

No. 88

in

Circuit

Court.

Wm. Negro and Co

Plaintiff .

S. J. Souder et al

vs.

Defendants .

Action for Money

Docket Page

C. S. Ginn

Attorney for Plaintiff .

REVERSIBLE DOCUMENT ENVELOPE, No. 110  
Manufactured by Cincinnati Paper Novelty Company,  
124 Walnut Street, Cincinnati, O.  
Patented August 1, 1887.

**Record of the Case.**

1876  
April 4 Petition rec. Viewers app'd.  
Journal B p 5

July 5 1st Reading Report  
Journal B. p 31

July 7 Ordured opened  
Journal B p 33

81 P

Road

Commencing about 1/8 mile S. of Center  
of S.E. 1/4 Sec 20. T. 4. S. R. 40 E. to a  
Spring on Mountain.

(Andrew Wilkinson)

**WITNESSES.**

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

81

Know all Men by these Presents That we

Andrew Wilkinson & Israel Hathaway

are held and firmly bound unto Union County

Oregon in the sum of One Hundred Dollars

lawful money of the United States, to be paid to the said Union Co Oyer his County, Administrator, for which payment, well and truly to be made, we bind ourselves, our, and each of our Heirs, Executors, Administrators and Assigns, jointly and severally, firmly by these Presents.

Sealed with our seals. Dated this 4<sup>th</sup> day of April one thousand eight hundred and ~~eighty~~ <sup>ninety</sup> six

The condition of the above obligation is such that there has been this 4<sup>th</sup> day of April presented to the Co Court of said Union Co Oregon a Road petition praying for the view Survey & Location of a proposed Co commencing about 1/8 of a mile due south of the center of the N E 1/4 of Sec 20 T. 4. S R. 40. E running thence up the little creek to the mountain terminating at a point known as the springs on the mountain.

Now if the said proposed <sup>road</sup> is not established we will pay all costs of survey & view and any other expenses connected therewith not exceeding the sum of \$1000, if the above road is established this obligation shall be null and void otherwise to remain in full force and effect.

Andrew Wilkinson L.S.

Israel Hathaway L.S.

Signed, sealed and delivered in presence of

R. S. Cates

Bonds of  
A. Wilkins on &  
Loreal Hathaway.

Filed April 4<sup>th</sup>  
1876  
R. S. Hall  
Co. Clerk

To the Hon. County Court of  
Union County, Oregon.

The following report is submitted by us  
the undersigned viewers appointed to view  
out a proposed County road commencing  
about  $\frac{1}{4}$  of a mile due South of the center of the  
N. W.  $\frac{1}{4}$  of Section 26, Town 4 South Range 40 East  
thence in an Easterly direction to a spring on the  
mountain. We failed to meet on the day set in  
your order but on the fourth day thereafter we  
met but owing to extreme high water we  
adjourned to meet on the 2<sup>nd</sup> day of June 1876.

Pursuant to adjournment we met on the 2<sup>nd</sup> day  
of June 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. We find the road to be  
located on good ground requiring little expence  
to open except that portion which is located  
in the canyon through which Juliana Creek  
runs a distance of about  $1\frac{1}{2}$  miles which will  
require <sup>quite</sup> an amount of labor to open and put in  
good traveling condition. But taking into  
consideration the saving of about  $1\frac{1}{2}$  miles  
in distance over a former surveyed route  
in reaching the same point - the  
convenience to travel in avoiding hills  
and that in our opinion this is the only



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

I Willis Skiff County surveyor in  
and for the County and State aforesaid do hereby  
certify that the within field notes of the survey of  
a proposed County road beginning about  $\frac{1}{2}$  of a  
mile due South of the center of the N W  $\frac{1}{4}$  of Sec. 20.  
Town 24 South. Range 40 East. Thence in an Easterly  
direction to a spring on the mountain, are correct  
as made by me under the supervision of  
the viewers on the 2<sup>nd</sup> day of June. and year 1846.

Willis Skiff  
County surveyor.

W. Skiff

Report to viewers of the survey of a proposed  
County road commencing about  $\frac{1}{2}$  of a mile due  
South of the center of the N.W.  $\frac{1}{4}$  of Sec. 20  
T. 4 S. R. 40 E, thence in an Easterly direction  
to a spring on the mountain

Beginning at a post marked R. Thence

S 87° E. 42 chains to post marked A.I. Thence

S 67° E. 32 chains to post marked A.II. Thence

N 85° E. 28.50 " " " " A.III. Thence

N 65° E. 10 " " " " A.IV. Thence

N 41° E. 11 " " " " A.V. Thence

N 88° E. 9.50 " " " " A.VI. Thence

S 79° E. 7.50 " " " " A.VII. Thence

N 25° E. 9 " " " " A.VIII. Thence

N 65° E. 11 " " " " A.IX. Thence

N 60° E. 5.5 " " " " tree " A.X. Thence

S 52° E. 10 " " " " " " A.XI. Thence

N 35° E. 26.50 " " " " " " A.XII. Thence

N 56° E. 13.50 " " " " " " post " A.XIII. Thence

N 85° E. 29.50 " " " " " " " " A.XIV. Thence

N 57° E. 22.50 " " " " " " " " A.XV. Thence

N 85° E. 52.50 " " " " " " " " A.XVI. Thence

S 58° E. 124 chains to post marked A.XVII. Thence

N 58° E. 10.50 " " " " tree " A.XVIII. Thence

S 72° E. 24 " " " " " " A.XIX. Thence

S 11° E. 7 " " " " " " A.XX. Thence

S 22° W. 10 " " " " " " A.XXI. Thence

S 40° E. 10.50 " " " " " " post " A.XXII. Thence

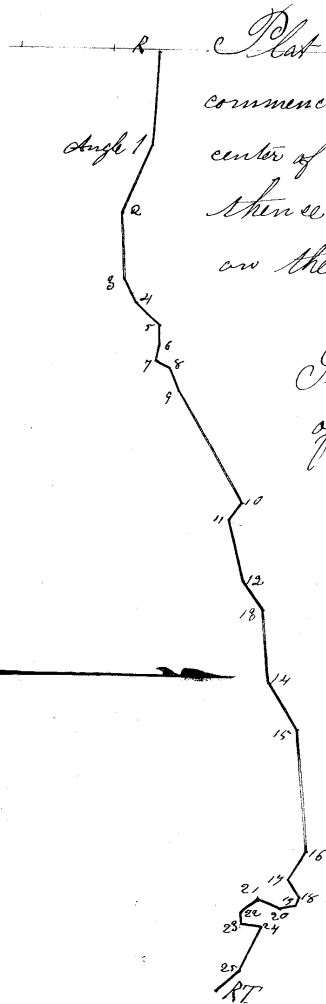
N 85° E. 5 " " " " " " " " A.XXIII. Thence

N 7° E. 8 " " " " " " " " A.XXIV. Thence

S 64° E. 23 " " " " " " tree " A.XXV. Thence

S 41° E. 12 " " " " " " " " RTI near

the Spring.



Part of the survey of the proposed County road  
commencing about  $\frac{1}{2}$  of a mile due South of the  
center of the N.W.  $\frac{1}{4}$  of Sec. 20. T. 4 S. R. 40 E.  
thence in an Easterly direction to a spring  
on the mountain.

Surveyed on a magnetic variation  
of 23° East.

Scale of distances. 60 chains to the inch.

Whole distance. 5 miles and 74 chains.



We the undersigned residents  
of Union County agree to do  
the number of days work  
set oposite our names on the  
road petitioned for if said  
road is granted

Arden Hathaaway.	five days work
A. Sizer	five " "
Wm Wilkinson	five " "
Amelia	" "
Alex Lebeouff	five " "
Thomas Wilkinson	ten " "
A. C. Cook	five " "
<del>Mc Cully &amp; Schuman</del>	five
Wm Johnston	Two "
P. Stanton	Five
James Beardall	five
J. Fickle	five

John Wilkinson

5 days work

R. Bowler

5 " "

S. Miller

4 " "

To the Hon County Court of Union County Oregon  
We the undersigned resident Householdere of  
Union County Oregon and living along the hereinafter  
proposed County Road would most Respectfully  
ask your Hon Body to have viewed & surveyed  
the following proposed Co Road.

granted

Commencing about one eighth of a mile due south  
of the center of the N E 1/4 of Sec 20 T. 4 S. R 40 E.  
and running thence in an easterly direction  
along the north side of the Farm of Phebe Gales &  
A. LaBuff. thence from the Farm of A LaBuff  
up the bed of the canyon through which Julia's  
Creek now runs to where the County Road <sup>running from</sup>  
<sup>crosses the big Creek</sup> said creek which is about 3 miles from  
the starting point. from thence in an easterly  
direction over the hill to what is known as dry gulch  
thence up said gulch about one quarter of a mile.  
thence in a southerly direction until it strikes  
the timber road about one quarter of a mile below  
the Spring on said road. thence along said timber <sup>road</sup> to  
said Spring. which will be the termination. all  
of which points and places are in Union County Oregon

Wardens Hathaway  
G. W. Amy  
Jacob Wilkinson  
Thomas Wilkinson  
M. Wilkinson  
Peter Gozette  
Arthur Collier

John Wilkinson  
Wm. Wilkinson  
R. Borrough  
C. W. Seaman  
Nathaniel Shagger  
Andrew Wilkinson  
Antoine Morrison

A. C. Cook  
Wesley Labouff  
Geo. Hüniger  
J. T. Wright  
John Creighton  
John Jenkins  
Matt Tolmston  
J. S. Bureau  
A. P. Sullivan  
Robert Eavin  
John "Derley"  
J. H. Moline  
Ben Stanton  
James Randall  
J. Finkle  
W. B. Cooley  
Lucien Kemler  
Lewis Mottler  
Milo M. ~~Anderson~~  
Jas. ~~Wright~~  
A. C. Harscey  
C. A. Blakely  
Paul Padint

S. Hannah  
G. H. Prescott  
J. B. Green  
D. P. Dwight

Paul Titlin

By

Andy Melburn  
and others

Silva Smith

1876

A. S. Bates

Delur

V. Collins

## Notice

Notice is hereby given that a Petition will be presented to the county Court of Union County Oregon at the April Term thereof 1876. Asking for the location of a county Road commencing about  $\frac{1}{8}$  of a mile due south to the center of the  $\frac{1}{2}$  E  $\frac{1}{4}$  of Sec 20. T4. S. R. 40. E. and running thence in an easterly direction along the north side of the Farms Phibe Cates and A. La. Buff. and up the creek to where the County Road running from Cove to Big Creek thence in an easterly direction over the hill to what is known as dry gulch thence up said gulch one quarter of a mile, thence in a southerly direction until it strikes the Lumber Road about one quarter of a mile below the spring on said Lumber Road thence along said Road to said spring  
The Termination

Feb 29<sup>th</sup>, 1876

State of Oregon }  
Union County } ss

J. Israel Wash-

away being duly sworn say that  
4 of the within Notices have  
been posted more than 30 days  
prior to this date, one ~~at~~ the  
Court house in Union in said  
county and 3 along the route  
of the proposed Road.

Subscribed & sworn  
to before me this 4<sup>th</sup>  
day of April 1876

R. S. Gales  
Co. Clerk

J. Hathaway

Read Petition

By Andrew Wilkinson  
et al

Filed April 4<sup>th</sup>  
1876, R. S. Gales  
Co. Clerk

Affidavit  
L. A. Blackton  
D. W. Johnson  
E. B. Hells  
to meet at  
A. C. Cooks  
on April 18<sup>th</sup>



April 7<sup>th</sup> 1876

Second 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 proceedings were had to wit:

In the matter of  
Road Petition

Now, at this time came Andrew Wilkinson who presents to the Court the Petition of himself, and 30 others paying for the view, survey and location, of a proposed County Road, as follows to wit:

Commencing about  $\frac{1}{8}$  of a mile, due South of the center of the North East  $\frac{1}{4}$  of Sec 20 T. 4. S. R. 40 E., and running thence in an easterly direction, along the South side of the farms of Osbe Bates and A LaBuff, thence from the farm of A. LaBuff up the bed of the Canyon through which Julian Creek now runs, to where the County Road running from Coor to Big-Creek crosses said creek which is about 3 miles from the starting point, from thence in an easterly direction over the hill to what is known as dry gulch, thence up said gulch about one quarter of a mile, thence in a southerly direction until it strikes the timber Road, about one quarter of a mile below the spring on said, thence along said timber Road to said spring, which will be the terminus of said proposed Road.

And it 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

good and sufficient bond has been filed;  
 It is therefore ordered by the court that John Phyl  
 Weldon, Minnie & A. B. Robinson be appointed  
 viewrs and Willis Skiff Surveyor, to view  
 Survey and report upon said proposed Co  
 Road, and that they meet at the house  
 of Willis Skiff on the 15<sup>th</sup> day of July  
 1876 and duly qualify before entering upon  
 the discharge of their duties in this behalf.

In the matter of } July 5<sup>th</sup> 1876  
 Viewers Report }

Now on this day was read  
 for the first time the viewrs report on the  
 proposed County Road commencing about 1/4  
 of a mile due south of the center of the N. W. 1/4  
 of Sec 20. Town Four South, Range 40 East. thence  
 in an easterly direction to the spring on the  
 mountain, no remonstrance or petition for  
 damages appearing.

In the matter of qualification }  
 of R. S. Bates, County Clerk } SS

Now on this day  
 came R. S. Bates heretofore, on the 5<sup>th</sup> day of  
 June 1876, duly elected County Clerk of  
 Union County Oregon, and files his Certificate  
 of Election with oath of Office endorsed thereon  
 together with his bond regularly executed  
 in the sum required by law, which bond  
 has been approved by the County Court,  
 therefore the said R. S. Bates is hereby duly  
 authorized County Clerk of Union Co Oregon

In the matter of }  
 Justices of the Peace }

In order to make a record for  
 Justices, it is here stated that the following  
 Justices have duly qualified to wit:  
 P. S. Black, Lalsraude Precinct, E. S. McComas,  
 Union Precinct, Powell Cumbry, Crook  
 Precinct, J. R. Kellogg, Iowa Precinct, and  
 John A. Tucker Bed Rock Precinct

Second day July 7<sup>th</sup> 1876

Court met pursuant to adjournment.

Present Hon. E. C. Brainard County Judge.  
 J. S. Imbler & S. F. Dick Co Commissioners  
 S. C. Swackhamer Sheriff & R. Bates, Clerk.

Due Proclamations of the opening of Court having been made the following proceedings were had to wit:

In the matter of Road }  
 Viewers Report. }

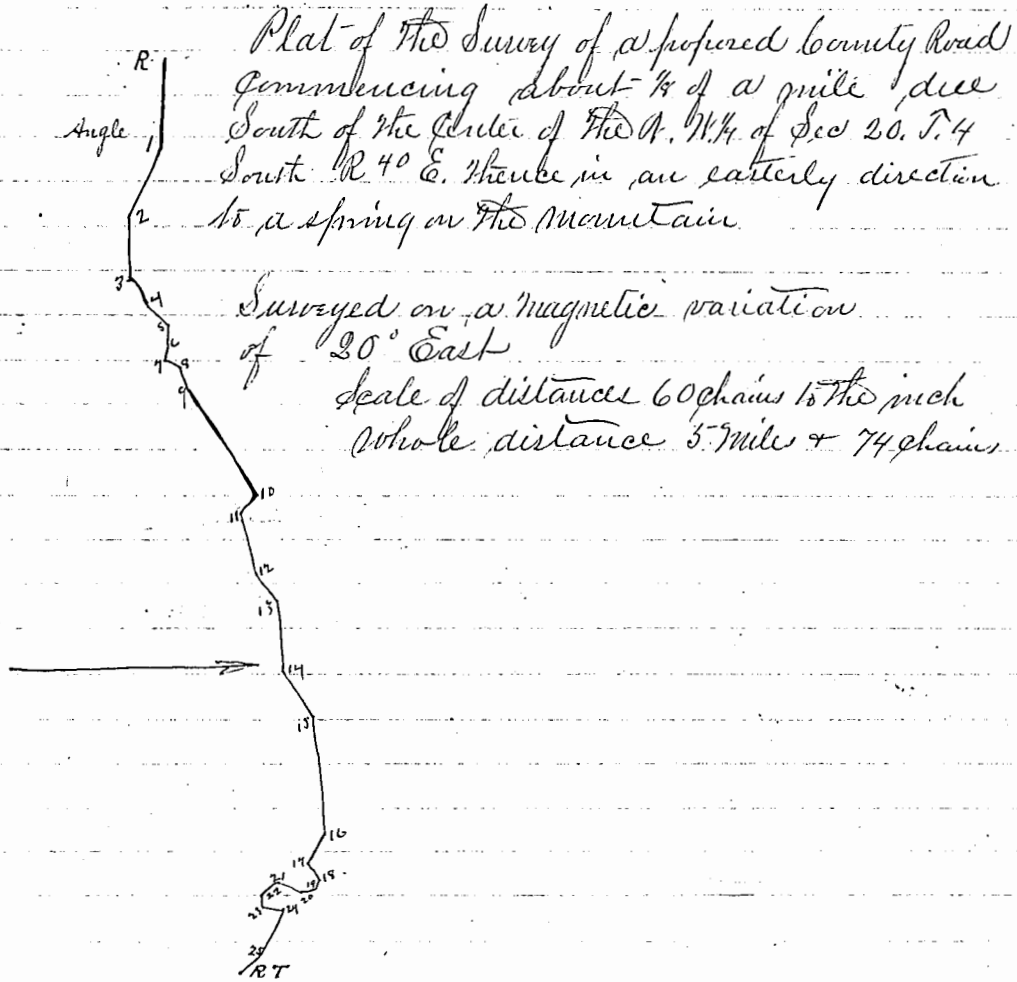
Now on this day was read the second time the report of the Viewers heretofore duly appointed to view a proposed County Road, commencing about one eighth of a mile due south of the center of the N. W. 1/4 of Sec 20, T. 4 South Range 40 East, and running thence in an easterly direction to the spring on the mountain;

And the said viewers having reported favorable to establishment of said road as prayed for by the petitioners, and there being no remonstrance or petitioners for damages to the establishment of said road, and it appearing to the Court that all proceedings had herein are regular and according to the requirements of law. Therefore, in consideration of law and the premises above the same is hereby declared a County Road, and the same is ordered open in accordance to the following Plat made upon the survey of the same by Willis Skiff Surveyor of Union County Oregon, to wit

Report to viewers of the Survey of a proposed County Road, commencing about 1/8 of a mile due south of the center of the N. W. 1/4 of Sec 20, T. 4, S. Range. 40 E, thence in an easterly direction to a spring on the mountain Beginning at a post marked R thence South 87° East 42 chains to post marked A 1, thence

South	67°	East	32.	chains to post	marked	A 11	stump
N.	88°	"	28.50	"	"	"	III "
N.	63°	"	10.	"	"	"	IV "
N.	41°	"	11.	"	"	"	V "
N.	88°	"	9.50	"	"	"	VI "
S.	79°	"	7.50	"	"	"	VII "
N.	25°	"	9.	"	"	"	VIII "
N.	65°	"	11.	"	"	"	IX "
N.	60°	"	55.	"	tree	"	X "
S.	54°	"	10.	"	"	"	XI "
N.	85°	"	26.50	"	"	"	XII "
N.	56°	"	13.50	"	post	"	XIII "
N.	85°	"	29.50	"	"	"	XIV "
N.	59°	"	22.50	"	"	"	XV "
N.	85°	"	52.50	"	"	"	XVI "
S.	58°	"	14.	"	"	"	XVII "
N.	58°	"	10.50	"	tree	"	XVIII "
S.	72°	"	4.	"	"	"	XIX "
S.	11°	"	7.	"	"	"	XX "
S.	22°	West	10.	"	"	"	XXI "
S.	40°	East	10.50	"	post	"	XXII "
N.	85°	"	5.	"	"	"	XXIII "
N.	7°	"	8.	"	"	"	XXIV "
S.	64°	"	23.	"	"	"	XXV "
S.	41°	"	12	"	"	"	R T

near the Spring



Plat of the Survey of a proposed County Road  
 Commencing about  $\frac{1}{4}$  of a mile due  
 South of the Center of The N.W. 1/4 of Sec 20, T. 4  
 South R. 40 E. thence in an easterly direction  
 to a spring on the Mountain.

Surveyed on a magnetic variation  
 of  $20^{\circ}$  East  
 scale of distances 60 chains to the inch  
 whole distance 5.5 miles + 74 chains

In the matter of  $\left. \begin{matrix} 3 \\ 3 \\ 3 \end{matrix} \right\}$  July 6<sup>th</sup> 1876  
 Liquor License

Now on this day came W. H. Reed and Present & files a petition signed by a number of the legal voters of Union Precinct praying that a license issue to said W. H. Reed, authorizing him to sell Spirituous Liquors in Union Precinct, and the said W. H. Reed also filed a receipt from the County Treasurer, showing that he has deposited the sum of \$50.00 the fee for six months License, also files a Bond as by law required which bond has been approved by the Court, and there being no Remonstrance presented against granting said License. It is therefore Ordered that a License issue to the said