

No. ~~677~~
Law No. 7
Circuit Court

Island City Mchle &
Milling Co
Plaintiff

vs

Thomas A Bartow
Defendant

Action for Money

Docket

Page

R. Baker
Attorney for Plaintiff

Attorney for Defendant

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D. C. 2118

Record of the Case

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1876 Petitioner's view of Viewers appeal
Journal A of 572
1877 1st reading of report
Journal A of 582
1878 Ordered opened
Journal A of 586

54

Road

From Hollogarth to Linkton road
at boundary line of Union and
Munatilla Counties

WITNESSES.

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

54

Sept 9th 1873

Indian Valley - Union County Oregon

To the Honorable Commissioners of Union County
Praying

We the resident inhabitants of Indian ^{Valley} vicinity do hereby petition your honorable body, to grant that a county road be located as hereinafter described for the use and benefit of all concerned

Be it known unto your honorable body that Indian Valley has no County road located within it and that all travel and traffic through the same has been and is conducted by suffrage alone, and is liable to be obstructed at any time

Therefore we your petitioners do pray your honorable body to locate or cause to be located a county road as follows

Viz - The road known as Smitton road commencing at the County road near Hallowarth's Ranch - thence along the base of the mountains through Sections 21, 16, 9 and 5 in township 1 of range 39 East to Gordon creek; thence continuing along the Smitton road to the boundary line, or junction of Union and Wasatch Counties

~~Granting that we desire~~
~~your petitioners will ever provide all~~
of which points are in Union County Oregon

- | | |
|------------------|-----------------|
| Cresty Shelton | John E. Jones |
| Thomas Parker | Peter Noe |
| Thomas J. Parker | E. B. Harglock |
| Peter Ralph | R. O. Stevenson |
| Andy J. Shelton | B. E. Wright |

Heran Habard

Charles Hallgarth

Allen Long

J. Tomlin

Jr. Hallgarth

Ed. Hallgarth

Robert Bloodworth

Jacob McMorelock

W. White

B. Embury

D. Charles

David Troy

Phelan Co. Land
Road

to the Adm. of the

Commissioners of the

County of Sonoma

Notice

Be it known unto all whom it may concern
that we the undersigned citizens and residents
shall apply at the County Court Session of Union
County of ~~the State of Oregon~~ 1873 for a County road
the road known as 'the Lemmon road', to the
junction of Union and Umatilla counties,
as follows - Commencing at the County road near
Hulsqueth's ranch, thence along the base of the
mountains through Sections 21 16, 9 & 5 the town-
ship N^o 1 North, of Range 39 East to Gordon creek
thence continuing along the Lemmon road, to the
junction of Union and Umatilla counties

Charles S. Miller
In behalf of inhabitants as aforesaid

Indium Valley
Union County
State of Oregon
June 23rd 1873

State of Oregon }
Union County }

J. Chas. Shelton

Very duly sworn say that three of the
Within Notices were posted in the vicinity
of the proposed Road and ^{one} at the Court
House thirty days prior to this 8th day
of November 1873

Sworn & subscribed before me
this 8th Nov - 1873

Chas. Shelton

J. M. Black
Clerk

Recd. Act's
Official
Affidavit of Party
of Notaries

Received Nov 5th 1873
J. M. Black
Clerk

Whereas a petition has been presented
to the County Court of Union County
Oregon at the November term thereof for
1873 for a County Road commencing at
the County Road near Hollgarth's Ranch,
thence along the base of the Mountain
through sections 21 16-9 and 5 in Township
1 North of Range 39 East to Gordon Creek
thence along the Sunston road to the
boundary line of Union & Wasmatta Counties

Now therefore we Chesley Shelton
and Charles Hollgarth agree to pay
to the County of Union the sum of
One hundred dollars,

The condition of the above obligation
is such that if the prayer of the
petitioners be not granted and
allowed then we will pay all costs
and expenses that may be incurred
by reason of such view, otherwise
to be null and void,

Witness our hands 1873

J. Chesley Shelton
C. Hollgarth

Rowell
County Rowell

Rowell
J. M. Rowell
Co. Rowell

approved by the Court, also with proof of notices having been posted according to law

It was thereupon Ordered that Joseph Muesner Joshua Hooper and P A Mahaffy be and they are hereby appointed Viewers and J S Curtis Surveyor, who are to meet on the 15th day of November 1873 to view out and mark said route, and report their doings at the next term of this Court with a plat and Survey of the same,

In the Matter of Road }
Petition in Union Co. }

Now on this day was presented a petition signed by more than twelve residents householders residing in the vicinity and along the route of the hereinafter proposed route praying for the location of a County road in Union County as follows to wit:

Commencing at the County Road near Hollgarth's Ranch, thence along the base of the Mountain through Sections 21-10-9 and 8 Township one North of Range 39 East to Gordon Creek, thence continuing along the Siskiton road to the boundary line or junction of Union and Nemattan counties, all of which points and places are in Union County Oregon Which petition was duly accompanied with a bond which bond was duly approved by the Court, also by proof of notices having been posted in accordance with the law. It was thereupon Ordered that Isaac Long Joel Weaver and John White be and are hereby appointed Viewers, and J. S. Curtis, Surveyor to view out and mark said route, who are to meet at the House of Seb. Hollgarth's on the 22^d day of November 1873 and after qualifying to proceed to view the

At a term of the County Court of the State of Oregon for the County of Union began and held at the Court House in Sa Grand Oregon pursuant to adjournment on the 7th day of January A.D. 1874

There was present Hon. E. L. Brainard County Judge, John A. Childers and J. W. Kennedy County Commissioners Arthur Warwick Sheriff and S. M. Black County Clerk

Due proclamation of the Opening of Court having been made the following Business was transacted

In the Matter of 3
Road Report 3

Now at this time was presented the Report of the Viewers heretofore appointed to View a proposed County Road commencing at the N.W. corner of Section 15 in Township two South of Range thirty eight East, running thence due East two Miles to the N.E. corner of Section 14 T 2 S R 38 East which Report was read first time, and laid over for further Consideration until to morrow morning

COMMISSIONERS JOURNAL "A" PAGE 562

In the Matter of 3
Road Report 3

Now at this time was presented the Report of the Viewers heretofore appointed to View a proposed County Road commencing near the residence of the Hollgath Brothers in Indian Valley, and terminating on Garden Creek on the Old Scioton Road; which Report was read first time this day and laid over until tomorrow,

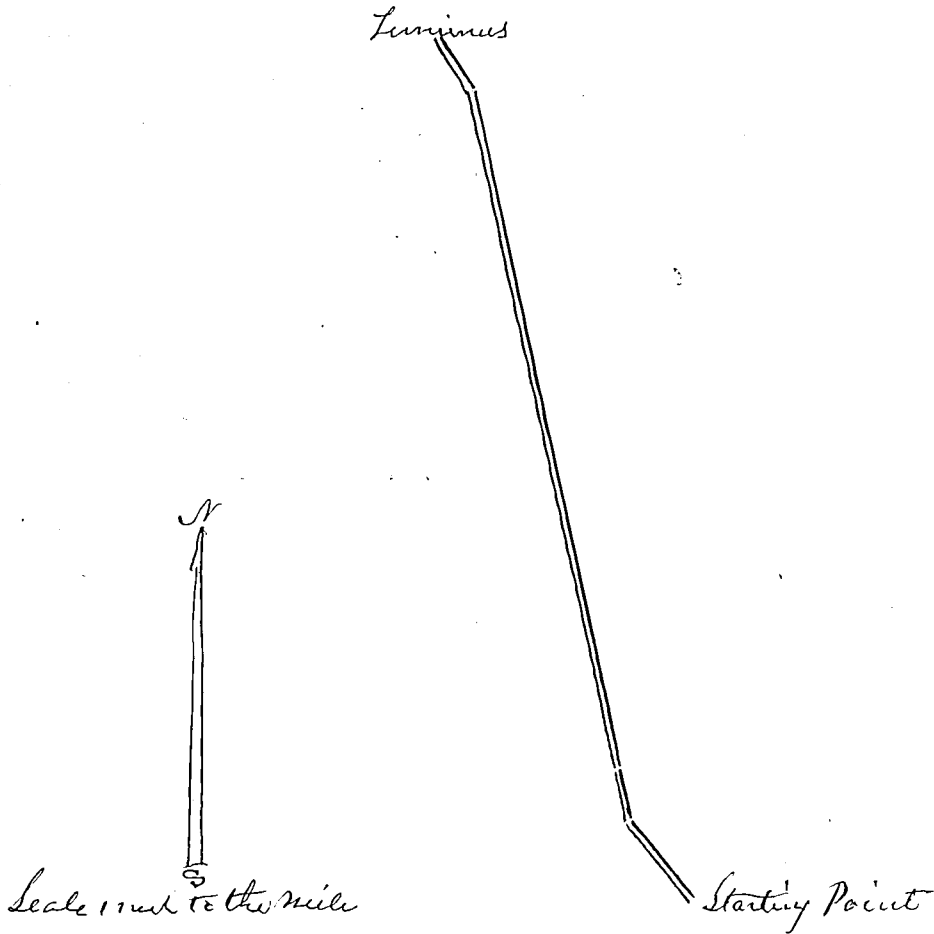
Second Judicial Day January 8th 1874
 Court met pursuant to adjournment
 Same Officers present as on Yesterday

Due proclamation of the Opening of Court
 having been made the following proceedings
 proceedings were had

In the Matter of Roads
 Viewers Report

Now on this day came
 on to be heard the Report of the Viewers
 heretofore appointed upon its second read-
 ing for the location of a County Road
 commencing at the Residence of the Hollgarth
 Bros in Indian Valley in Union County Oregon
 and terminating on Gordon Creek on the Old
 Sunkton Mill Road leading to Walle Walla
 which Report was accompanied with the
 plat and field notes of Surveyor J. S. Curtis
 heretofore appointed for that purpose,
 And it appearing to the Court that the petition-
 ers had complied with the law in all res-
 pects, having filed Bond and proof of notices
 having been posted, and the petition having
 been signed by more than twelve resident
 householders living along the route and in
 the vicinity of said route, And there hav-
 ing been no remonstrance against the granting
 of said road on file, which field notes are
 as follows to wit: Commencing at a Stake
 on the Road from the ford of Grand Ronde
 River near Hollgarth's to Sumnerville,
 thence N 40° W 50 chains, thence N by 5° W
 30 chns, thence N by 15° W 4 miles and 55 chns
 thence N by 43° West 25 chains to the terminus
 at a tree at the Sunkton Road on Gordon Creek
 It is therefore Ordered that the Report
 be accepted and that the same be and

is hereby declared to be a public Highway, and it is further Ordered that the same be opened and kept in repair by the Road Supervisors as other public roads and Highways, as per the field Notes and following Plat:



In the Matter of Road 2
 Viewers Report 3

Now on this day came on to be heard the Report of the Viewers heretofore appointed upon its Second Reading for the location of a County Road commencing at the NN corner of Section 15 Township Two South Range 38 East and running thence due East two Miles to the North East corner of Section Fourteen Township 2 South of Range 38 East, which report was accompanied with the plat and field Notes of the Survey as made by J S Curtis heretofore appointed, the Viewers having reported favorable