

No ~~625~~  
Law No 35  
Circuit

Court

L. A. Ross -

Plaintiff

vs

Daniel Chapman

Defendant

Action ~~for~~ appeal

- Judgment Roll -  
- Sept Term -  
- 1886 -

C. H. Price

Attorney for Plaintiff

~~C. H. Price~~  
C. H. Price

Attorney for Defendant

RECEIVED  
MAY 1 1886  
U. S. DISTRICT COURT  
S. D. N. Y.  
NEW YORK

**Record of the Case**

1856

May 11 - Bentley rec Viewers apphd  
Journal B p 447

July 5 - let reading report  
Journal B p 452

July 8 - ordered opened  
Journal B p 495

132

**WITNESSES.**

Road

Commencing at N W cor of S E 4 Sec 2 T 3 S  
R 45 E thence 4 miles N thence 1/2 mile W  
thence to foot hills

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

132

Notice of Petition for a Road View.

A petition will be presented to the County Commissioners Court of Union Co. Oregon, at its next regular term to be held in ~~March~~<sup>May</sup> next, at Union, Union Co. Oregon, praying for a view of a county road, commencing on the county road at the North W cor of the S. E. quar of Sec 2. T. 3. S. of Range 45 E. and running thence ~~4~~<sup>4</sup> miles N: thence one half mile N. thence 2 1/2 miles N. to the foot-hills to terminus.

R M Downey

Prairie Creek, Union Co Oregon }  
Feb. 2nd. 1880 }

Recd Nov. 30 - 1880

Willis Skiff  
D. Clerk

State of Oregon  
County of Union } I Willis  
Skiff County Clerk of Union County  
Oregon do hereby certify that  
I ~~pro~~ the within notes on  
the Court House door in  
Union more than thirty  
days prior to this date  
Willis Skiff  
Co Clerk

Know all Men by these Presents:

That we, We Elli Ehat and  
M Boskowitz  
are held and firmly bound unto County Court  
of Union Territory - Oregon in the sum of  
Fifty \_\_\_\_\_ \_\_\_\_\_ DOLLARS,  
lawful money of the United States, to be paid to the said Court

~~his Executors, Administrators or Assigns~~, for which payment well and truly to be made, we bind  
ourselves, our, and each of our Heirs, Executors, Administrators and Assigns, jointly and severally  
firmly by these Presents.

Sealed with our Seals, and dated this 12 day of May one thousand  
eight hundred and eighty

The condition of the above obligation is such that Whereas, a County  
road petitioned for, of R M Downey  
et al commencing at the N. W.  
Cor of the S E 1/4 of Sec 2, T. 3 S. R  
45, E. and running thence  
4 miles North; thence one  
half mile W. thence 2 1/2 miles  
North to a foot hills, be  
granted and established  
then this obligation to be  
null and void, otherwise  
to be and remain in  
full force and effect  
and collectable of law.

Signed, Sealed and delivered in presence of

} Elli Ehat [SEAL]  
} M Boskowitz [SEAL]

**BOND**

FROM

*C. C. Clark & M. P. ...*

TO

*Yours ...*

Executed May 12 1881

Filed, May 12 1881

At 11 o'clock, A. M.

*Wm. S. ...*  
County Clerk.

Notice is hereby given that there will  
be presented to the County Court of  
Union Co Oregon at the May Term to  
be held in Union Co Oregon for  
the view and location of a County Road  
to wit. Beginning <sup>on the county line</sup> at the N. W. corner of  
the S. E. quarter of Sec. 2. Township 3.  
S. of Range 45<sup>th</sup> E. and running thence  
N 4 miles thence W 1/2 mile thence N 2 1/2  
miles to foot-hills to terminus

Robert Dourney

Prairie Creek Oregon  
Feb 26<sup>th</sup> 1880

This is to certify that the above is a true  
copy of three Notices and that they were posted  
over thirty days to wit Feb 26<sup>th</sup> 1880

Robert Dourney

Subscribed and sworn to before me this  
19<sup>th</sup> Day of April 1880

J. H. Beary  
Justice Peace

Filed April 23  
1880

Willis Stagg  
Cocher  
of Ellis & Leatis  
Deputy



To the Hon. Co. Comm. Court of Union Co. Oregon  
 We, the undersigned citizens of upper Wallowa valley,  
 humbly petition your Hon. Body to grant the view  
 of a County Road on the following lines to wit:

Beginning <sup>on the prairie</sup> at the N. W. cor of the S. E. quarter  
 of Sec. 2. Township 3. S. of R. 25 E. and running  
 thence N. ~~1/2~~ miles: thence N. 1/2 mile: thence N. 2 1/2 miles  
 to foot-hills to terminus; and your petitioners will  
 ever pray and would recommend the <sup>following</sup>  
 men to view said Road Ole Miller, James, Pratt  
 Names J. W. Davis Names

R. M. Downey  
 Ole Miller  
 Thomas Esters

E. J. Roup  
 Chris Fullmer  
 Geo. W. Cope  
 J. W. Davis  
 L. B. Springer  
 Virgil Pratt  
 Edwin Pratt  
 Clark Rowlands  
 Robert Gunning  
 H. S. Perkins  
 Luther Perkins  
 W. B. Thomas  
 Thomas Roup  
 W. C. Stoburn  
 S. W. Pender  
 Van H. Blankinship

J. J. Blevans  
 H. Hoyt  
 Chas. W. Week  
 Ed. Wood  
 A. Adams  
 J. S. Halsey  
 J. Gunning  
 J. C. Weatherly  
 Jas. Pratt  
 J. J. Medlock  
 L. S. Thomas

Friday April 23

1880  
Miss May's

Dear

Miss Eleanor  
Q

~~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 12  
day of May A. D. 1880 and from day to day thereafter, during  
the continuance of said Term:

Present: Hon. A. C. Lewis County Judge,  
" L. R. Holmes Commissioner,  
" W. G. Smith Clerk,  
Willis Staff Sheriff,  
S. O. Swelchauer

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

IN THE MATTER OF petition for  
\_\_\_\_\_ County  
Road

On this day  
came R. M. Downey who presents to the Court the petition of  
himself and many others, praying for the location and  
Establishment of a County Road

as follows, to wit:  
Commencing on the County Road at the  
North West Cor. of the S E 1/4 of Sec 2. T. 3  
S. R. 45 E. and running thence 4  
miles N. thence 1/2 mile W. thence  
2 1/2 miles S to the foot hills

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 W. G. Smith  
George Holmes and N. W. Bloor  
be appointed Viewers, and Eugene Chase Surveyor, to view, survey  
and report upon said Proposed Road and that they meet at  
Residence of W. G. Smith on the 16 day of June 1880  
and duly qualify before entering upon the discharge of their duties in this behalf.

(Signed)

A. C. Lewis  
County Judge.

NOTE.—The three viewers must meet.

State of Oregon }  
Union County } I Eugene Chase being duly  
sworn say that I will perform the duties of  
Surveyor in accordance with the within  
appointment to the best of my ability.  
Subscribed and sworn  
to before me this 19<sup>th</sup> } Eugene Chase  
day of July 1880 }  
Willis Hays }  
J. Allen Blake }  
Jg

Witness my hand  
Willis Hays  
Co. Clerk  
Eugene July 27 1880

To the Hon. County Court of  
Union County Oregon.

We submit the following as  
our report as viewers of road  
viz: Commencing on the County  
Road at the NW corner of the  
SE  $\frac{1}{4}$  of Sec 2 T 3 S of Range 45 East  
and running thence 4 miles North  
thence  $\frac{1}{2}$  mile West, thence  $2\frac{1}{2}$   
miles North to the foot hills

We met on the 16<sup>th</sup> day of June  
as mentioned in your order and  
after being first duly sworn,  
in company with the Surveyor  
proceeded to view, survey and  
lay out said road. We select  
from Surveyor plat of ~~parcels~~;  
~~which as shown by Surveyor's~~  
~~plat~~, one which we heartily recom-  
mend for County Road and public  
travel.

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

J N Aleszy  
R W Brown

} Viewers of proposed  
County Road  
J

Division Report  
R. M. Downey Sr.

Sheet Aug 7<sup>th</sup> 1880  
Miami Shells  
L. Clark

To Tho<sup>A</sup> H. Veasey and R. H. Bloom reruns appointed  
to rerun the County Road commencing on the  
County Road at the NW cor of the  
SE  $\frac{1}{4}$  of Sec 2 Township 3 South of  
Range 45 East The following are the  
field notes of the survey of the above  
described road - Commencing at  
the NW cor of SE  $\frac{1}{4}$  of said Sec 2  
at a Post marked R  
Thence North  $\frac{1}{2}$  mile to Post marked A 1.  
" West  $\frac{1}{2}$  mile " " " A 11.  
" North  $2\frac{1}{2}$  miles " " " R T and  
to the foot hills

State of Oregon }  
County of Union } ss

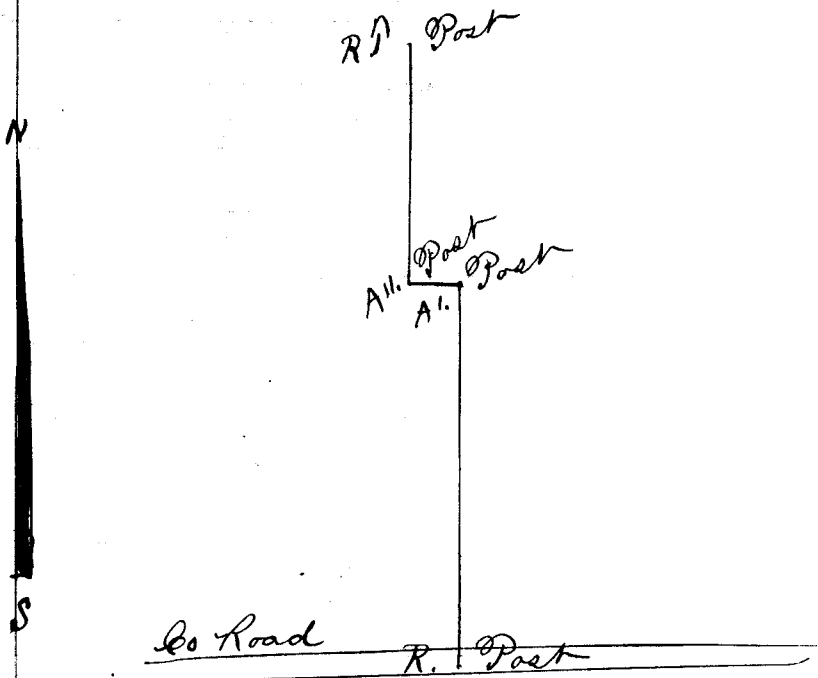
I Eugene Chase County Surveyor  
in and for the County and State aforesaid do  
hereby certify that the field notes of the survey of  
the above described road are correct as surveyed by  
me on the 16<sup>th</sup> day of June 1880.

Eugene Chase  
County Surveyor

Surveyed June 16<sup>th</sup> 1880  
Variation 20° East

Scale of distances  
2 miles to the inch

Whole distance 7 miles





Dear

R. M. Downey

and others

Recd July 8<sup>th</sup> 1880

Wm. H. Smith  
Clerk

May 12 1886.

In the Matter  
of  
Viewers Report,  
on a petition from  
A. R. Robinson  
et. al

Viewers Report  
on  
Cove Road

Now at this Time was read for the first time the Report of the Viewers upon a proposed Co. Road — petitioned for by A. R. Robinson and others to wit:

Commencing at the School house in Dist. W. 4 on the line dividing the land of Frederick Mitchell and F. M. Mitchell and running on said line due East, through the land of A. R. Robinson and intersecting and terminating at the County Road running North from the Cove at the N.E. Corner of the land of Thos. Sabington and S. E. Corner of the land of A. R. Robinson.

Which Report was laid over for second reading

In the Matter  
of  
Road Petition of  
J. J. Plevins et al.

Willow Road

Now at this Time was presented the petition of J. J. Plevins and more than twelve other Citizens and house holders living along and in the Vicinity of a route they ask to be established as a County Road to wit:

Commencing on the County Road at the North West Cor. of the South East quarter of Sec 2 T 3 S of R. 45 E. and running thence 4 miles North thence 1/2 mile west thence 2 1/2 Miles North to the foot hills. —

And it appearing to the Comst that due and proper notice of the pendency of these proceedings have been given as by Law required and that a good and sufficient

bond has been filed and no remonstrance having been filed to said petition. It is ordered and adjudged that Thos. H. Veasy, George Holmes and W. Bloom be and the same are hereby appointed Viewers and Eugene Chase, Surveyor, to view, survey and report upon said Road and that they meet at the residence of T. H. Veasy on the 16<sup>th</sup> day of June at 5. 1880 and duly qualify before entering upon the discharge of their duties in this behalf. —

In the Matter }  
 of } Willowa Road  
 County Road, petitioned }  
 for, by J. J. Plewino et al. } 3.

On this day come J. J. Plewino who presents to the Court the petition of himself and many others, praying for the location and establishment of a County Road as follows to wit:

Commencing at the N. E. Corner of Sec 36. Township 2 S. R. 45 E. thence South 4 miles, thence East 1/2 mile, thence South by East one mile.

And it appearing to the Satisfaction of the Court from proof filed herein, that due Notice of the pendency of these proceedings 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 Thos. H. Veasy, George Holmes and W. Bloom, three disinterested householders be and the same are hereby appointed Viewers and Eugene Chase Surveyor to view, survey and report upon said proposed Road and that they meet at the Residence of Thos. H. Veasy on the 15<sup>th</sup> day of June 1880 and duly qualify before entering upon the discharge of their duties in this behalf. —

In the matter of }  
Viewers Report }

Now at this time was read the first time the viewers report on the proposed County Road petitioned for by J. G. Blevens and others and laid over until to-morrow for further consideration.

In the matter of }  
Viewers report }

Now at this time was read for the first time the viewers report on a proposed change of County road petitioned for by W. H. Gray and others which said report was laid for further action to-morrow.

In the matter of first }  
reading of viewers report }

Now at this time was read the viewers report on the proposed County road petitioned for by Calvin Knapp and others which said report was laid over for further consideration until to-morrow.

In the matter of }  
Viewers report }

Now at this time was read the viewers report on a proposed change of County road petitioned for by W. T. Picklin and others for the first time which said report was laid over for further consideration to-morrow.

In the matter of }  
first reading of }  
Viewers report }

Now at this time was read for the first time the viewers report on a proposed County road petitioned for by G. L. Blacklee and others and laid over for further consideration until to-morrow.