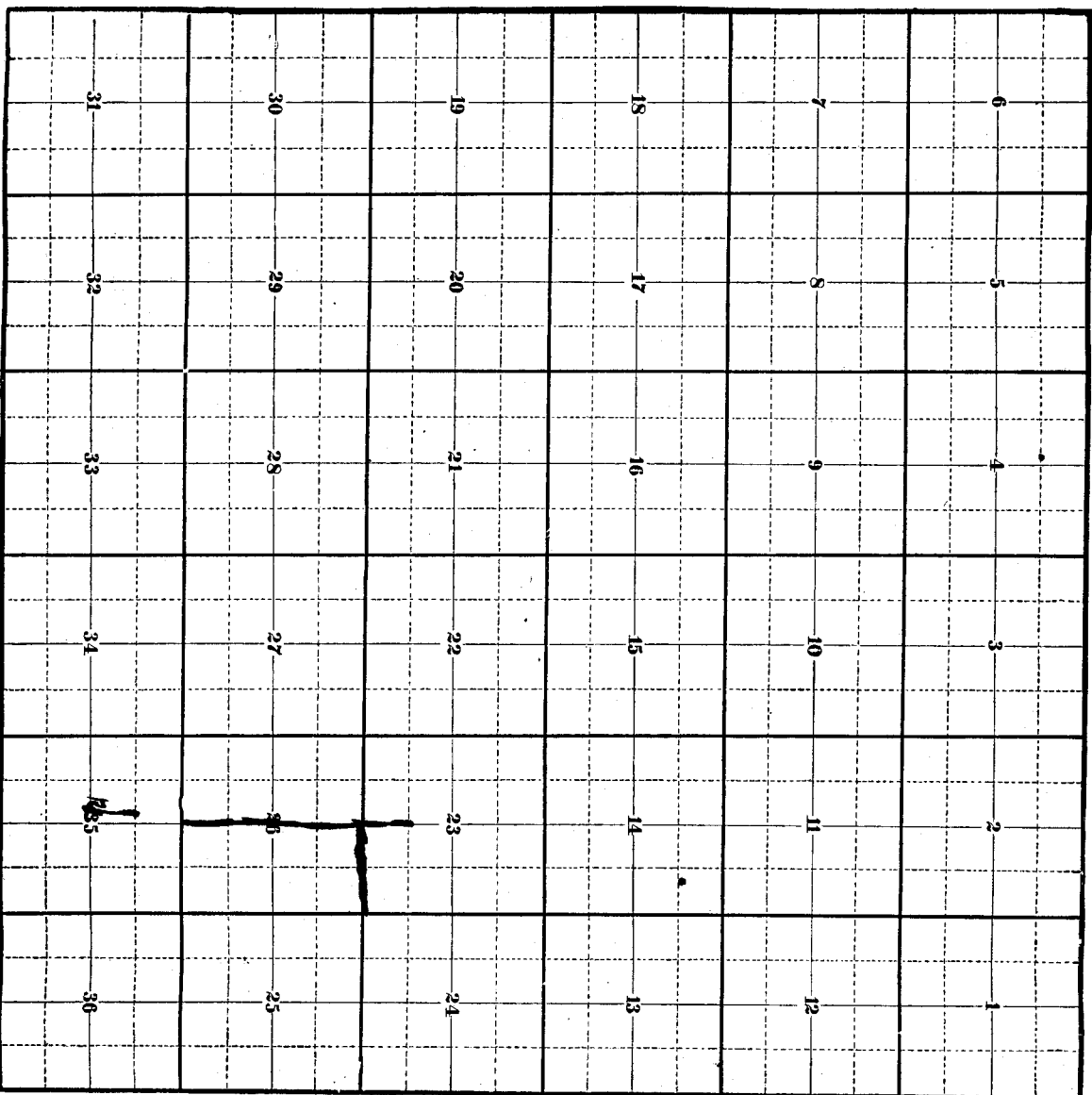
Viewers } E D Burn

} J T Woodell
J W Hammond

[4-590.]

Township 36th N. R. 10th W.

Range 30. E. 8th of 11th.



(6108-20 M.)

Scale 40 chains to an inch.

True Meridian

Plat in accordance with instructions on Road platting pas by John Merriam as indicated by the read lines.

Surveyors Report to viewers for a
 proposed County Road Petitioned for
 by John Muescherson and others
 Commencing 18 Rods west of the center
 of Sec 35 Township one north of Range
 38 East, ^{41.1 m} Thence North, N. C.

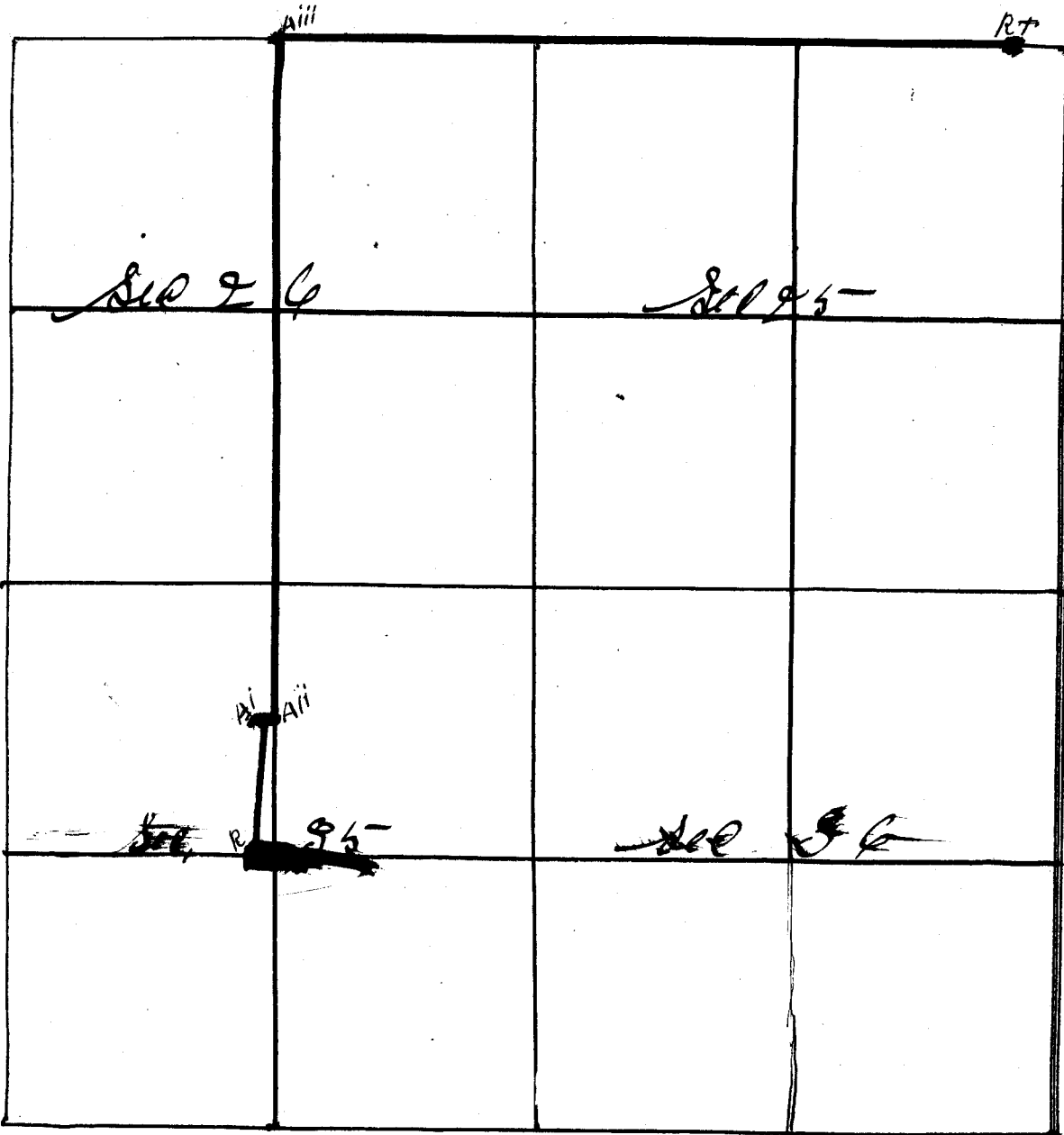
From R. Tree a large Pine about 16 Rods
 west of the center of said Sec 35

Thence N. P. 5° E. 20.70 Chains To A T I
 " E 2.24 " " " " II
 " N. P. 100.70 " " " P. III
 " at the 1/4 corner between Sec's 23 &
 26.

Thence E. on sec-line 107, Chains To R.T. Road
 at the intersection of the well known
 Wagon Road. (Mag- over 20° E
 whole distance 2 miles and 70.64 Ch)
 I do here by certify that the above
 Plat and Field Notes are correct
 as surveyed by me on the 22nd
 day of Nov 1886

Moses Austin
 County Surveyor

Township 1 N. Range 88 East



Friday Nov. 4th 18862nd Judicial Day =

In the Matter of a }
 proposed County Road }
 petitioned for by H. W. }
 Oliver and Others }

On this day came H. W. Oliver who presents to the Court the petition of himself and thirty one others praying for the laying out and the establishment of a County road commencing and running as follows to wit: Commencing 18 rods West of the center of Section 35, Township One North Range 38 E. N. W. and running thence a little East of North on the old road about 85 rods more or less to the South side of the N E 1/4 of the S W 1/4 of Sec 35, thence East to the S W Corner of N E 1/4 of the S W 1/4 of Sec 35. Thence North on this line 1 1/2 miles and two rods thence East 80 rods more or less as the good of the road may require, thence angling South Easterly and then Easterly to intersect what is known as the Woodward road = And it satisfactorily appearing to the Court from proof filed therein 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 J. L. Woodell, J. W. Hamrock and E. D. Harrel be appointed Viewers and Moses Austin Surveyor to view, survey and report upon said proposed road and that they meet at the School House on the 13th day of Nov. 1886 at 10 O'clock and duly qualify before entering upon the discharge of their duties in this behalf

In the Matter of a }
 proposed County Road }
 petitioned for by John }
 Murchison and Others }

On this day came John Murchison who presents to the Court a petition of himself and forty five others praying for the laying out and establishment of a County road commencing and running as follows to wit:

Friday Nov. 4th 18862nd Judicial Day

Beginning at a point 18 rods West of the center of Sec 35 Township One, N. Range 38. E. N. M. thence running North Easterly $\frac{1}{4}$ of a Mile to the North West corner of the North $\frac{1}{4}$ of said Sec 35; thence due North $1\frac{1}{4}$ Miles, thence due East on Section ^{line} to intersect a travelled highway commonly called the Halls Halls Wagon Road at a point 40 rods West of the N. E. Corner of Section 25 Township One North Range 38 E. Willamette Meridian all of said points and places lying and being in Union Co. State of Oregon, 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 given It is therefore Ordered by the Court that J. D. Woodell J. W. Hancock and E. D. Harne be appointed Viewers and Moses Austin Surveyor to view, survey and report upon said proposed road and that they meet at the School house at 9 O'clock Nov. 9th 1886 and duly qualify before entering upon the discharge of their duties in this behalf

In the Matter of a proposed
County road petitioned for by
R. M. Downey and Others

On this day came R. M. Downey who presents to the Court the petition of himself and twenty seven others praying that the Court cause to be Viewed, layed out and surveyed, commencing and running as follows to wit: Beginning at center of Sec 2, T. 3. S. R. 45. E. N. M. thence running East One Mile thence South 20 rods thence East to County road running from Dan Dammons ranch South up Sheep Creek into the timber about $\frac{1}{2}$ mile thence on said line on said County road to the S.W. corner of Sec 6. T. 3 S. R. 46 E. N. M., about 140 rods thence East One and half miles to the South East Corner of S. W. quarter of Sec 5; T. 3 S. R. 46 E. N. M., thence in an Easterly direction down a certain canyon and crossing Sheep Creek ^{near} Jacob Beeler road about One half mile thence South Easterly along present wagon road to Top of

Second Judicial Day

Thursday January 6th 1887

In the Matter of the Proposed
County Road petitioned for by
H. W. Oliver et al.

Now comes on to be heard the report of Viewers and Surveyors in the proposed County Road petitioned for by H. W. Oliver et al., and the same having been read in open Court for the first time as by law required, it is therefore laid over for a second reading on some other day of this term.

In the Matter of the Proposed
County Road petitioned for
by John Murchason et al.

Now at this time comes on to be heard the report of viewers and surveyors on the proposed County Road petitioned for by John Murchason et al. and the same having been read in open Court for the first time, as by law required it is therefore laid over for a second reading on some other day of this term.

In the Matter of the proposed
County Road petitioned for
by Peter Bandon et al.

Now at this time is presented to the Court the petition of Peter Bandon, J. C. Weatherly and twelve other citizens of Union County praying for the location of a County Road as follows, to-wit:- Commencing at the North West corner of Section 36 in Township 2 South of Range 48 E. W. M. and running thence North on the section line dividing Sections 25, 24 & 23 from Sections 26, 23 and 14 a distance of 2 1/2 miles, thence in a North-North-Easterly direction a distance of 200 rods, thence in a North-North-Westerly direction a distance of 200 rods to the intersection of the line first started out on, to-wit:- at the quarter section corner on the section line separating Sections 11 & 12 Township aforesaid, and thence one mile North to the quarter section corner on the section line separating Sections 15 & 12 in said Township, the same being the terminus of the said proposed County Road all of which points and places are within the County and State aforesaid.

And it satisfactorily appearing to the Court from proof filed herein that due and legal notice of the pendency of this proceeding has been given as by law required; that more than twelve of said petitioners are legal householders living in the

Third Judicial Day

Friday January 7th 1887

In the Matter of the Payment of certain claims for work on County Road in Pine Valley. } Now at this time comes on to be heard the matter of the payment of certain claims against the County for work done on a County Road leading from Pine Valley to Snake River in the year 1883. And it appearing to the Court that said work was done by James H. Summers acting under authority of the County Court of Union County, and that he employed men to perform said work for the said County under and by virtue of authority from the said County Court and that these men have not received compensation from the County for such labor performed, It is therefore ordered by the Court that said claims be allowed as follows, to-wit: Charles Settler \$36⁰⁰, Oliver Nuckles \$11⁰⁰, James Brandan \$45⁰⁰, Charles Anderson \$53⁰⁰, Thomas Arthur \$53⁰⁰, James H. Summers \$95⁰⁰, John W. M. Fadden \$74⁰⁰, Edward Wilkinson \$45⁰⁰, James R. Scott \$61⁰⁰, William Edwards \$58⁰⁰, Frank King \$70⁰⁰, Wm M. Kinnell \$60⁰⁰ and the County Clerk is instructed to issue warrants to said parties for the respective amounts.

In the Matter of the Proposed County Road Petitioned for by H. W. Oliver et al. } Now comes on to be heard the reports of viewers and surveyor ~~and~~ the Proposed County Road petitioned for by H. W. Oliver et al. for a second reading as required by law, and it appearing to the Court that the Viewers heretofore appointed to view the said proposed County road have reported unfavorably on the same it is therefore dismissed at the expense of the petitioners.

In the Matter of the Proposed County Road Petitioned for by John Murchason et al. } This matter now comes on to be heard on the Reports of the viewers and surveyor heretofore appointed, and the same having been read on two different days of this term as by law required and it appearing to the Court that the papers are defective

Third Judicial Day

Friday January 7th 1887

and not in accordance with the Statutes in such cases made and provided, and after being fully considered, and the court being fully advised in the premises. It is therefore ordered that the ~~petition~~ be dismissed at the expense of the petitioners.

In the Matter of Annual
Reports of Road Supervisors

At this time was presented to the Court the annual reports of the Supervisors of Road Districts Nos. 16-20-21 & 28 for the year 1886, and these reports appearing regular on their faces they are ordered accepted, approved and placed on file.

Thereupon Court adjourned till Tomorrow Morning at 9 o'clock

Fourth Judicial Day

Saturday January 8th 1887

Court Met pursuant to adjournment, the same officers being present as on yesterday.

Due proclamation of the opening of court having been made the Journal of yesterday's proceedings was read, approved and is now here signed

O. P. Goodall
County Judge

Thereupon the following proceedings were had, to-wit:-

In the Matter of The
Reports of Viewers and
Surveyors on the Road
Petitioned for by O. A.
Reavis et al

This matter now comes on to be heard on the Reports of Surveyors & Viewers heretofore appointed to View and Survey the Proposed County Road petitioned for by O. A. Reavis et al. And it appears to the Court that this