

*Case*  
No 21"

*m*

Court

Jacob Guber

Plaintiff

vs

H A Egan and  
Wm Skiff

Defendant

Action for

Judgment Roll Sept Term  
1886

Docket

Page

Attorney for Plaintiff

Attorney for Defendant

THE DEEDS BUREAU ENTERED IN 18  
BY THE 1672 N Y H C MP  
1947 JAN SEP 1 10 1 51  
P D 111 SP

**Record of the Case**

1880

June 4 Petition rec Viewers app'd  
 Jour at B of 396  
 Mar 3 1st reading report  
 Journal B of 417  
 Mar 4 Appraisers app'd  
 Journal B of 428  
 Mo, 13 R Appraisers app'd  
 Journal B of 442  
 July 8 Ordered app'd  
 Journal B of 503

123 P

**WITNESSES.**

Road

Commencing on Township line where  
 it intersects Co road at o E cor of Sec 4  
 Sec 25 T 2 S R 32 E to SE + Sec 25 S, B  
 R 32 E at Co road from Willow Creek

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

123

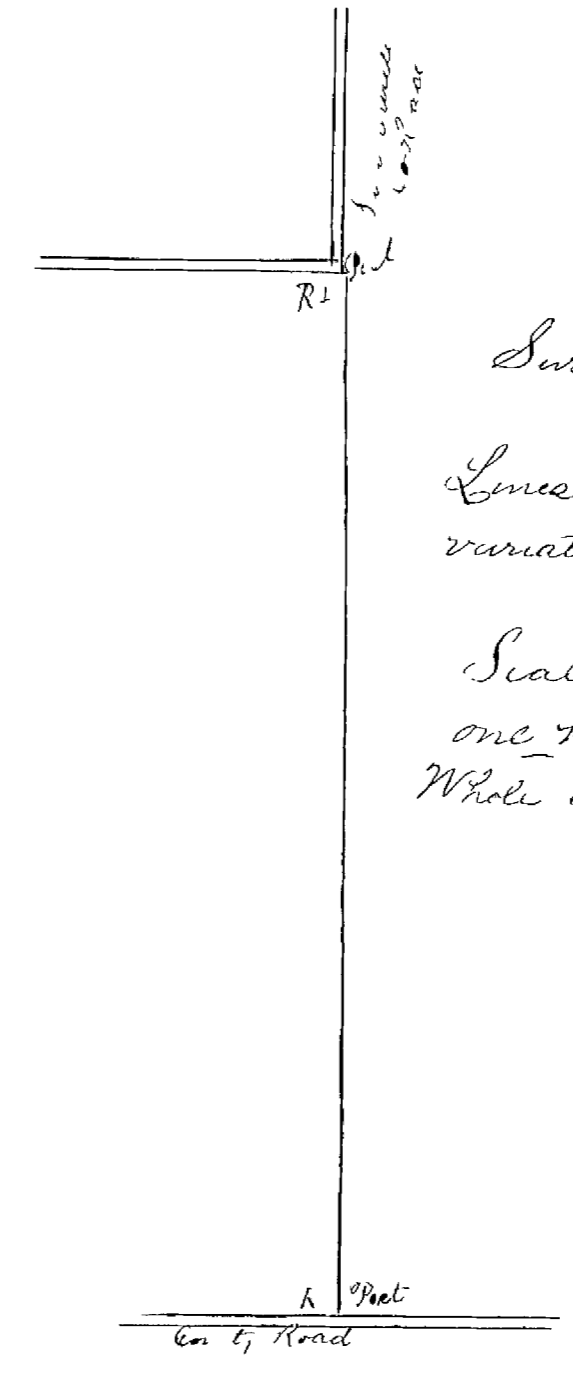
To Angus Shaw J.P. & A. Black  
 survey, appointed to revise a County Road from  
 a point on the Township line where said line  
 intersects the County Road at the S.E. corner  
 of the N.E. 1/4 of Sec 25 T2S R38E and running  
 thence due North on said Township line to  
 the S.E. corner of the S.E. 1/4 of Sec 25 T1S R38E  
 and connecting at the last named point with  
 the County Road leading from Willow Creek bridge

The following are the field notes of the survey of  
 the above described road beginning at the S.E.  
 corner of N.E. 1/4 of Sec 25 T2S R38E at a  
 Post marked R

Thence North 320 rods to Post marked 1 m  
 " " " " " " 2 m  
 " " " " " " 3 m  
 " " " " " " 4 m  
 " " " " " " 5 m  
 " " 160 " " " " RI and  
 intersecting the County Road from Willow Creek Bridge

State of Oregon } ss  
 County of Union }  
 I Eugene Chase County Surveyor in  
 and for the County and State aforesaid do  
 hereby certify that the field notes of the survey  
 of the above described road are correct as  
 surveyed by me on the 19<sup>th</sup> day of January 1880  
 Eugene Chase  
 Co Surveyor

Survey of County Road on the Sand Ridge to  
 connect with the County Road leading from Willow  
 Creek bridge



Surveyed Jan 19<sup>th</sup> 1880  
 Lines run on a magnetic  
 variation of 20° East  
 Scale of distances  
 one mile to the inch  
 Whole distance 5 1/2 miles

Survey of County Road  
on Sand Ridge to  
intersect the Air Road

beginning from Wilson

see Bridge

Price March 3<sup>rd</sup> 1850

Walter Smith  
Bookkeeper

20  
P. 1000  
P. 1000

Recd from 17<sup>th</sup> 1880

Wm. W. W.

Co. Clerk

Notice.

It hereby given, that application will be made at the next regular Term of the County Court for Union Co. Oregon - to wit: January 6<sup>th</sup> 1880 for the appointment of viewers, to lay out and locate a County Road in Union County as follows: Commencing at the South East corner of the NE<sup>1</sup>/<sub>4</sub> of Sec. 25. in Township to 2 S. R 38 E. and running thence due north, on the Township line, crossing two strips 2 S. R 38 E. and 2 S. R 39 East to the intersection of the County Road at the South East corner of the SE<sup>1</sup>/<sub>4</sub> of Sec. 25. in T 4 S. R 38 E. in Union Co. Oregon.

Nov. 28<sup>th</sup> 1879.

R. J. McWilliam

State of Oregon }  
County of Union } SS J. R. McWilliam  
being first duly sworn say that I posted  
three copies of the within notice in  
three public places in the vicinity of  
the within proposed county road on  
the 29<sup>th</sup> day of Nov 1879 and also  
that the <sup>3 copies</sup> within notice on the  
court house door on the 26<sup>th</sup> day  
of Nov. A.D. 1879.  
Subscribed and sworn  
to before me this 7<sup>th</sup> day of Jan. 1880. } R. J. McWilliam  
Notary Public  
Clerk

Filed Jan. 7<sup>th</sup>

1880

W. H. Skiff

Clerk

# Know all Men by these Presents:

THAT WE, W. J. McWilliam

and J. R. Sudd, of the County of <sup>Union</sup> ~~Marion~~ and

State of Oregon, are held and firmly bound unto the said County of <sup>Union</sup> ~~Marion~~ 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 \_\_\_\_\_ day of \_\_\_\_\_ A. D. 187

Now the condition of the above obligation is such, that whereas, if the County Road petitioned for by George Sewell and others, and presented

at the June term, 1880, of the County Court of said <sup>Union</sup> ~~Marion~~ county, commencing

at a point on the township line where said line intersects

the County road at the south east corner of the north

east quarter of Sec 25, T 2 S. R 38 E. thence northerly

to intersect the County road

be located and established, then this obligation to be void; otherwise to remain in full force and virtue in law.

W. J. McWilliam

J. A. Sudd



Yale Jan 8<sup>th</sup>  
1882

Prin. Knapp

Dear

J. W. Brewster

By

**Be it Remembered**

That at a term of the Honorable County Court of Union County, State of Oregon, begun and held at the Court House in Union in said County on the 5 day of January A.D. 1878 and from day to day thereafter, during the continuance of said term:

Present: Hon. A. C. Craig County Judge,  
" L. R. Holmes Commissioner,  
" W. G. Hunter "  
" Willis Skiff Clerk,  
" S. C. Swackhamer Sheriff.

The following, among other proceedings, were had, to-wit:

IN THE MATTER OF the location of  
a County  
Road through that portion of the  
County known as the Sand Ridge

On this day came R. J. McWilliams who presents to the Court the petition of himself and others, praying for the location and establishment of a County Road

as follows, to-wit:  
Beginning at a point on the Township line where said line intersects the County Road at the S. E. corner of the N. E. 1/4 of Sec. 25 in T. 2 S. R. 38 E. and running thence due North on the said township line to the S. E. corner of the S. E. 1/4 of Sec. 25. Town 1 South, R. 38 E. and connecting at the last named point with the County Road leading from Willow Creek bridge.

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 filed:

IT IS THEREFORE ORDERED BY THE COURT that Argus Shaw  
J. P. Childers and A. Slack  
be appointed Viewers, and Eugene Chase Surveyor, to view, survey and report upon said Proposed County Road and that they meet at The Dr. Shore place on the 17 day of January 1878.

and duly qualify before entering upon the discharge of their duties in this behalf.

By Willis Skiff Clerk (Signed) A. C. Craig County Judge.

State of Oregon }  
County of Union } ss Eugene Chase being first  
duly sworn say that I will perform the duties  
of the within appointment to the best of my  
ability: so help me God.  
Subscribed and sworn to before  
me this 14 day of Jan, A.D. 1843

Willis Skiff  
Co. Clerk

Eugene Chase

R. J. McWilliams

Jan. 17.

Filed March 3<sup>d</sup> 1840

Willis Skiff

Co. Clerk

To the Hon County Court  
of Union County, Oregon.

We submit the following  
as our report as viewers  
of road viz; Beginning at  
a point on the Township  
line where said line intersects  
the County Road at the S, E corner  
of the N, E  $\frac{1}{4}$  of Sec 25 in T 2 S  
R 38 E and running thence due  
North on the said Township line  
to the S, E corner of the S, E  $\frac{1}{4}$   
of Sec 25 T 1 S, R 38 E and  
connecting at the last named  
point with the County Road  
leading from Willow Creek bridge.  
We met on the 17<sup>th</sup> of January as  
mentioned in your order but the  
Surveyor not being present we ad-  
journed. We met again on the  
the 19<sup>th</sup> of Jan. and after first  
being duly sworn in company  
with the Surveyor, proceeded  
to view, survey, and lay out  
said road. We select from said  
Surveyors' plat of surveys, which  
as shown by Surveyors' plat, one  
which we heartily recommend

for County Road and public  
travel. We therefore submit the  
above hoping the same will meet  
your approval.

x Angus Shaw } Viewers of  
x J. D. Childers } proposed Co Road  
x P. A. Slack }

James Robert

Filed March 3<sup>d</sup>  
1880

W. H. H. H.  
Co. Clerk

Summerville Precinct Union Co Ore

Jan 20 1880

To the Hon County Court of Union County Oregon  
Your petitioner the undersigned would respectfully  
represent to your honorable body that he  
feels himself very much damaged by the  
location of a public highway which is about  
to be established running from the bridge on willow  
creek S.E. of Summerville  $\frac{1}{4}$  mile to the east end  
of the Booth lane your petitioner would farther  
state that there are roads now located on two  
sides of his one fourth section one on the North  
side and one the west side And if another is  
established on the East it will be the cause of  
me having to give more land and build more  
fence than would <sup>be</sup> reasonable to to compell one  
man to give or build without some compensation  
therefore ask the court to allow him the sum of \$200<sup>00</sup> as damages

All of which is respectfully submitted  
And ask that 3 disinterested householders be  
appointed to assess the damage according to law

J. Murchison

Claim for damage

on board by

J. M. M. M. M.

1880  
F. J. J. J.

W. J. J. J.

J. J. J. J.

W. J. J. J.

State of Oregon }  
County of Union } 55

To A J Houghs  
Jesse Imbler and E T Newille

You are hereby notified  
that you and each of you  
were appointed by the County  
Court of said County at the May  
Term of 1880 Three appraisers  
of <sup>the</sup> damages sustained by one  
F. Marchison by reason of the  
location of a proposed County  
road described as follows  
to wit:

Commencing at a Point on the  
Township line where said line  
intersects the County Road at the  
S E Corner of the N E 1/4 Sec 25  
in T 2 S R 38 E. and connecting  
with the last named point, with  
the County road leading from



Willow Creek Bridge,  
It was ordered by the Court  
that You meet at the house  
of F. Merchison on the 22<sup>d</sup>  
day of May 1880 and proceed  
to assess said damages  
and report Your doings  
therewith to this Court on or  
before the next regular Term  
of this Court

Filed May 24  
1880

Willis Skiff

By order of the Board of  
County Commissioners.

Willis Skiff  
County Clerk

To the Hon County Court of Union Co. Oregon

The undersigned being appointed by  
your Hon Body to assess damages in behalf of F. Merchison  
on the road here described in your notice to the undersigned  
viewers after being duly sworn would hereby report to  
To the Hon County of Union Co Oregon That we have assessed the  
damage in favor of F. Merchison at Ten Dollars (\$10.00)  
Given under our hands this 22<sup>nd</sup> 1880

E. T. Neville

Jesse Imbler  
A. J. Hughes

To the Hon the County Court - for  
 Union County, Oregon

The undersigned would respectfully represent that a county road running north and south through that portion of the valley known as the Summit Ridge is greatly needed to accommodate citizens living in that portion of the county. Therefore your petitioners ask that a county road be laid out and established as follows. Commencing at a point on the township line where said line intersects the county road at the South East corner of the North East quarter of Sec 25, in T 2 S. R 38 E and running thence due north on the said township line through townships 2 S R 38 E and 2 S R 39 East to the South East corner of the South East quarter of Sec. 25 in T 2 S R 38 E and connecting at the last named point with the Co Road leading from Willow Creek bridge in Union County Oregon.

Your petitioners further represent that they are residents and householders in Union County, and reside in the vicinity and along the line of the proposed road.

James	James
Geo Deville	Wm German
John West	Henry Myers
Thos. W. Shore, M.D.	J. A. Hoadell
Mrs. M. K. Kegan	M. C. Flick
Joseph C. Lewis	J. W. B. B. B. B.
	W. H. Patten

Frank Silva  
 John R. R.  
 P.

W. H. Patten  
 J. W. B. B. B.  
 J. A. Hoadell  
 M. C. Flick

790

To the Hon. The County Board for  
Union County Oregon

The undersigned would respectfully represent that a County road running north and south through that portion of the Valley known as the South Ridge in greatly needs to accommodate citizens living in that portion of this County. Therefore your petitioners ask that a County road be laid out and established in following Commencing at a point on the Township line when said road intersects the County road on the South East Corner of the North East quarter of Sec. 25 in T. 8. R. 38 E. and running thence due north on the said Township line including townships 2 S. R. 38 E. and 2 S. R. 39 East to the South East corner of the South East quarter of Sec. 25 in T. 8. R. 38 E. and connecting at the East corner point with the Co. Road leading from Willona to such Bridge in Union County Oregon.

Your petitioners further represent that they are residents and householders in Union County and reside in the County and along the line of the proposed road.

<p>James Geo. H. H. H. John Abbott Thos. H. H. H. Thos. H. H. H. Joseph H. H.</p>	}	<p>James W. H. H. John H. H. A. H. H. W. H. H. J. H. H.</p>
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Frank Silva  
John Ricks  
John Penick

James  
John Ricks  
John Penick  
A. H. H.

In the County Road  
 Matter petitioned for  
 by E. T. Beville et al

Now at this time was presented the petition of E. T. Beville and more than twelve other citizens and householders living along and in the vicinity of a route they propose and ask to be located and established as a County Road as follows to wit: Commencing at a point on the Township line where said line intersects the County Road at the South East corner of the N.E. 1/4 of S 25 T. 1. S.R. 38.E. and running due North on the said township line dividing townships S. S. R. 38.E. and S. S. R. 39.E. to the South East corner of the S.E. 1/4 of Sec 25 in T. 1. S.R. 38.E. and connecting at the last named point with the Co Road leading from Willow Creek Bridge in Union Co Oregon. And in appearing that due and legal notice of the pendency of these proceedings had been given as by law required, and a good and sufficient bond having been filed, as by law required. It was ordered that Angus Shaw, James P. Childers and A. Slack three disinterested parties as viewers to view and report upon the same and Eugene Chase be appointed Surveyor to survey and plat the same and that they meet at Mr. Shores place on the Sound Ridge on the 17<sup>th</sup> day of June 1880 and proceed, after being duly sworn, upon their duties in this behalf.

In the matter of Road  
Petition of R. J. McWilliams  
et al

Now at this time was read for the first time the Viewers report upon the road petitioned for by R. J. McWilliams et al and laid over for a second reading.

In the matter of Road  
Petition of J. N. Smith  
et al.

Now at this time came on the viewers report for the first reading, on a County road petitioned for by J. N. Smith et al, and laid over for a second reading.

In the matter of  
Road petition of  
Theo. F. Minor, et al.

Now on this day was read in open court the report of the viewers upon a road petitioned for by Theo. F. Minor et al, and laid over for a second reading.

In the matter of  
Road petition of  
J. L. Harris et al

Now at this time was read in open court the report of the viewers upon road petitioned for by J. L. Harris et al and laid over for a second reading.

March 4<sup>c</sup> 1880

In the matter of  
Viewers report on  
Co Road petitioned  
for by R. G. M<sup>rs</sup> Williams  
and others

Now at this time came  
on for the second reading the report of the Viewers  
report upon road petitioned for by R. G. M<sup>rs</sup> Williams  
and others and J. Murchison having filed  
a claim for damages should the said  
report be accepted and said road located.  
It was ordered that Jesse Imbler E. J. Neville  
and P. E. Wade be and they are hereby made  
and appointed to appraise the amount of damage  
that will be sustained to said J. Murchison by  
reason of the location of said road and that  
they meet at the house of J. Murchison on the 20<sup>th</sup> day  
of March 1880 and proceed to their duties in this  
behalf.

In the matter of  
Viewers report upon  
road petitioned for  
by Theo. F. Miner et al

Now at this come  
on for the second reading the report of the Viewers  
heretofore appointed to view and locate a  
county road across Grand Ronde River at  
Or Dell, which report is as follows, to wit:

To the Hon County Court of Union County  
Oregon,

We submit the following as our report  
as viewers of road viz: To connect the two  
ends of the two County roads ending on the  
North and South ends of the Or Dell bridge.

We met on the 15<sup>th</sup> day of January as  
mentioned in your order, Joseph Jones being  
absent, but owing to delay by Surveyor in  
repairing instrument, we adjourned until the  
16<sup>th</sup>.

We met on that day Joseph Jones  
again being absent and after being first  
duly sworn, in company with the Surveyor  
proceeded to view, survey and layout  
said road. We select from said Surveyors

May 13. 1880

In the Matter

of  
 Co. Road petitioned  
 for by R. J. Williams  
 et al

} Appy of Apprais.  
 of  
 Damage

Now at this Time it  
 appearing to the Court, that the appraisers theretofore appointed to assess the Damages of one Parker Murchison by reason of the location of this road, have made an informal Report — It was ordered that J. Houghs, Jessie Embler and E. T. Kiville be appointed appraisers of damage to appraise said damage and that they meet at the house of F. Murchison on the 22d day of May A. D. 1880 and proceed to assess said damages and report the same to this Court at the next regular Term thereof and that all matters pertaining to said road be laid over until the next regular Term of this Court. —

In the Matter

of  
 County Surveyor

Now at this Time

It was ordered, that an order issue to W. B. Campbell ex. County Surveyor commanding him to deliver over to Eugene Chase the duly appointed Surveyor of this County all Field notes and Plats now in his Possession belonging to Union County, which came into his hands by virtue of his said office of Surveyor —

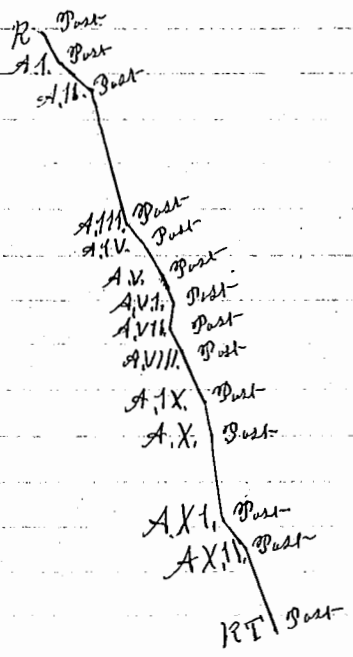
Survey of change of County Road in Pyle Canyon  
 Susseged May 19<sup>th</sup> 1880

Variation 20" East

Scale of distances 200 rods to the inch.

Whole distance 2 miles & 295 rods

Old road 2 miles & 250 rods



In the matter of damages  
 and establishment of county road  
 petitioned for by R. J. McWilliams et al

Now on this day is read the report of the  
 appraisers of damage on the proposed county road  
 petitioned for by R. J. McWilliams and others. And  
 it appearing from said report that F. Murchison  
 the party claiming damage will be damaged by  
 reason of the establishment of <sup>said</sup> proposed county  
 Road in the sum of ten dollars it is ordered  
 that the same be paid, and it appearing that  
 there is no remonstrance or further bills for  
 damage filed herein it is ordered that said route  
 be established as a county road and opened to  
 public travel and that the views and sur-  
 veyors reports be recorded of which the follow-  
 ing are copies to wit.



To the Hon. County Board of Union County  
Oregon.

We submit the following report as viewers of road  
viz. Beginning at a point on the Township line  
where said line intersects the County road at the  
S. E. corner of the N. E.  $\frac{1}{4}$  of Sec. 25 in T 2 S,  
R 38 E. and running thence due North on the  
said Township line to the S. E. corner of the  
S. E.  $\frac{1}{4}$  of Sec. 25, T 1 S, R 38 E and connecting  
at the last named point with the County road  
leading from Willow Creek bridge.

We met on the 17<sup>th</sup> of January as mentioned  
in your order but the Surveyor not being present  
we adjourned. We met again on the 19<sup>th</sup> of  
Jan, and after being first duly sworn in  
company with the surveyor proceeded to view  
survey and lay out said road. We select  
from said Surveyors plat, which as shown by  
surveyors plat, one which we heartily recommend  
for County road and public travel. We  
therefore submit the above hoping the same  
will meet your approval.

Angus Shaw } Viewers of proposed  
J. P. Childers } County Road  
A. Slack }

To Angus Shaw J. P. Childers and A. Slack  
viewers appointed to review a County Road from  
a point on the Township line where said line  
intersects the County road at the South East  
corner of the N. E.  $\frac{1}{4}$  of Sec. 25, T 2 S, R 38 E,  
and connecting and running thence due  
North on said Township line to the South East  
corner of the S. E.  $\frac{1}{4}$  of Sec. 25, T 1 S, R 38 E,  
and connecting at the last named point  
with the County road leading from Willow  
Creek bridge. The following are the field notes  
of the above described road, Beginning at the  
S. E. corner of N. E.  $\frac{1}{4}$  of Sec. 25, T 2 S, R 38 E.  
at a Post marked R.

Thence North	320	rods	to	Post	marked	1 M
"	"	"	"	"	"	2 M
"	"	"	"	"	"	3 M
"	"	"	"	"	"	4 M

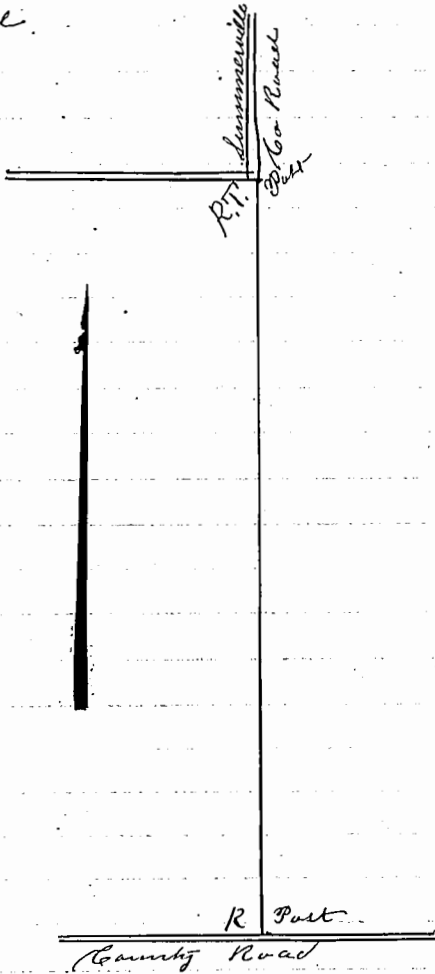
Thence North 320 rods to Post-marked S. M.  
" " " " " " " " - R.T. and  
intersecting the County Road from Willow Creek bridge,

State of Oregon  
County of Union 88

I Eugene Chase County Surveyor in  
and for the County and State aforesaid do hereby  
certify that the field notes of the above survey are  
correct as surveyed by me on the 19<sup>th</sup> day of  
January 1880

Eugene Chase  
Co-Surveyor.

Survey of County road in the sand ridge to con-  
-nect with the County road leading from Willow  
Creek bridge.



Thereupon the Court adjourned until to-  
morrow morning at 9 o'clock.