

No

L 1

IN

Circuit Court

American Fire Ins Co

Plaintiff

vs

M. S. Hughes

Defendant

Action for

Docket

Page

King & Saxton

Attorney for Plaintiff

Attorney for Defendant

H 419-495-505

MEMORANDA

Presented July 9, 1896 H 479
Ordered Opened Sept 10, 1896 H 506

Note
This road was ordered
opened by the order to
open Road No 394 which
road was petitioned by
J W Ray et al

476

Petitioned for by
J E Reynolds
et al

WITNESSES

Commencing at Sec
Corner between Secs 13, 14
23 & 24 T¹ S¹ R³⁸
E W m and terminating
at 1/4 post between Secs
15 & 22 T¹ S¹ R³⁸ E

DIRECTION: Place tag in TOP OF RUBBER
Fill ends first then side Then the base and v
the end and tag is right

Petition for County Road.

TO THE HONORABLE COUNTY COURT FOR Union COUNTY, OREGON,

The undersigned, householders of Union County, Oregon, residing in the vicinity where the hereinafter described road is proposed to be, respectfully petition your Honorable body to lay out, alter and establish a County road within said County on the following line or route, to-wit:

Commencing at the Section corner between sections 13, 14, 23, & 24 township three south of Range thirty eight E. W. M running thence west one and one half miles to the half mile post between sections Fifteen and Twenty two of said township three south of Range Thirty eight E. W. M and there terminate

Dated at La Grande Oregon June 26th 1896

And in duty bound your petitioners will ever pray, &c.

NAMES:

NAMES:

J. E. Reynolds
 Wm Barton
 M. Reynolds
 W. F. Geveler
 D. W. Johnson
 E. Melkolland
 J. Goodell
 Geo Harmon
 Dexter Eaton
 J. H. Shambach
 W. B. Campbell
 J. L. Carvins
 S. C. Zuber

J. E. McMasters
 Jos Spence
 C. J. J. J. J.
 B. Grout

Wells Aug 5th 96

J. Peirce & Co

101 W. Broadway

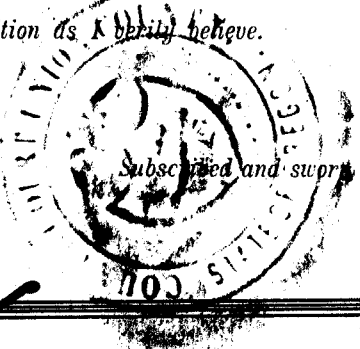


STATE OF OREGON,
County of Union, } ss.

I, *J. E. Reynolds*

being first duly sworn, say that I posted three several notices, of which the notice hereunto attached is a true and correct copy, in three public places in said County in the vicinity of the proposed road therein described, to-wit: One at the north east corner of section 23, and one at the half mile post between sections fifteen and twenty two and one at the half mile post between sections (10) and (15) all in township (3) south of Range (38) E. W. M. in Union County Oregon

thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 25th day of June 1896, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 26 day of June 1896, I posted a true and correct copy of said notice at the place of holding Court for Union County, Oregon, to-wit: On the front of the Court House door, in the City of Union, in said County and State, and that said notices remained posted thirty days previous to the presentation of said petition (as I verily believe).



Subscribed and sworn to before me this

5 day of

J. E. Reynolds
Aug 18 96
J. H. Oliver
J. W. Krum

Ellis Aug 5th 1896
J. P. Davis Esq
By J. W. Pennington

Notice of Road Petition.

To all Persons Concerned: You, and each and all of you, will take notice that the undersigned, householders for Union County, Oregon, residing in the vicinity where the hereinafter described road is proposed to be, will at the next session of the County Court for Union County, Oregon, to wit: On Wednesday, the 5 day of August A. D. 1896, respectfully present to said Court a petition praying said Court to lay out, alter and establish a County road within said County on the following line or route, to-wit:

Commencing at ^{the} section corner between Sections 13, 14, 23 and 24 Township Three south of Range Thirty eight E. W. M. Running thence West one and one half miles to the half mile post between sections Fifteen and Twentytwo of said Township three south of Range Thirty eight E. W. M. and there terminate

Dated at La Grande Oregon June 26th 1896

NAMES:

NAMES:

J. E. Reynolds
 Wm. Barton
 M. Reynolds
 W. F. Hekeler
 D. W. Johnson
 E. Mulholland
 O. Goodall
 Geo. Harmon
 Dexter Eaton
 J. W. Shambaugh
 W. B. Campbell
 J. L. Carvins
 S. C. Zuber

J. E. Masters
 Jos. Spencer
 O. J. [unclear]
 B. Groat

Wells Aug 5 '96
J.P. Oliver Cash
By G.W. Sawyer per

Know All Men by These Presents, That we J. E. Reynolds

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
Two Hundred 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 _____ day of _____ A. D. 1886.

NOW, the condition of the above obligation is such, That, whereas the above named

J. E. Reynolds and
and others,

have petitioned the County Court of said County of Union, at the August
Term, 1886, thereof, for a County Road, commencing At the section corner
between sections 13, 14, 23 & 24 township
Three south of Range Thirtyeight E. W. M
running thence West one and one half miles
to the half mile post between sections
Fifteen and Twentytwo of said township three south of Range (38) E. W. M

NOW, if the above named J. E. Reynolds

shall well and truly pay, or cause to be paid, all costs and expenses that may be incurred by reason of the view or
review of said Road, in case the prayer of said petitioners be not granted or allowed, then that this obligation shall
be void, otherwise to remain in full force and virtue.

J. E. Reynolds [L. S.]
[L. S.]

STATE OF OREGON.

County of Union } ss.

I, J. E. Reynolds

and, _____ each for himself, says,

that I am worth the sum of Two Hundred Hundred Dollars
over and above all debts and liabilities and property exempt from execution; that I am a resident and householder
in said County and State.

J. E. Reynolds

Subscribed and sworn to before me this 5 day of Aug A. D. 1886



J. R. Oliver
By _____ Clerk.

News =
See Schedule
D. A. H. H. H.
Williams Hughes
Presented to the
Saturday 1886

In the County Court of the
State of Oregon,

Winn County.

IN THE MATTER OF THE

and petitioned for
by the Requesters
BOARD of

BOND OF ROAD PETITIONERS.

Approved 1886

COUNTY JUDGE.

Filed Aug 5 1886

COUNTY CLERK.

By *W. H. H.*
W. H. H.
DEPUTY

1

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 5 day of August, 1896, appointed to view and lay out and alter the proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by J. E. Reynolds, et al, beg leave to report that on the _____ day of _____, 1896, in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view out said proposed road for the whole ~~distance~~ thereof, and ~~that in our opinion~~ said proposed road should _____ be laid out and established as a public highway of Union County, Oregon; that the same is practicable and would greatly add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be laid out and declared a public highway of said county.

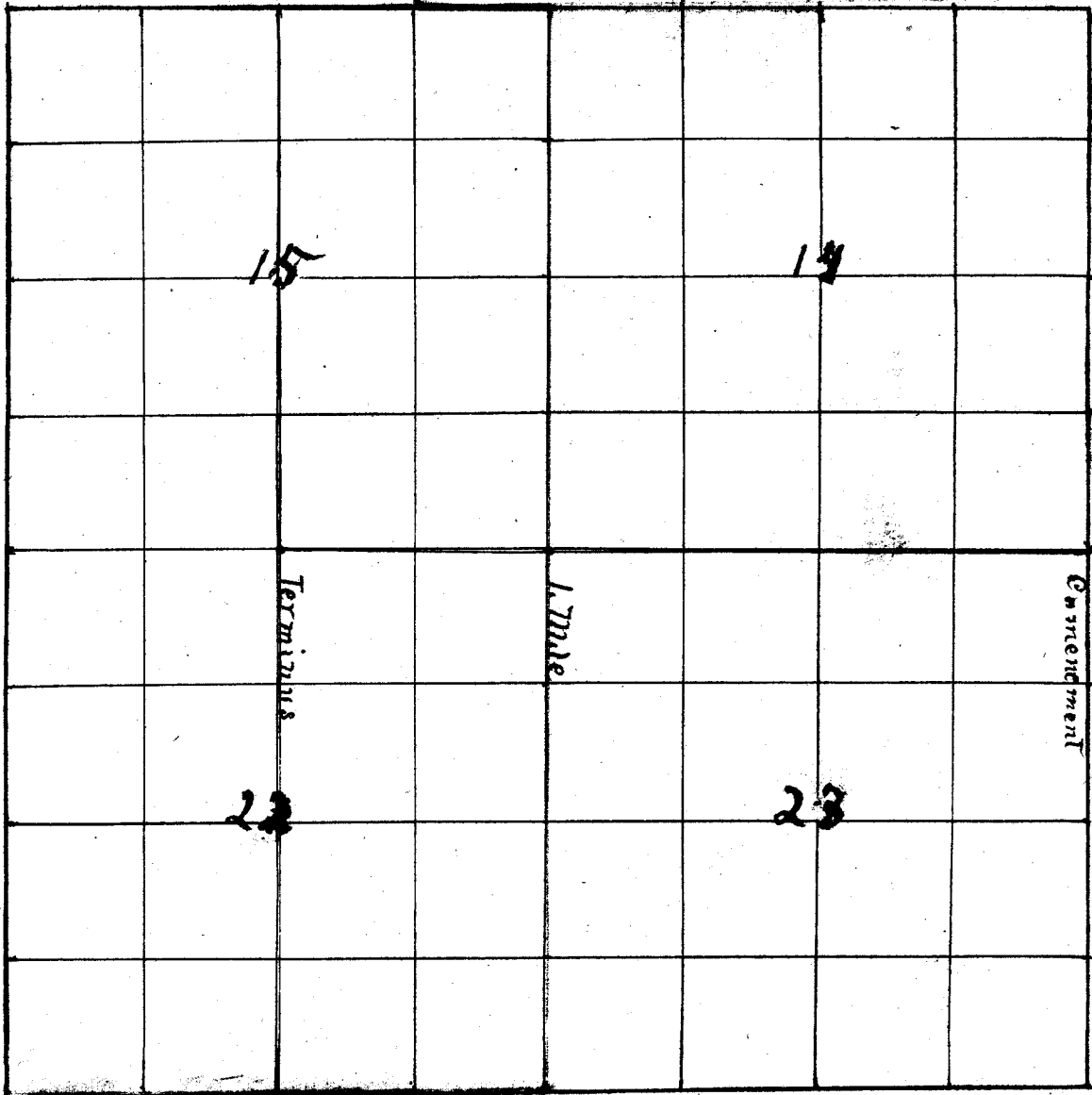
D. A. Malister
Geo. Secker
W. B. Hughes
VIEWERS.

To the Honorable County Court of Union Co. Or.

In the matter of the Proposed Court Road
as petitioned for by J. E. Reynolds et al, I
report as follows to wit, That we met
on the 15th day of August with a full board
of Viewers and Sam Weathers and
George Geckler as Chaimmen and
Elmer Curtis as Marker after being
duly sworn we proceeded to view and
lay out the said Road, of which there is
a true and correct description attached

Arthur Curtis
County Surveyor

Township 3 South Range 38 East W.M.



Description of Road Petitioned for by J. E. Reynolds
 Commencing at the Sec. Cor. Sections 13-14 and 23-24
 Thence West 80 Chains to 1 Mile post
 Same Course 40 Chains to R.T. the $\frac{1}{4}$ Sec. Cor
 between Sec 15-22

Arthur Curtis
 Surveyor

Be It Remembered that at a Regular Term of the County Court begun and held at the Court House in the City of Union in in said County and State on Monday the 3rd day of August A.D. 1896 and from day to day thereafter during the continuance of said Term when on Wednesday the 5th day of August 1896 or the 3rd Judicial day of said Term the said County Court opened for the transaction of business with the following officers present. To-wit:

The Hon J N Sanders County Judge
 " R D Langrell Commissioner
 J R Oliver Clerk
 J F Phay Sheriff

The proclamation of the opening of Court having been made the following proceedings were had, to-wit:

In the matter of the County Road petitioned for by J. E. Reynolds, et al.

Came upon J. E. Reynolds, one of the petitioners for the above-named proposed County Road, and presents to the Court the petition of himself and others, praying for the location and establishment of a County Road, described as follows, to-wit: Commencing at the Section corner between Sections 13, 14, 20 & 21 in 3rd R. 38th E. W. 7th N. running thence west one and one half miles to the half mile post between Sections 15 & 22 of said 3rd R. 38th E. W. 7th N. and then terminate And it appearing to the Court that said petition is signed by more than two hundred householders of this County residing in the vicinity of said proposed road, and that said petition properly specifies the place of beginning, intermediate points and place of termination of said road, and it satisfactorily appears to the Court that notice has been given by advertisement posted at the place of holding County Court to-wit: at the Court House, in the town of Union, County of Union, State of Oregon, and, also, in three public places in the vicinity of said proposed road, to-wit: (one at the N.E. corner Sec 20. One at the half mile post between Sec. 15 & 20 and one at the half mile post between Sections 10 & 15. all in 3rd R. 38th E. W. 7th N. for more than thirty days immediately prior to the presentation of said petition to this Court, notifying all persons concerned that application would be made to this Court at the present session of this Court; and that the notices so posted were in answer and such as required by the petitioners, and that a bond

And Judicial Day.

Wednesday, August 5th 1896

for the cost of this proceeding has been duly given. It is therefore ordered that George Seiler, A. A. Wheeler and J. M. Hughes be appointed Viewers of said road, and that Arthur Colton be appointed Surveyor of said road, and that they meet at the beginning of said road on the 15th day of August 1896, at the hour of 9 o'clock A.M. and after qualifying, to view, survey and lay out said road according to law.

In the matter of the County
Road petitioned for by
Frank McE, et al.

Came now Frank McE, one of the petitioners for the above-named proposed County Road, and presents to the Court the petition of himself and others, praying for the location and establishment of a County Road, described as follows, to wit: Beginning at the Union and Cummins road at a point about 7th East and distant 17 chains from the quarter section corner between Sec 7 & 18. Thence N. 75° W. 44th E. running thence in Northerly direction over the present traveled road about 1/4 mile to Eagle Creek at a point just below the Confluence of Main and East Eagle, thence Northerly, across Eagle Creek, thence Northerly and Northeastly, along the East side of East Eagle Creek over the present traveled County road to what is known as angle 78 of road No. 475, petitioned for by J. W. Murphy, et al. thence Northerly across East Eagle Creek, thence in a Northeastly direction over the most practicable route to the North line of Sec 7. Thence N. 75° W. 44th E. at a point here about 74 inches in diameter standing near said section line on the West side of East Eagle Creek and thence terminating. And it appearing to the Court that said petition is signed by more than three householders of this County, residing in the vicinity of said proposed road, and that said petition properly specifies the place of beginning, intermediate points and place of termination of said road, and it satisfactorily appearing to the Court that notice has been given by advertisement posted at the place of holding County Court, to wit: At the Court House, in the form of Union, County of Union, State of Oregon, and, also in some public places in the vicinity of said proposed, to wit: One at the office of the Eagle Gold Mining Company on the west outside wall; One on a tree on the East side of the Main Eagle Creek near the bridge across the same and one on the Emory Cabin near the North line of Sec 7. Thence N. 75° W. 44th E. W.M. for more than

Third Judicial Day

Wednesday Sept 9th 1896

In the matter of the
Road petitioned for by
W.B. Beach et al. }

At this time it is ordered that this matter
be continued for the term pending settlement of damages

In the matter of the
Repairs on Eagle Creek^{and}
Horse Creek Bridges }

This matter came on to be heard at this
time on the Report of R.T. Langrell heretofore appointed
to superintend the repairs on said bridges It is therefore
considered and ordered that the said report be approved
and the bills for the work allowed,

In the matter of the
Report of J.N. Sanders on
Bridge at Robbins Mill }

This matter came on to be heard at this
time on the Report of J.N. Sanders heretofore appointed
to superintend the construction of bridge over Catherine
Creek at the Robbins mill and it appearing to the Court
that the said bridge has been completed and received
by J.N. Sanders as instructed It is therefore ordered
that the said report be approved and bills allowed

In the matter of the
Road petitioned for by H.F.
Allen et al }

This matter came on to be heard at this
time on the petition of H.F. Allen et al for a County
Road and it appearing to the Court that the
said petition does not definitely and accurately describe
the beginning and terminal points sufficient to give
the Court jurisdiction. It is therefore ordered that
the petition herein be dismissed,

In the matter of
the Road petitioned
for by J.E. Reynolds }

This matter came on to be heard at this
time on the Report of the Viewers and Surveyors herein for

Third Judicial Day

Wednesday, Sept 9th 1896

the first reading and the said report having been read in open Court for the first time It is therefore ordered that the said report be laid over for a second reading on some other day of this term of Court.

In the matter of the
Road petitioned for by
Frank McGee, et al

This matter came on to be heard at this time on the Report of the Viewers and Surveyor heretofore appointed herein for a first reading and the said report having been read in open Court for the first time It is ordered that the same be laid over for a second reading on some other day of this term of Court.

In the matter of the
Examination of Assessment
Roll of 1896

This matter came on to be heard on the examination and correction of the Assessment Roll of 1896 by the Court the County Board of Equalization having completed its work on the same and the Court now having finished its work on the said roll It is therefore ordered that the said roll be approved and adopted and the Clerk is instructed to prepare the necessary copies.

In the matter of the
application of James
King for County Aid

This matter came on to be heard at this time on the affidavit and application of James King for County Aid from which it appears that the said James King is destitute and unable to earn a living that he is sick and destitute and has no friends or relatives living in the State of Oregon who are able and willing to help him that he has resided in Oregon for a period of 5 years And it also appearing to the Court that the said James King asks for an allowance of \$5⁰⁰ per month in stead of being committed to the County home that it would be cheaper and to the best in-

Sunday Judicial Day.

Thursday, Sept. 10, 1896.

Highway of Union County, Oregon and ordered opened up and placed in repair as per law. It is further ordered that the report of the surveyors be placed on record in the Journal, and that the surveyors' plat of the proposed road and the field notes of the survey thereof, be placed on record in the books of State of County roads of Union County, Oregon, and that the said surveyors of road district No. the same being the road district in which said road is located, be furnished with a copy of the petition herein, and a copy of the record and ordered to open up said road and place the same in repair for travel.

In the matter of the proposed County road petitioned for by J. C. Reynolds, et al.

This matter came on to be heard at this time on the report of the Jurors and surveyors heretofore appointed therein for a record, making as provided by law, and the Report of Jurors being in words following to wit:

Report of Jurors.

To the Honorable County Court for Union County, Oregon:
 The undersigned Jurors heretofore on the 5 day of August 1896 appointed to view and lay out and alter the proposed County road, of which the survey hereto attached is a true and correct description, as petitioned for by J. C. Reynolds, et al. do leave to report that on the day of 1896 in pursuance with said appointment and order after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view said proposed road for the whole distance thereof, and that in our opinion said proposed road should be laid out and established as a public highway of Union County, Oregon, that the same is practicable and would greatly aid to the convenience of the houses heretofore residing in the vicinity thereof. We therefore recommend that said proposed road be laid out and declared a public highway of said County.
 S. A. McWhiter. Geo. E. Baker. W. J. Cooper
 Jurors.

And said report of the Jurors and the report of the surveyors having now publicly read in open Court, on two several days

Fourth Judicial Day.

Thursday, Sept. 10, 1896

of the present term of this Court, and it appearing to the Court that said memorial report favorably thereon, and recommending that said proposed road be established as a County road, and be declared a public highway of Muscoy County, Oregon, and all the proceedings herein having been regular, and according to law, and no remonstrance or claim for damages having been filed herein, and there having been no cause shown why the proposed road should not be declared a public highway, and ordered open according to law, and the Court being satisfied from the report of the viewers that such road will be of public utility: It is therefore considered and ordered by this Court that said report of the viewers and surveyor be approved and adopted by this Court, and that said proposed road be declared a public highway of Muscoy County, Oregon, and ordered opened up and placed in repair for travel according to law. It is further ordered that the report of the viewers be placed on record in this journal, and that the surveyor plat of the proposed road and the field notes of the survey thereof be placed on record in the book of Plats of County roads of Muscoy County, Oregon, and that Wm. Banton, Road Supervisor of road District No. 2, the same being the road district in which said road is located, be furnished with a copy of the petition herein, and a copy of this decree and ordered to open up said road and place the same in repair for travel.

In the matter of the proposed County road petitioned for by Frank M. Ely, et al.

This matter came on to be heard at this time on the report of the viewers and surveyor heretofore appointed herein for a second reading as provided by law, and the report of viewers being in words following, to wit:

Report of Viewers.

To the Honorable County Court for Muscoy County, Oregon:

We, undersigned viewers appointed on the 5 day of August 1896, appointed to view and lay out and alter the proposed County road of which the survey hereto attached is a true and correct description, as petitioned for by Frank M. Ely, et al, by leave to report that on the 27 day of August 1896, in pursuance with said appointment and order, after being duly sworn to faithfully and truly and lawfully discharge the duties of said appointment, we proceeded to