

No 14 Law
in

Quam

Court

J M Osborne & Co
Plaintiff

vs

Gilbert Geroux
McSteffan

Defendants

Action for

Money

Docket

Page

Robt Eaton & Bro
Attorney for Plaintiff

Attorney for Defendant

REVEREND FREDERICK B. BROWN, JUDGE OF THE
COURT OF COMMON PLEAS IN THE COUNTY OF
COLUMBIA, PENNSYLVANIA

Record of the Case

X

WITNESSES.

1870
 Nov 4 Petition (see Views app'd)
 Journal B p 525 ✓
 1881
 Jan 5 let reading report
 Journal B p 556 ✓
 Jan 6 ordered opened
 Journal B p 562 ✓

Road
 Commencing at residence of A J Brown
 on Goose Creek to Furman's Sheep
 Ranch

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 Honorable County, of Union County, Oregon:-

We the undersigned citizens of Union County, Oregon, and householders of said County living along and in the vicinity of the hereinafter described route would most respectfully petition your honorable body to cause to be surveyed, located and established as a County Road and public highway, as follows, to-wit:-

Commencing at the residence of A. J. Brown, on Goose Creek, and running in a Southeasterly direction three miles, thence in an easterly direction to intersect the Union and Sparta Co. Road on the most practicable Route at what is known as Furman Sheep Ranch, and to vacate so much of the old Co. Road as is embraced in the new said road, to be located on what is known as the Love Road.

Names:-

Wm. Merwin,
A. J. Brown,
T. Stafford,
John D. Bates,
Wm. Constable,
N. Lang,
John A. Tucker,
John McCam,
Isaac Wert,
D. S. Love,

Names:-

Wm. Ham,
C. W. Easterbrook,
Henry Rogers,
E. Whitney,
Henry Barnett,
E. D. Wilkson,
Joseph Graham,
A. T. Merwin,
R. A. Erwin,
W. S. Love,

Endorsed:- Filed Nov. 4th, 1880.

Willis Skiff, Clerk,

By Ed. E. Cates, dpy.

o ✓

Knew all men by these presents; That I, John Erwin, of the County of Union and State of Oregon, are held and firmly bound unto the said County of Union in the sum of Fifty Dollars, the payment of which well and truly to be made, I bind myself, my heirs, executors and administrators firmly by these presents.

Signed this 4th day of Nov. A.D.1880.

Now the condition of the above obligation is such, that whereas, of the County Road petitioned for by John Erwin and others, and presented at the Nov. Term, 1880, of the County Court of said Union County, Commencing at what is known as the Furman Bridge, on Main Powder River, and running from thence on the main travelled road in a northeasterly direction to intersect the Union & Sparta Co. Road about six hundred yards from said bridge, be located and established, then this obligation to be void, otherwise to remain in full force and virtue in law.

John Erwin.

Endorsed:- Bend, Filed Nov. 4th, 1880.

Willis Skiff, Co. Clerk.

State of Oregon,)
(ss.
Union County,)

I, John Erwin, being duly sworn, say; That I posted three copies of the annexed notice in three public places, in the vicinity of the proposed County road, and one on the Court House Door in Union County, Oregon, on the 20 day of September, 1880, and more than thirty days prior to the presentation of the petition herein.

John Erwin,

Subscribed and sworn to before me this 4 day of Nov. A.D. 1880.

Willis Skiff, Co. Clerk.

No Filing:-

NOTICE.

Notice is hereby given that a petition will be presented at the November Term of the County Court of Union County, Oregon, praying the location and establishment of a County Road as follows, to-wit:-

Commencing at the residence of A. J. Brown, on Goose Creek, and from thence in a southeasterly direction on the most practicable route about three miles thence in an easterly direction on the most practicable route, about three miles, to intersect the Union and Sparta County Road, at what is known as "Furman Sheep Ranch" and to vacate so much of the old County Road as is embraced in the new said road, to be located on what is now known as the "Love Road",

John Erwin.

Sep. 11th, 1880.

Endorsed:- Notice & Affidavit.

Filed Nov. 4th, 1880.

Willis Skiff, Co. Clerk.

Thomas Keating, T. D. Davis, R. R. Smith.

At a regular term of the County Court of Union County, begun and held at the Court house in Union in said County on November 3rd, 1880, there was present:-

Hon. A. C. Craig, Judge,
R. J. Rogers, Sheriff,
Wm. G. Hunter, Co. Commissioner,
And Willis Skiff, Clerk,

When on the 4th day of November, A.D. 1880, or the second judicial day of said term, among other proceedings the following was had, to-wit:-

In the matter of road petition,)
Goose Creek Road,)
- - - - -)

Now on this day was presented the petition of John Erwin and others, praying the location and establishment as follows, to-wit: Commencing at the residence of A. J. Brown, on Goose Creek, and running in a southeasterly direction three miles, thence in a easterly direction to intersect the Union and Sparta Co. Road on the most practicable route at what is known as Furman's Sheep Ranch, and to vacate so much of the old Co. Road as is embraced in the new said road to be located on what is known as the Love Road.

And it 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 R. R. Smith, L.D. Davis, Thomas Keating be appointed viewers and Eugene Chase surveyor to view, survey and report upon said proposed road, and that they meet at the house of A. L. Saunders on the 16th Day of November, A.D. 1880, and duly qualify before entering upon the discharge of their duties in this behalf.

Signed) E. C. Brainard, County Judge.

To the Hon. County Court of Union County, Oregon:-

We submit the following as our report as viewers of roads ,
viz: From the Furman Bridge to intersect the Union & Sparta Co.
Road, also from the residence of A. J. Brown, on Goose Creek, to
intersect the Co. Road near Furman's Sheep Ranch.

We met on the 18th day of November, as mentioned in your order
and after first being duly sworn, in company with the surveyor
preceeded to view, survey and lay out said roads. We select from
said surveyor's plats of surveys, which as shown by surveyor's
plats, two which we heartily recommend for County Road, and public
travel. We therefore submit the above hoping the same will meet
your approval.

Thomas Davis,

Thos. Keating,

R. R. Smith,

Viewers of proposed Co. road.

Endorsed:- Jehn Erwin et al.

Viewer's report.

Filed Jan. 5th, 1881.

Willis Skiff, County Clerk.

9 ✓

To. T. D. Davis, R. R. Smith, and Thomas Keating, viewers; appointed to review the County Road from A. J. Browns on Goose Creek to intersect the Co. Road at Furman's Shhop Ranch; -the following are the field notes of the survey of the above described road:-

Beginning		near	A. J. Browns,		at a post marked	R.	
Thence	S.	12° E.	54 rods	to	Post marked	A.	I.
"	S.	41° E.	102 "	"	" "	A.	II.
"	S.	35° E.	64 "	"	" "	A.	III.
"	S.	61° E.	30 "	"	" "	A.	IV.
"	S.	87° E.	378 "	"	" "	A.	V.
"	N.	81° E.	184 "	"	Rock "	A.	VI.
"	N.	65° E.	320 "	"	" "	A.	VII.
"	N.	25° E.	184 "	"	Pest "	A.	VIII.
"	N.	56° E.	86 "	"	" "	A.	IX.
"	N.	32° E	198 "	"	" "	R.T. and	

intersecting the Union & Sparta Co. Road.

State of Oregon,) (ss.
County of Union,)

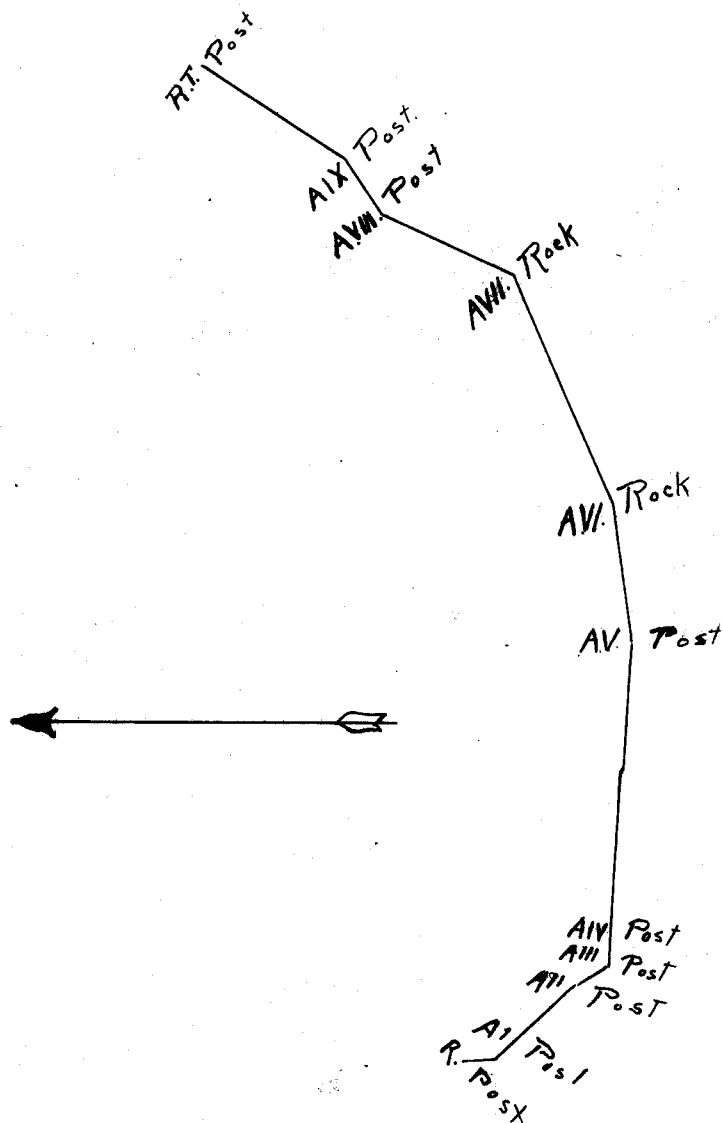
I, Eugene Chase, County Surveyor, in and for the County and State aforesaid, do hereby certify that the field notes of the survey of the above described road are correct as surveyed by me under the supervision of the viewers on the 18th day of November, 1880.

Eugene Chase,
Co. Surveyor,

Surveyed Nov. 18th, 1880. Variation 20° E.

Scale of distances, 240 rods to the inch.

Whole distance 5 miles.



Endorsed:- Surveyor's report,

Jehn Erwin, et al.

Filed Jan. 5th, 1881.

Willis Skiff, Co. Clerk.

At a regular term of the County Commissioners Court begun and held at the Court House in Union in said County, on the 5d day of January, A.D. 1889, there was present:-

Hon. A. C. Craig, Judge of said Court,
Wm. G. Hunter, and
A. L. Saunders, Co/ Commissioners,
R. J. Rogers, Sheriff,
And Willis Skiff, Clerk.

When on the 5th day of Jan. A.D. 1881, or the first judicial day of said term, among other proceedings the following was had, to-wit:

In the matter of the petition and viewer's report on Co. Road, John Erwin.

On this day was read for the first time the report of the viewers heretofore appointed to view and report upon a Co. Road from the residence of A. J. Brown on Goose Creek to and intersecting the County road at or near Furman's Sheep Ranch, and said report laid over for further action on tomorrow.

(Signed) A. C. Craig, County Judge.

The foregoing order is entered in Comr's Jnl. B. at page 556.

At a regular term of the County Commissioners Courtm begun and held at the Court House in Union, in said County, on the 5 day of January, A.D. 1881, when was present:-

Hon. A. C. Craig, Judge of said Court,
Wm. G. Hunter, and
A. L. Saunders, Co. Commissioners,
R. J. Rogers, Sheriff, and
Willis Skiff, Clerk.

When on the 6th day of January, A.D. 1881, or the second judicial day of said term, among other proceedings the following was had, to-wit:

In the matter of viewers report,)
Goose Creek Road.)
- - - - -)

On this day was read for the second time the report of the viewers on a proposed Co. Road petitioned for by John Erwin and others, 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: From the Furmans Bridge, to intersect the Union & Sparta Co. Road, also from the residence of H. J. Brown, on Goose Creek to intersect the Co. Road near Furman's Sheep Ranch. We met on the 18th day of November, 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 said surveyor's plat of survey which as shown by surveyor's plats, two which we heartily recommend for County road and public travel. We therefore submit the above, hoping the same will meet your approval.

Thomas Davis,
Thomas Keating,
R. R. Smith, Viewers of proposed

Co. Road.

And it appearing to the Court that the proceedings herein have

been in all things regular and in due form of law, and that no persons have claimed damages by reason of the location of said road, and that both of said roads are of public necessity, it is hereby ordered by the Court that the saidroads be established as County roads, and public highways in accordance with the plats and field notes thereof, of which here follows, copies, to-wit: (Here follows copy of field notes as filed, and set out above.)

(Signed) A. C. Craig, County Judge,

The foregoing order is entered in Comr's Jnl. B. at page 562 thereof.

**In the County Court of the State of Oregon,
for Union County.**

.....
In the matter of the County
road, petitioned for by
.....
John Crum..... et al
.....

**STATE OF OREGON,
County of Union.**

ss.

I, J. H. Minnough, County
Clerk of Union County, Oregon, do hereby certify that the foregoing are
the original papers on file in my office in the above entitled matter, and
and that the orders of the Court hereto attached are true and correct
copies of all orders of the Court in said matter of record in my office
and in my care and custody.

**IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the County Court, this 31st, day of March, A. D. 1908.**

J. H. Minnough
.....**CLERK.**

Second Judicial Day Nov. 4th A.D. 1880

Court met pursuant to adjournment with the same officers present as of yesterday. also A. L. Saunders Esq. Commissioner.

Due proclamation of the opening of Court having been made the proceedings of yesterday were read, approved and are now signed.

Thereupon the following proceedings were had, to wit:

In the matter of
Road petition of
Goose Creek Road

Now on this day was presented the petition of John Erwin and others praying the location and establishment as follows, to wit:

Commencing at the residence of A. J. Brown on Goose Creek and running in a southeasterly direction three miles; thence in an Easterly direction to intersect the Union and Sparta Lee Road on the most practicable route at what is known as Ferrmans sheep ranch and to vacate so much of the old Lee road as is embraced in the new. Said road to be located on what is known as the Love road.

And it appearing to the Court from proof filed herein, that due notice of the pendency of this 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 R. R. Smith, T. D. Davis Thomas Keating be appointed viewers and Eugene Chase surveyor to view, survey and report upon said proposed road and that they meet at the house of A. L. Saunders on the 18th day of November A.D. 1880 and duly qualify before entering upon the discharge of their duties in this behalf.

At a regular term of the County Commissioners Court begun and held at the Court House in Union in said County on the 5th day of January A.D. 1881, there was present Hon. A. C. Craig Judge of said Court, W^m B. Hunter and A. P. Saunders Co Commissioners, R. J. Rogers Sheriff and Willis Skiff Clerks

Due proclamation of the opening of Court having been made the following proceedings were had to wit:

In the matter of
Viewers Report on
County Road

of John Corwin
On this day was read for the first time the report of the viewers appointed to view over a County Road leading from near the Furman Bridge on Main Powder River on the main travelled road to intersect the Sparta and Union County road, and said report laid over for further action.

In the matter of
Viewers report on
County road

Cove Co road

On this day was read for the first time the report of the viewers on a Co road leading from near the shop of S. B. Burrough in Cove on Mill Creek to Eli Astranders Saw mill on said Mill Creek and said report laid over until tomorrow for further action

Jan 5th 1881

In the matter of the petition and viewers report on Co road

John Erwin

On this day was read for the first time the report of the viewers heretofore appointed to view and report upon a Co road from the residence of C. J. Brown on Goose Creek to and intersecting the County road at or near Fiermans sheep ranch. and said report laid over for further action on tomorrow

In the matter of viewers report

On this day was read the viewers report on a County road petitioned for by W. H. Galloway et al, from at or near the County road at or near the NW Cor of the S E 1/4 of the N E 1/4 of Sec 2 T. 1. N. R. 40. E., thence to intersect the County road, at the nearest point, which point is about 2 1/4 miles, said report was laid over until tomorrow for further consideration.

In the matter of viewers report on Co road on North Powder

North Powder

On this day was read the report of the viewers appointed to view a Co road petitioned for by W. F. Haines et al on North Powder River, and this report having been read at the November Term of this Court and J. H. Hutchinson having claimed damages by reason of the location of said road and J. D. Brownwell, W. H. Huffman and B Ashley having been appointed to assess the real damages actually sustained by said J. H. Hutchinson, and they having reported that said Hutchinson would be damaged in the sum of \$25.⁰⁰, and it appearing to the Court that said road is of necessity to be said petitioners, and it further appearing that

Second Judicial Day January 2^d. 1881

Court met pursuant to adjournment with the same officers present as of yesterday.

The proclamation of the opening of court having been made the proceedings of yesterday were read and approved and are now signed

A. C. Craig
County Judge

Thereupon the following proceedings were had to-wit:

In the matter of ^{the} Goose Creek road
Viewers report.

On this day was read for the second time the report of the viewers on a proposed Co road petitioned for by John Erwin and others 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: from the Ferrmans Bridge to intersect the Union & Sparta Co Road also from the residence of H. J. Brown on Goose Creek to intersect the Leo Road near Ferrmans sheep ranche. We met on 18th day of November 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 said surveyors plat of survey which as shown by surveyors plat, two which we heartily recommend for County road and public travel. We therefore submit the above, hoping the same will meet your approval

Thomas Davis } Viewers of proposed
Thomas Keating } Co Road.
R. R. Smith }

And it appearing to the Court that the proceedings herein have been in all things regular and in due form of law, and that no persons have claimed damages by reason of the location of said roads and that both of said roads are of public necessity. It is hereby

ordered by the Court that the said be established as
 a County road and public highway in accordance
 with the Plato and field notes thereof of which
 here follows. Copies, to wit:

(Loose Creek)

To D. D. Davis, R. R. Smith and Thomas Keating
 Viewers appointed to review the County Road
 from A. J. Brown on Loose Creek to intersect
 the Leo Road at Furmans Sheep ranche the fol-
 lowing, are the field notes of the survey of the above
 described road; Beginning near A. J. Browns
 at a Post marked 'R' —

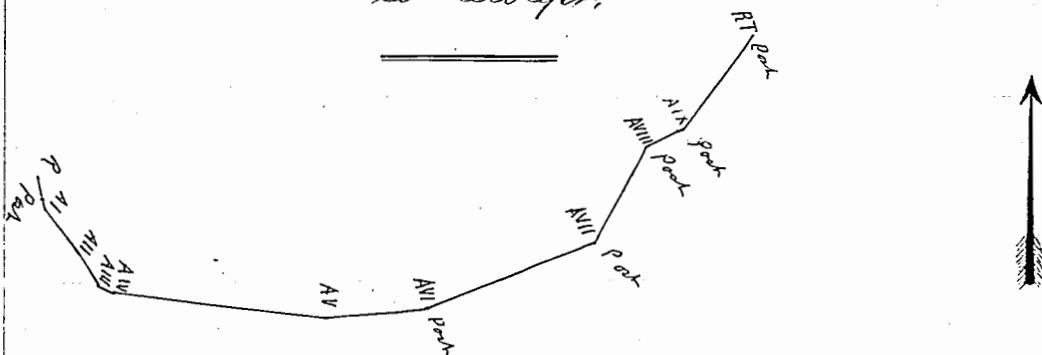
Stence	S 12° E	54.	rods to Post marked	A I
"	S 41° E	102	" " " "	A II
"	S 35° E	64	" " " "	A III
"	S 61° E	30	" " " "	A IV
"	S 87° E	378	" " " "	A V
"	S 81° E	184	" " Post "	A VI
"	N 65° E	320	" " " "	A VII
"	N 25° E	184	" " Post "	A VIII
"	N 56° E	86	" " " "	A IX
"	N 32° E	198	" " " "	RT and

intersecting the Union & Sparta Leo Road

State of Oregon } Eugene Chase County
 Union County } Surveyor in and for
 said County and State of said
 do hereby certify that the field notes
 of the survey of the above described
 road are correct as surveyed
 by me under the supervision of the
 viewers on the 18th day of November
 1880

Surveyed Nov 18th 1880
 Variation 20° East
 Scale of distances
 240 rods to the
 inch.
 Whole distance
 5 miles

Eugene Chase
 Co Surveyor.



(copy)