

No. 585

in

Circuit

Court.

L. E. Strickland

Plaintiff

vs.

A. Simons

Defendant

Action for

Money

Docket

Page

Jas H. Slab-Don

Attorney for Plaintiff

Attorney for Defendant

Record of the Case.

1877

Feb 12 Petition rec. Viewers app'd
Journal B. p 92.

Apr 3 Report returned for correction
Journal B. p 107

July 9 Order on Viewers to report
Journal B. p 138

Sept 6 Viewers app'd fined etc
Journal B. p 145

1878

Sept 6 Fines remitted
Journal B. p 237

Road

Vacation of commencing at N.E. cor of
Sec 36. T. 3. S. R. 39 E. hence S to the
intersection with LaGrange & Union Road

WITNESSES.

DIRECTIONS.—Place papers on TOP OF RUBBER
Fold ends first, then sides. Throw the rubber cords
over the ends and pass them in position.

Notice
Is hereby given, that application
will be made, to the County Court
of Union, County Oregon, at the
March term 1877, thereof
Praying for the valuation of a certain
County Road, in Road District
No. 2, Union County Oregon
and described as follows, to wit
Commencing at the North east
corner of Section 38, Town 3 South
Range 39 East, thence running
due South on said Section
line, until it intersects the
County Road ^{leading from} ~~to~~ Union
February first 1877
All of which said above described
points and places are in
Union County Oregon

State of Oregon }
Union County }

first day seen
four of the
in the time and
by law -

Subscribed & sworn to
before me this ^{March 11} 12 - 1877
R. Bates
Clerk

I Archu Little
say that I have
written notices
in manner required

A Little

Filed March 12th 1877
R. Bates
Clerk

Know all Men by these Presents That we Archie Little

am held and firmly bound unto The County Court of Union County
of State of Oregon in the sum of Fifty Dollars

lawful money of the United States, to be paid to the said County of Union
the Executors, Administrators or Assigns, for which payment, well and truly to be made,
I do bind ~~myself, my~~ ^{myself, my} ~~and each of my~~ Heirs, Executors, Administrators and Assigns,
jointly and severally, firmly by these Presents.

Scaled with ~~my~~ ^{my} seals. Dated this 12 day of March
one thousand eight hundred and ~~sixty~~ ^{seventy} 7

The condition of the above obligation is such that Whereas a petition has this day
been presented praying for the vacation of a certain County road described
as follows: viz Commencing at N.E. Corner of Sec 36 T3R39 E
3rd township running due South on said line United it intersects
the County road running from LaPran or to Union, Now in
Case said petition shall not be granted then the above bond
shall be in full force and effect and shall be collectable or
So much thereof as may be necessary to defray all
legitimate Expenses incurred by virtue of said petition
Not to Exceed the sum of Fifty Dollars

In Witness whereof I have hereunto set my hand and
Seal this the day and year first above written

Archie Little L.S.

L.S.

Signed, sealed and delivered in presence of

Wm. J. Carter

Filed Michth
1877 R. G. Case
J. W. Case

Office is vacant ^{in Dist No 13-2- and 11} it is therefore ordered that John Wells be and he is hereby appointed Supervisor of Roads in Dist No 1; John Howard for Dist No 2; F. M. Partness for Dist No 11 and Thos Keating for Dist No 13. for the year ending January 1st 1878

In the matter of Road }
Petition, by Holbrook et al }

Now comes M. F. Holbrook and Files a petition praying for the view, Survey and location of a certain proposed County Road leading from the east end of "C" Street in the Town of Union, Union Co Oregon, where it strikes the Land claim of Ed. LaFave. and at the same time come J. Pickle et al and Files a remonstrance against said Petition with a greater number of names than was on said Petition. It is therefore ordered that said Petition be not granted.

In the matter of }
Road Petition. } Vacation

Now at this time was presented a Petition by Archie Little et al praying for the vacation of the County Road commencing at the N. E. ^{4th of} Sec 36. T. 3. S. R. 39. E. and running thence due South on said line until it intersects the County Road leading from LaGrande to Union said Petition being signed by more than 12 resident householders living along and in the vicinity of said proposed vacation, & there being a bond filed & which was approved by the Court and by proof that notice has been

In the matter }
 of } April 3rd 1877.
 Viewers Report }

Now at this time it appearing that the report of the viewers appointed to view the County Road proposed to be vacated to wit Commencing at the North East Corner of Sec 36, Town 3. S. R 39 E running thence South on said line until it intersects the County road leading from LaGrand to Union is not according to law, and it is ordered that the same be returned for correction to said viewers

In the matter of Annual }
 Settlement with Sheriff }

Now comes S. O. Swack-hamer. Sheriff for first or annual Settlement with County Court, and it appears that said Sheriff has been properly charged with Delinquent Tax List for 1869 = 1870 = 1871 = 1872 = 1873 = 1874 and 1875 amounting to \$ 7283.86
 Tax List for 1876 25845.81
 To Sheriffs Assessments \$ 806.59
 \$ 33936.26

That he is entitled to Credits as follows

By amt Turned over to Treasurer	\$ 15491.04
" Tax Paid assessor	646.94
" Sundry Credits	428.98
" Amts. paid Treas	9286.59
" Delinquent Tax List returned	6338.42
	<u>\$ 32191.97</u>
	\$ 1744.29
	388 00
To \$388 Poll Tax 1876	
By Delinquent Polls "	\$ 2132.29
	225.00
Balance Due County	\$ 1907.29

July 9th 1877. In the matter
 of
 Division of Road Dist.
 No 14.

Now at this time by request
 of Citizens of Road Dist. No 14. it appearing
 that said Dist should be divided as follows
 that the base line North & South be the dividing
 line between what shall be Dist No 14. on
 the west of said line and Dist No 20 on
 the East of said line,

In the matter of
 Viewers Report

Now at this time it appearing
 to the Court that the viewers heretofore ap-
 pointed to view the county Road commencing
 at the North East corner of Sec 36. T. 2 S. R. 38 E.
 running thence South on said line until it
 intersects the county Road leading from
 LaSalle ^{upon a petition for the vacation thereof.} to Union, have failed, neglected
 and refused to amend their Report to
 conform to law.

It was therefore ordered that each of said
 viewers be notified to report to this Court
 their views as to practicability of said pro-
 posed vacation, and this notice be served
 upon said viewers at least 10 days before
 the 1st day of Commissioners Court for Sept
 Term next, and that they file said report
 by the first day of said Term

And it appearing to the Court that orders
 were drawn in their favor as viewers. It
 is hereby ordered that the Clerk withhold
 such orders from said viewers until they
 fulfill their duties as such viewers as
 by law required

In the matter of Viewers

called to appear,

Now at this time appears B. H. Lewis, C. Thompson & D. D. Lucas viewers previously appointed on to wit: Mar. 12th 1877 to view and report upon the propriety of vacating the County Road commencing at the N. E. corner of Sec 36 " T. 3 S. R. 39 East, running thence due South on said line until it intersects the County Road leading from Labraud to Union upon petition for the vacation thereof in answer to Notice served upon them, by order of this Court, dated 5th July 1877. to report to this Court their views as to the practicability of the said proposed vacation.

And Whereas the said B. H. Lewis and C. Thompson viewers refuse and neglect to perform their duties as such viewers as provided by Chapter 50 of Miscellaneous laws of the State of Oregon, to wit: to report to the Court their views as to the advisability of vacating said Road from their view thereof previously made and in accordance with their oath previously taken and have given no satisfactory excuse for such refusal or neglect.

Therefore it is the order of this Court that the said B. H. Lewis and Charles Thompson be and they are each and severally hereby fined the sum of \$10.⁰⁰ to be paid into the County Treasury of this Co; and that action be immediately commenced for the recovery of said amounts and the said D. D. Lucas appeared at the same time with the said B. H. Lewis and C. Thompson and in writing amended his report and reported in favor of vacating said road.

In the matter of appointment of
Justice of the Peace for Cove Precinct

Now at this time it appearing to the satisfaction of the County Court that it is necessary for the appointment of Justice of the Peace for Cove Precinct. - The Justice elect having failed to qualify according to Law. - therefore the Court having confidence in the integrity and ability of James Payne he is therefore appointed as Justice of the Peace of Cove Precinct.

In the matter of Road
Commissioners report.

Now comes the ~~case~~ the commissioners - E. T. Steville, R. D. Ruckman and W. B. Kellie and file their report as such commissioners of employed time appointed to let contract for grading a road from Hendersonholts point to the high ground north of Ground Run river on the Summerville & Hendersonholts wagon road and receive the work when completed. which report is read and accepted and commissioners discharged

There being no further business before the court it was thereupon adjourned for the Term,
A. C. Craig
County Judge

In the matter of fines
of G. Thompson and B. H. Lewis

Now at this time it appearing to the satisfaction of the Court that according to an entry heretofore made in this journal that B. H. Lewis and Charles Thompson were unjustly fined in the sum of ten dollars each. It was therefore ordered that the same be and is hereby annulled and lidd for naught.