

No 279

<sup>in</sup>  
Circuit

Court

J. D. Swackhamer  
Plaintiff

vs

George Junner  
Defendant

Action for Property

Docket A Page 448

Eakin and Baker

Attorney for Plaintiff

Attorney for Defendant

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1896

8<sup>o</sup> 17

Mar 4 Continuance  
 Journal C p 646  
 April 9 Petition pcc + continued  
 Journal C p 675  
 July 8 Petition pcc Services adjtd  
 Journal C p 753  
 Aug 6 11th reading report  
 Journal C p 783  
 Aug 7 Ordered opened  
 Journal C p 794

Road

commencing at sec cor common to  
 sees 14 15 22 + 23 T 2 S R 44 E  
 to sec cor common to sec 17 18 19 + 20  
 same T + R

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

# Notice of Petition for County road

I do hereby given that the undersigned petitioners will make Application to the honorable County Court at its next regular term to be held \_\_\_\_\_ day of March 1884 at the town of Union the County seat of the said County asking the said Court to lay out locate and grant a County road as nearly as practicable on the following described route to wit Commencing at the section Corner Common to sections 14-15-22 and 23 in township 2 south of range 44 E W 6 situated in the County of Union State of Oregon thence running on the section line west to a section Corner Common to sections 15-16-21 and 22 town & range as afore said and thence in the same direction along the section line separating 14-21 and 17 and 20 to the section Corner Common to sections 17 and 18 19 and 20 same township and range as above a distance of three miles the termination of said proposed road all the points & places above named are situated in the county above named the said road to be of the width of 40 feet

Names

Names

Names

Names

W A Shupp  
 J W Lawrence  
 A C Smith  
 A M Hulse  
 M R Sawyer  
 J H Chumoweth  
 H O Soderker  
 R R Wainwright  
 H H [redacted]  
 John [redacted]  
 J G Water  
 W R [redacted]  
 G D Rivers  
 C M [redacted]  
 J Conaway  
 R W Bloom  
 W K Wright  
 M. Shaley  
 H [redacted]  
 S [redacted]  
 J H Doyle  
 David Koch

County of Union }  
 State of Oregon } J. A. M. Holder

J. A. M. Holder  
 being first duly sworn depose and  
 say that I posted three exact copies  
 of the notice hereunto attached in con-  
 spicuous places in the immediate vicini-  
 ty of the Proposed road of which the  
 above is a notice on the 30<sup>th</sup> day of Jan  
 1886 and that the same have remained  
 up continuously up to the present  
 time and that an notice an exact  
 copy of the same was posted on the  
 Court house door at the Town of Union  
 the County seat of of the said County of  
 Union on the 31<sup>st</sup> day of January, 1886

A M Hulse

Subscribed and sworn to before me  
 this 1<sup>st</sup> day of March 1886  
 A H Burleigh  
 Notary Public

*Proof of Posting*

FILED APR 5 1886

at 0 50

min

m

*W. M. Nelson*  
County Clerk

We know all men by these Presents  
 That we A. C. Smith & A. M.  
 Hulce of the Town of Alder, County  
 of Marion State of Oregon are held &  
 firmly bound unto the Said County of  
 Marion in the sum of one hundred dollar  
 (\$100-) lawful money of the United States  
 to be paid to the Said County of Marion  
 for which payment well and truly to be  
 made we bind ourselves our heirs &  
 executors & administrators firmly by  
 these presents

The condition of the above obligation  
 is such that if the Prays of the Petitioner  
 contained in a certain Petition to the County  
 Court of the County aforesaid signed by  
 W. A. Spier et al and bearing date Alder  
 January 30<sup>th</sup> 1886 be not granted and  
 allowed then the above obligation to  
 be and remain in full force & effect,  
 otherwise to be null and void

A. C. Smith  
 A. M. Hulce

County of Marion  
 State of Oregon ) ss

We A. C. Smith &  
 A. M. Hulce being first duly sworn depose  
 and say each for himself & not one for  
 the other that we are each separately worth  
 the sum of 100, one hundred dollars over  
 & above all our debts and liabilities  
 and exclusive of property exempt from  
 execution

A. C. Smith  
 A. M. Hulce

Subscribed and sworn to before me  
 this 1 day of March 1886

H. F. Burleigh  
 Notary Public for Oregon

*Bonds*

Filed APR 5<sup>th</sup> 1886  
at 0 clock min  
*B. F. Nelson*  
County Clerk

*SEAL*

Union County Oregon  
January 30<sup>th</sup> 1886

To the Honorable County Court of  
Union County State of Oregon  
The undersigned your petitioners, residents  
house holders and legal voters living  
along the line and in the immediate vicini-  
ty of the hereinafter proposed County  
Road would most earnestly yet  
Respectfully petition your Honorable body  
to view out locate and grant a County  
Road as nearly as practicable on the fol-  
lowing described Route to-wit:

To commence at a Section corner  
common to Sections 14-15 22 and 23  
in Town 2 South of Range 44  
E. 1/4 Section in Union County State  
of Oregon thence running on the line  
west to a point where the Section  
Corner comes on to Sections 15 16 21  
and 22 Town and Range as aforesaid  
and thence in the same direction along  
the Section line separating Sections 16 21  
and 17-20 to the Section Corner common  
to Sections 17 18, 19 and 20. In Town  
Ship and Range as above, a distance of  
three miles. The terminus of the said  
proposed Road. All of the points and  
places above named are situated in the County  
aforesaid.



Proposed Road. All of the points and  
places above named are situated in the County  
of ~~the~~ ~~fore~~ ~~said~~.

And your said petitioners would  
represent to your Honorable body that  
that the said proposed proposed County  
Road is of great utility to the people  
of ~~the~~ ~~said~~ ~~County~~ ~~and~~ ~~its~~ ~~immediate~~  
vicinity and generally to the entire  
population of the Upper valley of the  
Wagon, that the most important  
portion of the Road is now open and  
being extensively traveled and the re-  
mainder will require but little work  
to put it in good traveling condition.  
And your petitioners would further  
represent that they desire the said pro-  
posed Road to be laid out and granted  
of the width of 40 feet

Witness  
W A Shupp  
J W Lawrence  
A S Smith  
A M Kauler  
~~W J ...~~  
W C ...  
A O ...  
J B ...  
H H ...  
John B ...  
D J ...  
K W ...

Witness  
W M ...  
L ...  
C P ...  
J ...  
W ...  
M ...  
H ...  
S ...  
H ...  
David Kooch

*Patricia*

Filed APR 5 1986  
at o'clock min. H.  
*B. J. Wilson*  
County Clerk

Second Judicial Day Thursday March 11-1886

ill it strikes the bluff, thence along the bluff to the N.E. corner of the S. N. qr. of Sec. 21 thence South  $\frac{1}{4}$  mile, thence East till it strikes the bluff, thence along the bluff to the S.E. corner of the N. N. qr. of the W. N. qr. of Sec. 27. thence South 120 rods, thence South East to the mouth of Parsnip Creek Canyon thence East up the South side of said creek to the S.E. corner of Sec. 27. Thence Easterly up the canyon to the N. N. corner of S. E. qr. of the S. E. qr. of Sec. 26, thence South  $\frac{1}{4}$  mile, thence East  $\frac{1}{2}$  mile, thence North and down the canyon to where it strikes Parsnip creek and intersect the County road at this point.

On the matter of the County road petitioned for by  
A. M. Hulse et al

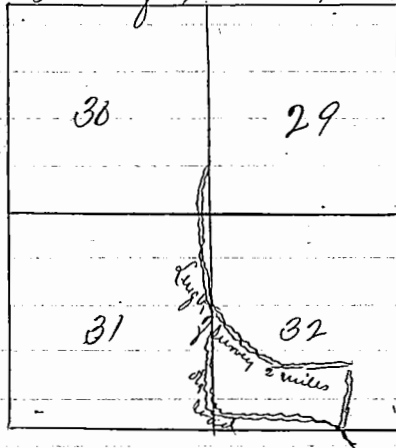
now at this time this matter coming on to be heard and it appearing that the proof of Posting in said road is not sufficient it is therefore ordered that this matter be and the same is hereby continued for continuation of the proof of posting.

Thereupon Court adjourned till tomorrow morning at nine o'clock

Fifth Judicial Day

Friday Apr 8 1880

Part of sec. 29, 30, 31 & 32 of T. 1 N. R. 4 E.



In the matter of the proposed county road petitioned for by A. M. Hulse et al

Now at this time is presented the petition of A. M. Hulse and others and there appearing to be a discrepancy in the proof of posting in that the affiant states that he posted three notices in conspicuous places and that a notice was posted on the Court house door which being duly considered by the court it is ordered that this matter be and the same is hereby continued for the time for correction of proof of posting.

Second Judicial day

Thursday July 8<sup>th</sup> 1886

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 Martin, John W. Phy and John Murphy be appointed Viewers and Moses Austin Surveyor to view, survey and report up on said proposed road and that they meet at the house of D. B. Burroughs on the 14 day of July 1886 at 10 O'clock A. M. and duly qualify before entering upon the discharge of their duties in this behalf

In the matter a proposed  
 County Road petitioned  
 for by W. A. Shipps and  
 others

On this day came W. A. Shipps and others who presents to the Court the petition of himself and twenty one others praying for the location of a County Road as follows to wit: To Commence at a Section Corner corner to Sections 11, 15, 22, 23, Town 2, South of Range 44 East Willamette Meridian situated in Union County State of Oregon, thence running on the section line West to a section corner corner to Sections 15, 16, 21, 22 Town and Range as aforesaid and thence in the same direction along the section line separating sections 16 and 21 and 17, 20 to the section corner corner to sections 17, 18, 19, 20, ~~to the section corner~~ same Township and range as above a distance of three miles to terminus of said Road all of the points and places above named are situated in County aforesaid. And 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 D. B. Revis, Don H. Veasy and Russell Basin Sen be appointed Viewers and George

Second judicial day

Thursday July 8<sup>th</sup> 1886

Uail Surveyor to view survey and report upon said proposed County road and that they <sup>meet</sup> at Alder on the 18<sup>th</sup> day of July 1886 and duly qualify before entering upon the discharge of their duties in this behalf

In the matter of the petition of B. W. Bartholomew for a license to sell Malt Liquor, Vinous and spiritous liquors in quantities in less than one gallon in Island Precinct



And at this time comes B. W. Bartholomew and presents to the Court a petition signed by an actual majority of the whole number of legal votes of Island precinct Union County Oregon, praying that a license be granted to said B. W. Bartholomew to sell malt vinous and spiritous liquors in less quantities than one gallon for the period of nine months in Island Precinct Union County Oregon. And it appearing that said petition is in all things regular, and that due and legal notice of this application has been given by publication of said petition with the names attached thereto in the Grand Ronde Argus, a weekly newspaper published published at La Grande Union Co Oregon for four consecutive weeks. Prior hereto together with notice of the fact that said B. W. Bartholomew would at this time make application to the court for such license. And it further appearing that said B. W. Bartholomew has filed his bond in the penal sum of \$1000 - as provided by law and now produce to the court the receipt of County Treasurer of this County for payment to him of the sum of \$225<sup>00</sup> license Tax herein

Therefore it is ordered that the said petition be and the same is hereby granted and the clerk is hereby directed to issue to said B. W. Bartholomew a license to sell malt Vinous

In the matter of the Bond of B. W. Bartholomew } July 8<sup>th</sup>  
On this day it is ordered by the Court that A. B. Benham be and he is hereby required to give an additional bond in the sum of One Thousand Dollars as the Treasurer of the County of Union, State of Oregon.

And also to put away all drift wood that has heretofore accumulated against the Piers of said Bridge in lengths that will float away. And also to hire Men to repair the road leading from said Bridge up Minam Hill to the amount of Two Hundred Dollars, and said Superintendent is ordered to report to this Court of his doings at the next Term of this Court to wit: September Term 1886

Whereupon Court adjourned until nine O'clock tomorrow Morning

Saturday Morning August 7<sup>th</sup> 1886 Fourth Judicial day  
Court met pursuant to adjournment present the same Judge and Officers as of yesterday

Minutes Read approved and signed

Judge  
Due proclamation of the opening of Court having been made the following proceeding were had to wit

In the Matter of the }  
appointment of Road }  
Supervisor of Road }  
District No 23. }

Now at this time it is ordered by the Court that Henry Rogers be and he is hereby appointed Road Supervisor of Road District No 23 and that he file a bond according to law before he enters upon the discharge of his duties as such Supervisor =

✓ In the Matter of Viewers }  
report on Road }

At this time comes on the Viewers report on a proposed road petitioned for by W. A. Shipp + others for the first reading - and the same is laid over for the second reading of another day of this term

In the Matter of Viewers  
 report on road petitioned  
 for by W. A. Shipps & Others

Now at time comes on the  
 Viewers ~~and~~ and Surveyors report on a proposed county  
 road petitioned for by W. A. Shipps & Others for a second reading  
 as provided by law and such report being favorable and  
 having been read on two different days of this term of court  
 And it appearing to the satisfaction of the Court that the  
 proceedings have been regular and according to law, and  
 there being no remonstrance bill or claims for damages  
 filed therein. It is therefore ordered by the Court that  
 said viewers report and the plat of the Surveyor be placed  
 on record and said road be established as a county road  
 and that Henry Miller Road Supervisor be ordered to  
 open said road and that said road be declared a public  
 highway

### Viewers Report

To the Honorable County Court of Union County Or.  
 Pursuant to the appointments made and issued by  
 the Hon Court the Viewer and Surveyor appointed by  
 said Court to view Survey and locate the proposed  
 route of road petitioned for by W. A. Shipps and Others  
 Commencing at the Section Corner common to Sections  
 14, 15, 22, & 23 in Township 2 S. Range No. 4 E. N. M., all in  
 Union County Oregon and running West on Section  
 line 3 miles to line separating Section 17, 18, 19, & 20 the  
 Viewers and Surveyor Met at Alder on Monday July 19<sup>th</sup>  
 1886 and after being duly sworn proceeded to view  
 Survey and locate the proposed route making a mound  
 and two pits with posts set in mound marked R. C.  
 at commencement of road and post mound & pits  
 at each mile of route marked with No. of Miles at  
 Terminus marked R. T. and blaze & 3 notches on  
 fir Tree 10 inches in diameter - Also marking trees  
 on line with three notches and Submit also <sup>the</sup> accompanying  
 plat of Survey. We report the route as a public  
 convenience and a favorable route for road with  
 the exception of the last 1/4 mile of route which the Viewers  
 would recommend the Court to have opened by the  
 petitioners of said road

Viewers D. B. Reiss, J. H. Yeasey, Russell Baines Surveyor Geo S Vail



Scale of sec 18  
10 to 1 inch or  
20 dist to scale

Plotted as Surveyed  
and Viewed July 19, 1886  
O. S. Hall  
Surveyor

Term Judicial Day Aug 7 1886

Plat of Survey of Road in Twp 2 S. R. 44 E. W. M.  
petitioned for by W. A. Bliff and Others

