

No "H"
in

Circuit

Court

H. H. Miller

Plaintiff

vs

P. A. Mahaffey
et al

Defendant

Action for Warrant
Judgment Roll Sept
Term 1886
Docket Page

J. R. Crile and
C. H. Truitt

Attorney for Plaintiff

Attorney for Defendant

RECEIVED
SEP 11 1886
CLERK'S OFFICE
U. S. DISTRICT COURT
NEW YORK

Record of the Case

126 P

WITNESSES.

1880
 June 9 Petition re Viewers of
 our records
 May 2 In reading of
 Journal A p 417
 May 4 Ordered opened
 Journal B p 420

Road

Commencing at N terminus of
 Co road located from farm of
 Lewis to S end of Oro Dee bridge
 thence S by to S terminus of
 Lalnande + Sumner-walker Road
 TP 2 south of Camp 38 E W.M.



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

126

Notice

Notice is hereby given that a petition will be presented at the next regular term of the County Court of Union County, Oregon praying for the establishment of a County Road connecting the two ends now ending at the North and South ends of the Woodruff Bridges across Grand Ronde River at the Town of Woodruff

Dated this 8th day of December 1879

State of Oregon } ss

Union County } 3

I W. J. Smolgrass being

duely sworn say that I posted three correct copies
of the within notice in three public places in the
vicinity of the within proposed Road ~~more than~~
thirty days prior to this date.

Subscribed and sworn to
before me this 7 day of }
January 1880 }
N. J. Smolgrass

N. J. Smolgrass

P. A. Paraffey

Justice of the Peace

Filed Jan 8th
1880

W. L. Shug

clerk
J. E. E. E. E.
Registrar

Petition

To the Honorable County Court of Union County Oregon }

We your petitioners would respectfully pray your Honorable body to locate and establish a County road, commencing at the northern terminus of a road located from the farm of B. H. Lewis, to the south end of the bridge crossing the Grande Ronde River at Oro Dell; running thence in a westerly direction, to the southern terminus of a road, commencing at the north end of said bridge, crossing the Grande Ronde River at Oro Dell, and intersecting the La Grande and Summerville road;

The road prayed for in this petition to connect the two roads above described, and to include the said bridge crossing the Grande Ronde River at Oro Dell. Union Co Oregon.

And your petitioners will ever pray!

- | | |
|-------------------|-----------------|
| Thos Miner | Geo Palmer |
| J. H. Shambaugh | W. J. Baker |
| W. J. Snodgrass | J. A. McWhirter |
| Geo Leonard | D. A. Malister |
| James R. Bartness | Wm W Welman |
| W. J. Bartness | P. C. Kuman |
| T. C. Wesley | W. H. Garrison |

Filed Jan 7th 1890

Willis S. Buff
Seal Clerk

2

Ben J. C.

Office of the Clerk

Know all Men by these Presents:

THAT WE, *J. E. E. Bates*

and *Union*, of the County of *Marion* and

State of Oregon, are held and firmly bound unto the said County of *Marion* in the sum of

Twenty five 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 *Fourth* day of *January* A. D. 18*90*

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

at the *January* term, 18*90*, of the County Court of said *Marion* county, ~~commencing~~

Connecting the two ends now existing at the North and South end of the Oro Dell bridge across Gravel Run River at the Town of Oro Dell

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

Elli Bates

know all men by these presents

Banc

Great Pan 9th

1880

Winn's Mark

Pa Bank

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 5th day of January A. D. 1878th and from day to day thereafter, during the continuance of said term:

Present: Hon. A. C. Craig County Judge,
" L. R. Holmes Commissioner,
" W. B. 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 at the Town of Oro Dell

On this day
came Theodore Miner 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:
To connect the two ends of the two County
Roads ending on the north and south
ends of the Oro Dell 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 Joseph Jones
John Rynearson and Thomas Hughes
be appointed Viewers, and Eugene Chase Surveyor, to view, survey and report
upon said Proposed County Road and that they meet at
Oro Dell on the 15th day of January 1878th
and duly qualify before entering upon the discharge of their duties in this behalf.

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

NOTE.—The three viewers must meet.

State of Oregon
County of Union J Eugene Chase being
first duly sworn say that I 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 Eugene Chase
Jan. A.D. 1886
Willis Skiff
County Clerk

Or. Tell

Jan 15,

Filed March 3rd 1880

Willis Skiff

- Clerk

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 Oro Dell bridge
We met on the 15th 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 16th
We met on that day Joseph
Jones again being absent and
after first being ~~first~~ 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.

John Bynearson } Viewers of proposed
Thomas. Hughes } County Road

General Report

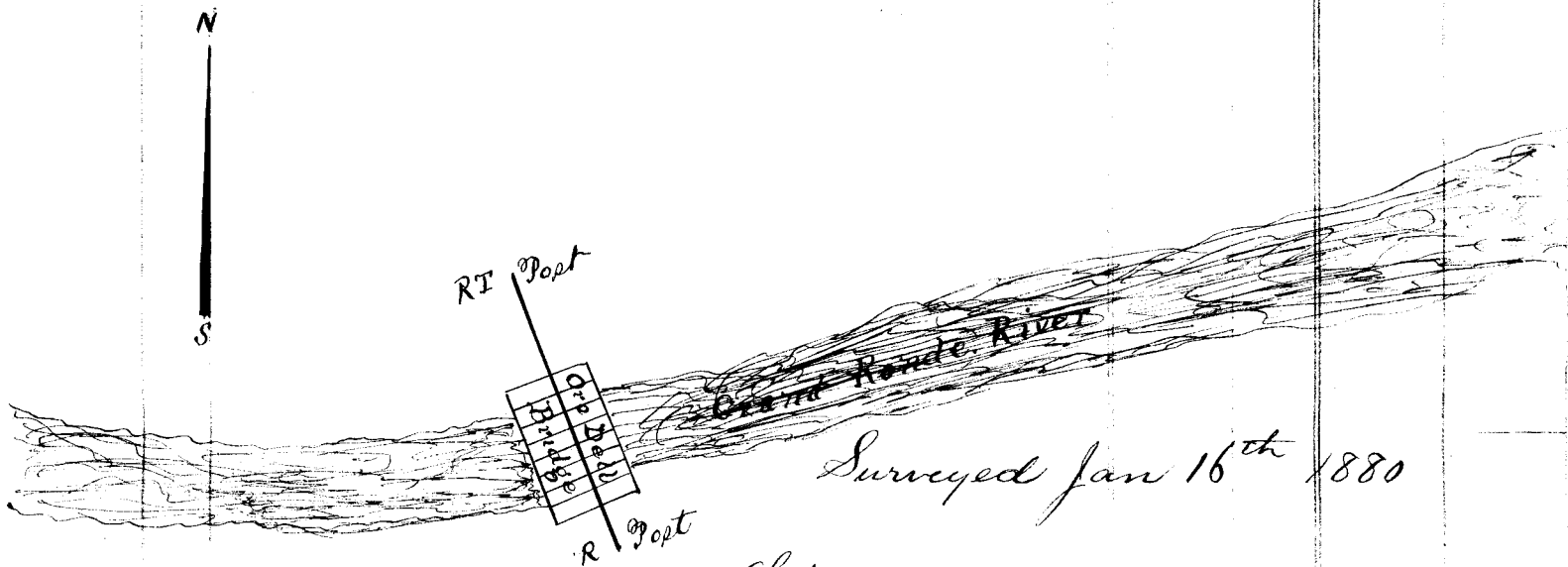
Dear Sirs Bridge

April March 31st 1890

Wills' M^{rs}

La Crosse

To John Rynearson and Thomas Hughey - Viewers
 appointed to review a County Road to connect the
 two ends of the two ends of the two County Roads ending
 on the North and South ends of the Oro Sill bridge.
 The following are the field notes of the survey of the
 above described road. Beginning at the terminus of
 the County Road at the South end of Oro Sill bridge
 at a Post marked R
 Thence N 21 1/2° W - 18 1/2 rods to a Post marked RI and
 connecting the two County Roads.



Surveyed Jan 16th 1880

Lines run on 20° East variation

Scale of distances 12 rods to the inch
 Whole distance 18 1/2 rods.

State of Oregon }
 County of Union } SS

J. 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 16th day of January 1880

Eugene Chase Co Surveyor

Summary to connect
the two Bounty books
at Grodsee
Pied March 3rd 1880
Wm's Shurt
So Book

Jan 9th 1880

In the matter of
 Petition of Theo. F. Minor
 et al for a Road
 across Grand Ronde
 at Cro Dell.

Now at this time was
 presented the petition of Theo. F. Minor and
 more than 12 other citizens and householders
 living in the vicinity of a route they pray
 to have established as a County Road
 to wit: Commencing at the Northern Terminus
 of a les Road located from the farm of B. H.
 Lewis to the South End of the bridge crossing
 the Grand Ronde River at Cro Dell running
 thence in a northerly direction to the Southern
 terminus of a road commencing at the South
 end of said bridge crossing the Grande River
 at Cro Dell and intersecting the La Grande
 and Sumnerville road. And it appearing
 to the satisfaction of the Court from proofs filed
 in this Court that due notice had been
 given as by law required and a good
 and sufficient bond having been given
 conditioned for the payment of the costs of
 said survey should the same not be
 established. It was ordered that Joseph
 Jones, John Pyrcarson and Thomas Hughly
 be appointed viewers and Eugene Chase
 Surveyor to view and survey said Route
 and that they meet at Cro Dell on the
 15th day of January 1880 and after being duly
 sworn proceed 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^c 1880

In the matter of
Viewers report on
Co Road petitioned
for by R. G. M^{rs} 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^{rs} 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 20th 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 15th 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
16th.

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

plat of Surveys, which, as shown by Surveyors
 plat, one which we heartily recommend for
 County road and public travel

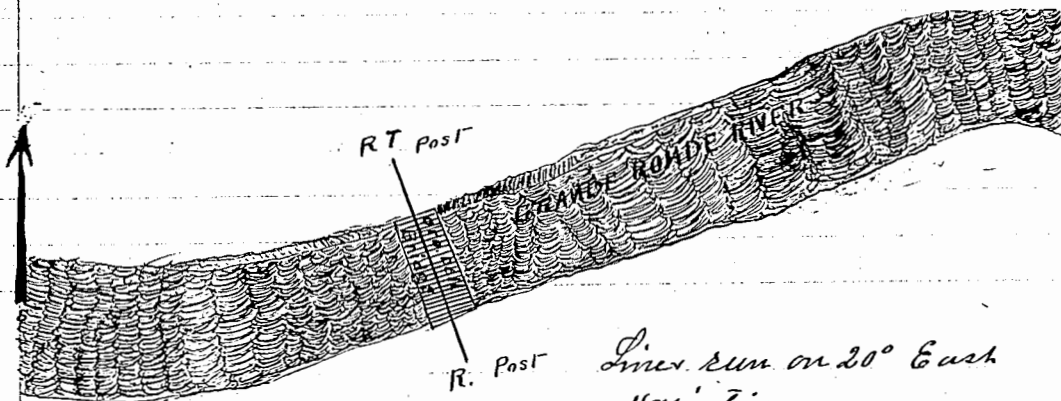
We therefore submit the above hoping
 the same will meet your approval,

John Rynearson }
 Thomas Hughey } Viewers of
 proposed road

And it appearing to the satisfaction of the court
 that the proceedings herein have been in all
 things regular and in conformity with law
 and in consideration of said report, it was
 considered, ordered and adjudged that
 said route be established as a County road
 and public highway in accordance with the
 Surveyors plat and field notes thereof of which
 the following is a correct copy.

Field notes

Beginning at the terminus of the County road
 at the South end of the O'Sullivan bridge at a
 post marked R, thence N 21 1/2° W - 18 1/2 rods
 to a post marked RT, connecting the two
 County roads



Line run on 20° East
 Variation
 Scale of distances 12 rods to
 the inch, whole distance
 18 1/2 rods.

State of Oregon }
 County of Union } I Eugene Lechase 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 16th day of January 1885
 Eugene Lechase
 Co Surveyor,