

Law No "43"  
in  
Circuit Court

Court

Walter E. May et al

Plaintiffs

vs

Daniel Chaplin

Defendant

Action for

Docket

Page

R. Eaker

Attorney for Plaintiff

Attorney for Defendant

**Record of the Case**

<sup>1971</sup>  
Mar 7 Petition read before  
Jury at a p 333  
Mar 9 Petition read before  
Jury at a p 335  
May 1 Order of the road  
Jury at a p 355

35

Road

From Henry Olsens House to  
Township line

**WITNESSES.**

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

35

# Petition

The undersigned twelve Citizen  
house-holders, and others, of the County  
of Union and State of Oregon, re-  
siding in the vicinity and along  
the route where the hereinafter  
described County Road is to be  
laid out respectfully petition your  
honorable body to locate, lay-out  
and grant a County Road  
in the County and State aforesaid.

To Commence at the N. W. Corner  
of the fence which now surrounds the  
house of Henry Olsen about three fourths  
of a mile east of La Grand, and  
running in a south westerly di-  
-rection about one and one half  
miles, - thence in a southern di-  
-rection, about one and one  
half mile - thence southeasterly  
about one and one half mile to  
the Township line,

All of which points, and places,  
are in Township 3 S., R. 38,  
East, and in Union County,  
Oregon -

Names

Names

George Koushool  
 Arthur Hemming  
 W. S. Johnson  
 John A Childers  
 Joseph Yount  
 W. D. Buchanan  
 James K. Bartmes  
 Thomas Boyer  
 D. A. McAlister  
 G. W. Barless  
 W. D. Boley  
 James Griswold  
 Ezekiel Griswold  
 Wm. Dominer  
 Joseph Spence  
 M. A. Gainers  
 John Bartmes  
 George Guler  
 George Sherman  
 J. H. Foster  
 W. S. Patterson  
 J. S. Curtis  
 Charles Aberley  
 G. Shinn  
 W. D. Root  
 Lewis Snyder  
 Cal. Beckwith  
 R. Chumwith  
 A. Gray  
 H. Harris  
 A. S. Hovey

Arthur Warrick  
 D. D. Morrow  
 Thomas Brown  
 A. C. Cracy  
 John W. Kelly  
 W. M. Dyer  
~~J. S. Morrow~~  
 J. W. Whisner  
 A. E. Rogers  
 G. W. H. H. H.  
 John Crawford  
 F. H. H. H.  
 Wm. H. H. H.  
 E. S. McComas  
 W. S. Gray  
 E. W. Webb  
 A. J. Sharts  
 Elias Bar  
 J. R. Wilkinson  
 A. H. H. H.  
 J. B. H. H.  
 S. H. H.  
 A. W. H.  
 R. A. H.  
 Daniel H. H.  
 P. A. Adams  
 E. W. King  
 G. D. Gray  
 D. H. H.  
 J. G. Grant

H. J. Cronker  
George Howard  
J. Lewis  
James McDonald  
Benjamin Bowman  
John Carr  
J. H. Foster  
S. J. Gordon  
H. Stricker  
J. Campbell  
A. C. Root  
A. E. Gordon  
Geo. W. Robinson  
W. A. Goodfellow  
E. King  
A. E. Patterson  
E. W. Kilbur  
R. W. Deal  
A. Griswold  
Thomas Beach  
Jacob Newman  
G. W. Smith

*Peloton*

# Public Notice

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I hereby give that at the next regular Term of the County Court of Union County in the State of Oregon, to be held at La Grande Oregon, on the 1<sup>st</sup> Monday in March A.D. 1871. An Application will be made by the undersigned and others, to said County Court to locate, lay-out and grant a County Road to follow as near as practicable, and feasible the following route to wit:

Commencing at the N.W. Corner of the fence which now surrounds the house of Henry Olson about three fourths of a mile east of La Grande and running in a South westerly direction, about one and one half mile - thence in a Southern direction, about one and one half mile thence Southeasterly about one and one half mile to the Township line. All of which points, and places, are in Township 3, S., R 38, E. and in Union County Oregon.  
Dated the 11<sup>th</sup> of Jan A.D. 1871.

D. A. McHester

State of Oregon  
Union County 3<sup>rd</sup> J. A. McAlister  
being duly sworn say that three  
of the within notices were posted  
in the vicinity of said proposed  
Road and one on the Court House  
in ~~Ladw...~~ ~~thirty~~ days  
to this date March 7<sup>th</sup> 1871

Subscribed and sworn  
to before me this 7<sup>th</sup> day of  
of March 1871  
J. A. McAlister  
County Clerk

Notice



Whereas a petition has been  
made to the County Court of  
Oregon County, Oregon for a  
County Road leading from a  
point at the N. W. Corner of  
the fence which surrounds the  
house of Henry Olson three  
fourths of a mile east of the  
Town of Lu Grand to a point  
on the Township line of Township  
3, R. 3 & Co. by Union Co. Oregon  
Now therefore I D. A. McAlister

John Bartness and  
K. P. Patterson are held and  
firmly bound to the County of  
Oregon for the sum of one  
hundred and fifty dollars —

Conditioned that, if the prayer of the petitioners  
be not granted, and allowed, then  
we, or either of us, will pay all  
costs and expenses that may be  
incurred by reason of such view  
otherwise to remain null, and void

Dated this 22 of Feb 1871 —

D. A. McAlister  
John Bartness  
K. P. Patterson

*Handwritten text, possibly a name or signature.*

To The Hon Board of Commissioners  
for Union County Oregon

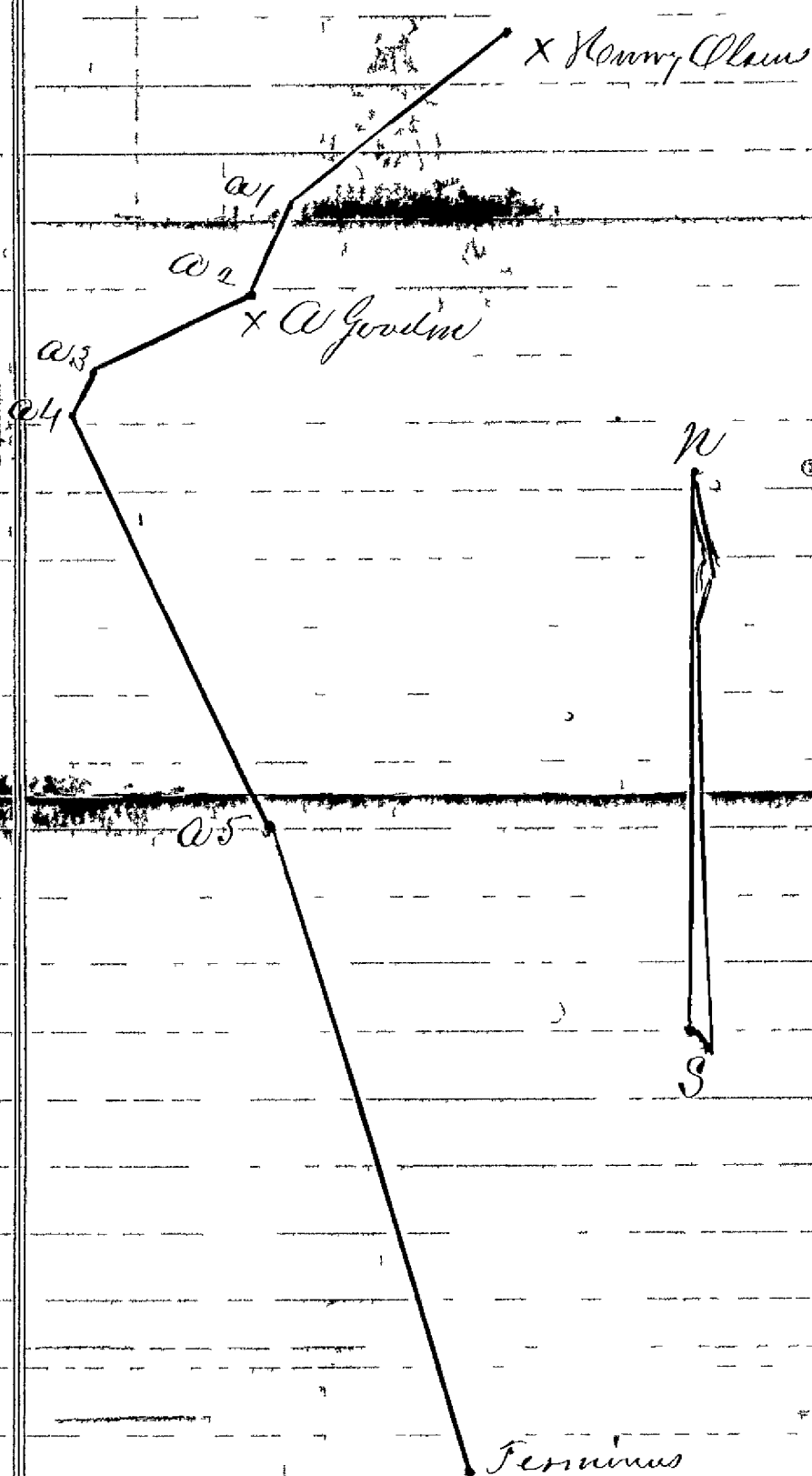
We the Undersigned  
Appointed by Your Hon Body to view  
out a County Road Commission at the  
North West corner of Henry Adams' farm and  
terminating on the Southern line of T  
S. S. Range 38 E. beg leave to report the  
following "to wit" That we met on the  
10<sup>th</sup> day of Sept. 1871 and after being  
duly sworn proceeded with J. L. Custer  
as Surveyor to view out and locate  
said Road and that we found the  
route practicable and further that  
a County Road located on the line  
of survey will be of general benefit  
to the Citizens of Union County

All of which is respectfully submitted  
with the accompanying notes and  
Plat of the Survey

Joseph Aaron  
J. O. Sweetnam  
By Joseph Aaron  
Adam George

Report of Vermont

Plot of the Survey of a Wood Road  
 Commencing at the N W corner of  
 Henry Adams fence and terminating on  
 on the S line of T 3 S Range 35 E.



This survey was made on the 10<sup>th</sup> day  
 of April 1871 - Commencing at the  
 N W corner of Henry Adams fence  
 and running thence S by 54° W 65

Chs. Hume S by  $24^{\circ}$  W 95 Chs. Hume  
S by  $84^{\circ}$  W 45 Chs. Hume S by  $27^{\circ}$   
12 Chs. Hume S by  $24^{\circ}$  E 107 Chs. Hume  
S by  $18^{\circ}$  E 155 Chs. to the terminus  
of the Road at a large Fir tree  
standing near the southern line of T  
3 S Range 38 E Will more making  
the whole distance 5 miles and 9 chains

Respectfully Submitted to the Deeds  
by

J. S. Curtis  
Surveyor

Plat. 1882

## Second Judicial Day

Same Officers present as on  
 Yesterday, with the addition of A. C. Smith, Co. Commis-  
 sioner  
 Court met pursuant to adjournment

Due proclamation of the opening of  
 Court having been made the following  
 Business was transacted,

In the Matter of Appointment of  
 Constable in Union  
 Precinct

Now at this time  
 it appearing to the Satisfaction of the Court  
 that a Vacancy exists in the Office of  
 Constable for Union Precinct Union County  
 Oregon. It is therefore hereby Ordered that  
 A. H. Benson be and he is hereby appointed  
 Constable in and for said Union Precinct  
 Union County Oregon until his Successor  
 is Elected and qualified

In the Matter of County  
 Road

Now at this time was  
 presented a petition of D. A. McAlester and  
 others for a County Road Commencing at the  
 NW Corner of the fence which now surrounds the  
 House of Henry Olson, thence running South wes-  
 tery about one and a half miles, thence in a  
 Southerly direction about one & a half miles to  
 the Township line. Read first time and  
 laid over until tomorrow

Fourth Judicial Day  
 Court met pursuant to Adjournment  
 Same Officers present as on Yesterday

Due proclamation of the Opening of  
 Court having been made The following  
 Business was transacted

In the Matter of Location  
 of County Road

Now at this time the  
 Petition praying for a County Road commencing  
 at the NW corner of the field surrounding the House  
 of Henry Olson, about  $\frac{3}{4}$  of a mile East of Colbrand  
 thence running in a South westerly direction about  
 one and one half miles, thence in a southerly  
 direction about one and a half miles, thence  
 South easterly about one and one half miles to  
 the Township Line, all of which points and  
 places are in Union County Oregon, coming  
 up upon its third Reading, and it appear-  
 ing to the Court that said Petition was sign-  
 ed by more than twelve Resident Household-  
 ers residing in the vicinity and along the line of  
 said proposed Road, and also by proof  
 of Posting Notices in accordance with Law  
 having been filed also a Bond in accordance  
 with law having been accepted and filed  
 therewith, It is therefore Ordered that  
 Joseph Anson Adam Gray and S O Swackhamer  
 be and they are hereby appointed Viewers of  
 said proposed Road and J L Curtis Surveyor  
 to meet at the House of Thos O'Brien in  
 Colbrand on the 10<sup>th</sup> day of April 1878  
 and after being duly qualified to proceed to



view out and mark said Road and Report their proceedings to this Court at its next Regular Term

In the Matter of 3  
selecting Jury List 3

Now at this time was selected from the Assessment Roll of 1870 One Hundred names of Citizens of Union County Oregon to serve as Jurors for the ensuing year, and placed in the Jury Box

In the Matter of Appointment 3  
of Justice of the Peace in 3  
Summerville Precinct 3

Now at this time It appearing to the Satisfaction of the Court that a Vacancy exists in the Office of Justice of the Peace in Summerville Precinct It is Ordered that D J Woodward be and he is hereby appointed Justice of the Peace in and for said Summerville Precinct to fill said Vacancy, and until his Successor is elected and qualified

Court then Adjourned until tomorrow at half past Eight O'clock

In the Matter of Road 2  
Viewers Report 3 Report

To the Hon Board of Commissioners for Union County Oregon  
We the undersigned appointed by your Hon Body to view out a County Road commencing at the North West corner of Henry Olsons fence and terminating on the Southern line of T 3 S Range 38 E By leave to Report the following to wit: That we met on the 10<sup>th</sup> day of April 1871 and after being duly Sworn proceeded with J L Gents as Surveyor to view out and locate said Road and that we found the route practicable, and further that a County Road located on the line of Survey will be of general benefit to the Citizens of Union County all of which is respectfully submitted with the accompanying notes and Plat of Survey.

Joseph Anson  
S O Swackhamer  
Adam George

Plat of the Survey of a Wood Road commencing at the NW corner of Henry Olsons fence and terminating on the S line of T 3 S Range 38 East  
Commencing at the NW corner of Henry Olsons fence  
Thence S by 54° N 65 Chs Thence S by 24° N 25 Chains  
Thence S by 64° W 45 Chs Thence S by 27° W. 12 Chains  
Thence S by 24° E 107 Chs Thence S & 18° E 155 Chains  
to the terminus of the Road at a large Fir Tree  
standing near the Southern line of T 3 S Range 38 E making the whole distance over 5 miles and 9 Chains

J L Gents  
Surveyor

(Plat of said Road on next page)