

No 41

Circuit Court

J. P. Dawson

Plaintiff

vs

J. A. Berkowitz

Defendant

Action for

Docket

Page

Cox Seal Smith

Attorney for Plaintiff

Attorney for Defendant

REPT. JUDGE OF THE DISTRICT COURT OF THE DISTRICT OF COLUMBIA

1890

Sept 8 Petition re Viewers of labels  
Journal B of 512

Nov 3 1st Reading Report  
Journal B of 516

Nov 4 ordered opened  
Journal B of 534

Road

Commencing at Hager's residence  
to Pine Trees on North Powder

DIRECTIONS—Place papers on TOP OF RUBBER

Fold ends first then sides. Throw the rubber cords  
over the ends and package is complete

To the Hon. County Court of  
Union County, State of Oregon,

We the undersigned twelve citizens  
and householders and others residing  
in the vicinity of the hereinafter des-  
cribed route ask that you cause to  
be located and establish a County  
road as follows to wit: Beginning  
on Clover Creek near the residence of  
Mr. Hagers, Thence running South  
Westerly to Mountain Spring, Thence  
to the North line of James Ferguson's  
land, Thence West to Henry Gorkham's  
East line, Thence South to Gorkham's  
bars, Thence following the road as now  
travelled by the house of Mr. Gorkham and  
Obrizant to within forty feet of the  
lands of James Gilkinson, Thence  
North to Mr. Gilkinson's North line,  
Thence West one half mile to Simon's  
lane, Thence South one half mile to  
James York's house, Thence in a  
Southwesterly direction on the most practicable  
route to the Pine trees on North Powder  
river, said road to be forty feet wide,  
and all of which above mentioned  
points and places are in Union  
County and State of Oregon,  
Names Names

Names

James York  
Peter Lousa  
John Simonis  
John Will  
John Barnes  
Hos Bryant  
H O Larkson  
James Welch  
John B Gardley  
V. L. Gardley  
J B Hogg  
John Bryant  
L S Kelley  
W B Haines

Names

Students

W B Haines  
J H Fisher  
W. Shung  
John Shaw  
William Shaw  
Orrin Watson  
William Gray

John D. Gray  
L. J. ...

W. J. ...  
W. ...  
E. ...  
D.

V.C.C.

Notice is hereby given that a  
petition will be presented to the  
County Court of Elmore County  
Oregon <sup>at the next regular session</sup> ~~at the~~ ~~next~~ ~~regular~~ ~~session~~  
regarding the location of a  
County road as follows,  
to wit; Commencing at Lower  
Creek near Hagers and  
running thence ~~North~~ South  
west to Mowahow Spring,  
thence to the North line of J. A.  
Burgess' land, thence west  
to Henry Gorham's East line  
thence South to Henry Gorham's  
bars, thence following the road  
by Gorham's house west following  
the lane by Obyants house  
within 40 feet of James  
Gelkinson's land, thence  
North to Gelkinson's North line  
thence west half mile to  
Simmons' lane thence south  
half mile to James York's house  
thence in a southerly direction  
to the Pine trees on North  
Powder River, said Road to  
be 40 feet wide.

Dated July 28<sup>th</sup> 1850 James York.

State of Oregon }  
Union County } I James York  
being duly sworn say that I posted  
the within notice on the Court House  
door in Union Union Co Oregon  
more than 30 days prior to this  
date and that copies hereof in  
three public place in the vicinity  
of the within proposed road more  
than 30 days prior to this date

Subscribed and sworn to James York  
before me this 8<sup>th</sup> day  
of Sept. A.D. 1850,

# Know all Men by these Presents:

THAT WE, John Rice and Peter Fouson  
Union  
 and \_\_\_\_\_, of the County of ~~Musson~~ Union  
 State of Oregon, are held and firmly bound unto the said County of ~~Musson~~ Union 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, 8<sup>th</sup> day of Sept A. D. 1887

Now the condition of the above obligation is such, that whereas, if the County Road petitioned  
 for by James J. ... and others, and presented  
 at the Sept term, 1887, of the County Court of said ~~Musson~~ Union county, commencing  
at below creek near Chagas house and running  
from there and terminating at the Pine  
trees on North Powder River

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

John Rice  
Peter Fouson

**STATE OF OREGON,**  
**COUNTY OF ~~MUSSON~~ UNION,** } ss.

I, \_\_\_\_\_ and  
 \_\_\_\_\_ each for himself says that I am worth the sum  
 of \_\_\_\_\_ 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 \_\_\_\_\_  
 day of \_\_\_\_\_ A. D. 1887

Clerk.





To the Hon. County Court of

Union County, Oregon

We submit the following as our report  
as viewers of road viz; From near the  
residence of Mr Hager on Clover Creek  
to the Pine Trees on North Powder  
We met on the 21<sup>st</sup> of September 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 and  
completing said survey on the 23<sup>rd</sup> of  
September. 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:

Viewers of  
proposed Co Road

W H Shuffman  
J S Hinkley  
J Wesley Parker

Filed Nov 3  
1850

Miller's Shop

Plum

J. G. & Co.

DE



Springy & Wolf Creek

C. Road

Section 3-

1881

W. M. Skiff

Acres

Ed. Cleverly

Buy

In the matter of  
 ✓ petition } James York et al  
 - for -  
 County Road }

On this day came James York who presents to the court the petition of himself and more than twelve others praying for the location and establishment of a County road as follows, to wit: Commencing on below creek near the Residence of Mr. Hager; thence running South westerly to Monahan Spring; thence to the North line of James Burgason's land; thence west to Henry Gorham's East line, Gorham bars thence following the roads as now traveled by the house of Mr. Gorham and Abryants to within forty feet of the lands of James Wilkinson thence North to Mr. Wilkinson's North line thence west one half mile to Simon's line, thence South one half mile to James York's house, thence in a southerly direction on the most practicable route to the Pine trees on north Powder river, said road to be forty feet wide and all of which said points are in Union County Oregon, and it appearing satisfactory to the court from proofs filed herein, that due and proper notice of the pendency of these proceedings have 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 Wesley Parker, Wm. Hufferman and J. S. Hinkley be appointed viewers and Eugene Lehare Surveyor, to view, survey and report upon said proposed road and that they meet at the house of Mr. Hager on the 21<sup>st</sup> day of Sept 1880 and duly qualify before entering upon the discharge of their duties in this behalf.

In the matter } W. B. Gray road

Viewers report } Now at this time was read  
the first time the report of the viewers on a co  
road petitioned for by W. B. Gray and others

In the matter }

Viewers report }

Now at this time was read the  
first time the report of the viewers on a County  
road from James Sams on big creek to  
Sturgills bridge on Powder River

In the matter }

Viewers report }

Now at this time was read  
the first time the report of the viewers on  
a proposed road from the Daly bridge  
on North Powder River to intersect the Co  
Road from Union to Baker City.

In the matter }

Viewers report }

Now at this time was  
read the report of the viewers upon a proposed  
co road from W. Hagers on Clover creek  
to the Pine trees on North Powder.

In the matter }

Viewers report }

Now at this time was  
the second first time read the report of  
the viewers on a proposed County road  
from near the house of E. B. Morelock to  
about the house of Edw. Nicholls



In the matter }  
 of } North Powder Co Road  
 Viewers report }

Now at this time was read the second time the report of the viewers appointed to view, survey and layout a County road from Mr Hagers on Clover Creek to the Pine trees on North Powder of which report the following is a copy: to wit:

"To the Hon County Court of Union County Oregon:

We submit the following as our report of viewers of road viz: From near the residence of Mr Hagers on Clover Creek to the Pine Trees on North Powder.

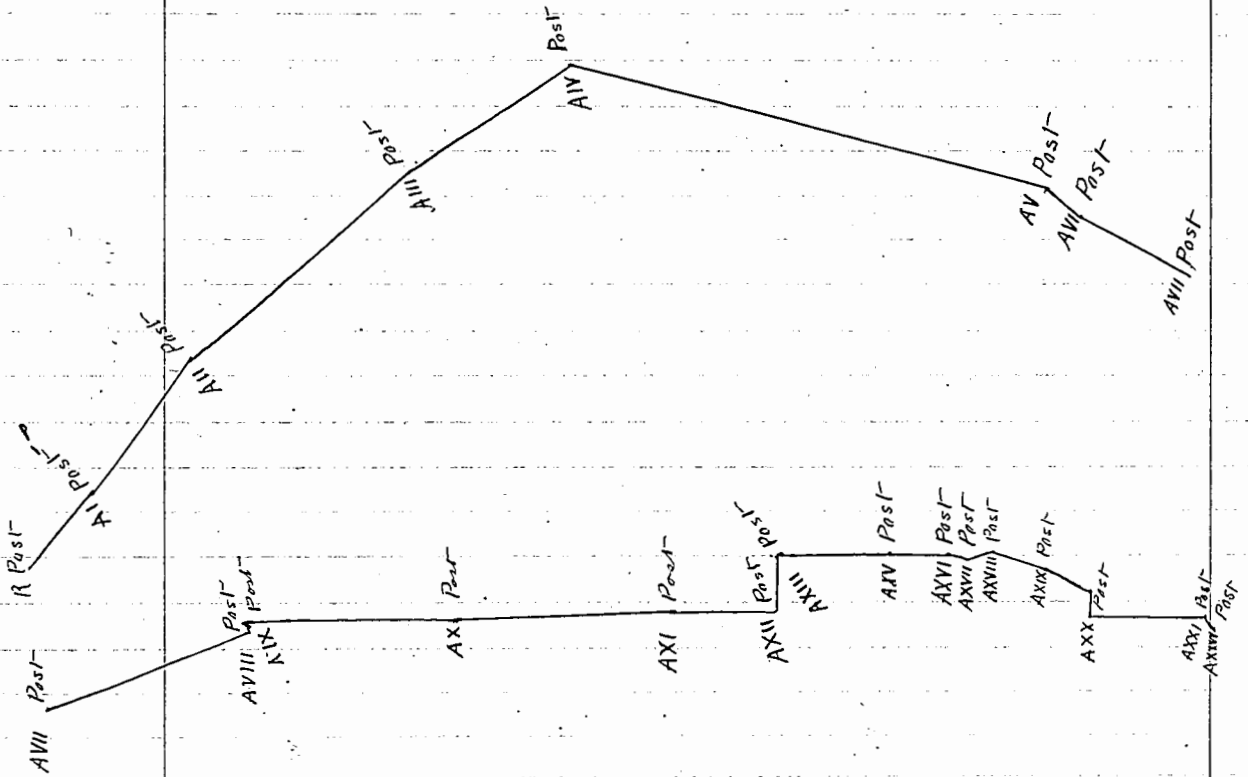
We met on the 2<sup>nd</sup> of September as mentioned in your order and after being duly sworn in Company with the surveyor proceeded to view, survey and layout said road and completing said survey on the 23<sup>rd</sup> of September. We select from said Surveyors plat of Surveys which as shown by Surveyors plat one which we heartily recommend for County road and public travel. We therefore submit the above hoping the same will meet with your approval.

W H Huffman } Viewers of proposed  
 J. S. Kirkley } Co Road  
 Wesley Parker }

and it appearing to the Court that there has been <sup>no</sup> remonstrance filed against said road and no person having claimed damages by reason of the location of said. And it appearing to the Court the proceedings herein have been in all things regular and in due form of law. It was ordered by the Court that said route be established as a County road and public highway and be opened to public travel in accordance with the plat and field notes of the survey thereof of which the following are copies, to wit:

Beginning at the County house on Clover Creek at a post marked R. Thence	Thence N 55° W 32 rods to Post marked AVI
S 42° W 72 rods to Post marked A I	" N 60° " 92 " " " " AVII
Thence S 37° W 120 " " " " A II	" S 70° " 156 " " " " AVIII
" S 50° " 207 " " " " A III	" South 5 " " " " A IX
" S 56° " 144 " " " " A IV	" S 88° W 157 " " " " A X
" N 76° " 35.9 " " " " A V	" S 89 " 158 " " " " A XI

Hence S 88° W. 8 rods to Post marked AXII	Hence West 82 rods to Post marked AXXI
" South 42 " " " " AXIII	" North West 2 " " " " AXXII
" S 87° W 80 " " " " AXIV	" West 58 " " " " AXXIII
" West 58 " " " " AXV	" N 64° W 20 " " " " AXXIV
" S 89° W 20 " " " " AXVI	" S 70° W 31 " " " " AXXV
" N 87° W 40 " " " " AXVII	" West 188 " " " " AXXVI
" N 69° W 26 " " " " AXVIII	" S 36° E 24 " " " " AXXVII
" N 60° W 9 " " " " AXIX	" S 1 1/2° E 200 " " " " AXXVIII
" North 82 " " " " AXX	" S 40° E 78 " " " " AXXIX
" S 18° E 132 to Post marked AXXX	" S 42 1/2° E 30 " " " " AXXXI
" S 17 1/2° E 324 " " " " AXXXII	" S 4° W 32 " " " " AXXXIII
" S 17° E 42 " " " " AXXXIV	" S 9° E 96 " " " " AXXXIV
" South 109 " " " " RT and interesting North Powder at the "Pine Trees."	



(See next Page for terminus)



4<sup>th</sup> Pruvot River RT Post  
Pruvot River

A XXXV Post

A XXXIV Post

A XXXIII Post

A XXXII Post

A XXXI Post

A XXX Post

A XXVIII Post

A XXVII Post

A XXIV Post

A XXV Post

A XXVI Post

A XXVII Post

Variation 20° East

Scale of distances  
100 rods to the inch

Whole distance  
10 miles 125 rods



State of Oregon }  
County of Union } I Eugene Chase County Surveyor  
and for the County and State aforesaid do hereby  
certify that the field notes of the above described  
road are correct as surveyed by me under the  
supervision of the viewers on the 21<sup>st</sup> & 22<sup>nd</sup> & 23<sup>rd</sup>  
of September

Eugene Chase  
Co Surveyor