

No

in

County

Court

Baker & Baker

Plaintiffs

vs

*August Shaw &
M. M. Lord*

Defendant

Action for

Docket

Page

Baker & Baker

Attorney for Plaintiff

Attorney for Defendant

REVISIONS BY GREEN JENNY, FEB 10
M F & A P O N Y H O M P N Y H O M P N Y
LAW I 1881 & ON N H O
1881

Record of the Case

1876
Mar 9 Petition rec Viewers accepted
Journal A p 777
April 3^d let road map prepared
Journal B p 4
April 4 Appraisers appointed
Journal B p 11
May 15 01 land opened
Journal B p 22

79 P

Road

Commencing at center of Sec 27 S 2 S
R 38 E 1/2 intersection of Co Road from
Island City to Summerville.

WITNESSES.

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

79

State of Oregon }
and County of Union }

J. W. C. Kinchard
do solemnly swear that
I will perform the duty
as Brewer on A Road
Running North along the
West side of J. N. Wiffers
Land & through the Land
or Place of John Baker's,
faithfully & Impartially to
the Best of ^{my} ability,
Sworn this 19th
19th day of Apr 1876. J. W. C. Kinchard

State of Oregon }
County of Union } S.S.

To Robt D Ruckman
Wm Ruckman & Wm Kennedy
You and each of you are hereby notified
That
Whereas, a certain proposed County
road has been viewed surveyed &
reported favorably on
And John Baker & W H Huffman having
filed notice that they claimed damages
in case said road was established
You were duly appointed as viewers to
meet at the house of John Baker on
the 18th day of April 1876, and after being
duly sworn proceed to view out, and
assess the damages the said John Baker
and Wm H Huffman would sustain by
reason of the location of the following county
road commencing at the center of Sec
24 in T 2 S R 3 E and running thence
due North to intersect the County Road
leading from Island City to Summerville and
report the same to the May Term of the Co Court

Witness my hand and seal this
7th day of April 1876

R. S. Bates
County Clerk

State of Oregon }
County of Union } S.S.

I Robt Ruckman
do solemnly swear that I will faithfully
perform the duty of viewman of the above
described lands

R. D. Ruckman
Subscriber and sworn to before me this
the 15th day of April 1876

W W Sharp Justice
of the Peace

P. P. Puckman

So The Now the County Court of
 Union County Oregon - We your
 appointed Messrs to assess damages
 as Prayed for by John Baker before
 the Court of Union County
 & State of Oregon. - Would respec-
 tfully Report - that we have
 Examined the road (and premises)
 passing through said John Bakers
 Land, and would herein state
 that we have assessed the damage
 here in the Laying of said road
 would be to the farm of John Baker
 we find that the said John Baker
 has a road along the north side
 of his Land & also one on the West &
 East & now the Proposed Road is a
 crop the center of the said John Bakers
 Land, causing him to make one
 $\frac{1}{4}$ qr of a mile of fence & also leaving
 his Land by a road causing him
 to drive his stock from one field to
 the other for water. - Therefore we
 have agreed upon and assessed the
 damage that the said John Baker is
 Entitled to at Two Hundred Dollars
 by reason of the Location of said
 Road,

Dated this the 19th

day of Apr A D 1876

R. D. Richardson

Wm. E. Reinhart

Filed May 15
1876
R. S. Cole
C. Clark

To the Hon the County Court of
 Union Co Oregon -- As your appon-
 ted Viewers to assess damages
 as Prayed for by W J Buffman
 before the County Court of Union
 Co & State of Oregon -- I would respect-
 fully Report that we have exam-
 ined the road which and find
 that it is on the West Line of
 his Land (It does not cross it) --
 We also find that the Location
 of said road will give a direct
 road from the said W J Buffman's
 Land to the District School House --
 Also we find that the said W J Buffman
 will be compelled to make a full
 string of fence on the West side of
 Land. Whether the road is Land or
 not Therefore we have agreed that
 the Land or Farm of W J Buffman's
 will be no less valuable by the
 Location of the Proposed road
 dated this the 19th
 day of April 1876.

R D. Richardson
 vs E. Kinchard

Black May 18 1894

R.S. Calkins

Dr. Clerk

To the Oregon County Court
of Union County Oregon

Whereas a petition has been pre-
sented asking for a County Road
commencing at the center of
Sec 27 of 2 S R 38 E, Thence north
to intersect the County Road leading
from Island City to Sunnyside, &
said petition being presented at
the March term thereof -
Therefore for the reason that said
Road will cause me to build
one half mile of fence, with out-
material benefit to myself by
reason of the location of said
Road, I ask for Damages to
the amount of one hundred and
twenty five dollars.

W A Huffman

Filed April 4th 1876
R. D. Lewis
Co. Clerk

1
4
Of the How County Court of
Wagon County Oregon

Gentlemen Whereas a petition has
been presented to the County Court
at the March term thereof for a
County Road commencing at the
center of Sec 27 T 3 S R 38 E - thence
due N. to intersect the County Road
leading from Island City to Summit
and whereas said road will
put me to the expense of building
one half mile of fence, and of
debaring me the use of Stock
water by reason of the inclosure
of ground heretofore open to said
water I therefore claim and
ask for damages to the amount
of \$2000 Two hundred dollars

Galeatus
4th day of April
A D 1876

Wm
Wm
Wm

John Bate

Area April 4th 1876
P. J. Baker
Columbia

Know all men by these presents that
I G. A. Grimmett, am held and firmly
bound to the County Court of Union
County Oregon in the sum of \$100
for which sum I hereby bind
myself, my heirs and assigns
Sealed with my seal & dated this 9th
day of March 1876

The condition of the above obligation
is such that if ~~the~~ a certain
County Road petitioned for by
me and others commencing at
the center of Sec 27 in T 2 S R 38 E
~~and running north~~ about 3 ³/₄ miles
to intersect a County Road is not
established by reason of impracticability
then this obligation to remain in
full force and effect otherwise to
be null and void

Witness my hand this 9th day
of March 1876

In presence of
R. S. Edus G. A. Grimmett

Book of

E. H. Emmons

acted upon

Filed March 9

1876

D. H. Little
- Boston

John Q. Adams
- Boston

John Q. Adams - Boston
- Boston
March 130

Report to me of the survey
of the proposed County road from
the center of Sec 27 Town 2 South
Range 38 East, thence due North
to intersect the County road leading
from Island City to Summerville

RT

mile post

Beginning at a post marked R
placed in the center of Sec 27, Town 2
South Range 38 East, thence due North
3 3/4 miles to post marked RT placed
at the intersection of the County road
leading from Island City to
Summerville.

mile post

Proposed road 3 3/4 miles

near 20 East

Scale of 40 chains to the inch

County road

State of Oregon } S.S.
County of Union }

I Willis Shuff County surveyor

do hereby certify that the above field notes
are correct as made by me under the
supervision of the mewers on the
13th day of March 1876.

Willis Shuff County Surveyor

from Island City to Summerville

To the How County Court of
Union County Oregon

The following report is respectfully
submitted by us the undersigned
viewers appointed to view and locate a
proposed County road commencing at the
center of Sec. 27, Town 2 South - Range 38
East, thence ~~at~~ due North to intersect the
County road leading from Island City to Sumnerville

We met on the day set (the 15th day of March
1876) and after being first duly sworn in company
with the surveyor, proceeded to view, survey and
lay out said road as directed and as shown by ~~the~~
~~surveyors report~~ and plat submitted herewith

As this road is merely connecting two County roads
together on the same line and requiring but
little labor to be put in good traveling conditions
it is our opinion that its establishment as a County
road would be of general utility to the County.

John Beach

John Carr

H. P. Egan

} Viewers

Business report

March 20, 1936

Edwards
Co. Clerk

To the Honorable County Court
of Union County. — Oregon

We the undersigned several Citizens
and house-holders, and others of
Union County Oregon, residing in the
vicinity and along the line of
the hereinafter described Road,
Respectfully petition, that you lay
out, locate, and grant a County
Road, commencing at the center
of Section 27, in Township No 2
South of Range 38, East, and
terminating thence due North
about (3 ¹/₄) three and one fourth miles,
until it intersects the County Road
running from Island City to
Summerville, all of which points
and places, are in Union County
Oregon.

Made the 4th 1876

Names

W. E. Hunter
G. A. Greenwood
Parson D. Hunter
J. J. Jones
J. E. Jones
E. R. Horner
A. J. Harts

Names

Wm. Mitchell
James Ackley
George Ackley
Terrence Starnes
L. M. Davis
Wm B Gray
Thomas Legran

Geo. Moore
Wm. Moore
John Buchanan
T. Cruse
Wm. H. Seay
M. Sterling
Charles Goodhue
J. B. Scranton
A. Evans

E. L. B. ussey
A. J. V. D. Meulen
J. D. Koot
J. L. Barnes
Wm. H. Appled
J. M. Bessy
Wm. H. Seay's
J. Evans
Wm. H. Standley

State of Oregon }
County of Union } 58

I G. A. Gommert
being duly sworn say that I posted
four Notices of the pendency of
the within petition and as
follows one on the Court house
door in Union in said Co &
3 along the vicinity of said
proposed Road

Subscribed & sworn G. A. Gommert
to before me this 9th
day of March 1876

R. S. Bates
Co Clerk

March 9th 1876

Second Judicial day.

Court met pursuant to adjournment.

Same Officers present as on yesterday.

Our Proclamation of the opening of Court having been made the following proceedings were had.

In the matter of appointment }
of Justice of the Peace } Labraude Precinct
Now on this day was presented
the Petition of the legal voters of Labraude Precinct
Praying for the appointment of J. B. Thompson as
Justice of the Peace for said Precinct.
and E. S. McComas one of the Justices of said
precinct having removed from said precinct
It is therefore ordered that J. B. Thompson be
and he is hereby appointed a Justice of
the Peace for Labraude Precinct. Union Co
Oregon.

In the matter of } March 9th
Road Petition } Now on this day same
G. A. Gimmitt and presents
a Road petition signed by more than twelve
resident householders residing along the
vicinity of the hereinafter described ^{proposed} County
Road. and petitions the court to have a
County road established as follows.
Commencing at the center of Sec 27 in
Township No 2 South of Range 38 East and
running thence due north about 3 $\frac{3}{4}$ of
a mile until it intersects the county road
leading from Island City to Summersville.

which Petition was accompanied by satisfactory proof of Notices being posted according to Law also by bond for costs of survey & view of said road in case the same is not allowed; which bond was approved by the Court, and it appearing to the Court that the Petitioners herein have proceeded in all respects pertaining thereto. It is therefore ordered that W^m. Ewing, John Beach & John Carr as viewors, and Willis Skiff as Surveyor to meet at The Russell School-house on the 13th day of March 1876 and proceed to view out and report their doings to the April Term of this Court.

In the matter of cancelling }
 County Orders. \$3492.²²/₁₀₀ } March 8th 1876
 Now on this day
 came J. Hopper County Treasurer and turned over to the County, County orders for cancellation as follows: County fund \$3257.⁹⁵/₁₀₀, on contingent fund \$234.²⁷/₁₀₀, making total of \$3492.²²/₁₀₀. It was therefore ordered that J. Hopper, Treas have credit for the amt so turned over to wit \$3492.²²/₁₀₀.

Whereupon the Court then proceeded to cancel in open Court the above orders, and it is ordered that Union County have a like credit.

April 3rd 1876.

In the matter of
Road Viewers Report

Now on this day was read for the first time the Report of the viewers heretofore appointed viewers to view out a proposed County Road commencing at a post marked B in Section 2 Town one North Range 40 East thence, across Grande Ronde River to intersect the County Road leading from from Summerville. Report favorable.

In the matter of
Road viewers Report

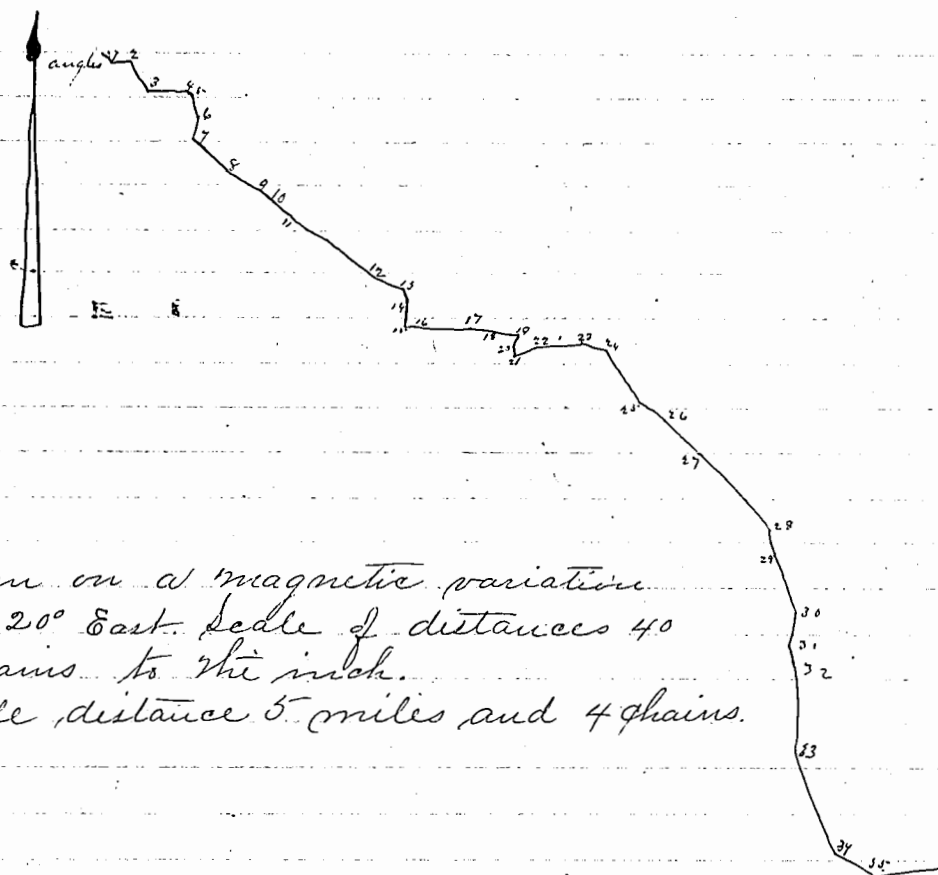
Now at this time was read the first time the report viewers on the Road from the center of Sec 27 T 2 S R 38 E thence North to intersect the C Road. Report favorable

In the matter of
Justice of the Peace

Now on this day there was presented a petition, asking for the appointment of John McCall, as Justice of the Peace for Silver Lake Precinct.

It is therefore ordered that John McCall be and he is hereby appointed a Justice of the Peace in and for Silver Lake Precinct Union County Oregon, and that he be authorized to take his oath upon his filing a good & sufficient Bond and oath of Office, as required by law.

Court then adjourned until tomorrow morning, at 9 O'clock.



Run on a magnetic variation
of 20° East. Scale of distances 40
chains to the inch.
Whole distance 5 miles and 4 chains.

In the matter of } April 4th
Road Viewers Report }

Now on this day was read a second time the report of the viewers on the proposed County Road commencing at the center of Sec 27 T. 2, S. R. 38 E, thence due north to intersect the County Road leading from Island City to Summerville.

Whereupon John Baker put in a claim for damages, in case said road was established, for the sum of \$200.⁰⁰ and at the same time Wm. H. Huffman laid in a claim of \$125.⁰⁰ damages in case said was established.

It is therefore ordered that Robt. D. Ruckman Wm. Binchart, and Wm. Kennedy be and they are hereby appointed viewers and Willis Schiff Surveyor to meet, at the house of John Baker on Saturday April 18th 1876 to view out and assess the damages the said John Baker and Wm. H. Huffman, applicants for damages herein, and each of them would sustain

by reason of the location of said proposed
Co Road through their premises.
said viewers to qualify before entering upon
the discharge of their duties as such.

In the matter of qualification } April 4th 1876
of John McCall as Justice of the Peace }
Now on this day
came John McCall heretofore appointed
Justice of the Peace for Silver Lake precinct
and files his bond and oath of Office
as such Justice as by law required.
and he is fully authorized to act as
such Justice from this 4th day of April 1876

In the matter of }
Road viewers report } April 4th
Now on this day was
read a second time the report of the
viewers on the proposed change of the
County Road leading from Hendershotts point
to Summerville
whereupon R. D. Ruckman filed a remonstrance
against said proposed change, signed
by more persons than were in the Petition
whereupon the Petitioners by their Atty filed a
motion to strike out the remonstrance which
motion the Court overruled.
Petitioners then filed a motion asking the Court
to allow J. T. Woodell to pay costs, and make
said change as prayed for in said petition
the same being only upon J. T. Woodell's land
under sec 12 of Chap 50 miscellaneous laws of
Oregon, which motion the Court overruled
and it appearing to the Court that the Remonstrance
had a greater number of names than the Petition
legally entitled to be thereon.
It is therefore ordered that said ^{change of} Road be not
granted, and that the petitioners pay all costs of survey and view.
Court then adjourned until to morrow
morning at 9 O'clock

Adjourned Term. May 15th 1876.

At an adjourned Term of The County Court of The State of Oregon for Union Co begun & held at The Court house in Union in said County on Monday the 15th day of May 1876. there was present Hon. E. L. Baird County Judge, E. P. Kraville & Jesse Hubler for Commissioners J. K. Cuckler's Sheriff and R. S. Cates Clerk.

Court met pursuant to adjournment.

Due Proclamation of The opening of Court having been made The following proceedings were had to wit.

For the matter of Report of viewers assessing damages } May 15th 1876

Now at this time the Court takes up for consideration the report of the viewers heretofore appointed to assess damages to one John Baker & W^m Huffman. petitioners for damages, claimed by reason of The location of a County road through & along their premises in Road Dist No 2 in Union Co.

And it appearing that from said report John Baker is entitled to damages in the sum of \$200.⁰⁰ and that said petitioner W^m Huffman, sustains no damages by reason of the location of said road described as follows. Commencing at the center of Sec 27, T. 2. S. R. 38 East, thence North three & one fourth miles there intersecting The County road leading from Island City to Summerville. And after due consideration by The Court it is ordered, and decreed that said John Baker be allowed damages in the amount of \$200.⁰⁰ as reported by the viewers, and The Clerk is ordered to draw a Warrant upon The Treasurer of Union County for said sum, in favor of said John Baker. And now at the same time Comes A. J.

Houghs, one of the petitioners for said road, and presents to the Court the sum of \$40.⁰⁰ in County funds which said orders are accepted and canceled in open Court.

It is therefore ordered ^{that} said described road be and the same is declared a public highway.

In the matter of } May 15th 1876
Liquor License; }

Now on this day came Lucian Remillard. and presents to the Court a petition praying for a license to issue to him, authorizing him to sell Spirituous Liquors in Union Precinct for a period of one year from this date, in less quantities than one quart. And said Lucian Remillard files a receipt from the County Treasurer of Union County showing that he has deposited with said Treasurer the sum of \$100,000 the amt required by law, and also files a bond in the sum of \$500.⁰⁰ with sufficient surety, which bond was approved by the Court, for his keeping an orderly house.

It is therefore ordered that a License issue to said Lucian Remillard authorizing him to sell Spirituous Liquors in less quantities than one quart in Union Precinct, in Union County Oregon for a period of one year from this the 15th day of May 1876.

Thereupon the Court adjourned until to Morrow morning at 9 o'clock