

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 Executors, Administrators, Assigns,~~ 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 4th day of April
one thousand eight hundred and ~~eighty~~ ^{ninety} six

The condition of the above obligation is such that there has
been this 4th day of April presented
to the Co Court of said Union Co Oyer
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 ^{road} 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 4th
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 2nd day of June 1876.

Persuant to adjournment we met on the 2nd 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 ^{quite} 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

natural outlet for the settlement in
 the valley in going to and from the town
 of Union and vicinity and the one that will
 eventually be opened up for that purpose.
 We therefore respectfully recommend the
 establishment of this as a County road
 believing as we do that it would be for
 the most general benefit of the neighborhood
 and future good of the County.

David B. Hiltz }
 Geo. H. Blewett } Reviewers
 D. W. Johnson }

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 2nd 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

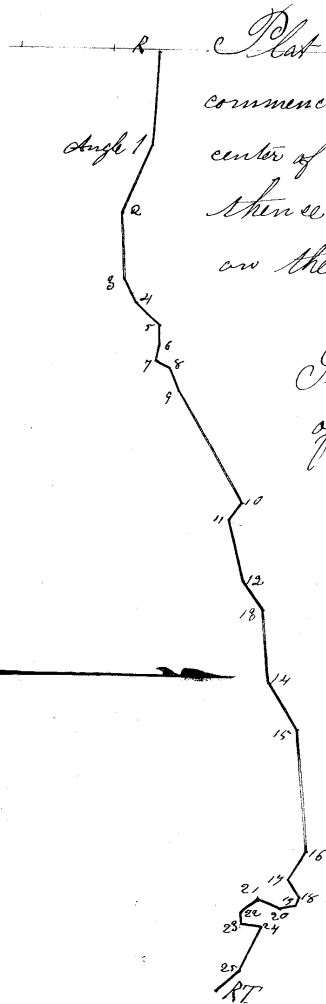
N 85° E. 5 " " " " " " " " A.XXIII. Thence

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 " "
Mc Cully & Schuman	five
Wm Johnston	Two "
P. Stanton	Five
James Beardall	five
J. Fickle	five

John Wilkinson
R. Powiat
S. Miller

5 days work
5 " "
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 ^{running from}
^{crosses the big Creek} 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 ^{road} 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 Goyette
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 Crichton
John Jenkins
Matt Johnston
J. S. Bureau
A. P. Sullivan
Robert Eavin
John "Perley"
J. H. Moline
Ben Stanton
James Randall
J. Finkle
W. B. Cooley
Lucien Kemler
Lewis Mottler
Milo M. ~~Anderson~~
Jas. ~~Wright~~
A. C. Harshey
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

Delaware

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 29th, 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 ~~on~~ the
Court house in Union in said
county and 3 along the route
of the proposed Road.

Subscribed & sworn
to before me this 4th
day of April 1876

R. S. Gales
Co. Clerk

J. Hathaway

Road Petition

By Andrew Wilkinson
et al

Filed April 4th
1876, R. S. Gales
Co. Clerk

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

April 7th 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 Phyllis Weldon, Mionis & 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 15th day of July 1876 and duly qualify before entering upon the discharge of their duties in this behalf.

In the matter of } July 5th 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 5th 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, Red Rock Precinct

Second day July 7th 1876

Court met pursuant to adjournment.

Present Hon. E. C. Brainard County Judge.
 J. S. Imbler & F. 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