

No 47 Eq

in

Circuit Court

Mr P Goldsberry  
Plaintiff

vs

Isabella Goldsberry

Defendant

Action for Divorce

Docket

Page

A Meachen

Attorney for Plaintiff

Attorney for Defendant

EVERETT GREEN ENGINE R.V. 150  
N. E. 1000  
LAWYER'S OFFICE  
EN 1100

**Record of the Case.**

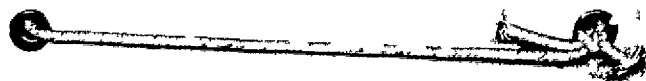
109

**WITNESSES**

1879  
 Feb 5 Petition rec Viewers affid  
 Journal B p 294  
 April 9 1st reading report  
 Journal B p 294  
 April 10 ~~Journal~~ Continuance  
 Journal B p 299  
 May 12 Report recd letter  
 Journal B p 302  
 May 15 order of opening  
 Journal B p 312  
 Oct 15 see order  
 Journal B p 361

Road

Commencing at Co Road from  
 Sumnerville to Wallowa Valley at  
 Stake marked B thence to Sumnerville  
 Stalla Walla Road near Gordon Creek



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

109

## Road Petition

To the Hon. County Court of Union  
County Oregon March Term

We your Petitioners 12 of whom are  
Householders living in the vicinity of  
the proposed road do respectfully ask  
your Honors to locate and Establish  
a county road in Union County  
Oregon commencing at a stake marked  
on the county road leading from  
Summerville to the Wallowa Valley  
thence west as near as practicable to  
intersect the County Road leading from  
Summerville to Walla Walla at or  
near the crossing of Gordon creek  
your petitioners would respectfully  
represent to your Honors that said  
road is greatly needed in order to  
facilitate travel Therefore your  
petitioners will ever pray

Jackson Gowers

John Kimber  
John B...  
John B...  
Thomas Beam  
H Long

John Graham  
Edw. Evans  
Peter Tall  
J. H. Young

Jens Christensen  
Gasper Gabris  
W. Eastwood  
A. Baker  
H. H. Breshers  
Joseph Baker

Samuel Parker  
W. E. Hoffman  
J. C. Christensen

J. B. Breshers  
W. A. Breshers

Joseph...  
William Bastian  
J. E. Jones

J. E. Baker  
C. H. White  
Charles...  
H. M. Donnell  
B. H. Hart

Board Petition  
Filed March 1872  
Willis Shiff  
Kamitz, Lohk

Dec 30<sup>th</sup> 1878

Notice is hereby given that there will be  
a Petition presented to the County Court  
of Union County Oregon March Term  
asking for the Establishment of a County  
road commencing at the county road  
leading from Summerville to the  
Wallowa Valley at a Stake marked  
B thence west as near as practicable to  
intersect the county road leading from  
Summerville to Walla Walla at or  
near the crossing of Gordon Creek.

State of Oregon }  
County of Union } ss I Jackson Graham being  
first duly sworn say that I have posted three copies  
of the within notice at least thirty prior to this date  
in three public places in the vicinity of the within  
proposed road.

Subscribed and sworn to before  
me this 3<sup>rd</sup> day of March 1849 }

Willis Schiff

~~John~~ Jackson Graham

By Et Alkali

Deputy

State of Oregon }  
County of Union } ss I S. O. Swackhammer being first duly sworn  
say that I posted the within notice on the court house  
door at least thirty days to this date. } S. O. Swackhammer

Subscribed and sworn to before me  
this 3<sup>rd</sup> day of March A. D. 1849 }

Willis Schiff

Deputy Clerk

# Know all Men by these Presents:

THAT WE, Jackson Graham and John Kimber  
 and \_\_\_\_\_, of the County of Union  
 State of Oregon, are held and firmly bound unto the said County of Union 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 Third day of March A. D. 1879

Now the condition of the above obligation is such, that whereas, if the County Road petitioned  
 for by Twelve Householdors and others, and presented  
 at the March term, 1879, of the County Court of said Union county, commencing  
 at the county road leading from Sumnerville to the  
Mallow Valley at a stake marked "B" thence west as  
 near as practicable to intersect the county road  
 leading from Sumnerville to Mallow Valley at or near the  
crossing of Jordan Creek  
 be located and established, then this obligation to be void; otherwise to remain in full force  
 and virtue in law.

Jackson Graham  
John Kimber

STATE OF OREGON, }  
 COUNTY OF Union } ss.  
Union

I, Jackson Graham and  
John Kimber each for himself 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.

Subscribed and sworn to before me, this third  
 day of March A. D. 1879

Willis Skiff Clerk.  
By E. E. [Signature]

Know all Men by these presents

Filed March 30

1889

Miss Ship

Clare

B. E. De la...

Deputy



March 5<sup>th</sup> 1879

In the matter

Road<sup>2</sup> Petition } Now comes Jackson Graham and files with this court - his petition with twelve other citizens and householders living along and in the vicinity of a route they ask to be established as a county road as follows to wit: Commencing at the county road leading from Summerville to the Willowa Valley at a stake marked "B" thence West as near as practicable to intersect the county road leading from Summerville to Walla Walla at or near the crossing of Gordon Creek.

And it satisfactorily appearing to the court the due notice of the pendency of these proceedings have been given as by law required and that a good and sufficient bond has been filed as by law required which bond was approved by the court. It was therefore ordered that E. S. Taylor Jacob Long & J. J. Stubblefield be and they are hereby appointed viewers and W. B. Campbell Surveyor to view survey and report upon said road, and that they meet at the residence of Jackson Graham on the 20<sup>th</sup> day of March 1879 and after being duly qualified proceed to view survey and layout said road and that they report their proceedings thereon and in that behalf at or before the next term of this court - 1879.

In the matter

Road<sup>2</sup> Petition } Now at this time comes Jackson Graham and files a petition with this court signed by himself and twelve other citizens and householders living along and in the vicinity of a route they ask to be established as a county road and public highway to wit: And it satisfactorily appearing to the court commencing at the county road leading from Summerville to the Willowa Valley at the South West corner of John Stappman Homestead thence North  $\frac{1}{2}$  mile thence East  $\frac{1}{4}$  thence

April 9<sup>th</sup> 1879

In the matter of }  
 Viewers report } Now at this time was  
 presented the viewers report on a proposed  
 County road, Beginning at the S. W.  
 corner of John Huggins' Homestead  
 thence to a tree marked R.T. which  
 report was read in open court and laid  
 over until tomorrow for further action

In the matter }  
 of appointment }  
 of Justice of the Peace } Now at this time was  
 presented the petition of J. K. P. Harris and  
 thirty-one others, which petition prays the  
 court to appoint James A. Hunter Justice  
 of the Peace, for Willow Precinct, and  
 there being no remonstrance against said  
 petition and no person or persons appearing  
 to show cause why said appointment should  
 be made, and it further appearing that the  
 office of Justice of the Peace for said precinct  
 is vacant, It was ordered that said  
 James A. Hunter be and he is hereby  
 appointed Justice of the Peace for Willow  
 Precinct Union Co Oregon and that his  
 term of office expire as that of the  
 regularly elected County officers or until  
 his successor is elected and qualified.

In the matter }  
 of }  
 Viewers report } Now at this time was presented  
 the viewers report on a proposed County road  
 heretofore ordered located as follows to wit:  
 Beginning on the County Road leading  
 from Summersville Walla Walla thence to  
 intersect the County Road leading from  
 Willowa to Summersville which report  
 was read and laid over until tomorrow  
 for further action

In the matter

Application of  
P. M. Coffin for  
deduction of his  
assessment for the  
year 1848

Now comes P. M. Coffin  
and files his motion with the court  
for a deduction from his assessment  
in the sum of \$6,000<sup>00</sup>, and after due  
consideration of the court - the said  
motion was overruled.

In the matter of

error of court in

viewers report

Now on this day it  
appearing that the court has been  
in error in the matter of taking up  
for consideration the viewers reports  
of which mention is made in  
yesterday's proceedings on this  
journal. It was ordered that no  
further action be taken upon said  
petition reports until the next  
regular term of this court.

In the matter of  
George Starts ex-  
Security Treasurer

Now at this time it  
appearing that George Starts ex-  
Treasurer of Union County was accept-  
-ted to refer to his successor in  
office the sum of \$1997<sup>92</sup>. ~~Gold coin~~  
that being his default - as said Security  
Treasurer. And it appearing that  
said amount was made delinquent on  
the 6<sup>th</sup> day of Sept- 1848 and that no  
part of said amount has been paid  
as demanded. It was ordered  
that L. B. Iron be District Atty

May 14<sup>th</sup>  
1879

At a regular term of the County Court for Union County, State of Oregon begun and held at the court house in said county on Monday the 12<sup>th</sup> day of May A.D. 1879 and from day to day thereafter during the continuance of said term, there was present on Wednesday the 14<sup>th</sup> day of May, it being the first day of the Commissioners Court, the following officers were present to wit:

Hon A. C. Craig County Judge, L. R. Holmes & Wm S Hunter County Commissioners, S. P. Swad-hammer Sheriff by A Chancey Bailiff and Willis Skiff Clerk by Wm. C. Calk Deputy

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

### Viewers Report

In the matter of

Viewers Report } Now at this time was read  
in open court for the first time  
the report of viewers appointed to view a  
proposed <sup>Chenise in</sup> County Road petitioned for by Jesse  
Jewell et al

In the matter of

Viewers Report

Now was read for the first  
time in open court the report of viewers ap-  
pointed to view a proposed county road from Sum-  
merville to Wallawa.

In the matter of  
Viewers Report

Now at this time was read for  
the first time in open court the report of  
viewers appointed to view a proposed commencing  
at South West corner of John Huffamans' ranch and  
running in a North East direction about 7 miles to  
a tree marked "J"



by the above named John Carr and William Stewart. it is hereby ordered by the Court that the following named persons be, and the same are hereby appointed to meet at the residence of John Beach on Sat. May 24<sup>th</sup> 1875 at 10 o'clock of said day and proceed to view the route of said road upon, or across the premises of the above named John Carr and William Stewart and ascertain and assess such damages if any that the above claimants may suffer by reason of the establishment of said road and to report at the next regular term of this Court.

John Dobbins } viewers &  
George Achles } assess damage  
A. R. Robinson }

In the matter of Viewers }  
} Summerville to Walawa  
Report and location of county road }

Now Report of Road Viewers read 2<sup>nd</sup> time in open Court  
In the Hon. County Court of Union County

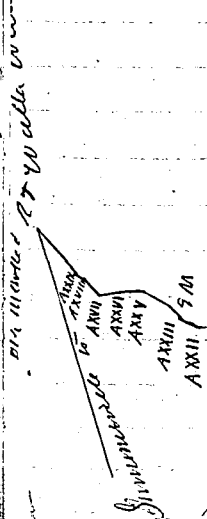
At the undersigned met on the 23 Mar. 1875 in compliance with your order and on account of severe sickness of surveyor adjourned to Mar 24<sup>th</sup> at which time we met and after being sworn proceeded to view lay out and locate said road per your order, as shown by surveyor's report for course and distance as shown by surveyor and we fully recommend the road, as favorable and the same to be opened

Ed Taylor }  
Jacob Long } viewers  
J. F. Stubblefield } by W. B. Campbell

Now it appearing to the satisfaction of the Court that the proceedings herein have been according to law and no remonstrance appearing against said proposed road, and no one having filed claim for damage by reason of the location of said road and it appearing that the road is a public necessity. It is therefore ordered and adjudged that the said road be, and the same is hereby established and ordered opened as provided by law; according to the official survey and plat of which the following field notes and plat are a copy to wit:

commencing on the road leading from  
Summersville to Willows, thence:

W	206	N	to True marked	A I	thence
"	28° S.	49	" " "	" II	"
"	29° N	50	" " "	" III	"
"	12° 30" S.	16	" " Post	" IV	"
"	12° 30" S	30	" " "	" V	"
"	27° 30" S.	54	" " "	" VI	"
"	7° N	110	" " "	" VII	"
"	21° N	120	" " "	" VIII	"
"		6	" " "	" IX	"
"		820	" " "	" X	"
"		820	" " "	" XI	"
"		74	" " "	" XII	"
N		80	" " "	" XIII	"
W		166	" " "	" XIV	"
"		154	" " "	" XV	"
S	6° W	64	" " Tree	" XVI	"
"	6° E	19	" " Stake	" XVII	"
W		83	" " post	" XVIII	"
"		156	" " "	" XIX	"
S.	28° W	47	" " "	" XX	"
W.	22° S.	14	" " "	" XXI	"
"	9° S.	20	" " "	" XXII	"
"	33° N	6	" " "	" XXIII	"
N	30 W	48	" " "	" XXIV	"
W	4° 30" N	29	" " "	" XXV	"
"	" " "	79	" " "	" XXVI	"
S	40° W	14	" " "	" XXVII	"
W	18° N	"	" " "	" XXVIII	"
"		213	" " "	" XXIX	"
"		246	" " "	" XXX	"
"	33° N	46	" " "	" XXXI	"
N	43° W	24	" " "	" XXXII	"
W	27° N	54	" " "	" XXXIII	"
"	2° S	46	" " "	" XXXIV	"
"	50° "	22	" " "	" XXXV	"
"	42° N	3.6	" " "	" XXXVI	"
"	16° "	12	" " "	" XXXVII	"
N	31° W	21	" " "	" XXXVIII	"
"	45° "	86	" " "	" XXXIX	"



full length nine miles + 274 Rods

March 24 + 25 1849 I hereby certify this is a  
true plat of survey

W.B. Campbell  
Surveyor

Willows Road



Oct 15.

Third Judicial Day October 15<sup>th</sup> A.D. 1899

Court met pursuant to adjournment.

Same officers present as of yesterday.  
Due proclamation of the opening of court having  
been made the proceedings of yesterday were  
read, approved and are now signed

A. C. Craig

County Judge

Thereupon the following proceedings were  
had, to wit:

In the matter of  
opening the county  
road leading from  
Summerville to Eckle Flat

Now at this time  
it was ordered that an order issue to the  
Supervisor of Road Dist No. 6, commanding  
him to open the county road leading  
from Summerville to Eckle Flat or appear  
at the November Term 1899 of this court  
and show cause why the same is not  
done.

In the matter  
of  
letting contract for  
Bridges across  
Grand Ronde River

Now at this time was  
opened the bids for building two bridges across  
Grand Ronde River to wit one at the crossing  
of the county road at Orvill and one at  
the crossing of the county road leading from  
Union to Summerville at the place know as  
the "Mitchell" Bridge. And upon said opening  
of said bids the court ordered that the  
building of said bridges be awarded to A. S. Miller  
& Son of Portland Oregon for the sum of \$32,944.  
and that a contract be drawn and executed  
in accordance with the specifications drawn

July 9<sup>th</sup> 1849 the town of La Grande Oregon and qualify and proceed to survey and locate said route on the 21<sup>st</sup> day of July 1849

In the matter of }  
 appointment of }  
 Constable for }

La Grande Precinct } Now at this time James }  
 J. L. Leurtis and presents to the court his }  
 petition signed by the citizens of La Grande }  
 Union County Oregon praying the he be }  
 appointed Constable of said Precinct.

Whereupon it was ordered that the said }  
 J. L. Leurtis be and he is hereby appointed }  
 Constable of La Grande Precinct - Union }  
 County Oregon, and that his term of }  
 office expire July 1<sup>st</sup> 1850. - (The legally }  
 elected Constable for said Precinct having }  
 heretofore resigned,

In the Matter }  
 of }  
 Viewers report }

Now at this time was read }  
 for the first time the report of the viewers }  
 and surveyor heretofore appointed to view }  
 and survey a road petitioned for Charles }  
 Kellogg et al and laid over until tomorrow }  
 for further consideration.

In the Matter of }  
 Viewers report }

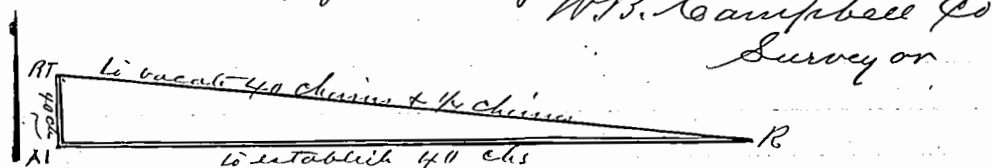
Now at this time was }  
 read for the first time the report of the }  
 viewers and Surveyors heretofore appointed }  
 to view, survey and report on a route }  
 petitioned to be established as a County }  
 Road by J. B. H. Green.



July 10<sup>th</sup> 1849

La Grande May 24<sup>th</sup> 1849  
 To Viewers of Road viz: Robert Shaw  
 Edward Baulton, and John Howard,  
 I hereby submit the following as my  
 report.

In the matter of County, as per order  
 Commencing at a post near Taylor  
 Greens dwelling N. of Hot Lake, thence  
 then forty chains to Stake 14 S. A. 1  
 thence North four chains to Stake MT. R. T.  
 where should intersect old survey of County  
 Road in stratuming from Union to  
 La Grande, thence East  $4^{\circ}30''$  S. forty and  
 one seventh chains to place of beginning  
 as shown by following plat.



I hereby certify the above is a true copy  
 of survey, including field notes as  
 made on 24<sup>th</sup> inst

W. B. Campbell  
 Esq Sur

Course survey  $20^{\circ}30''$  E.

And it appearing to the satisfaction of the  
 Court that all proceedings herein have  
 been regular and in conformity with  
 law, and there being no remonstrance  
 against the location of said road.

It was considered, ordered and adjudged  
 that said route above described be and  
 the same is hereby established as a  
 County road and public highway, and  
 kept open and worked as such,  
 and it is further ordered that T. B. St  
 Green pay the costs of the viewing and  
 surveying of this road.