

No 302

in

Merch

Court

J P Faull et al

Plaintiff

vs

Joseph Bassett

Defendant

Action for

Docket

Page

John R Carter

Attorney for Plaintiff

Attorney for Defendant

REVEREND J. C. GARDNER, JR., CLERK OF THE COURT  
M. M. F. ORSOLINI, JR., CLERK OF THE COURT  
124 W. 14th St. N. Y. N. Y. 10011  
P. 104 1011

**Record of the Case.**

164

**WITNESSES.**

1891  
 Feb 9 Petition rec. Viewed exhibits  
 Journal B of 616  
 Sept 7 Appraisers app'd  
 Journal B of 636  
 Nov 11 1st reading Report  
 Journal B of 650  
 Nov 12 order opened  
 Journal B of 652

Road

Commencing on Co road near  
 residence of Robt Deal up Deal's  
 Canyon to intersect old emigrant  
 road.

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

164

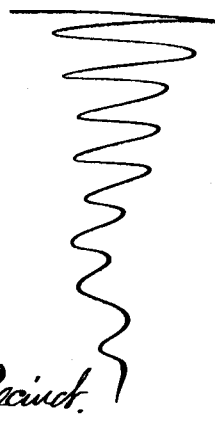
In the County Court in and for  
Union County, State of Oregon.

In the matter of the Petition

of  
George Brane, et al

for

a County Road in La Grande Precinct.



Petition

The undersigned householders, residing in the vicinity of the proposed road herein-after described, respectfully petition hereby the Honorable County Court in and for said County to cause to be laid out and established according to law as a county road the following, to wit:  
Beginning at a point on the road now running from La Grande to Oradell, and at or near the dwelling house of one Robert Deal, and north thereof, and in the west half of the North East quarter of section seven in Township Three South of Range Thirty Eight East of Willamette Meridian, in said County;

thence, westerly, by the most feasible route, following the road which has been used more or less by the public as a highway for about fifteen years, up the canyon in the North West quarter of said Section Seven, and through said North West quarter, and still following the said road, as near as practicable, through a part of the North Half of the North East quarter of Section Twelve in Township Three South of Range Thirty Seven East of said Meridian; and, westerly, through the South Half of the South East quarter and the South Half of the South West quarter of Section One in said last Township, to the old Emigrant road in the North West quarter of Section Eleven in said last Township, Three South of Range Thirty Seven East.

The length of said ~~road~~ proposed road being about two and one half miles.

Also the undersigned respectfully Petition that the width of said pro-

posed road be established Thirty (30) feet wide, and no more, for the entire length thereof -

And in support of this Petition, the undersigned would respectfully represent as follows:

That said proposed road is the most feasible and the nearest outlet to market for the numerous residents in what is known as "the Meadows" or "Bob Young Settlement".

That said proposed road will be very useful to the residents of La Grande through which to convey wood, and drive stock to pasture.

That said proposed road can be laid out, put in good order, and kept in repair much cheaper than any other route between La Grande and the western terminus of said proposed road.

That a much lighter grade can be obtained over said proposed road than by any other route over the moun-

tains bounding La Grande on the West,  
and <sup>at</sup> far less expense.

That said proposed road will pass over  
the land of but one private person who  
is opposed to said proposed road.

That said private person, to wit, Robert Deal,  
should be entitled, if at all, to only nominal  
damages; for the reasons: that said proposed  
road will be of as much benefit to him as  
to any one of the public, - for if said proposed  
road be not established, he maybe shut off  
from crossing the land claimed by one  
George Brane, and thus be prevented from  
obtaining wood without going several  
miles out of his way; - and because said  
proposed road will cross but a small  
portion of said Deal's land, and that part  
of it which has never been, or at least  
has not been for a long time cultivated;  
but is rocky, and a goodly portion of it  
a Canyon; and because said Deal, in  
the fall of 1880, closed <sup>a part of</sup> this proposed road,  
which hitherto, as your Petitioners are

informed and believe, had been used  
by the public as a highway for about  
fifteen years last past. and a part of it  
is still so used.

Witness our hands at La Grande, in  
said County.

George Crane

M. Baker

J. P. Baker

J. P. Hudley

Geo. Thompson

J. A. Merritt

H. S. Stines

H. A. Watson

T. T. Lick

P. H. Murray

J. Hopper

J. Remillard

W. A. Norris

H. Anson

J. Boyer

E. O. Leonard

P. Huber

J. H. Reed

W. J. Ward

J. Dray

John G. T. M.

S. C. Baker

J. D. Slater

R. D. George

J. R. Deal

~~S. D. ...~~

J. W. Dickey

Mrs L. C. Adams

Joel Crandall

J. B. Ellis

George Miller Peter of Groves

S. J. Sander (L. W. Ragle  
atest mark  
Geo. M. King)

Robert H. Parker

J. W. Hall

Wm. J. Nichols

J. C. Kerman

J. R. Ladd

A. E. Co. & Weathered

Red Maffey

Green Amers

Geo. C. Pettou

Geo. Marble

James G. Henry

J. P. Rowing

L. A. Rob

L. C. Marley

~~A. W. Dingle~~

B. F. Palmer

~~[Redacted]~~

D. A. Rowland

D. S. Kinsey

Thos. Stephenson

Ben Biron

~~A. G. Gandy~~

G. W. W. Lute

M. H. Kirtley

J. W. Gray



July the 5<sup>th</sup> 1881

1881

Robert Young

Wm N Glass

W. H. Williamson

Isaac Williamson

James P Young

E. F. Glass

Joseph Chamberlain

Silas Carter

J. H. Hunter

In the County Court  
Union County, Oregon

In re Petition

— of —

George Horne, et al

— for —

a County Road in  
La Grande Precinct.

Petition

Filed July 9<sup>th</sup> 1881

William H. Hoff

clerk

GEO. MORRIS KING,

ATTORNEY AND COUNSELLOR AT LAW,

NOTARY PUBLIC.

for Petitioners

La Grande, Union County, OREGON.

# Notice.

STATE OF OREGON

County of Union

} ss

To all whom it may concern  
Application will be made to the County  
Court in and for Union County, State of  
Oregon, at the County Seat at Union, at  
the next session thereof, to wit, on the (9)  
~~seventh~~<sup>ninth</sup> day of July AD 1881, for laying  
out and establishing a county road  
Beginning at a point on the road now  
running from La Grande to Oradell, and  
at or near the dwelling house of one  
Robert Deal, and in the West Half of the  
North East quarter of Section Seven (7)  
in Town 3 South of Range 38 East of  
Willamette Meridian in said County =  
thence, Westerly, following the road which  
has been used more or less by the public  
as a highway for fifteen years, up  
the Canyon in the North West quarter  
of said Section (7) Seven, and through

a short distance North of said last  
 Notice also one such Notice at  
 the forks of said proposed road and  
 the road now leading over the hills  
 from thence South Easterly to Paul  
 Lalonde, also one such notice in  
 the U.S. Land Office, and one in the  
 Post Office, both in the Town of La Grande  
 in said Precinct. <sup>also one in person to said Deal,</sup>  
 John Wells and George Copane  
 respectively on the 4th of June 1881

Subscribed and sworn to before me  
 this 7 day of July 1881

*Geo M King*  
 Notary Public for Oregon

*John Baker*

STATE OF OREGON }  
 County of Union } ss

*J. R. J. Rogers*

being first duly sworn before and say I am  
 Sheriff of said County and for as on  
 the 8th June 1881 that on said 8th June  
 1881 I caused to be posted on the Court  
 House door in the Town of Union, the  
 County Seat of said County, a true copy of --

the foregoing Notice, certified to by  
 George M King a Notary Public in  
 for said County.

Subscribed and sworn to before me  
 this 7 day of July 1881

*Wells Jeff*

*J. R. J. Rogers*  
 Sheriff of Union County  
 State of Oregon

Clerk of the County Court By *J. F. Williamson*  
 in & for said County Deputy Sheriff

*W. C. C. Leate*  
 Deputy

In the County Court  
Union County Oregon

June Patton

of

Geo Crane et al  
for a County Road

Notes &

proog & postung

Filed July 9 1881

Walter H. Hitt

clerk

J. C. G. G. G. G.  
Deputy

GEO. MORRIS KING,

ATTORNEY

for W. H. Patton  
La Grande Union County, OREGON

J. R. Sadler      G. A. Rapp  
F. J. Dick  
W. Roming

STATE OF OREGON,  
County of Union. } ss.

I, John Baker, being first duly sworn depose and say: that on the 4<sup>th</sup> of June 1881 I was, and still am a Constable, duly elected and qualified, in and for La Grande Precinct in said County: that on said 4<sup>th</sup> June 1881 I, as such constable, posted true copies of the foregoing Notice, duly certified to by George M. King, a Notary Public in & for said County, in three public places in the vicinity of said proposed road, to wit: one on the premises of George M. King, who resides about a quarter of a mile south of the point of beginning of said proposed road: one on the farm of Robert Deal, where he now resides, and one on the fence of said Deal

Said North West quarter, and still following the said road, through a part of the North Half of the North East quarter of Section (12) Twelve in Town (3) three South of Range (34) East of said Meridian; and westerly, through the S/2 of SE/4 & S/2 of SW/4 of Section One in said last Township, to the old emigrant road in the North West quarter of Section (1) eleven in said last Township

(3.S. R. 34 E.) - The length of said proposed road being about (2 1/2) two and one half miles, <sup>witness our hands</sup> as petitioners -

LA GRANDE, OREGON.

June 7<sup>th</sup> 1881  
 W. S. Kines  
 H. Mason

George Crane  
 Geo. McKim  
 J. Hopper  
 H. W. Dwight

C. P. Haddy	P. A. Mahaffey
W. A. Davis	Geo. Housepot
Bar	Edm. Baker
E. O. Crandall	M. Baker
J. G. Reed	W. R. Newton
P. H. Murray	J. A. McShirter

In the County Court in and for  
Union County State of Oregon -

In the matter of the Petition

of  
George Brane, et al  
for

a County Road in La Grande Precinct

Bond for  
Expenses of view.

Know all men by these Presents that we,  
George Brane and John R. Ladd, pe-  
titioners and parties herein, are held &  
firmly bound unto said Union County in  
the sum of Fifty \_\_\_\_\_ Dollars  
to be paid to said County; for which payment,  
well and truly to be made, we bind ourselves,  
our and each of our heirs, executors and ad-  
ministrators, jointly and severally, firmly  
by these presents. Sealed with our seals  
this 5<sup>th</sup> day of July 1881 -

The condition of the above undertaking is  
such, that whereas said George Brane,  
John R. Ladd, et al, have or are about  
to Petition said Court to cause to be laid  
out and established a County road in



said Precinct, and up what is known  
as the Robert Deal Canyon, and par-  
ticularly described in the Petition  
herein to which reference is hereby made,  
And whereas the above bounden George Brane,  
John R. Ladd, et al., are desirous of  
having said proposed road <sup>viewed,</sup> laid out  
and established as a Court road:

Now, if the prayer of the Petitioners  
herein be not granted and allowed,  
~~and~~ the above bounden George Brane and John  
R. Ladd shall well and truly pay or  
cause to be paid all costs and expenses  
that may be incurred by reason of such  
view, then this obligation to be null  
and void; otherwise to remain in full  
force and virtue -

George Brane *(Seal)*  
J. R. Ladd *(Seal)*

STATE OF OREGON, }  
County of Union. } ss.

George Brane and John R.  
Ladd, the parties in the within undertaking,  
being duly sworn, say, each for himself,

I am a resident and householder within  
Fair County, and am worth the sum of  
Two hundred dollars over and above  
all my just debts and liabilities, and  
exclusive of property exempt from ex-  
ecution -

George Crane  
J. B. Sailer

Subscribed and sworn to before me  
this 6 day of July 1881

Geo. M. King  
Notary Public for Oregon.

Justice County Court  
Union County  
State of Oregon

In re Petition

of  
George Krane et al  
for County Road

Bond for Expenses  
of said

Approved July 9<sup>th</sup> 1881

M. L. Evans

County Judge

Filed July 9<sup>th</sup> 1881

Willie King

Sherriff

GEO. MORRIS KING,

~~ATTORNEY AND COUNSELLOR AT LAW~~

NOTARY PUBLIC:

for *W. L. Evans*

La Grande, Union County, OREGON

**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 8<sup>th</sup> day of July A. D. 1887 (and from day to day thereafter, during the continuance of said term:

Present: Hon. A. C. Craig County Judge,  
" Geo. G. Hunter Commissioner,  
" \_\_\_\_\_ "  
Willis Slaff Clerk,  
R. J. Rogers Sheriff.

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

IN THE MATTER OF Petition for a  
\_\_\_\_\_ County  
Road \_\_\_\_\_

On this day  
came Geo. Krause by Geo. W. King his Atty. 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 a  
point on the county road ~~at~~ at  
or near the residence of Robert Deal  
and running from thence in a  
westerly direction ~~to~~ following  
as near as practicable the old route  
running up what is known as  
"Deal's Canyon" to intersect what  
is known as the old emigrant  
road

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 John Perkins  
A. C. Huntington and G. W. Patterson  
be appointed Viewers, and Eugene Chase Surveyor, to view, survey and report  
upon said proposed road and that they meet at  
La Grande on the 16<sup>th</sup> day of July 1887.  
and duly qualify before entering upon the discharge of their duties in this behalf.

(Signed)

A. C. Craig  
County Judge.

NOTE.—The three viewers must meet.

Chase

Filed Sept. 7<sup>th</sup> 1881

Willis Skiff  
Clerk

State of Oregon }  
County of Union } ss I Eugene Chase being first  
duly sworn say that I will perform the require-  
ments of the within appointment to the best  
of my ability so help me God.

Subscribed and sworn to before me } Eugene Chase  
this 11<sup>th</sup> day of July A D 1881 }  
Willis Skiff  
County Clerk

Union County Oregon  
To Robert Deal D<sup>r</sup>  
To 338 ~~square~~ rods of Land for County road \$100.<sup>00</sup>  
" 182 rods of Fence to be built Each side of road 182.<sup>00</sup>  
" Damage by one field being cut off from water 300.<sup>00</sup>  
\$ 582.00

State of Oregon }  
County of Union } ss

I hereby certify that  
the above bill of Items as set forth  
is a just true & correct bill. and a  
reasonable bill for said County  
to pay for a road through my premises

R. Deal

Filed Sept 6<sup>th</sup> 1881  
Willis Judd  
Clerk

J. E. C. Leaker  
Deputy

STATE OF OREGON,  
County of Union. } ss

Whereas the undersigned were appointed as assessors of damage by the County Court in and for said County to meet on the 16<sup>th</sup> Sept 1881 then & there to examine & assess the actual damage sustained by Robert Deal by reason of the location of a County road through his premises & what is known as the Deal Canyon in said County: And whereas Samuel Pruesdall could not meet with the other two said assessors ~~then~~ on said 16<sup>th</sup> Sept 1881:

Now therefore we hereby agree to meet and perform our duties in the premises on the 21<sup>st</sup> day of September 1881.

Assessors }  
W. B. Eving  
John Deen  
Samuel Pruesdall



Red Empire Post

*[Faint, illegible handwriting on lined paper, possibly bleed-through from the reverse side]*

STATE OF OREGON,  
County of Union. } ss.

We, W. V. Ewing, John  
Beach and Samuel Trussdall, being  
first duly sworn upon oath each  
for himself says: I will discharge my  
duty faithfully and impartially as  
assessor of damage if any sustained  
by Robert Deal by reason of the loca-  
tion of a certain County Road com-  
mencing at a point on the County road  
above near the residence of said Robert  
Deal in said County and running  
from thence in a westerly direction  
following as near as practicable the  
old road running up what is known  
as the "Deal Canyon". We having  
been duly appointed such assessors  
by the County Court of said County on  
the 12<sup>th</sup> day of September 1881.

Subscribed and sworn to before me  
this 24<sup>th</sup> day of Sept 1881

Samuel Trussdall  
John Beach  
W. V. Ewing

Notary Public for Oregon.

In the County Court in and  
for Union County, State of  
Oregon.

In the matter of the  
claim of Robert Deal  
for damages by reason of the  
location of a certain County Road

STATE OF OREGON,  
County of Union. } ss.

Whereas we the undersigned  
N. J. Ewing, John Peck and Samuel  
Bresdall were on the 12<sup>th</sup> day of Sept  
1881 duly appointed by said County  
Court of Union County Oregon as  
assessors of damage ~~to~~ to meet on  
the 16<sup>th</sup> day of Sept. 1881 then and there  
to examine and assess the actual  
damage sustained by Robert Deal  
by reason of the location of a County  
road commencing at a point on the  
County road at or near the residence  
of said Robert Deal in said County  
running thence in a westerly direction

following as near as practicable the  
old road running up what is  
known as the "Deal Canyon" -

And whereas we failed to meet  
on said 16<sup>th</sup> Sept 1881, we did  
agree to meet, and did meet at  
La Grande, in said County, on the 24<sup>th</sup>  
day of September, 1881, and being  
first duly sworn to discharge our  
duty in the premises faithfully and  
impartially; we proceeded and  
viewed said proposed road the  
whole distance through the premises  
of said complainant, Robert Deal.

Now therefore, we, and each  
of us report hereby to the Hon.  
County Court of said County that  
said Robert Deal has sustained  
no actual damage, nor any  
damage whatever by reason of the  
location ~~of the location~~ of said road  
or proposed road. And that we  
and each of us have come to the

determination that said premises  
of said Robert Deal, the complainant,  
would be, <sup>rendered</sup> not at all less valuable  
by the opening of said road through  
his premises.

Witness our hands this 24<sup>th</sup> day  
of September 1881.

assessors { Samuel Trusdall  
                  { W. O. Ewing  
                  { John Peach

We the undersigned assessors as  
aforesaid hereby certify to the Hon.  
County Court in & for Union County Oregon,  
that said W. O. Ewing and John Peach  
were necessarily employed two  
days each in the above matter  
and that said Samuel Trusdall  
was necessarily employed one  
day in the above matter, and  
that each and every of us have  
complied with the requirements  
of Chapter 50 of the Miscellaneous laws

of the State of Oregon as compiled in  
the "General Laws of Oregon" by  
Matthew P. Deady & Lafayette Lane  
and the amendments thereto -  
Witness our hands this 24<sup>th</sup>  
day of Sept 1881 -

John Peck  
Samuel Trumbull  
W. V. Erving

Report of  
Members of Damoise

Filed Oct-25<sup>th</sup> 1881

Willis Wood  
Co. Clerk

To The Hon. County Court of Union  
County, Oregon.

We submit the following as our  
report as viewers of the road, viz:  
"Commencing at a point on the County  
road at or near the residence of  
Robert Deal and running from  
thence in a westerly direction  
following as near as practicable the  
old road running up what is known  
as "Deals Canyon" to intersect what  
is known as the old emigrant road."

We met on the 16<sup>th</sup> day of July  
1881 as mentioned in your order,  
having been duly notified, and  
after being first duly sworn, in  
Company with the Surveyor, pro-  
ceeded to view, survey and  
layout said road -

We found the distance on the  
proposed road to be two (2) miles  
and seventy eight (78) rods and ending  
at the corner section stake at the North

East corner of section Eleven (11)  
in Township 3 South of Range 37 East  
of Willamette Meridian in said County.

We select from said Surveyors  
plat, hereto attached, his plat  
of the survey thereof, the route as  
shown by said Surveyor's plat -  
which we heartily recommend for  
a County Road and public travel.

We therefore recommend said  
proposed road

Witness our hands at La Grande  
Union Co., Oregon, this 16<sup>th</sup> day  
of July 1881.

H. W. Battersman  
John Perkins

A. C. Huntington

} Witnesses of  
the road



Book Court Court  
Newman Court Oregon

In re Petition

of  
George Brown, et al  
for  
a Court Road

Filed Sept- 7<sup>th</sup> 1881

W. W. Smith  
Clerk

Geo. M. King  
Clerk for Petitioner

To G W Patterson Asst. Huntington and John Perkins viewers appointed to review a County Road from near the residence of Robert Seal thence up the Seal Canyon to the old emigrant road - The following are the field notes of the survey of the above described road - Beginning on the County Road near the residence

Thence	N 62° W	38 rods	to	"	"	A I.
"	N 87° W	14 "	"	"	"	A II.
"	N 43° W	20 "	"	"	"	A III.
"	N 60° W	8 "	"	"	"	A IV.
"	N 86° W	20 "	"	"	"	A V.
"	West	16 "	"	"	"	A VI.
"	S 75° W	18 "	"	"	"	A VII.
"	S 78° W	20 "	"	"	"	A VIII.
"	N 88° W	30 "	"	"	"	A IX.
"	N 68° W	112 "	"	"	"	A X.
"	N 53° W	26 "	"	"	"	A XI.
"	N 30° W	60 "	"	"	"	A XII.
"	N 56° W	70 "	"	"	"	A XIII.
"	N 38° W	44 "	"	"	"	A XIV.
"	N 77° W	40 "	"	"	"	A XV.
"	N 67° W	12 "	"	"	"	A XVI.
"	S 40° W	10 "	"	"	"	A XVII.
"	S 22° E	40 "	"	"	"	A XVIII.
"	S 20° W	76 "	"	"	"	A XIX.
"	S 6° W	30 "	"	"	"	A XX.
"	S 31° W	14 "	"	"	"	R T and

intersecting the old emigrant road

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 16<sup>th</sup> day of July 1881 - Eugene Chase Co Surveyor



Survey of Seal

Canyon County Road

Filed Sept. 25<sup>th</sup> 1887

Wm. H. H. H.

See Book

Third Judicial Day July 9<sup>th</sup> 1881

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

A. C. Craig  
County Judge.

Thereupon the following proceedings were had, to wit:

In the matter of a petition for a County road by George Crane et al. <sup>Commencing</sup> On this day was presented the petition of George Crane, by his Atty Gen. M. King, and more than twelve others praying for the location and establishment of a County road as follows, to wit: Commencing at a point on the County road at or near the residence of Robert Deal and running from thence in a westerly direction following as near as practicable the old road running up what is known as Deal's Canyon, to intersect what is known as the old emigrant road. And it satisfactorily appearing to the Court from proof filed herein, that due notice of the pendency of these 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 John Perkins, A. C. Huntington and G. W. Patterson be appointed viewers and Eugene Chase surveyor to view, survey, and report upon said proposed road and that they meet at La Grange on the 16<sup>th</sup> day of July 1881 and duly qualify before entering upon their duties in this behalf.

In the matter of  
Claim for damages Deal Canyon Road,  
by Robert Deal

Now on this day was read the report of the viewers upon proposed County road heretofore by this Court ordered surveyed, to wit: Beginning at a point in the County road now leading from La-Grande to Oro Dell and from thence to intersect the old emigrant road, so called, in the S.W. 1/4 of S. 11 T. 3 S. R. 37 E. a distance of about 2 1/2 miles passing through what is known as the "Deal Canyon", and Robert Deal, having filed his claim of damages against the location of said road. It is hereby ordered that Samuel Inesdall, John Beach and W. D. Ewing be and they are hereby ordered to meet on the 6<sup>th</sup> day of Sept. A. D. 1881 and assess the actual damages sustained by said Robert Deal by reason of the location of said proposed road.

In the matter of the  
Report of the Viewers  
upon a proposed Co  
Road by W. F. Davis  
etal.

High Valley Road

Now on this day was read the report of the viewers upon a Road petitioned for by W. F. Davis and others, Beginning on the County road near the School house at the head of Little Creek Canyon and from thence to Davis saw mill. And there appearing the remonstrances against the location of said Road of twenty six of the House holders living along and in the vicinity of said proposed road setting forth in said remonstrance the reasons thereof and said petition being signed by only thirteen householders in the vicinity of said road. It is hereby ordered that the petition herein and all proceedings had thereunder be and the same is hereby dismissed. And it further appearing that W. A. Efron has heretofore filed his bond in this Court conditioned that he would pay all costs of the survey of said road should the same be not established and located as petitioned.

line of W. Hathaway's, and the north line of W. Sheltons laid. Hence on the road as now traveled as near as practicable to the lumber mill of W. F. Davis which shall be the terminus of said road. 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 and that a good and sufficient bond has been filed that more than twelve of said petitioners are legal householders residing in the vicinity of said road. It is therefore ordered by the Court that P. M. Coppin J. P. Finist J. P. Argensinger be appointed viewers and Eugene Chase Surveyor to view survey and report upon said proposed road and that they meet at the School House above, in this proceeding, mentioned on the 30<sup>th</sup> day of November A. D. 1881 and duly qualify before entering upon the discharge of their duties in this behalf. In the matter of this petition a remonstrance having been filed and the petitioners greatly exceeding in number the remonstrators the said remonstrance is hereby dismissed.

In the matter of the  
viewers report on  
Deal Canyon Road

Deal Canyon Road

Now on this day was read in open Court the report of the viewers on a proposed County road up what is known as the Deal Canyon Road and said report laid over for a second reading.

Whereupon the Court adjourned until tomorrow morning at 9 o'clock.

In the matter of  
the establishment  
of the Deal Canyon  
County Road

Deal Canyon Road

Now at this time was read  
the second time the viewers and surveyors report  
upon the above proposed road, 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: Commencing at a point on  
the County road at or near the residence of Robert  
Deal and running from thence in a westerly  
direction following as near as practicable the old  
road running up what is known as "Deal's Canyon  
to intersect <sup>at</sup> what is known as the old emigrant  
road" We met on the 16<sup>th</sup> day of July 1881 as men-  
tioned in your order having been duly notified  
and after being first duly sworn in Company with  
the surveyor proceeded to view, survey and lay out  
said road. We found the distance on the proposed  
road to be two (2) miles and seventy eight (78) rods  
and ending at the corner section stake at the south  
East corner of section Eleven (11) in Township 3 South  
of Range 37 East of Willamette Meridian in said  
County. We select from said Surveyors plat hereto  
attached his plat of the survey thereof. The route as shown  
by said Surveyors Plat of course we heartily  
recommend for a County road and  
public travel.

We therefore recommend said proposed road

Witness our hands at La Grande Union

County Oregon this 16<sup>th</sup> day of July 1881

J. W. Patterson

John Perkins

A. C. Huntington

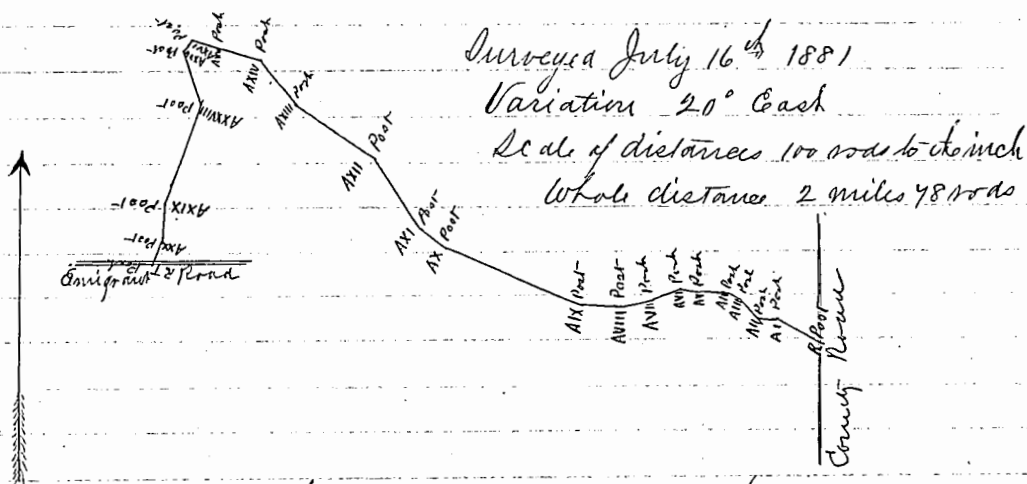
Viewers of

proposed road

And Robert Deal having claimed damages  
by the reason of the location of said road and  
the Court having appointed John Peach  
W. V. Ewing and Samuel Prisdall as assessors  
of said damage alleged to be sustained by the  
said Robert Deal by reason of the location  
of said road. And said assessors of said  
damage having filed their report of their find-  
ings of damage so sustained by said Robert



Deal to wit: "That said Robert Deal has sustained no actual damage nor any damage whatsoever, by reason of the location of said "proposed road" and it satisfactorily appearing to the court that the proceedings herein have been in all things regular and in due form of law, and in consideration of the premises. It is hereby ordered that said claims for damages be disallowed and that said road be opened as a public highway and County road and that the same be hereby established as a County road in accordance with the field notes and Plat. of the survey thereof of which the following is a copy. to wit:



Beginning on the County road near the residence of Robert Deal at Post marked R thence N 62° W

38 rods to	"	"	A I	"	N 84° W
14	"	"	A II	"	N 43° W
20	"	"	A III	"	N 60° W
8	"	"	A IV	"	N 86° W
20	"	"	A V	"	West
16	"	"	A VI	"	S 75° W
18	"	"	A VII	"	S 78° W
20	"	"	A VIII	"	N 88° W
30	"	"	A IX	"	N 68° W
112	"	"	A X	"	N 53° W
26	"	"	A XI	"	N 30° W
60	"	"	A XII	"	N 56° W
70	"	"	A XIII	"	N 38° W
44	"	"	A XIV	"	N 77° W
40	"	"	A XV	"	N 67° W
12	"	"	A XVI	"	S 40° W
10	"	"	A XVII	"	S 22° E

4 rods to Post marked - AXVIII Hence S 20° W  
 76 " " " " AXIX " S 6° W  
 30 " " " " AXX " S 31° W  
 14 " " " " RT and intersecting the old  
 emigrant Road.

State of Oregon }  
 Union County } 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 16<sup>th</sup> day of July 1851

Eugene Chase  
 A Surveyor

Thereupon the following Bills were allowed, to-wit:

No.	Name	What For	Amount
115	Chancy Aiken	Road Supervision Fees	10 00
116	R. J. Rogers	Jailors Fees	129 70
117	" " "	Sheriffs "	76 40
118	" " "	" " "	116 25
119	" " "	" " "	65 85
120	Willis Jaff	Clerks "	64 86
121	" " "	" " "	99 29
122	A. C. Craig	Judges Salary	50 00
123	A. L. Saunders	Co Commissioners Fees	28 00
124	William G Heunter	" " "	9 00
125	E Matthe	Juror Fees Co Court	2 20
126	A C Eaton	" " " "	2 20
127	Geo. Heininger	" " " "	2 20
128	Geo Steele	" " " "	2 20
129	A W Gregor	" " " "	2 20
130	J. P. Smith	" " " "	2 20
131	A. L. Saunders	" " " "	2 20
132	A G Smith	Coroners "	1 00
133	J R Reader	" " " "	1 00
134	D. L. Brown	" " " "	1 00
135	Matt Johnston	" " " "	1 00
136	B. D. Halley	" " " "	1 00
137	J H McCubbin	" " " "	1 00
138	A A Adams	Witness Fees " "	1 50
139	R W Bloom	" " " "	1 50
140	G L Post	" " " "	1 50
141	D A Reavis	" " " "	1 50