

No 490

in

Superior Court

James Butterfield

Plaintiff

vs

L L Holcomb
et al

Defendant

Action for

Damages

Docket

Page

J. A. Crawford

Attorney for Plaintiff

R. Walker + Co. - Erie,

R. Walker + Co. - Erie,

Attorney for Defendant

U. S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Record of the Case.

1886
Sept 10 Petition see Viewers apphs
Journal D p 11
Oct 15 1st Reading report
Journal D p 26
Oct 16 ordered opened
Journal D p 28

264

Road

Beginning 65 rods S of NW cor Sec 31
T 28 R 45 E to NE cor of NW⁴ of NW⁴
of NW⁴ Sec 18 T 38 R 45 E

WITNESSES

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

264

In the County Court
County of Union } a Road Petition
July Term 1886

We the undersigned legal voters ^{and}
householders in Union County Oregon
would most respectfully represent
to the Hon^{ble} County Court of
said Union County Oregon that we
want and convenience requires that a
County Road be surveyed laid out
and established as follows:

To wit: Beginning at a stake driven
in the ground on the range line bet-
ween Ranges 44 & 45 E. 1/2 and Sixty
five rods south of the North west
Corner of Section 31 Township 2 South
Range 45 E. 1/2 and on the main road
from Alder to Joseph in Union Co.
Running thence South on the said
Section and range line about 340 rods
to the N.W. Corner of the SW of Section
Six (6) Twp 3 South of Range 45 E. 1/2
thence east on half (1/2) Section line
Seventy (70) rods to the N.E. Corner of
the SW of the SW of said Section 6 -
thence South One and one half (1 1/2) Miles
on ~~the~~ quarter section line to the

N.E. corner of the N.W. of the N.W. of
 Section 18 Twp 3 South of Range
 45 E. 10m and there terminating.
 All of said points and places
 above described being in Union
 County Oregon and to be 40 feet in
 width

Names

Names

- J. D. Lact
- A. Lawson
- Geo. M. Haley
- J. L. Fisher
- J. L. Hamilton
- O. P. Prout
- Asa Hall
- J. H. Hall
- W. Kernan
- J. Burnett
- H. H. Coles
- M. J. Knight
- W. P. Coles
- G. L. Cole
- M. Newby
- J. P. Rees
- J. P. Rees
- R. Rees
- R. H. Beale
- James M. Mitchell

Read first & several times
of laws of Missouri on
the 10. 11. 1886.
Olson. James Bayles
Wash. Blom & Beetha
Sullivan, J. M. Bunker,
Kurtz, beginning of the
the decided bond
on 22nd Sept 1886 at 9 o'clock
A.M.

Filed JUN 3 1886
at ... o'clock, ... min. ... m.
R. W. Leonard
County Clerk.

Names

Names

J. T. D. Lacey

W. W. Halsey

W. W. Halsey

A. L. Halsey

J. D. Hamilton

O. J. Hout

A. M. Hall

A. H. Hall

W. Kernan

T. Burnett

H. H. Cole

M. V. Knight

W. P. Cole

S. L. Cole

N. Newby

J. W. Rees

J. Rees

R. Rees

B. F. Beale

James M. Mitchell

Filed JUN 3 1886
at ... o'clock ... min. ... m.
B. D. Wilson
County Clerk.

Notice

Notice is hereby given that the undersigned
legal voters and householders living in the vicinity
of the proposed road will petition the Hon.
County Court of Union County Oregon,
at their July Term 1886. to be held in the City of
Union Oregon beginning on the 5th day of
said month that a County road be surveyed
and established as follows to wit;

Beginning at a stake driven in the ground on
the range line between ranges 44 and 45 E. 1/4
and 65 rods south of the N.W. corner of sec.
31 T 2 S R 45 E. 1/4 and on the main
road from Alder to Joseph in Union
County Oregon running thence south
on said section and range line a bark
340 rods to the N.W. corner of S.W. quarter
of sec. 6 T 3 S, R. 45 E. 1/4. Thence East
on half section line 70 rods to the N.E. corner
of N.W. quarter of the S.W. of said sec. 6.
Thence south 1 1/2 miles on quarter line
to the N.E. corner of N.W. quarter of N.W. quarter
of sec. 18 T 3 S, R. 45 E. 1/4.
and thence terminating all of said points
and places above described being in Union
County Oregon, and to be 40 feet in width.

STATE OF OREGON,

County of Union }^{86.}

I, J. T. D. Lacert being first

duly sworn, on oath say, that I posted three notices (a copy of which is hereunto annexed) of the proposed road, in the following places, to-wit:

One at the beginning of said road bet. at a stake driven in the ground on the range line between Ranges 44 & 45 and 65 rods south of the N.W. Corner of Sec 31 T 2 S R 44 E 1st and on the main road from Alder to Joseph
One at N.W. corner of the SW of Sec 6 Twp 3 South R 45 E 1st on line of said road. One at the terminus (the annexed being the identical one last posted) N.E. Corner N.W. Sec 18 Twp 3 South Range 45 E 1st and one at the Court House door, in Union City in said Union County and State of Oregon, thirty days prior to the presentation of petition herein, and that all of said petitioners are householders residing in the vicinity of said proposed road in said Union County and State of Oregon.

J. T. D. Lacert

Subscribed and sworn to before me, this 6th day of July A. D. 1886

Newton Public

Notice

Notice is hereby given that the undersigned loyal voters and householders living in the vicinity of the proposed road, will petition the Hon. County Court of Union County Oregon at their July term, 1886, to be held in the City of Union Oregon, to grant an order directing that a County road be surveyed and established as follows, to wit,

Beginning at a stake corner in the ground in the range line between ranges 44 and 45 Ewm. and 65 rods south of the NW corner of sec 31 T. 2 S R. 44 Ewm. and on the main road from Alder to Joseph in Union County Oregon, running thence south on said section and range line about 340 rods to the NW corner of the SW quarter of sec 6 T. 2 S R. 45 Ewm. Thence east on half section line 70 rods to the NE corner of the NW quarter of the SW quarter of said sec 6. Thence south 1/2 mile on quarter section line to the NE corner of the NW quarter of NW quarter of sec 18 T. 3 S of R. 45 Ewm. and then terminating at all of said points and places above described being in Union County Oregon and to be open south

Names

Names

- J. D. Lockett
- and
- G. W. Haining
- J. L. Hamilton
- D. J. Prout
- and
- D. W. Hall
- W. Kwan
- T. B. Bennett
- W. P. Cole
- W. P. Cole
- W. P. Cole
- R. Rees
- R. F. Beale
- James M. Mitchell

Know all Men by these Presents:

THAT WE, J. A. Newby & W. P. Cole
 and Willie P. Cole Sr, of the County of Union and
 State of Oregon, are held and firmly bound unto the said County of Union in the sum of
Five 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 6th day of July A. D. 1886

Now the condition of the above obligation is such, that whereas, if the County Road petitioned
 for by J. T. D. Lacerh Wm Kernan and others, and presented
 at the July term, 1886, of the County Court of said Union county, commencing
 at a State draw in the ground on the range line
 between ranges 44 & 45 E 2nd Sec 31 T. 2 N. Range 4 E 2nd and
 terminating at the N & Corner New Sec 18
 Twp 3 South Range 4 E 2nd
 be located and established, then this obligation to be void; otherwise to remain in full force
 and virtue in law.

A. Newby
W. P. Cole

STATE OF OREGON, }
Union } ss.
 COUNTY OF MARION,

Willie P. Cole and A. Newby
 each for himself says that I am worth the sum
 of Five 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.

A. Newby
W. P. Cole

Subscribed and sworn to before me, this 6th

day of July A. D. 1886

D. W. Gowen
Notary Public

know all those by these

Filed JUL 8 1926
at ... o'clock, ... m. ... n.
As With
County Clerk

RECEIVED AT THE
COUNTY CLERK'S OFFICE

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 the Town of Union in said County, on the 6th day of Sept A. D. 1886, and from day to day thereafter, during the continuance of said term.

Present: Hon. O. P. Goodall County Judge, J. F. Christman Commissioner, J. A. Rumble Commissioner, A. T. Neill Clerk, A. N. Hamilton Sheriff.

The following, among other proceedings, were had, to-wit: Sept 10th 1886

IN THE MATTER OF a proposed Road petitioned for by J. D. D. Laert and others

On this day came J. D. D. Laert who presents to the Court the petition of himself and nineteen others, praying for a Road to be laid out and established.

as follows, to-wit:

18 Beginning at a Stake driven in the ground
19 on the range line between Ranges 44 & 45 E. & M.
20 and 65 rods South of the North W. cor. of
21 Sec 31, T. 2 S. R. 45 E. & M. and on the main
22 road from Alder to Joseph in Union
23 County Or, running thence South on the
24 said Sec and Range line about 340 rods
25 to the N.W. cor. of the S. 1/4 of Sec. 6, T. 2 S. R. 45
26 E. & M. thence East on 1/2 Sec line 70 rods
27 to the N.E. corner of the NW 1/4 of the S 1/4 of
28 said Sec 6, thence South One 1/2 miles on
29 1/4 Sec line to N.E. cor. of the NW 1/4 of NW 1/4
30 of Sec No. 18, T. 2 S. R. 45 E. & M. and there
31 terminating
32

And it is further to be seen to the Court from proof filed herein that due notice of the pendency of the proceeding has been given as by law required that more than twelve of said petitioners are householders residing in the vicinity of said road and that a road and sufficient land has been filed

IT IS THEREFORE ORDERED BY THE COURT that

Thomas Boyd

Wash Bloomer

and

Henry

Bealman

be appointed commissioners

P. M. Brainerd

Sui exor to et sui ex int part

upon said lands and to view and assess the same

and that they meet at

the beginning of said road on the 22 day of

September 1886

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

(Signed)

O. P.

Woodall

County Judge

COUNTY COURT

—OF—

Union County,

STATE OF OREGON.

Appointment of Road Viewers and Surveyor.

P. M. Barbering
Surveyor

Wash Bloom

Thos Blyles

Henry Becker

Viewers

State of Oregon }
 County of Union } ss.

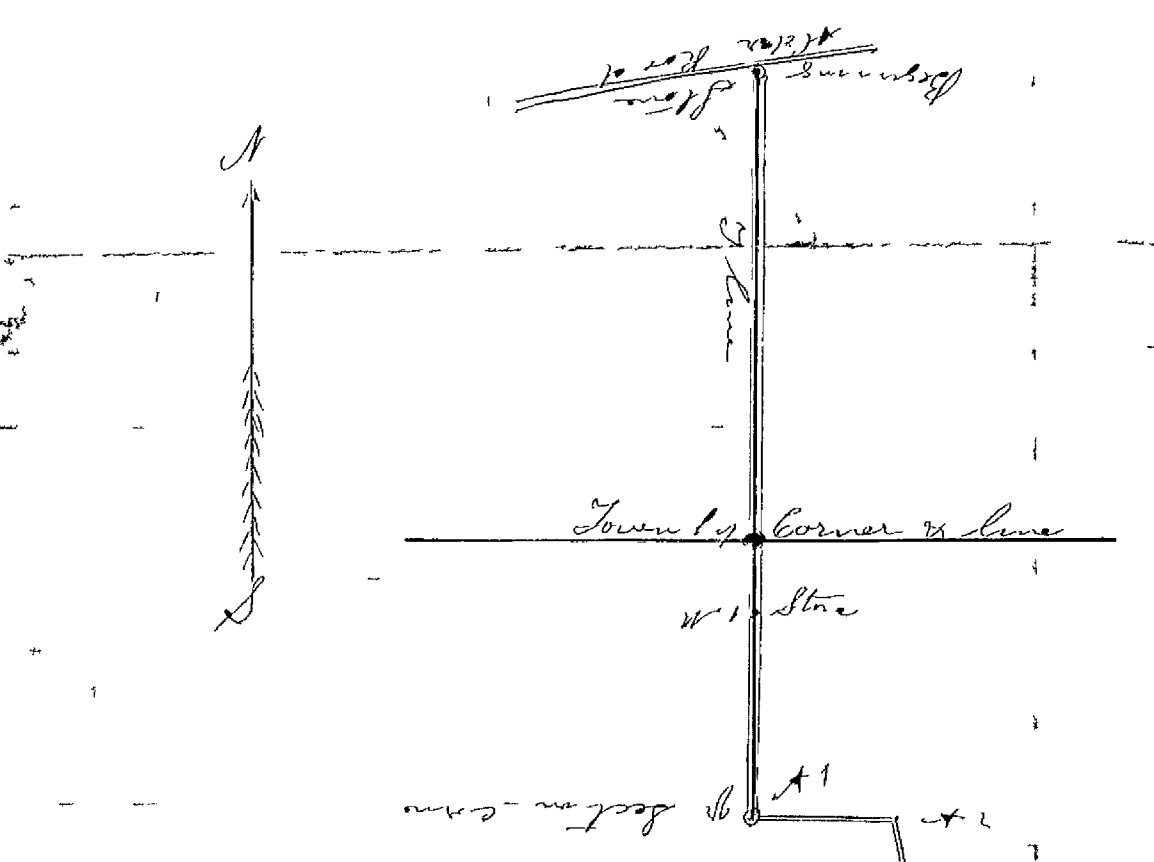
I hereby certify that I have necessarily been employed as surveyor to survey ~~in accordance~~ with the provisions of Title one (1) chapter 50 of the Miscellaneous laws of the State of Oregon to survey a certain County Road petitioned for by J. C. & La Cunk et al. and presented at the September term ¹⁸⁸⁶ of the County Court of said Union County Oregon, and in accordance with a notice of appointment issued by said County Court on the 10th day of Sept. 1886, and I was directed as said surveyor and with Wash. Bloom, Thos. Boyle and Henry Beecher viewers.

That I have been so employed as follows:

1886	Sep. 22	To One day as surveyor	\$ 5.00
"	"	" 10 miles traveled @ 100 p.m.	<u>1.00</u>
			6.00

P. M. Burleigh
 Surveyor

Viewers
 Thomas Boyle
 Wash Bloom
 Henry Beecher



Beginning at a stone set in the ground on the line between Range 4-4 to 4-5 E W M and 6-4 Rods South of the at NW E. of Sec 31 S 2 S R 4 E and on the main Road for older to Joseph in W. Co. Oregon Running the line one mile and 17 1/2 Rods to A1 the W. Corner of Section 34 S 2 S R 4 E thence East Seven Rods to A2 thence S 10° E 45 Rods to Angle No 3 thence S 35° E 50 Rods to Angle No 4 thence S 10° E 18 1/2 Rods to Mile Stone No 2 thence same bearing 42 Rods to Angle No 5 thence S 5 W 1.60 Rods to Angle No 6 thence S 60 W 20 Rods to Angle No 7 thence South 16 Rods to angle No 8 thence S 40° E 14 Rods to corner of Road

J. M. Birtleigh
Surveyor

Surveyed Sept 22^d 1886

Thomas Boyle
R. W. Blosser
Henry Beecher

State of Oregon Sept 22 1886

We the viewers of said Chain
Courses of the J. D. D. Lovatt
Road Report lawfully
on said Road

Thomas Boyle
R. W. Blosser
Henry Beecher

to-wit: viewing of Chain Courses
and 1/4 mile Travel
10 per mill

Thomas Boyle
R. W. Blosser
Henry Beecher

Beginning a a Store
 at in the Road lead from
 Joseph to Pine Creek at
 a point where, said Road
 Crosses and intersects the
 Subdivision line running
 East & West through Sec. 13 T.
 1 N. R. 45 E. W. M. and run-
 ning thence S. 85° E. 18 Rods to A. 1
 Thence N. 70° W. 65 Rods to A. 2 Thence
 S. 65° W. 21 Rods to A. 3 Thence N. 14° W.
 56 Rods to A. No. 4 Thence N. 50° W. 152
 Rods to A. No. 5 Thence S. 40° W. 8 Rods to
 Mile Stone No. 1 Thence S. 40° W. 28 R. to A.
 No. 6 Thence S. 75° W. 8 R. to A. No. 7 Thence
 West 32 Rods to A. No. 8 Thence N. 60° W.
 28 R. to A. 9 Thence N. 40° W. 53 R. to A. 10 Thence N. 15° W.
 50 R. to A. 11 N. 40° W. 38 R. to A. 12 N. 20° W. 78 R. A. 13
 N. 57° W. 36 Rods to A. 14 N. 27° W. 75 R. to A. 15 N. 5° W. 16 R.
 to A. No. 16 N. 30° W. 136 R. to A. No. 17 Thence N. 55° W. 48 Rods to
 A. No. 18 S. 65° W. 28 R. to A. 19 N. 40° W. 36 R. to A. 20
 S. 88° W. 10 R. to A. 21 N. 55° W. 56 R. to A. 22 N. 38° W. 80 R.
 to A. 23 N. 50° W. 30 R. to A. 24 N. 13° W. 106 R. to A. 25
 N. 58° W. 40 R. to A. 26 S. 52° W. 39 R. to A. 27 N. 74° W. 60 R.
 to A. 28 N. 67° W. 32 R. to A. 29 N. 40° W. 136 R. to A. No. 30

Thence N. 55° W. 42 R. to A. 31 Thence N. 22° W. 20 R.
 to A. No. 32 N. 50° W. 28 R. to A. 33 N. 17° W. 44 R. to A. 34
 N. 4° E. 86 R. to A. 35 N. 20° E. 42 R. to A. 36 N. 18° W. 48
 R. to A. 37 N. 10° E. 70 R. to A. 38 N. 10° W. 20 R. to A. 39
 N. 20° W. 84 R. to A. 40 N. 15° E. 54 R. to A. 41 N. 7° E.
 42 R. to A. 42 N. 27° W. 20 R. to A. 43 N. 7° W. 82 R. to
 A. 44 N. 36° W. 28 R. to A. 45 Thence N. 85° E. 44 R.
 to A. 46 N. 30° W. 28 R. to A. 47 N. 5° E. 16 R. to A. 48
 Thence N. 40° E. 28 R. to A. 49 N. 10° E. 24 R. to A.
 No. 50 Thence N. 60 E. 40 R. to terminus of Road being
 eight miles and 96 Rods Surveyed Sept 25th
 1886

P. M. Burleigh
 Surveyor