

No 33 &  
in  
Circuit

Court

G. A. Ames and  
M. P. Ames

Plaintiffs

vs

Union County

Defendant

Action for Writ of Review

Docket

Page

J. H. Crawford  
Attorney for Plaintiffs

Attorney for Defendant

THE HENRY D. CHAMBERLAIN FIRM  
ATTORNEYS AT LAW  
100 N. 10th St.  
P.O. Box 100  
Minneapolis, Minn.

**Record of the Case**

157

**WITNESSES**

1881  
 April 6 Petition & see Appropriations made  
 Journal B p 589

1882  
 June 5 order to Supervisor  
 Journal B p 665

April 5 Apply to State to apper appropriation  
 Journal B p 701

June 13 Apph l of us states  
 Journal B p 724

July 6 order to issue warrants  
 Journal B p 730

Roads

In re Appropriations for improvement  
Bayle Creek & Island City Roads

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

157

In the matter of the  
appropriation on  
the Eagle Valley  
Co Road

Now at this  
time upon the petition of  
the citizens of Eagle Valley and  
vicinity, It is hereby ordered by  
the court that the appropriation  
made on the county road lead-  
ing from Sparta to Eagle Valley  
in the sum of \$400.00 be trans-  
mitted to the supervision of  
Daniel Tarter and the order  
heretofore made for Geo Beck  
to superintend said work  
and disburse said appropriation  
be and the same is hereby  
revoked and that Daniel  
Tarter aforesaid assume  
control of said work

A. C. Craig  
County Judge

State of Oregon  
Union County I hereby certify  
the foregoing to be a correct  
copy of the original order and  
of the whole thereof as the same

appears approved in my office  
Witness my hand and the  
Seal of said Court this 22<sup>nd</sup>  
day of April A.D. 1882

Willis Skiff Clerk  
J. C. & C. Bates Deputy

Filed July 6-1882

W. F. Wright  
Clerk  
By Willis Skiff  
Deputy

Order for Funds, appropriated  
by Hon. County Court of Union Co,  
State of Oregon, to improve a  
certain piece of hill road known  
as the Big hill on the County  
Road between Eagle Valley and  
Sponta, in said County and State.  
To the Hon: County Commissioners,  
of Union County Oregon.

The contract for improvement of  
the hill road having been let by  
me to P. J. Brown of Eagle  
Valley, Union Co, Oregon, for the sum  
of (\$200) Two hundred dollars, and  
the labor having been performed by  
him to the satisfaction of the  
Receivers, appointed to view and  
receive the same upon completion,  
of said contract; you will pay to  
said P. J. Brown or his order the  
full sum appropriated, and under  
my supervision.

Eagle Valley  
Some Eagle Precinct,

June 12<sup>th</sup> 1882.

Daniel Taylor  
Appointed to let and  
supervise Contract.

Order of  
Dexter.

Mr. Dexter East -  
of Union County  
of Georgia. in favor  
of P. S. Brown. on  
fulfillment of contract.

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Attest Given 15<sup>th</sup> / 1882

Walter H. H. H.  
Dea. H. H. H.

At a regular term of the County Commissioners Court begun and held at the Court house in Union Union County, Oregon on the 3<sup>rd</sup> day of January A. D. 1882 there was present Hon. A. C. Craig, Judge Wm. S. Hunter and A. L. Saunders County Commissioners, B. J. Rogers Sheriff and Willis Shiff, Clerk

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

In the matter of the appropriation on the Eagle Creek Road.

Now at this time it was ordered by the Court the appropriation on the County road leading from Sparta to Eagle Valley be appropriated by the Supervisor in such points and places as he may deem best either to superintend said work personally or to let the same by contract.

A. C. Craig  
County Judge

State of Oregon 2  
County of Union 3<sup>ss</sup> J. Willis Shiff

County Clerk of Union County  
Oregon do hereby certify that the  
foregoing has been by me compared  
with the original entry in regard  
to the appropriation on the Sparta  
and Eagle Valley County road as  
the same appears of record in the  
County Court Journal for said County  
at Page 668 Vol. B and that it  
is a true copy thereof and of the  
whole of such original

Witness my hand and the seal  
of said County affixed this 22<sup>nd</sup>  
day of April A. D. 1882.

Willis Skiff  
County Clerk

Filed July 6-1882

W. S. Wright  
County Clerk

By Willis Skiff  
Deputy



New Bridge.  
Eagle Valley, Union Co, Oregon.  
June <sup>14<sup>th</sup></sup>/<sub>12</sub> 1882.

We the undersigned, appointed to view and receive a certain piece of Road work on the County Road in this Dist: between Eagle Valley and Sparta, of this State and County, do hereby ~~certify~~ certify the labor has been performed on the bill as per Contract by P. J. Brown; and we do further certify that a good and passable road has been made according to the specifications, of his Contract; and in our opinion the amt awarded, should be paid to him or his order

Given under our hands the day, month, and year above written.

C. H. Craig } Receiver  
Lewis Gurganus } Receiver  
J. N. Young

Appointed by above  
to assist in business.

Receivers  
Certificates

for labor performed  
as per Contract  
of N. J. Brown,  
on County Road  
between Eagle Valley  
and Spouton, Union  
Co Oregon.

Paid  
these June 15<sup>th</sup> 1882  
Willis Clark  
Co Clerk

Petition To the Hon County Court

We the Undersigned Citizens of Eagle  
Valley and Road district No 14 petition  
To the Honorable County Court of Larimer  
County for the sum of five Hundred  
dollars \$500.00 or <sup>\$400.00</sup> four at the very least for the  
purpose of building a new Road Up the Eagle  
Creek Hill beginning at the North West  
corner of Joseph Hales field and extending  
up the North side of gulch and South side  
of Hill and intersecting Old Road immediately  
on top of the Hill this is the Prayer of  
the Undersigned Citizens

March 30<sup>th</sup> 1881

James

W. H. Beck  
Joseph Beck  
Jno B Sewel  
J. N. Young  
E. W. Hunt  
C. H. Craig  
B. F. Jewell  
P. Babcock  
A. T. Babcock  
C. H. Silvis  
Geo. Holstead  
Samuel Smith  
A. Augustus  
O. J. Simsworth  
W. H. Young  
W. D. Bennett  
J. M. Officer  
J. F. Brown

James

Wm. Babcock  
M. Reeves  
G. C. Holcomb  
N. S. Barnard  
G. W. Moody  
John Etchelson  
Sam Lutz  
G. N. Reed  
James N. Holcomb  
Joseph Gale  
Geo. A. Beck



1881

Filed April 4  
1881  
Office Clerk  
of GE & Coals  
Depot

In the matter of the }  
appropriation on the }  
Eagle Valley and }  
Sparta Road }  
}

Now at this }  
time It was ordered by the Court }  
that John Swisher, William }  
Hamm and Frederick Simonis }  
be appointed as inspectors of }  
the work done by Daniel Parler }  
upon the repair of the County }  
road as per appropriation }  
on what is known as the }  
Eagle Creek Hill between }  
Sparta and Eagle Valley }  
and that they compare the }  
said work with the specifications }  
for said work and report }  
their findings at the July }  
Term thereof 1884 }

Al Craig  
County Judge

State of Oregon }  
County of Union }  
I hereby certify }  
the foregoing to be a correct }  
copy of the original order and }  
entry made in the County Clerk }  
on the 13<sup>th</sup> day of June 1884 }  
as the same appears of record }

in my office.

Witness my hand and the  
Seal of the said Court this  
21<sup>st</sup> day of June A.D. 1882

Willis Staff  
Clerk  
J. C. Cates  
Deputy

To the Hon. Board of Commissioners for  
the County of Union, State of Oregon.

I hereby certify, that the Hill road  
in this Dist: was built and completed  
as per contract let by me, previous to  
the appointment of Wm A. Stamm,  
Jno. Swisher, and Fred: Simons, appoin-  
ted to receive the same for the County.

Lucas Eagle,

June 21<sup>st</sup>, 1862.

Paul Carter



Recd July 6-1882

W. S. Mayo

~~Co. Clerk~~

By William Sheriff  
Deputy

## Contract.

This between Daniel Tartar  
and Pleasant J. Brown (both  
of Eagle Valley) for making  
Road up Eagle Hill going to  
Sparta,

Road to commence where  
the old road crosses the  
gulch, running up said  
gulch to a certain ~~stop~~ stop  
part of the gulch, now from  
this point, up the mountain  
the grade is not to exceed 18  
inches to the rod, the ditch  
from the top of the mountain  
down to said gulch sufficient  
to carry the water that may col-  
lect, with 4 good substantial  
culverts on the mountain road.

said road to be completed  
by the first day of July  
1882, road to be six feet wide  
on solid ground.  
Said road to be made by  
J. L. Brown and to receive  
for making said road an  
order for \$100.00 on the County  
Road Fund from David Carter.  
He being duly authorized by  
the County Court of Union  
Oregon.

P. J. Brown  
Samuel Taylor

Witness  
at W. Bennett  
Chas. Jones

April 29<sup>th</sup> 1882

Filed July 6<sup>th</sup> 1882  
W. J. Wagner  
By Willis Shuff Deputy Cor. Clerk

To the Honorable County Court  
of the State of Oregon County of Union,

Whereas the road running  
north from the Island City Mills  
to the Russell School House, is  
unpassable at certain times of  
the year, and the citizens liv-  
ing on the line, and in the  
vicinity of said road having  
subscribed about \$250<sup>00</sup> to grade  
it, and as it will cost at least  
\$750<sup>00</sup> more to put it in good  
condition

We the undersigned respect-  
fully petition your Honorable  
body to make an appropriation  
of \$500<sup>00</sup> to assist us in making  
it passable at all times

M. Sterling  
H. B. Glover  
John W. Cullen  
J. I. Hannback  
J. M. Church  
E. Lindson  
Dan West  
B. Norton

W. H. Dorris  
C. A. Gilkams  
J. L. Carnick  
A. W. Guss  
A. L. Whithead  
Sho. E. Jones  
Joseph Benson  
Joseph Spencer

James Mason  
John Cook  
Sam. S. Apple  
James P. McCoy  
Lewis Smyth  
J. Boyer  
S. A. Malster  
John Robinson  
Robert Jones  
J. M. Berry  
J. Barnes  
The Rev. Dr. Meulen  
H. Knapp  
Sam. Vale  
K. D. Kuehman  
W. H. Wedell  
C. M. Rush  
John M. Rae

Wm. Spencer  
Luke M. Brown  
Aly. Ferguson  
J. N. Smith  
W. C. Thomas  
T. S. Smith

Sad

Alfred Harris  
1881  
William Smith  
School  
By C. A. B. Walter  
Deputy

Period of twelve months from the date hereof.

In the matter of  
Constable for  
Union Precinct

Now on this day James Lee  
Culter and files his resignation as Constable  
elect of Union Precinct Union County Oregon.  
It is hereby ordered that that his said  
resignation be accepted and his bonds  
be exonerated from further liability herein.

In the matter of the  
appropriation on the  
County Roads.

Eagle Creek and  
Island City Roads  
\$400.<sup>00</sup> each.

Now on this <sup>day</sup> upon the petitions of the  
citizens of the different districts, the following appropria-  
tions were made to be used in repair of the County  
roads, to wit: \$400.<sup>00</sup> to be appropriated to be  
used on the County leading from Island  
City to the Russel School house, and Isaac  
Shaffer to be Superintendent and to disburse the  
money so appropriated, and \$400.<sup>00</sup> appropria-  
ted to be used on the County Road from Glad  
to Eagle Valley or what is known as the Eagle  
Creek Hill and Joseph Beck appointed to  
disburse the same and Superintendent the said  
work.

In the matter of  
Cancellation of Co  
Orders turned over by  
Co Treasurer

Now at this time James  
J. Harrell Co Treas<sup>r</sup> and turns over for  
Cancellation the following amounts of orders  
and State Treasurer receipts, to wit:

County orders	\$ 7893.21
Contingent orders	1495.37
State Treas <sup>r</sup> Receipts	2600.00

In the matter of the report of the viewers on a proposed road Samuel Duesdall

Now on this day was read the first time the report of the viewers upon a certain proposed road petitioned for by Samuel Duesdall and others of Samuel Prentiss and said report laid over for a second reading

In the matter of the views report upon County road near Joseph Geo Branscove Road

Now at this time was read the <sup>first</sup> ~~second~~ time the report of the viewers upon a certain proposed road commencing at or near the residence of Mr Soules about one and one half miles west of the Post office at Joseph and from thence south one mile and said report laid over for a second reading

In the matter of the appropriation on the Eagle Creek road.

Now at this time It was ordered by the Court the appropriation on the County road leading from Sparta to Eagle Valley be appropriated by the Supervisor in such points and places as he may deem best either to superintend said work personally or to let the same by contract.

At an adjourned Term of the County Court begun and held at the Court house in Union Union Co Oregon on the 5<sup>th</sup> day of April A.D. 1882 there was present Hon. A. C. Craig Judge, A. L. Saunders and W. G. Hunter Commissioners, R. J. Rogers Sheriff and Willis Staff Clerk

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

In the matter of the  
 appointment of  
 Constable Union  
 Precinct

Now at this time comes C. Steers the qualified and acting Constable of Union Precinct and files his resignation of said office, which resignation was by the Court accepted and upon the petition of the citizens of said Precinct, W. H. Porter is hereby appointed Constable of said Precinct to serve until his successor be elected and qualified

In the matter of the  
 appropriation on  
 the Eagle Valley Co  
 Road,

Now at this time upon the petition of the citizens of Eagle Valley and vicinity It is hereby ordered by the Court that the appropriation heretofore made on the County Road leading from Sparta to Eagle Valley in the sum of \$400<sup>00</sup> be transmitted to the Supervising of Daniel Porter and the order heretofore made for Geo. Beck to Superintend said work and disburse said appropriation



Second Judicial Day June 13<sup>th</sup> 1882

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

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

A. Craig  
County Judge

Thereupon the following proceedings were had, to wit:

In the matter of the appropriation on the Sparta and Eagle Valley road now at this time it was ordered by the Court that John Devisher, William Hamm and Fred Ammons be appointed as inspectors of the work done by Daniel Carter upon the repair of the County road as per appropriation on what is known as the Eagle Creek hill between Sparta and Eagle Valley; and that they compare said work with the specifications for said work and report their findings to this Court at the July Term thereof 1882.

Thereupon the following bills were allowed, to wit:

No	Names	What For	Amount
855	A. E. Eaton	Jury Fees	10 20
856	Jas. Wilkinson	" "	13 60
857	J. B. McGrew	" "	10 20
858	W. A. Hamm	" "	18 80
859	Jos. Wilkinson	" "	11 40
860	M. Wilkinson	" "	11 40
			75 00

In the matter of the  
Qualifications of  
W. E. Riehart Coroner

Now at this time is presented the official qualifications of W. E. Riehart heretofore elected on the 5th day of June A. D. 1882 to the office of Coroner of Union County Oregon and it appearing to the court that the Bond herein filed with the oath of Office is such as the law requires it is therefore ordered that said Bond be approved and that said W. E. Riehart be authorized to enter upon his official duties -

In the matter of the  
Qualifications of  
A. F. Benson County Treasurer

Now at this time is presented the oath of Office and Undertaking of A. F. Benson accompanied with his certificate of Election and it appearing to the court that the Qualifications herein presented are in all things in conformity to law it is hereby ordered that said bond be and the same is hereby approved and that said A. F. Benson be authorized to enter upon his duties as such County Treasurer.

In the matter of Appropriation  
on the Sparta and Eagle  
Valley County Road

Now at this time comes P. J. Brown and files the report of the Viewers heretofore appointed to examine and receive said ~~work~~ and it appearing from said report that the work has been performed according to the specifications and Contract herein, it is hereby ordered that the Clerk of this court issue warrants to said P. J. Brown for the Contract price to wit; the sum of (\$400<sup>00</sup>) Four Hundred Dollars -