

Law

No 45

in

Circuit

Court

John A. Tucker

Plaintiff

vs

A. L. Saunders

Defendant

Action for

Replevin

Docket

Page

Lawrence Holman & Co.

Attorney for Plaintiff

Attorney for Defendant

THE ST. LOUIS PUBLIC LIBRARY
1001 MARKET STREET
ST. LOUIS, MO. 63101

Record of the Case

1990

May 10 Petition for Viewers affid
Journal B of 486
July 5 let hearing report
Journal B of 482
July 9 ordered opened
Journal B of 491

136 *F*

WITNESSES.

Road

Commencing at NW cor of S 4 of SW 4
Sec 9 T2 S of R 38 E to an intersection
with Summerville & Union Road

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

136

Know all Men by these Presents:

That we, I Calvin Knapp

are held and firmly bound unto The State of Oregon

of Fifty in the sum of DOLLARS,

lawful money of the United States, to be paid to the said State of Oregon

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

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

The condition of the above obligation is such that ^{County} if the tract asked for Calvin Knapp and others shall be granted then this obligation shall be ~~void~~ void otherwise to remain in full force and virtue in law

Signed, Sealed and delivered in presence of

C. W. Knapp
James, H. Standley [SEAL.]
[SEAL.]

BOND

FROM

TO

Executed _____ 18 _____

Made, *May 6th* 18 *80*

At _____ o'clock, _____ M.

W. W. W. W.
County Clerk.

Road, Petition
 Union, County
 State of Oregon Feb the 25th 1880

To the Honorable board of County
 Commissioners, We the undersigned
 householders and Citizens liable to be
 assessed for highway labor, in said
 county doth hereby make applications
 to you to lay out a road commencing
 at the N. W. corner of the S. 1/2 of
 N. W. 1/4 of S. 9 in T. 2, S. of R. 38, E.,
 from thence East one mile intersecting
 the County road, said County road in
 East one mile, Thence commencing at
 the terminus of said road, from thence
 East 1 1/4 miles, thence South 1/4 mile
 thence East 1 1/4 miles thence South 1/4 mile
 thence East, intersecting the Sumnerville
 and Union Town road, as We the
 Said Petitioners believe said road to be
 much required by the public travel
 the above described road all in Union County

Names

C Snapp
 J. H. Walker
 B. H. Ober
 Ben Lee
 W. W. E. E.
 P. S. Harris
 F. L. L. L.
 Dillingham
 W. A. Baker
 M. S. Hulce
 C. F. V. V.

Names

Jas. H. Stanley
 J. C. Walker
 S. L. L. L.
 C. P. Thammack
 J. J. J. J.
 John Morrison
 J. S. Mitchell
 W. W. W. W.
 T. B. B. B.
 W. W. W. W.

Names

John Shaw
W. D. Golden
Daniel Hammett
Bill Hammett
George D. Childers
John West
J. H. Stansell
G. N. Rinehart
G. H. Woodward

Names

A. Sanders
Wm. Hamilton
W. S. Hamilton

Filed May 1884

Walter Sheriff
Co. Clerk

Notice

Notice is hereby given that there will be a petition before the Honorable Board of county commissioners to lay out a road commencing at the N. W. corner of the S. $\frac{1}{2}$ of the S. $\frac{1}{2}$ W. $\frac{1}{4}$ of S. 9. in T. 2, S. of R. 38, E. from thence East one mile intersecting the county road said county road running East one mile thence commencing at terminus of said road, from thence East $1\frac{3}{4}$ miles from thence S. $\frac{1}{4}$ mile thence East $1\frac{1}{2}$ miles thence S. $\frac{1}{4}$ mile thence East intersecting the Summer and Union Town road.

C. Snapp

State of Oregon }
County of Union } ss

I J. H. Satterley being first
duly sworn say that I posted
two copies of the within notice
in the vicinity of the within
proposed County road more
than thirty days prior to
this date.

Subscribed and James H. Satterley
sworn to before
me this 3rd day
of May 1880
Willis Skiff
Clerk

Filed May 3
1880
W. W. Skiff
Clerk

State of Oregon }
County of Union } ss J. Willis

Skiff do hereby certify that I
posted the within notice on
the Court house door in Union
more than thirty days prior
to this date. Willis Skiff
Clerk

Notice

Notice is hereby given that there will be a petition before the Honorable board of county commissioners to lay out a road commencing at the N. W. corner of the ~~lot~~ the N. W. $\frac{1}{4}$ of S. 9, in T. 2 S. of R. 38, East, thence East one mile intersecting the county road said road running East one mile there commencing at the terminus of said road, from thence East $1\frac{3}{4}$ miles thence S. $\frac{1}{4}$ mile, thence East $1\frac{1}{2}$ miles thence S. $\frac{1}{4}$ mile thence East intersecting the Summerville and Norion Town road

C. Knapp

I hereby certify that I
put up a notice, the
within being a copy of the
same on or about the 10th
day of February 1880
in the vicinity of said road

to W Snapp

Subscribed and sworn
to before me this 4th day
of May 1880

J. L. Harris
J. L.

Filed May 6
1880
Willis Snapp
Notary

To the Hon County Court of
Union County Oregon

We the under-
signed viewers, beg leave to submit
the following as our report on a
road commencing at the NW cor
of the S $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec 9 in
T² S - R 38 E and running thence
East 1 mile intersecting the
County Road, said County Road
running East 1 mile, thence
commencing at the terminus
of said road from thence East
 $\frac{1}{4}$ miles, thence South $\frac{1}{4}$ mile,
thence East $\frac{1}{2}$ miles, thence
South $\frac{1}{4}$ mile, thence East
intersecting the Summerville
and Union Down road,

We met on the 26th of May 1880
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 which we
heartily recommend for
County Road and public
travel

We therefore submit the above

hoping the same will meet
your approval

J. K. Kellogg } Viewers of
John A Childers } proposed to Road
Henry A Myers }

Viewers Report
Calvin Knight

Filed July 4th 1880

Wm. A. Clark
Co. Clerk

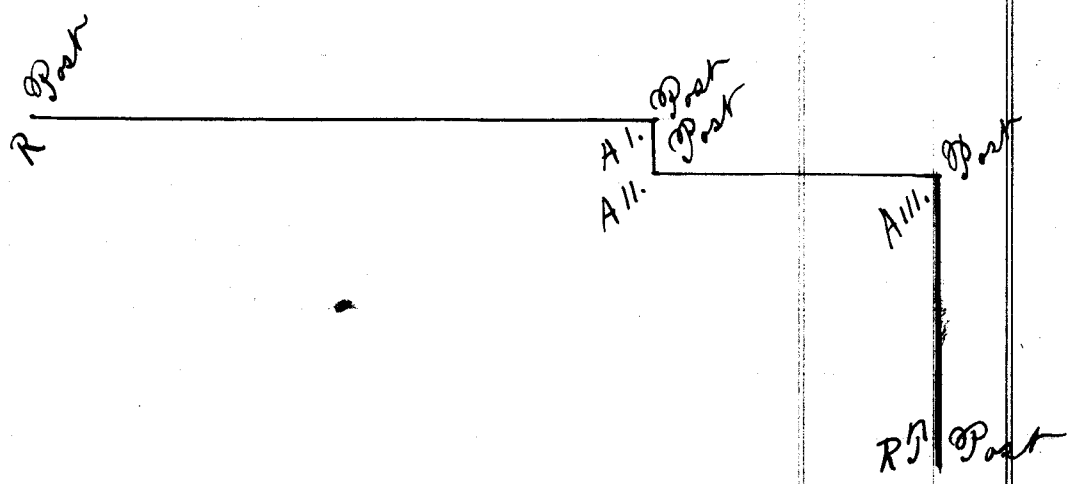
To John A. Schindler, J. R. Kellogg and Henry Myers viewers appointed to review the County Road from the N W cor of South $\frac{1}{2}$ of N W $\frac{1}{4}$ of Sec 9 T 2 South - Range 38 East. from thence East and South connecting with the Summerville and Union Down County Road. The following are the field notes of the survey of the above described road beginning at N W cor of South $\frac{1}{2}$ of N W $\frac{1}{4}$ of Sec 9 T 2 S - R 38 E. at Post marked R thence East $3\frac{3}{4}$ miles to Post marked A 1.
 " South $\frac{1}{4}$ mile to " " A II.
 " East $1\frac{1}{2}$ mile " " A III.
 " South $\frac{1}{4}$ " " " A IV.
 " East $1\frac{1}{2}$ miles \pm 10 rods " " R I and intersecting the Summerville & Union County Road

State of Oregon }
 County of Union } S S

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 26th day of May 1880
 Eugene Chase
 Co Surveyor

Surveyed May 26th 1880
Variation 20° East

Scale of distances
320 rods to the inch



Blair

Calvin Knapp

and others

Recd
Federal July 8th 1880

Winnipeg
Co. Clerk

from La Grande and that Ben. Brown
 he and the same is hereby appointed
 to take charge of all the Funds and
 Labor which may be subscribed by the
 said Citizens of La Grande not exceed-
 ing the Sum of \$500⁰⁰ and expend
 the same in the Improvement of said
 Road — Provided That the said im-
 provements shall be by graveling said
 Road and that the said Benj. Brown
 shall be allowed the Sum of \$25⁰⁰ per day
 for his said Services on said Road to
 be paid out of the said Appropriation
 and the said Subscription.

In the Matter of
 County Road,
 petitioned for
 by Calvin Knapp
 et al.

On this day, come
 Calvin Knapp and presents to the Court
 the Petition of himself and others, praying
 for the location of a County Road as
 follows, to wit:

Commencing at the N. W. Corner of the
 $\frac{1}{4}$ of the $\frac{1}{4}$ of Sec. 9. T 2. S of R
 38 E. running thence East one Mile,
 intersecting the County Road, said
 Road running East one Mile then
 Commencing at the Terminus of said
 Road, from East $1\frac{1}{4}$ mile, thence
 South $\frac{1}{4}$ mile, thence East intersecting
 the Summerville and Uniontown Road.

And it satisfactory appearing to the
 Court, from the Proofs 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 were householders
 residing in the Vicinity of said road
 and that a good and sufficient bond

May 13. 1880 has been filed

It is therefore ordered by the Court, that John A Childers, J. R. Kellogg and Henry Myers, three disinterested Persons, 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 Wm Swens on the 25th day of May A. D. 1880 and duly qualify before entering upon the discharge of their duties in this behalf

In the Matter
of
Petition for Co. Road,
petitioned for, by Wm
B. Gray and others.

On this day came Wm B. Gray 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. Cor. of Sec. 15. T. 2. R. 38 E. running thence South 1/4 mile, thence E. to the Bear Halley and Willow Creek County road, and to vacate all that part of the County Road beginning at the N. E. Cor. of Sec 15 T. 2. R. 38 E. and running thence E. one mile through the lands owned by Wm Gray.

And it is satisfactory appearing to the Court, from the 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 had been filed

It is therefore ordered by the Court

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.

In the matter of County }
 Road petitioned for by }
 Calvin Knapp & others } 3

Now at this time came on to be heard the viewers report on the proposed County road petitioned for by Calvin Knapp and others which said report was read of yesterday and is now read the second time in open court and said viewers having reported favorably and there being no remonstrance or bill for damages filed herein it was ordered that said route be established as a County road and opened for public travel, and that the viewers and surveyors reports be recorded of which the following are copies to wit:

In the Hon. County Court of Union County Oregon.

We the undersigned viewers beg leave to submit the following as our report on a County road commencing at the N.W. corner of the S $\frac{1}{2}$ of N.W. $\frac{1}{4}$ of Sec. 9 in T. 2 S. - R. 38 E and running thence East 1 mile intersecting the County road. said County road running East 1 mile, thence commencing at the terminus of said road from thence East $\frac{1}{4}$ miles, thence South $\frac{1}{4}$ mile, thence East $\frac{1}{2}$ miles, thence South $\frac{1}{4}$ mile, thence East intersecting the Summerville and Union Town road.

We met on the 26th of May 1880 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 which we heartily recommend for County road and public travel.

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

J. R. Kellogg } Viewers of
 John A. Leitch } Proposed Co. Road
 Henry Myers } 3

(See Surveyors report on next page.)

To John A. Childers, J. R. Kellogg and Henry Myers, miners appointed to remove the County road from the N.W. cor. of South $\frac{1}{2}$ N.W. $\frac{1}{4}$ of Sec. 9 T 2 South, Range 38 East, from Thence East and South connecting with the Summerville and Union Town County Road. The following are the field notes of the survey of the above described road beginning at the N.W. cor. of South $\frac{1}{2}$ of N.W. $\frac{1}{4}$ of Sec. 9 T 2 S, R 38 East at Post marked R.:

Thence East $3\frac{3}{4}$ miles to post marked A. 1.
 " South $\frac{1}{4}$ mile to " " " A. 11.
 " East $1\frac{1}{2}$ mile " " " " A. 111.
 " South $\frac{1}{4}$ " " " " " A. 11V.
 " East $1\frac{1}{2}$ miles by 10 rods " " " " R. T. and intersecting the Summerville & Union County road

State of Oregon
 County of Union 33

I, Eugene Chase County Surveyor in and for said 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 26th day of May 1880
 Eugene Chase
 County Surveyor

Surveyed May 26th 1880.
 Variation 30° East.
 Scale of distances 320 rels to the inch.

