No 3/4 Court DA Mahaffey Plaintiff William Held et als Defendant Action for Docketfor Plaintiff

Attorney for Detendant

Record of the Case

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July 10 let seading report

July 11 Journal c opened

July 11 Ordered opened

Journal c & 274

Commencing at It No cor See 37 to Parkers Store on 12 of 1004 Sec 21 4 & 8 R 46 80000

DIRECTIONS -- Place papers on TOP OF RUBBER Feld ends forst -- then sides. Threw the rubber conds ver-the ends and package is complete.

206

PETITTION.

IN THE COUNTY COURT OF UNION COUNTY.

To the Honorable County Court of Union County, Oregon.

The undersigned persons being householders of Union County, State of Oregon, and residing in the vicinity where the following described proposed county road is to be laid out and located, most respectfully pray the court to lay out and locate a County road as hereafter described, viz: Commencing at the Northwest corner of section No. 32 and the Southwest corner of section 30,29 thence running along said sections lines East to the Northwest corner of section No. 33 and Southwest corner of section No. 28, thence angling south on the said section lines between section No. 33 and section No. 32 to the Southwest corner of section No. 33 and the Southeast corner of section No. 32 of Township No. 7 South of Range No. 46 East of the Willamette Meridian. running South as near as practicable between and on the section lines of section No. 4 and 5 to what is known as the McNutt ford of Clear creek, thence South on thelines of sections 8 and theres South along the line of 9 to, the Northwest corner of section No. 16 and 17 eighty rods to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of section No.16, thence angling and running in a Southeasterly direction over what is known as the Gravel ridge through section No. 16 to and intersecting the county road known as the Eagle Valley and Brownlee Ferry Road as near as practicable at Parker's store located upon the North 1/2 of the Northwest 1/4 of section No. 21 in Town No. 8 South Range 46 East of the Willamette Meridian. All of McNutt Ford Gravel ridge points and places being in Union County, State of Oregon, Pine Valley Precinct.

Witness our hands this day of March 11th A.D. 1884.

L.Flory

J.M. Drake



wm. T. Denney

Reuben Reed.

I.L.Ludiker(signed by C. coffinberry

A.R. Curry.

L.Loyd.

C.A.Oliver.

Geo.H.Oliver.

I.N.Pancake

March 12th, A.D. 1884

John S. Curry

J.T.Denney.

Monroe Updike.

Jos. Bragg.

F.M. Stewart.

A.P. Greener.

James McNutt

James Mills)Signed by C. Cof-

) finberry.

John Morison)

March 12th, A.D.1884.

Orange Gaylord

Ed. B. Gaylord

J.L. Hoopengarner

A. Tarter

James Westerdale) signed by C. Coffinberry.

March 14th, A.D.1884.

Joel Hewitt) signed by C. Coffinberry.

Endorsed:

Petation.

Filed May 14, 1884.

W.T. Wright Co. Clerk.

By O.F.Bell Deputy.

TO WHOM IT MAY CONCERN:

Notice is hereby given that the undersigned persons being the petitioners hereinafter mentioned will on the 7th day of May, A.D.1884, being the next regular term of the county Court of Union County, Oregon, present to said Court a petition for the location and opening of a county road as follows: Commencing at the Northwest corner of section No. 32 and the Southwest corner of Section No. 29, thence running along said section lines East to the Northwest corner of section No.33 and the Southwest corner of section No.28-thence angling South on the sedtion lines to the Southwest corner of section No. 33 and Southeast corner of section No. 32 in Township No. 7 South of Range No. 46 East of the Willamette Meridian, thence due South as near as practicable on the section lines of section No. 4 and 5 to what is known as the McNutt Ford of Clear Creek, thence South on the lines of sections No. 8 and 9 to the Northwest corner of section No. 16, thence South along the lines of section No. 16 and 17 eighty rods to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of section No. 16, thence angling and running in a Southeasterly direction through section No. 16 to and intersecting the County road as near as practicable at Parker's Store located upon the North 1/2 of the Northwest 1/4 of section No.21 Town 8 South Range 46 East of the Willamette Meridian.

Witness our hands this day of March 17th, A.D. 1884.

L.Flory

Jos. Bragg

J.M. Drake

F.M. Stewart

Wm.T.Denney

A.P. Greener

Reuben Reed

James McNutt)

L.L.Ludiker, (signed by C. Coffinbery.

James Mills signed by C. Cof-)finberry.

A.R. Curry

John Morison)

L.Loyd.

Orange Gaylord

C.A.Oliver

Ed.B. Gaylord.

Geo. H. Oliver.

I.N.Pancake

John S.Curry

James Westerdale(signed by C. coffinberry.

J.P.Denney

Monroe Updike

J.L. Hoopengarner.

A. Tarter

Joel Hewitt(signed by C. coffinberry.

STATE OF OREGON. county of Union. 88. Lower Eagle Precinct.)

> I, Crosby C. Coffinberry, being first duly sworn, say that I posted four copies of the within notice in four public places in the vicinity of the within described proposed county road on the 17th day of March A.D. 1884 as follows, to-wit: One at the place named therein as the ending of termines of said road on Mr. Parker's store, one at the district school house on the said building, one at Mr. John Thysen's shop and one at Mr. McNutt's Ford of Clear Creek on a balmtree. And that said notices were posted more than thirty days prior to the date of the presentation of the petition herein named.

> > Crosby C.Coffinberry.

Subscribed and sworn to before mm this 2nd day of April A.D. 1884.

L.L.Holcomb, J.P.

Endorsed:

Proof of posting.

Filed May 14,1884.

W.T.Wright Co Clerk.

By O.F.Bell Deputy.

NOTICE.

TO WHOM IT MAY CONCERN:

Notice is hereby given that the undersigned persons being the petitioners hereinafter mentioned will on the 7th day of May, A.D. 1884, being the next regular term of the County Court of Union County Oregon, present to said court a petition for the location and opening of a county road as follows: mencing at the Northwest corner of section No. 32 and the Southwest corner of sedtion No.29, thence running along said section lines East to the Northwest corner corner of section No. 33 and Southwest corner of section No. 28, thence angling south on the section lines to the Southwest corner of section No.33 and Southeast corner of section No. 32 in Township No. 7 South of Range No. 46 East of the Willamette Meredian, thence runningdue south as near as practicable to the section lines of section No. 4 and 5 to what is known as the McNutt Ford of Clear creek, thence south on the lines of sections No. 8 and 9 to the Northwest corner of section No. 16, thence south along the lines of section No. 16 and 17 eightyrods to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of section No. 16. thence angling and running in a southeasterly direction through section No. 16 to and intersecting the county road as near as practicable at Parker.s store, located upon the North 1/2fof the North 1/4 of section No. 21 Town No.8 South Range 46 East of the Willamette Meridian.

Witness our hands this day of 21st day of March, A.D.1884.

L. Flory

J.M. Drake

Wm. T. Denney

Reuben Reed

cA.L.Ludiker(signed by C. Coffinberry.

A.R. Curry

Loyd.

Jos. Bragg

F.M. Stewart

A.P. Greener

James McNutt)

James Mills) signed by C. Coffinberry.

John Morison)

Orange Gaylord.

C.A.Oliver

Geo.H.Oliver

I.N.Pancake

John S.Curry

J.P.Denney

Monroe Updike

E.B.Gaylord

J.L. Hoopengarner

A. Tarter

James Westerdale (signed by C. Coffinberry.

Joel Hewitt(signed by C. Coffinberry.

STATE OF OREGON,) ss.
Union County.

I, 0.F.Bell, being first duly sworn, say that on the 21st day of March, A.D.1884 I posted the within notice on the door of the Court house in the city of Union, Union County, state of Oregon, being the place at which the County Court of said Union County holds its session.

O.F.Bell.

Subscribed and sworn to before me this 14th May, A.D.1884.

W.T.Wright,

County Clerk.

Endorsed:

Proof of posting at Court House.

Filed May 14, 1884.

W.T.Wright, Co.Clerk.

By. O.F.Bell, Deputy.

-0

KNOW ALL MEN BY THESE PRESENTS: That we, James McNutt and Joel Hewitt, of the County of Union and sate of Oregon, are held and firmly bound unto the County of Union in the sum of Two 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 2nd day of April, A.D. 1884.

Now the condition of the above obligation is such, that whereas,, if the County road petitioned for by L. Flory and others, and p resented at the May term 1884 of the County Court of said Union County, commencing at the NW corner of sec. 32 and the Southwest corner of sec. 29, thence running along said seci lines east to the Northwest corner of sec. 33 and intersecting the county road near Parker's store in Pine Valley, Union County, locald and Oregon, be established, then this obligation to be void; otherwise to remain in full force and Firtue in law.

James McNutt
Joel Hewitt.

County of Union.)

I, James McNutt and Joel Hewitt 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.

James McNutt

Joel Hewitt.

Subscribed and sworn to before me this 2nd day of April, A.D. 1884.
L.L. Holcomb, J.P.

Endorsed:

Bond. Filed May 14,1884.

W.T.Wright, Co.Clerk

By O.F.Bell, Deputy.

TO THE HONORABLE COUNTY COURT OF UNION COUNTY, OREGON:

0

We, the undersigned viewers appointed by your Honorable Body to view out a county road as follows: Commencing at the N.W. corner of Sec. 32 Township 7 South Range 46 East, thence running by way of McNutt's ford of Clear creek and gravel ridge to intersect the county road known as the Eagle Valley and Brownlee ferry road as near as practicable at Parker's store located upon the North 1/2 of N.W.1/4 Sec. 21 Town 8 South Range 46 East W.M., all of which points and places being in Pine Valley precinct, Union Co. Oregon, submit the following report in relation thereto: We met on the 6th day of June, A.D. 1884 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 order and as shown by surveyor's plat and report submitted herewith. We found the road to be laid on as good ground as the country over which the road is laid would admit of and taking into consideration the necessity that exists for said route, we recommend that it be established as a county road.

Isaac McMullen)

A.Buchanan) Viewers of proposed)

M.A.Scott) County Road.

Endorsed:

Viewerss' Report. Filed July 10,1884.

B.F. Wilson,

Co.Clerk.

Q

Report off Surveyor to the Viewers of a County Road as follows, to-wit: Commencing at the N.W. corner Sec. 32, thence
East to N.W.corner Sec. 33, thence South on section line between sec's 32 and 33 to the S.E. corner of Sec. 32 and the S.W.corner of Sec. 33, Township 7 South Range 46 East W.M, thence South on section line between sec's 4 and 5 to the McNutt ford of Clear Creek, thence South on the line of sections 8 and 9 to the N.W. cor.Sec. 16, thence South 80 rods, thence in a Southeasterly direction over the gravel ridge through section 16 to and intersecting the County road known as the Eagle Valley and Brownlee ferry road as near as practicable at Parker's store located upon N1/2 NW1/4 Sec. 21 T. 8 S-Range 46 East.

The following are the field notes:

commencing at N.W. corner of above named Sec. 32 at a post marked R, thence East 1 mile to a post marked A 1, and 1 m thence South 4 miles and 80 rods to post marked A 2, thence South 0 corner to post marked A 3, thence S 24 E 32 rods to post marked A 4, thence S 15 E

R T and intersecting County road near Parker's store.

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

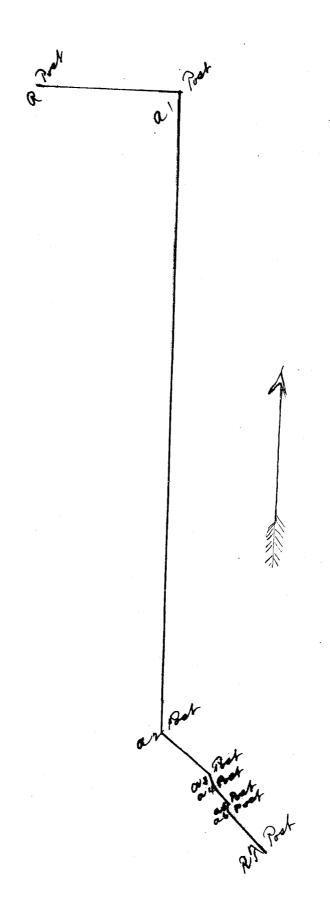
I, Eugene Chase do hereby certify that the field notes of the above road are correct as surveyed by me the 6th and 7th days of June, A.D. 1884.

Eugene Chase,

County Surveyor.

Survey of Road in Pine Valley, surveyed June 6th and 7th, 1884.

Variation 20 E. Scale 200 rods to inch.



Endorsed:

Surveyors Report. Filed July 10-1884.

B.F. Wilson, Co. Clerk.

In the County Court of the State of Oregon,

For Union County,

In	the	matter	•	the -	w	ad 1
	eh	tion	ed.	fo	<u></u>	ly
	~ <i>G</i>	Pear	4/4	ha	l.	7
			6 6 7 9 1	****	* * * * 1	•
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State of Oregon, | County of Union, | ss.

I, G. V. Benson, County Clerk of Union County, Oregon, do hereby certify that the foregoing is a true and cerrect transcript of the original papers in the above entitled matter, transferred to Baker County, Oregon.

IN THETIMONY WHENDER, I hereunte met my hand and affix the seal of the County Court this 5th day of July, A.D.1902.

...Clork.

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First Judicial Day

Wednesday May 14 1884

at the house of Joel Bewith on the 5th day of June AD 1884 at 10 of lock AMS and duly qualify before entering whom the discharge of their duties in this behalf:

In the matter of a proposed leventy Road petitiones for by L. Hory et als.

Now at this time is presented to the bout the petition of & Flory and twenty four others, letterens of Minion County praying for the location of a County Road as follows; broit commencing at the North west corner of section to 32 and the fourth west corner of Jection so 29 thence preming along said fection lines lack to the Mit week Corner of Scotion As 33 and South west corner of Section As 28 thence anyling Journ on the said rection lines between lection A 33 and Section So 32 to the fourth west corner of Section M 33 and fourth east corner of fection So 32 of Township No of South of Range No 46 Each of the Willametto Meridian thence punning fourth as new as practicable between and as the section. lines of Section to 4 and 5 to what is Known as the Mc Suk food of Corner of feetin So 16 thence fouth along the line of feeting So 8 and 9 to the South beek corner of feeting So 16 thence fouth along the line of feeting So 16 and 14 lighty hods A to North week Corner of the South week It of the north beech If of Scetion North theuce aughing and running in a fourth factory direction over what is Known as the Shaved ridge through section No 16 to and intersecting the County Road Known as the Eagle Valley and Thoronte Ferry Road as near as practicable at Parkers stone located When the North /2 of the Northweek /4 of fection 8021 in Four 308 fouth

Range 46 Each of the Willametto Meridian. All of Me Nak Ford, Gravel Ridgo Braits and places being in Minin County frato. It that least from proof filed here in that due and legal notice

of the pendency of this proceeding has been given as by law required that more than twelve of said petitioners are legal householders living in the vicinity of the proposed County ward and that a

good and sufficient bond has been filed here in It is therefore ordered by the lour that Alexander Quehanan, Israc Mc Mullew and M. A. Scoth he appointed Viewers and Engene

Chase Jurveyor, to view survey and report upon said proposed County (Cond and that they much at the house of & Flory the 6th day of June AD 1884 at 10 of lock A.Mb. and duly First Judicial Day

Nednesday May 14 d 1884

qualify before entering upon the discharge of their duties in this behalf.

In the matter of a proposed of County Poard Relationed for I by M. M. Minter It als

Now at this time is presented to the bout the Relition of M. M. Willie and sighten others Citizens of Union County praying for the location of a bounty Goad as follows, but Communicing at what is Known as the "James" Adam's Cabin" on a branch of Lotto Sheep Creck on the north week quarter (4) of feetion sevention (17) From Three (3) fouth of Range Forty six (46) Ell M. and thence running north locaterly on the nock praeticable route to the north each corner of the fouth each gr (4) of section Seven (4) theuce week on the half lection line in Daid lection to the range line on the lucit side of said range and Juling range forty fine (40) on the half section line of Section poelow (1) and Continuing week on said hulf (/b) section fine across said section (12) to the Mairie Bleck School House Dituated on the north week corner of the south west quarter (14) of said section (12) theuco penning porth lighty rods between lections (11) eleven and twelve of Section clever (11) thence week on the north quarter (4) of daid section (11) about Two hundred and lighty five (285) hods to a point near his I dicity llow and there to interest a travelled road left open by common cartent primning up Chairie Creek! thence to run in a North weekerly direction to the northwest corner of feeting eleven (11) the pile of righty (50) rods thence houth one half (h) onile to the north week cremer of the South week for (14) of Scetum to Stov (2) All in Fromerip to Three (3) Journ of Clange 40 where the said word petitioned for intersect, County want remning last and week and their terminates, this it sotiefactorily appearing to the lound from proof filed herein that due and legal notice of the frendency of this proceeding has been given as by law required, that Onow than huchoe of said potitioned are legal housenolders living in the vicinity of the proposed County road and that a good and Sufficient bound has been filed herein. It is tourpore ordered by the Court that D. B. Reavis, Sen Coswell and W. A. Bloom be appointed Vicences and degene Chase farveyor to view survey and report when duis proposed Dounty about and that they much at the house of the Millers on the 12th day of June \$101894 at 10 bflock AM. and duly qualify

before entering when the discharge of their dates in this behalf.

Thursday July 10.1884 Fourth Judicial Day Swith matter of a proposed County Read pelitioned for by J. It. Stives et-al (now at this time is presented To the Court the report of the viewers hiretofore appointed by the Court in the alove culited road accompanied by the report of the Lurvey or and field owto dud plat-ofthe survey which reportion reall in open Court- for the first-time and furnisions of the Statute in Lucle Cases made and provided it is ordered that said reports be laid over for a second reading in another day of this term. In the matter of the proposed County Read publitioned for By W. H. Winters el-als how at- This time is presented to the Court the report of the viewers herelofore appointed by the Could-in the above estitled hoad accompanied by the report of the Lurveyor and fild notes and plat-of the Lebron, which report is read in open Court for the first time and pursuant of the provisions of the Latelle in Auch cases made and provided is -is ordered that said reports be laid over for a licensel reading ow another day of this term. In the matter of the proposed County Road petitioned for nors at this time is presented to the Court - the report - of the viewers here to fore Thousto by the Court in the above entitled road accompained by the report of the Survey or and field notes and Splat of the Survey, which report is reading frew Court. for the first-time and pursuant to the provisions of the Statute ion Luch Cases made and provided is-is ordered that - daid reports to laid over for a second reading on ano ther day

COMMISSIONERS JOURNAL "C" PAGE 274

Fifth Judicial Day

Pursuant to adjoinnment, met Friday morning
July 11 1874 with the Jollowing, officers Imaent
Hon, a.C. Crain Judge How sed ackles and
Avu Jud Standley Commissioners, 13. T. Wilson
Clerk a L. Launders Sheriff.

Lu proclamation of the opening Court having the made and the last takens moderations was read and approved and is now hereograms

Thereupon the following proceedings were how to wit;

In the matter of a proposed of or by G. Tolory et a lo

Now at this time the trewes and Summers
reports on the road proposed County Road petitioned
for by a Flory et-als cones on for a second roding
do provided by law and said reports being favorable and
having been read on two different days of this term of the Courtand it-appearing to the Batis faction of the Court that the
forcedings herein have been regules and according to law and
there being no remonstrance or tills or claims for damages
filed herein in is therefore ordered by the Court-that-vaid
viewed Report-and plat of serveyor be placed on Reord
and stand from to said plat of serveyor be placed on Reord
and stand from and proposed to sad be established as a County
Road and opened according to law.

Viewers Report:
To the Store County Court of Mine County Congrav
We the Undersound viewers appointed by your honorable body to View out a County Read as follows:
Commucing at the W. M. corner of Lee, 32 Township, ?
South Rayse 46 East-thence running by Wary of M. Multo

COMMISSIONERS JOURNAL "C" PAGE 275 Jiffh Hudiaal Day Thursday July 11-1184 ford of Clear Creek and gravel sidge to intersect the county Toward Monow as the Eagle Valley & Brownlew Jury Road as marias practicable at- Parkers Store Escation whow the horte 1/2 of N. n. 1/4, Sec. 2.1 Township 8-South Raye 46 East-M.M. all by which prints and places being in Pine Valley Preince Vinow Co, Orogow - Submit- The following report- in relation There to . The met-on the 6th day of June A. D. 7884 as mentioned in your order and after Ling first-duly survey in company with the Lurveyor proceeded to view survey and bay out Said Road according to order and as Shown by Lurveyor's plat-and Report- Lubmitted humist no forfud the road to be baid on as good fround as the Country over which the Road is laid would admit of and taking into consideration The meciasity that epists for Land route we recommune Thatit to established as a County Road Osaac Mc Mullew \ Viewers & proposed \ M. a. Looth \ County Road Report of Surveyor to the Viewers of a County Road as follows Its wit, Commucing at N. W. Corner Les or There Bast to W. M. Corner De 33 There Louth on Lee, line between Lecs 32 7 38 to the L.E. Corner of Les 32 & the of Br. corner of L. D. 33 Township y Louth Rauge 46 East M. M. There ex Louth on Des, Line between De 14 75-to the Inc Just forou of Clean Creek There south on the live of Le 879 to the N. W. Corner Lee 16. There South 50 roads, there in a south earling direction over the gravel ridge through Lec. 16 to and intersecting County Road Know as The Eagle Valley and Perownles Ferry Road as man as practicable at- Parkers Llove located report N./2 N. W. /4 Le, 21 7, 8 S- Kayo 46 East-The Following are the field notes Ormmeneing at A. W. Corner of above named De, 32 al- a post-marked R. There ex East-one mile to a how-marked a/4/m, There & South 4 miles & 80 rods to post-marker a 2. Theree Louth 5-208 142 rods to a host-marked as there I. 24°E 32 roas to a post marker

276 ifth Judicial Day Friday July 10-1884 Thua & 15-0 & 16 tods to a Just-marked a-5and intersecting County Road man Parkers Store State of Congress ss The field orghe of the above Road and correct as surveyed by anbow the 6" blay + 9 day of June a. 29 1884 Eugew Chase Co Lecroey or Variation 200 & Scale 200 rods to The wich Lurveyed June ("17 ad 1884