

No 348

in

Union

Court

Mr H Potter

Plaintiff

vs

Union County

Defendant

Action for Writ of Remoat

Docket

Page

J H Crawford

Attorney for Plaintiff

Attorney for Defendant

REVENUE DEPARTMENT  
FEBRUARY 1900  
NEW YORK  
P. O. BOX 110  
NEW YORK

**Record of the Case**

1891

May 11 Petition ree Brewer's Appeal  
Journal B 4 595  
July 9 ordered after edo  
Journal B 4 617

158

Road

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

**WITNESSES.**

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

158

6-514

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 <sup>State</sup> 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 3<sup>rd</sup>  
1881

Wilho Shoff  
Clerk

STATE OF OREGON,

UNION COUNTY,

} ss.

I Willis Skiff being  
~~the undersigned~~  
duly sworn, say: That I posted ~~three copies of the annexed notice in three public places in the vi-~~  
~~cinity of the within proposed county road, and one on the Court House door in Union County, Oregon,~~  
on the 30<sup>th</sup> 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 May 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 vi-  
cinity of the within proposed county road, and ~~one on the Court House door in Union County, Oregon,~~  
~~on the~~ day of ~~188~~ 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 3<sup>rd</sup> 1881  
W. W. Phelps  
Co. Clerk

# Notice

Notice is hereby given that at  
The next Regular <sup>session</sup> 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 30<sup>th</sup> 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~~ *Union* and State of Oregon, are held and firmly bound unto the said County of ~~Marion~~ *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 *3<sup>rd</sup>* 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<sup>d</sup> 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 and 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 14<sup>th</sup>  
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 15<sup>th</sup>  
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 27<sup>th</sup> 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  
farm near 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	" " " " AXXIV
" S 22° W 16 " " " " AIII.	" S 11° E 36 " " " " AXXV	" " " " AXXVI
" S 36° E 24 " " " " AIV.	" S 30° E 80 " " " " AXXVII	" " " " AXXVIII
" S 19° E 66 " " " " AV.	" S 5° E 80 " " " " AXXIX	" " " " AXXX
" S 10° W 14 " " " " AVI.	" S 32° E 26 " " " " AXXXI	" " " " AXXXII
" S 36° E 14 " " " " AVII.	" S 15° E 38 " " " " AXXXIII	" " " " AXXXIV
" S 5° E 20 " " " " AVIII.	" S 2° W 18 " " " " AXXXV	" " " " AXXXVI
" S 6° W 20 " " " " AIX.	" S 22° E 16 " " " " AXXXVII	" " " " AXXXVIII
" South 44 " " " " AX.	" S 47° E 30 " " " " AXXXIX	" " " " R I
" 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 " " " " R I	
" 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 15<sup>th</sup> of June 1881  
Eugene Chase Co Surveyor



Severance Report -

Dated July 25<sup>th</sup> 1881

Miss Pratt

County - Clark

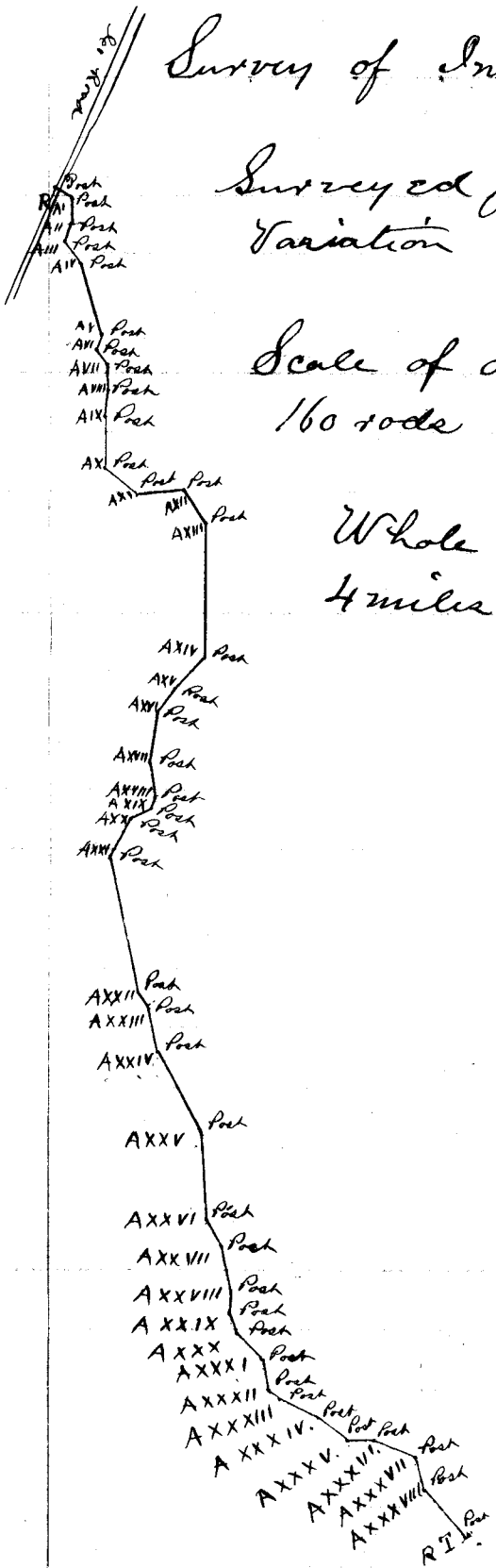
# Survey of Indian Creek road

Surveyed June 15<sup>th</sup> 1881

Variation 20° East

Scale of distances  
160 rods to the inch

Whole distance  
4 miles 111 rods



B595



--	--	--	--	--	--

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 L. 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 14<sup>th</sup> day of June or the 18<sup>th</sup> 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.<sup>00</sup> 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  
 Southernly direction crossing Indian Creek  
 near Wagners Saw mill, thence in a South-  
 -ly direction about 3 miles.

We met on the day on the 14<sup>th</sup> 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 15<sup>th</sup>

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 approval

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

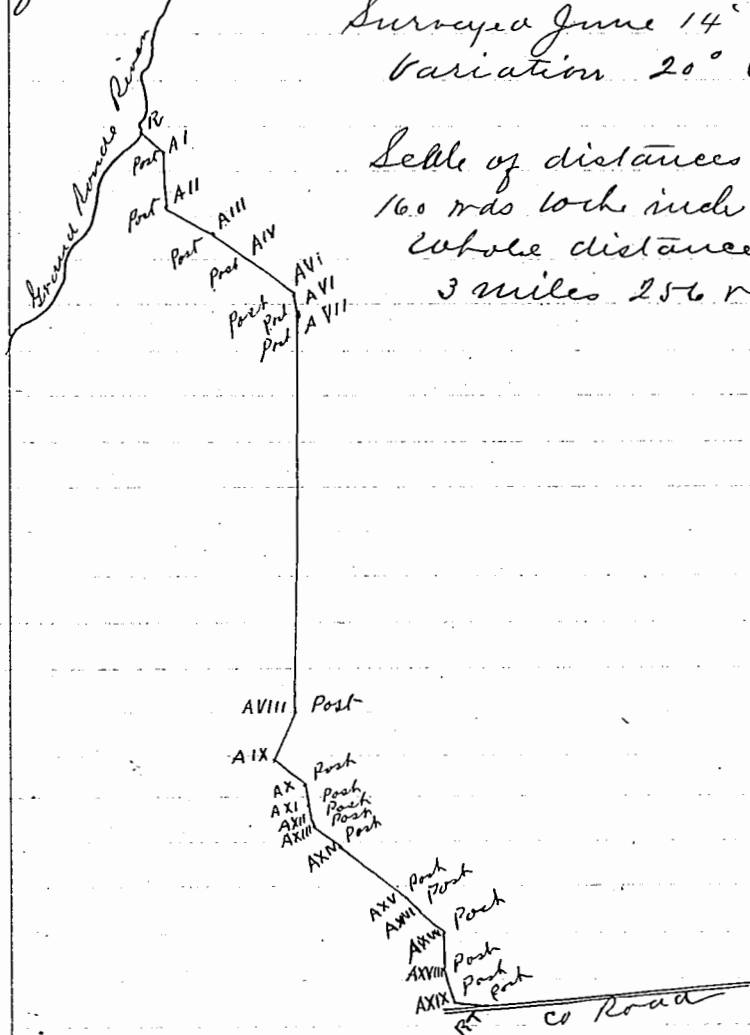
County of Union } Eugene Chase County  
 Surveyor in and for said the County and State  
 aforesaid do hereby certify that the field notes  
 of the survey of the above described road are  
 correct as surveyed by me under the supervision  
 of the viewers June 14<sup>th</sup> 1881

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 14<sup>th</sup> 1881  
 Variation  $20^{\circ}$  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