

No 348

in

Circuit

Court

Mr H Porter

Plaintiff

vs

Union County

Defendant

Action for Writ of Habeas

Docket

Page

J H Crawford

Attorney for Plaintiff

Attorney for Defendant

REVENUE DEPARTMENT
FEBRUARY 14 1900
P. M. A. 1 22

Record of the Case

1891

May 11 Petition ree Brewer's App'd
Journal B 4 595
July 9 ordered after ed's
Journal B 4 617

158

WITNESSES.

Road

Beginning on Co road at M B Morris
residence in Indian Valley to a point
3 miles S by from H J Wagoners Saw Mill

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

158

5-514

To the honorable County Court of Union
 County State of Oregon We the undersigned
 Twelve citizens and house holders and others
 residing in the vicinity of the herein after
 described route ask that you cause to be located
 and granted a county road as follows to wit
 Beginning in the county Road at M. B. Morris
 a resident in Indian valley Union county
 State of Oregon thence east to the corner
 of school house lot in school District No 11
 thence in a southern direction as now
 staked out crossing Indian creek near
 G. J. Wagner sawmill thence in a southern
 direction three miles more or less
 All the above named places is in Union
 County ^{State} Oregon

Dated March 28 A. D. 1881

J. L. Weaver
 G. J. Wagner
 James Weaver
 Robert Cummings
 J. L. Weaver
 M. A. Stevenson
 Wm. Sand.
 W. H. Hamilton
 W. R. Merritt

W. A. Galloway
 J. A. Nelson
 R. R. Knight
 W. C. Endicott
 M. B. Morris
 J. H. Orr
 H. Cummings

Read petition
Joel Weaver et al.

R.
Filed May 3rd
1881

Wilho Shoff
Clerk

STATE OF OREGON,

UNION COUNTY,

} ss.

Willis Skiff

being

~~the undersigned~~
duly sworn, say: That I posted ~~three copies of the annexed notice in three public places in the vicinity of the within proposed county road, and one on the Court House door in Union County, Oregon,~~
on the 30th day of March 1887 and more than thirty days prior to the presentation of the petition herein.

Willis Skiff

Subscribed and sworn to before me this day of May A. D. 1887.

County Judge

STATE OF OREGON,

UNION COUNTY,

} ss.

I Joel Weaver being
duly sworn, say: That ~~I posted~~ have been posted three copies of the annexed notice in three public places in the vicinity of the within proposed county road, and ~~one on the Court House door~~ in Union County, Oregon, on the ~~day of~~ May 1881 and more than thirty days prior to the presentation of the petition herein.

Joel Weaver

Subscribed and sworn to before me this 3 day of May A. D. 1881

Willis Skiff
Co. Clerk

Filed May 3rd 1881
Wm. S. Clark
Co. Clerk

Notice

Notice is hereby given that at
The next Regular ^{session} of the County Court of Union
County State of Oregon a petition will
be presented asking to have a county road
located and established as follows to wit
Beginning in the County Road at M B Morris
es Residence in Indian Valley Union County
State of Oregon thence East to the corner
of School House lot in School District No 14
thence in a southerly direction as now
staked out crossing Indian Creek near
J J Wagners Saw mill thence in a southerly
direction three miles more or less

Dated this March 30th 1881

Joel Weaver
G J Wagner
Josua Weaver
Robert Cummins
J J Weaver
M. B. Stevenson
John Sand
H K Hamilton
H B Merritt
W C Endicott

W A Gallaway
J A Nelson
R R Knight
M B Morris
J H Orr
W Cummins

Trent May 24
1857
Niles Smith
County Clerk

Know all Men by these Presents:

THAT ~~we~~ *Joel Weaver*

~~and~~ *Union*, of the County of ~~Marion~~ *Marion* and State of Oregon, are held and firmly bound unto the said County of ~~Marion~~ *Marion* 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 *3rd* day of *May* A. D. 1881

Now the condition of the above obligation is such, that whereas, if the County Road petitioned for by *Joel Weaver* and others, and presented at the *May* term, 1881, of the County Court of said ~~Marion~~ *Union* county, commencing *on the County Road near the residence of M. B. Morris' thence to the School house, thence in a southerly direction to the terminus of said proposed County Road* be located and established, then this obligation to be void; otherwise to remain in full force and virtue in law.

Joel Weaver

Filed May 3^d 1881
Wiley Shiff
County Clerk

10/1
I have read of all the work

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 11 day of May A. D. 1881 and from day to day thereafter, during the continuance of said term:

Present: Hon. A. C. Craig County Judge,
" W. B. Hunter Commissioner,
" Willie Sliff Clerk,
R. J. Rogers Sheriff.

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

IN THE MATTER OF Petition for
County road County
Road _____

On this day came Joel Weaver 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 in the county road at or near the residence of W. B. Morris, as follows to-wit: in Indian Valley; thence East to the corner of School House lot in School Dist No 14; thence in a southerly direction as now staked out crossing Indian Creek near G. J. Wagners saw mill thence in a southerly direction about three miles

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 Joseph Harris
Robt Alexander and Samuel Burroughs
be appointed Viewers, and C Eugene Lehair Surveyor, to view, survey and report upon said proposed road and that they meet at The Fish Trap Bridge on the 14 day of June 1881 and duly qualify before entering upon the discharge of their duties in this behalf.

(Signed)

A. C. Craig
County Judge.

Eugene Elmer

From Aug 11, 1881

*W. B. Smith
and back*

To the Hon County Court of Union
County Oregon - We submit the following
as our report as viewers of roads viz;
From the Fish Trap Bridge in Indian
Valley thence past the land of J. Blandler
to the corner of the lands of Joel
Weaver and Mr Lummis also a
County Road commencing at or near
the residence of W. B. Morris thence
East to the corner of school house
lot in School District No 14 thence
in a southerly direction crossing
Indian Creek near Wagners saw
mill thence in a southerly direction
about 3 miles - We met on the 14th
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 roads completing on the 15th
We select from said Surveyors plat
of surveys which as shown by
Surveyors plats two which we heartily
recommend for County Roads
and public travel - We therefore
submit the above hoping the
same will meet your approval

Joseph Morris
J. G. Bernaugh
R. C. Stanton

Viewers of proposed
County Roads

Devised & Directed
Filed Aug 27th 1881
Wm. M. Bell
County Clerk



To John Harris, Robt Alexander and Saml Burnaugh
Viewers, appointed to review a County Road
from near the residence of W B Morris in
Indian Valley thence to G J Wagners
saw mill thence South about 3 miles

The following are the field notes of the survey
of the above described Road - Beginning on

the County Road near the residence of Morris at a post
marked R Thence S 30° W 38 rods to post marked AXXI

Thence S 56° E 16 rods to post marked AI.	" S 13° E 118 "	" " " " AXXII
" S 4° E 20 " " " " AII.	" S 31° E 18 "	" " " " AXXIII
" S 22° W 16 " " " " AIII.	" S 11° E 36 "	" " " " AXXIV
" S 36° E 24 " " " " AIV.	" S 30° E 80 "	" " " " AXXV
" S 19° E 66 " " " " AV.	" S 5° E 80 "	" " " " AXXVI
" S 10° W 14 " " " " AVI.	" S 32° E 26 "	" " " " AXXVII
" S 36° E 14 " " " " AVII.	" S 15° E 38 "	" " " " AXXVIII
" S 5° E 20 " " " " AVIII.	" S 2° W 18 "	" " " " AXXIX
" S 6° W 20 " " " " AIX.	" S 22° E 16 "	" " " " AXXX
" South 44 " " " " AX.	" S 47° E 30 "	" " " " AXXXI
" S 52° 34 " " " " AXI.	" S 15° E 22 "	" " " " AXXXII
" N 82° E 38 " " " " AXII.	" S 49° E 12 "	" " " " AXXXIII
" S 32° E 34 " " " " AXIII.	" S 65° E 36 "	" " " " AXXXIV
" South 130 " " " " AXIV.	" S 54° E 30 "	" " " " AXXXV
" S 46° W 40 " " " " AXV.	" East 20 "	" " " " AXXXVI
" S 42° W 22 " " " " AXVI.	" S 68° E 42 "	" " " " AXXXVII
" S 6° W 42 " " " " AXVII.	" S 16° E 26 "	" " " " AXXXVIII
" S 10° E 28 " " " " AXVIII.	" S 40° E 53 "	" " " " RI
" S 8° W 8 " " " " AXIX.		
" S 66° W 22 " " " " AXX		

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 under the supervision of the viewers
on the 15th of June 1881 Eugene Chase Co Surveyor

Severance Report -

Dated July 25th 1881

Miss Pratt

County - Clark

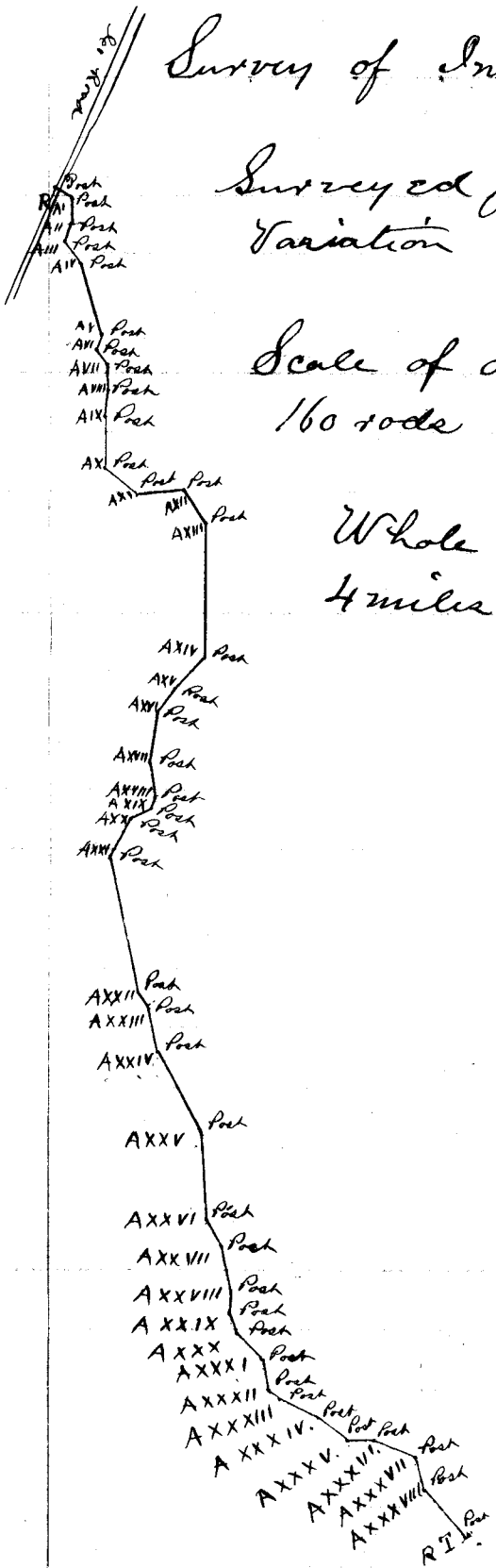
Survey of Indian Creek road

Surveyed June 15th 1881

Variation 20° East

Scale of distances
160 rods to the inch

Whole distance
4 miles 111 rods



In the matter of }
 Road petition of } Indian Valley
 Joel Weaver et al } 3

On this day came Joel Weaver 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: Beginning on the County road at M. B. Morris' residence in Indian Valley Union County, thence East to the corner of the School house lot in School Dist. No. 14, thence in a southerly direction crossing Indian Creek near the saw mill of G. J. Wagoner; thence in a Southern direction three miles more or less. 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 Samuel Burnam, Joseph Harris and Robert Alexander be appointed viewers and Eugene Chase Surveyor, to view, survey and report upon said proposed road and that they meet at the Fish Trap Bridge on the 14th day of June or the 18th and duly qualify before entering upon the discharge of their duties in this behalf.

In the matter of }
 Road petition of } Ind. Val.
 M. A. Stevenson } 3

On this day came M. A. Stevenson 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 at the Fish Bridge in Indian Valley and from thence on the routes

In the matter of Wm. Andrew Ladd
 a poor person. Now at this time it
 appearing to the Court that Wm. Andrew Ladd
 is a poor person in destitute circumstances
 and is in need of medical aid not to
 be procured in this County.

It is therefore ordered that \$80.⁰⁰ be and
 the same is hereby appropriated out of the
 County fund for the purpose of sending
 the said Wm. Andrew Ladd to the City of
 San Francisco where she may receive all
 medical assistance required, and that
 the Clerk draw his warrant upon the Co
 Treasr. therefor.

In the matter of Viewers report upon
 County roads in
 Indian Valley

Now on this day
 was presented and read the second
 time the report of the viewers appointed
 to view two certain roads petitioned
 for by W. A. Stevenson et al and Joel
Weaver et al which report is as follows.

"To the Hon County Court of Union
 County Oregon we submit the following as
 our report as viewers of roads viz:

From the fish trap bridge in Indian Valley
 thence past the residence of P. J. Chandler to the
 corner of the lands of Joel Weaver and W. A.
Lummins also a County road commen-
 -cing at or near the residence of W. B. Morris
 thence East to the corner of School house lot
 in School District no. fourteen thence in a
 Southerly direction crossing Indian Creek
 near Wagners Saw mill, thence in a South-
 -rly direction about 3 miles.

We met on the day on the 14th day of
 June as mentioned in your order and
 after being first duly sworn, in Company
 with the Surveyor proceeded to view

survey survey and lay out said roads
completing on the 15th

We select from said Surveyors plat of
Surveys which as shown by Surveyors plat
two which we heartily recommend for
County roads and public travel.

We therefore submit the above
hoping the same will meet your appro-
val

Joseph Harris } Viewers of proposed "
S. D. Burroughs } County roads.
R. C. Alexander }

And it appearing to the Court from the
said report that the said roads are of
public utility and a public necessity and
no person having remonstrated against
said road or claimed damages by
reason of the location thereof, and the
proceedings herein having been regular
and in due form of law.

It is hereby ordered by the Court that
said roads be established and opened as
a public highway and County road
in accordance with the Surveyors
plat and field notes of the survey thereof
which is follows to wit:

Beginning at Fish Trap Bridge at Post marked
R. thence S 47° E 32 rods to post marked

A I	"	S° 8' E 60	"	"	"	"
A II	"	S° 60 E 60	"	"	"	"
A III	"	S° 54 E 38	"	"	"	"
A IV	"	S° 53 E 76	"	"	"	"
A V	"	S° 15 E 14	"	"	"	"
A VI	"	S° 10 E 12	"	"	"	"
A VII	"	South 460	"	"	"	"
A VIII	"	S 24° W 58	"	"	"	"
A IX	"	S 48° E 48	"	"	"	"
A X	"	S 6° E 26	"	"	"	"
A XI	"	S 87° E 16	"	"	"	"
A XII	"	S 12° E 10	"	"	"	"
A XIII	"	S 57½ E 38	"	"	"	"
A XIV	"	S 30° E 92	"	"	"	"
A XV	"	S 46° E 26	"	"	"	"
A XVI	"	S 47° E 36	"	"	"	"

- AXVII. Hence $S 1^{\circ} W$ 40 rods to post marked
- AXVIII " $S 15^{\circ} E$ 40 " " " " "
- AXIX " $S 86^{\circ} E$ 34 " " " " "

RT and intersecting County road.

State of Oregon

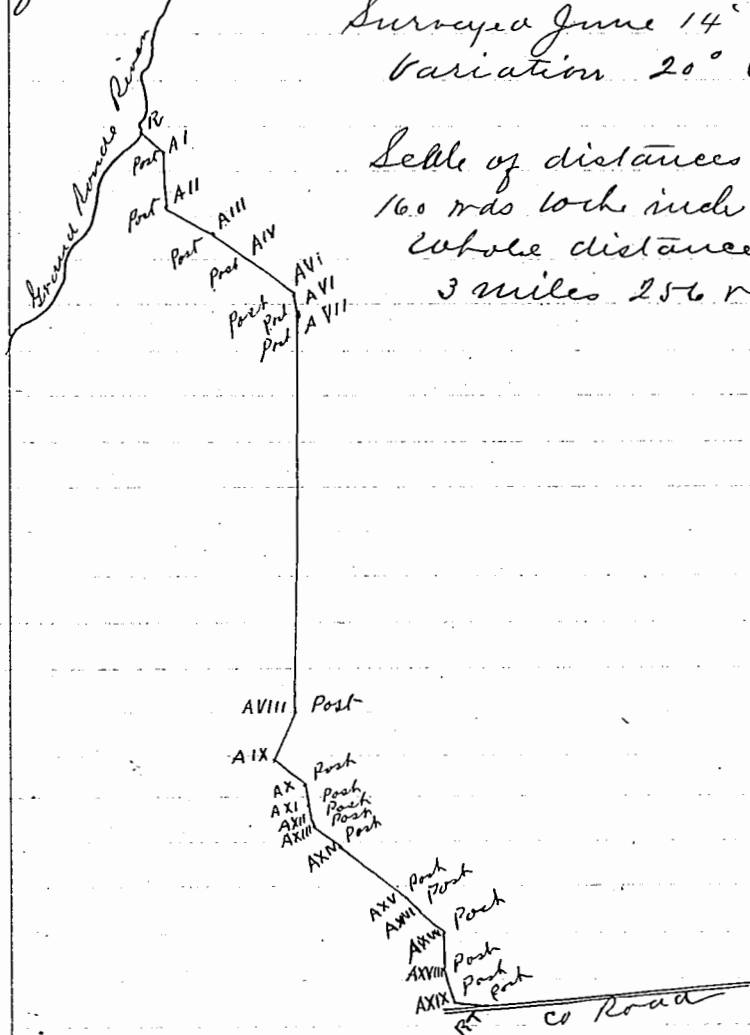
County of Union } Eugene Chase County
 Surveyor in and for said the County and State
 aforesaid do hereby certify that the field notes
 of the survey of the above described road are
 correct as surveyed by me under the supervision
 of the viewers June 14th 1881

Eugene Chase
 Co Surveyor.

Survey of County road leading from Fish Gap Bridge
 to intersect County road at the corner of the land
 of Joel Weaver

Surveyed June 14th 1881
 Variation 20° East

Settle of distances
 160 rods to the inch
 whole distance
 3 miles 256 rods



The Surveyors report of the other of said roads being as follows.

Beginning on the County road near the residence of Morris at a post marked R
 Thence South 56° E. 16 rods to post. " AI

"	S 4° E	20	"	"	"	"	"	AI
"	S 22° W	16	"	"	"	"	"	AII
"	S 36° E	24	"	"	"	"	"	AIII
"	S 19° E	66	"	"	"	"	"	AV
"	S 10° W	14	"	"	"	"	"	AVI
"	S 36° E	14	"	"	"	"	"	AVII
"	S 5° E	20	"	"	"	"	"	AVIII
"	S 6° W	20	"	"	"	"	"	AX
"	South	44	"	"	"	"	"	AX
"	S 52° E	34	"	"	"	"	"	AXI
"	N 82° E	38	"	"	"	"	"	AXII
"	S 32 E	34	"	"	"	"	"	AXIII
"	South	130	"	"	"	"	"	AXIV
"	S 46° W	40	"	"	"	"	"	AXV
"	S 42° W	22	"	"	"	"	"	AXVI
"	S 6° W	42	"	"	"	"	"	AXVII
"	S 10° E	28	"	"	"	"	"	AXVIII
"	S 8° W	8	"	"	"	"	"	AXIX
"	S 66° W	22	"	"	"	"	"	AXX
"	S 30° W	38	"	"	"	"	"	AXXI
"	S 13° E	118	"	"	"	"	"	AXXII
"	S 31° E	18	"	"	"	"	"	AXXIII
"	S 11° E	36	"	"	"	"	"	AXXIV
"	S 30° E	80	"	"	"	"	"	AXXV
"	S 5° E	80	"	"	"	"	"	AXXVI
"	S 32° E	26	"	"	"	"	"	AXXVII
"	S 13° E	38	"	"	"	"	"	AXXVIII
"	S 2° E	18	"	"	"	"	"	AXXIX
"	S 22° E	16	"	"	"	"	"	AXXX
"	S 47° E	30	"	"	"	"	"	AXXXI
"	S 15° E	20	"	"	"	"	"	AXXXII
"	S 49° E	12	"	"	"	"	"	AXXXIII
"	S 65° E	36	"	"	"	"	"	AXXXIV
"	S 54° E	30	"	"	"	"	"	AXXXV
"	East	20	"	"	"	"	"	AXXXVI
"	S 68° E	42	"	"	"	"	"	AXXXVII
"	S 16° E	26	"	"	"	"	"	AXXXVIII
"	S 40° E	53	"	"	"	"	"	R T

County of Oregon }
 County of Union } 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 of the 15th of June 1881
 Eugene Chase
 Co Surveyor.

Survey of Indian Creek Road

Surveyed June 15th 1881
 Variation 20° East

Scale of distances
 160 rods to the inch
 Total distance
 4 mile 111 rods

