

No 357

in

British

Court

Pratt Bros et al

Plaintiff

vs

Frank Brothers,
Implement Co et al

Defendant

Action for Damages

Docket

Page

J. H. Crawford

Attorney for Plaintiff

for

Attorney for Defendant

RECEIVED
FEB 11 1911
U.S. DEPT. OF JUSTICE
RECORDS SECTION

185

1884
 May 7 Petition rec Viewers exhibit
 Journal C of 29
 May 16 Let rec sign of report
 Journal C of 56
 May 17 ordered present
 Journal C of 66

Road

Commencing 200 ft N of ford on deck Eak
of Mallowa River to Alder

185

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 Hon. County Court
of Union County State of Oregon

The undersigned Citizens
and householders living in the vic-
inity of the proposed road here-
inafter described, would most
respectfully petition your Hon-
orable body to cause the same to be sur-
veyed located & established as a
County road, to wit:

Commencing at a point
200 ft north of the ford on the lake fork
of Wallawa river ^{the same} also being the first
ford on said stream west of the resi-
dence of James McCallister Esq. and on
the NE quarter of the North east quarter of
Section No (32) Thirty two Township No (1) one
South Range No (44) forty four east, thence
in a southerly direction on the most
practicable route to the NE corner of the
SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of section No 32. Township
No 1 Range 44, thence ^{a distance of $\frac{1}{2}$ or $\frac{3}{4}$ miles} south to the section
line dividing sections No. 5 & 8 Township
No. 2 South Range 44 east a distance of $\frac{1}{4}$
miles more or less, thence east with said section
line $\frac{1}{4}$ miles or to the NE corner of the NW $\frac{1}{4}$ of
section No 10 thence south $\frac{3}{4}$ of a mile
to the SE corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of section
No 10, thence east $\frac{1}{4}$ mile to the town of Alder
the terminus of said proposed road. Total length
of road $4\frac{3}{4}$ miles more or less.

Witness

- 1 E A Hunt
- 2 D B Hazel
- 3 W B Weaver
- 4 John M Weaver
- 5 W P Simmons
- 6 Wm D Chenoweth
- 7 H F Burleigh
- 8 J W Wright
- 9 Wm Reavis
- 10 R L Carpenter
- 11 Francis Dunn
- 12 James Bingle
- 13 Wm McConnel
- 14 B W Davis
- 15 Benja Boswell
- 16 Mark Loman
- 17 J A Reavis

would recommend for owners on above road

Would be covered for business on about ^{the} road
Thos H Veasy D B Keavis & Henry Miller
All of Alder P.O.

Small Pictures

131

E. J. Hartshorn
of the Regt

Pittman

Filed March 1, 1883

W. P. King
Secy

Notice

There will be a Petition presented to the Union County Court at the March term 1883, by the undersigned petitioners asking for survey, location & establishment of the following as a County road, "Covit"

Commencing at a point 200ft north of the Ford on the Lake fork of Malheur river. The same being the first ford on said stream west of the residence of James McCallister Esq and on the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section No. 32, Township No. 1 South, Range No. 44 East. Thence in a southerly direction on the most practicable route to the NE corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section No. 32, Township No. 1 South, Range No. 44 East a distance of $\frac{1}{2}$ or $\frac{3}{4}$ of a mile, thence south to the section line dividing Sections No. 5 & 8 Township No. 2 South, Range No. 44 East, a distance of $\frac{1}{4}$ mile more or less, thence east with said line $1\frac{3}{4}$ miles or to the NE corner of the NW $\frac{1}{4}$ of Section No. 10, thence south $\frac{3}{4}$ of a mile to the SE corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section No. 10. Thence east $\frac{1}{4}$ mile, to the town of Alder. The terminus of said proposed road. Total length 4 $\frac{3}{4}$ miles more or less.

Names of Petitioners

E. A. Hart

J. C. Keger.

W. H. Weaver

John M. Weaver

W. P. Samms

Wm. J. Chennith

H. F. Burleigh

R. R. Wright

Wm. Reavis

Names of Petitioners

R. L. Carpenter

Francis Davis

Tom Boyle

Wm. McCormick

B. W. Davis

Benja. Boswell

Mark Homan.

J. A. Reavis

Posted Feb 5 - 1882

R. G. R.

Proposed County Road
between & by
E. A. Hunt
J. L. Rogers et al

Proof of Posting

Filed March 7, 1883

W. S. Wright
Clerk

The time & hour court to
be on petition is the court
is much smaller & should be
ordered signed at once.

W. S. Wright, County Clerk
Please post this up on the
court house door so the bar knows in advance
Don't let Alder Bond & firm of affidavit that
Petition has been put up of the road elsewhere
addressed to Benjamin Beemels

State of Oregon }
County of Union } s.s

D. R. J. Rogers being first duly
sworn say that I posted the within notice
on the Court house door in Union Union
County Oregon on the 5th day of February
A. D. 1883.

D. R. J. Rogers

Subscribed & sworn to
before me this 7th day
of March - A. D. 1883
W. S. Wright
Clerk

State of Oregon }
Union County } SS

I Mark Homan
being 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, in Union County
Oregon, on the 3rd day of Feb 1883, and
more than thirty days, prior to the presentation
of ~~the~~ petition herein "to wit" March 5th 1883
and that said notices was posted up at
the following places, A C King's Store house
Alder, James Wilson's Black Smith Shop, Alder,
and, one in front of the residence of M Homan
on the road leading from Alder to Lostine

Sworn and subscribed to before me
This 13th day of February A.D. 1883

M P Sammis

J. T.

Notice

There will be a Petition presented to the County Court of Union County Oregon at the March term of said Court 1883. asking for the survey, location & establishment of the following as a County road "to wit"

Commencing at a point 200 ft north of the Ford on the Lake fork of Wallama river. The same being the 1st ford west of the residence of James McCallister Esq. and on the NW¹/₄ of the NE¹/₄ of Section No 32, Township No 1 South Range No 44 east. Thence in a southerly direction on the most practicable route to the NE corner of the SE¹/₄ of the SE¹/₄ of Section No 32, ^{Township No 1 South} Range No 44 east, a distance of $\frac{3}{4}$ mile more or less. Thence south to Section line dividing sections No 5 & 8, Township No 3, South, Range No 44 east, a distance of $\frac{1}{4}$ mile more or less. Thence east with said section line $\frac{3}{4}$ of a mile or to the NE corner of the NW¹/₄ of section No 10. Thence south $\frac{3}{4}$ of a mile to the SE corner of the NE¹/₄ of the SE¹/₄ of section No 10. Thence east $\frac{1}{4}$ of a mile, to the town of Alder. The terminus of said proposed road. Total length of road $4\frac{3}{4}$ miles more or less.

Names of Petitioners, E. A. Hart, J. C. Rager, W. H. Weaver, John M. Weaver, W. P. Sumner, Wm. J. Cheninuth, H. A. Burleigh, R. R. Wright, Wm. Reavis, R. L. Carpenter, Francis Davis, Tom Boyles, Wm. McCormick, B. W. Davis, Benj. Boonell, Mark. Harmon, J. A. Reavis, - 17 -

Deputy of Justice

Proposed County Road
petitioned for by
E. A. Hoat - J. W. Hooper
et al

Proof of Posting

Filed March 9, 1883

W. P. Knight
Clerk

Know all Men by these Presents:

THAT WE, Benjamin Boswell Union
 and E. C. Smith, of the County of Marion and
 State of Oregon, are held and firmly bound unto the said County of Marion in the sum of
One hundred 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 17th day of February A. D. 1883

Now the condition of the above obligation is such, that whereas, if the County Road petitioned
 for by E. A. Hunt, J. C. Roger and others, and presented
 at the March term, 1883, of the County Court of said Marion county, commencing

at a point 200 ft. north of the Ford on the Lake fork
 of Wallona river the same being the first and west of the residence
 of James McCallister Esq. on the NE 1/4 of the NE 1/4 of Section No 32
 Township No 1 South Range No 44 East. Thence in a southerly direc-
 tion to the NE corner of the SW 1/4 of the SE 1/4 same Sec & Range Thence south
 to the Sec line dividing sections No 5 & 8. Town 2, R. 44. Thence east
 with said line 1 3/4 mile. Thence south 3/4 mile Thence east to the
 Town of Aleley.

be located and established, then this obligation to be void; otherwise to remain in full force
 and virtue in law.

Benjamin Boswell
E. C. Smith

STATE OF OREGON, }
 COUNTY OF Marion, } ss.

I, Benjamin Boswell and
E. C. Smith each for himself says that I am worth the sum
 of Two Hundred Dollars over and above all debts and liabilities and property
 exempt from execution, and that I am a resident and householder in said County and State.

Benjamin Boswell
E. C. Smith

Subscribed and sworn to before me, this 17
 day of February A. D. 1883

H. F. Burleigh
 Notary Public for Oregon

Know all Men by these Presents:

For and to the use of the
 Performed Security Bond
 Subscribed for by E. A. Mack
 P. Co. to keep it whole

Bond

Filed March 7, 1883
 Wm. H. Wright
 Clerk

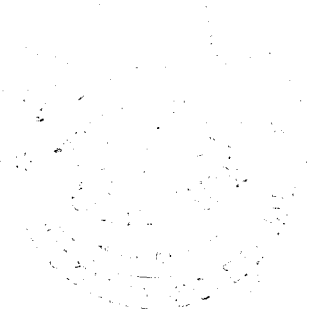
STATE OF OHIO

County of Hamilton

Know all Men by these Presents that I, the undersigned, do hereby certify that the within and above described bond has been duly filed for record in the office of the County Clerk of Hamilton County, Ohio, on the 7th day of March, 1883, and that the same is a true and correct copy of the original as the same appears from the records of said County Clerk.

Witness my hand and seal of office this 7th day of March, 1883.

Wm. H. Wright



To the Hon County Court of
Union County, Oregon

We the undersigned viewers appointed by your honorable body to view out a proposed County road as follows: to wit, commencing 200 ft North of the first ford on the lake fork of the Willowa River near the residence of Jas^r McAllister on the NE¹/₄ of the NE¹/₄ Sec 32. T 1 S. Range 44 East of W^m thence in a southerly direction on the most practicable route to the NE corner of the SW¹/₄ of the SE¹/₄ of Sec 32 - thence South to the section line between 5. & 8 in Township 2 South Range 44 East - thence East with said section line 1³/₄ miles to the NE corner of the NW¹/₄ of Sec 10 - thence South ³/₄ of a mile to the SE corner of NE¹/₄ of the SW¹/₄ of Sec 10 - thence East ¹/₄ of a mile to the town of Alder submit the following report in relation thereto. We met on the 23^d day of March 1883 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 according
to your order and as shown
by surveyors plat and report
submitted herewith. We find the
road to be located on good ground
and consider it to be a public
benefit - We therefore recommend
it be established as a county road

F. H. Beasey
L. B. Reavis
Henry Miller

Viewers of proposed
Geo. Road

Road for the first time
May 16. 1883

2^d time
May 17

Filed May 16. 1883

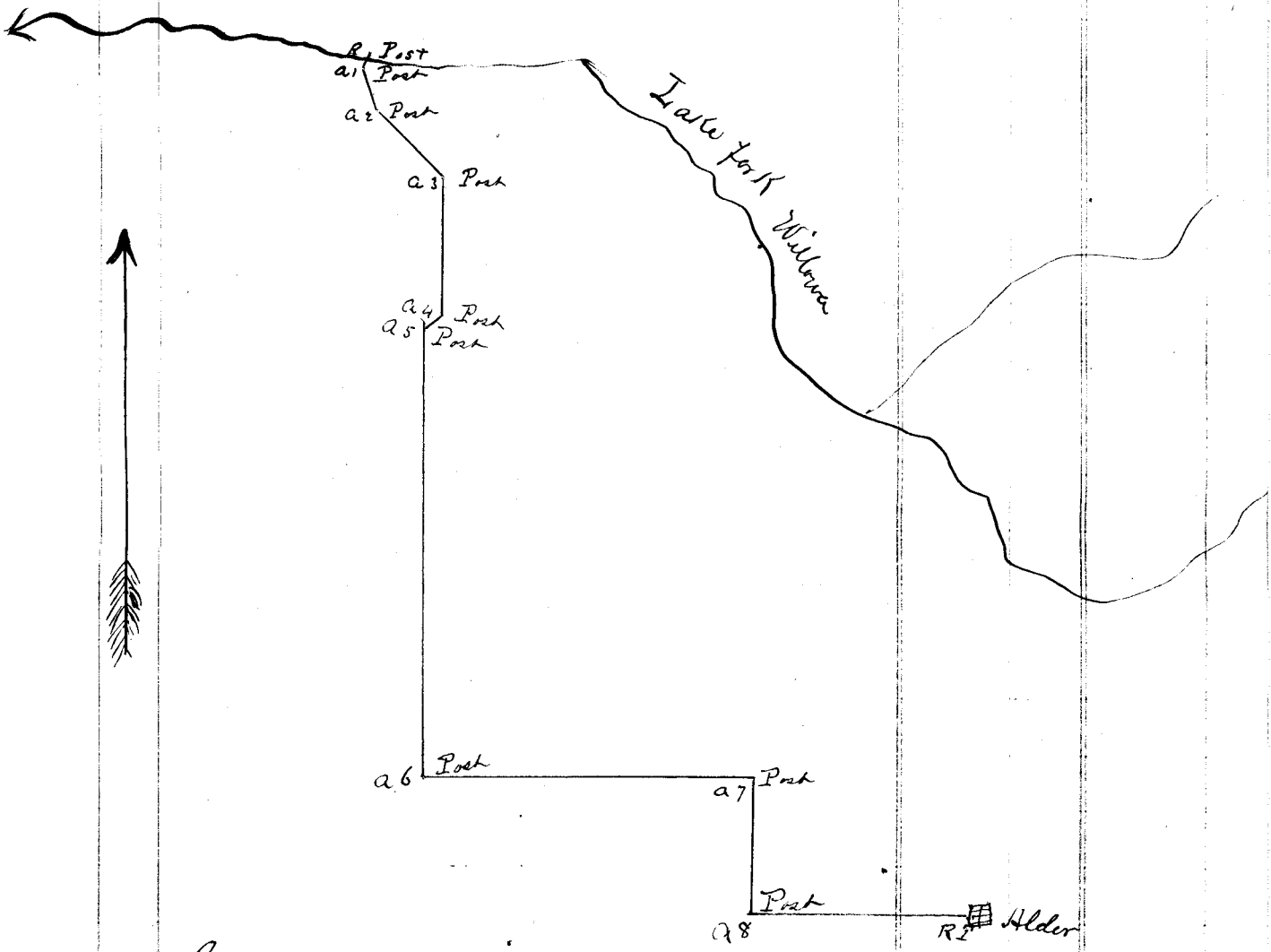
W. H. Wright
Ch. Clerk

J. James Black
Deputy

Report of Surveyor to the viewers
of a proposed County Road as
follows - to-wit; commencing at a point
200 ft North of the ford on the lower
fork of Willowa River west
of the residence of Jas^l Mc Alister on
the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec 32
Thence in a southerly direction on the
most practicable route to the NE corner
of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec 32
T 1 S Range 44 East thence South
to the section line dividing Sec 5 & 8
T 1 S 44 East thence East with said
line to the NE corner of the NW
 $\frac{1}{4}$ Sec 10 thence South $\frac{3}{4}$ mile
thence East $\frac{1}{4}$ mile to the town
of Alder Union Co Or

The following are the field notes
commencing at a post marked R
placed in the field of said James
Mc Alister near the above named
ford thence S 20° W 22 rods to post marked A 1
thence 20° E 54 rods to post marked A 2 thence
S 45° E 112 rods to post marked A 3 thence South
160 rods to post marked A 4 thence S 60° W
20 rods to post marked A 5 thence South 1 mile
and 214 rods to post marked A 6 thence
East 1 m + 80 rods to post marked A 7 thence
South 158 rods to post marked A 8
thence East to post marked R at the town
of Alder

State of Oregon }
County of Union } ss I Eugene Chase do hereby
certify that the above field notes are correct
as surveyed by me under the supervision of the viewers
on the 23rd day of March 1883 E Chase, Co Surveyor



Scale 200 rods to inch
 Whole distance 5 miles 273⁵ rods
 Surveyed March 23^d 1883
 V 20° E

Read Petitione

for by E. A. Howard

Surveyor's Report

Filed May 17, 1883

W. F. Bradford

Clerk

Range 44 East, all in Union County Oregon. - and it appearing to the Court from due and proper part of our file that notice of the pendency of these proceedings has been given as by law required - and that a good and sufficient bond has been given which bond is approved by the Court - and that said petition is signed by more than twelve householders residing in the vicinity of said proposed County Road -

It is therefore ordered that - S. H. Francis - James Noble and J. W. McCubbin - three disinterested householders of Union County Oregon be appointed viewers and Eugene Lechase be appointed Surveyor of ^{to view, survey and report upon} said proposed County Road - and that they meet at the House of S. H. Francis on the 20th day of March A. D. 1883 and duly qualify before entering upon the discharge of their duties on this behalf.

In the matter of proposed County Road
 petitioned for by E. A. Hoat, J. L. Koger
 and others

On this day came E. A. Hoat and his presents to the Court the petition of himself and sixteen others praying for the laying out and location of a new county road as follows, to wit: -
 Commencing at a point 200 ft. north of the ford on the lake fork of the Wallowa River, the same being the first ford on said stream west of the Residence of James McAllister Esq. and on the N. E. Quarter of the North East quarter of Section No. (32) thirty two Township No. (1) one South Range No. (44) forty four east. Thence in a southerly direction on the most practicable route to the N. E. corner of the S. W. 1/4 of the S. E. 1/4 of Section No. 32 Township No. 1. Range 44. a distance of 1/2 or 3/4 mile thence south to the Section line dividing Sections No. 5 & 8 - Township No. 2. South Range 44 East. a distance of 1 1/4 miles more or less. Thence East with said Section line 1 3/4 miles or to the N. E. corner of the N. W. 1/4 of Section No. 10, Thence South 3/4 of a mile to the S. E. corner of the N. E. 1/4 of the S. W. 1/4 of Section No. 10 Thence East 1/4 mile to the town of Alder