

No.

in

Court.

S. O. Swackhammer

S. A. Pursel

Plaintiff

vs.

J. P. Baird Sen

Et al

Defendant

Action for

Docket

Page

Attorney for Plaintiff

Attorney for Defendant

Record of the Case.

1876

Sept 6. Petition rec Viewers app'd
Journal B. p 47

Oct 2 Viewers re app'd
Journal B. p 58

Nov 9 Report of Viewers laid over
Journal B. p 60

85

Road

Change no. 2 to commence at N.E. cor of
Sec 15. T. 2. S. R. 38 E. to a point 1/4 mile
due S. of N.E cor of Sec 14 T. 2. S. R. 38 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.

85

Report to viewers of the survey of a
proposed change in the County road on
the North line of Sec. 14, T 2 S, R 38 E.

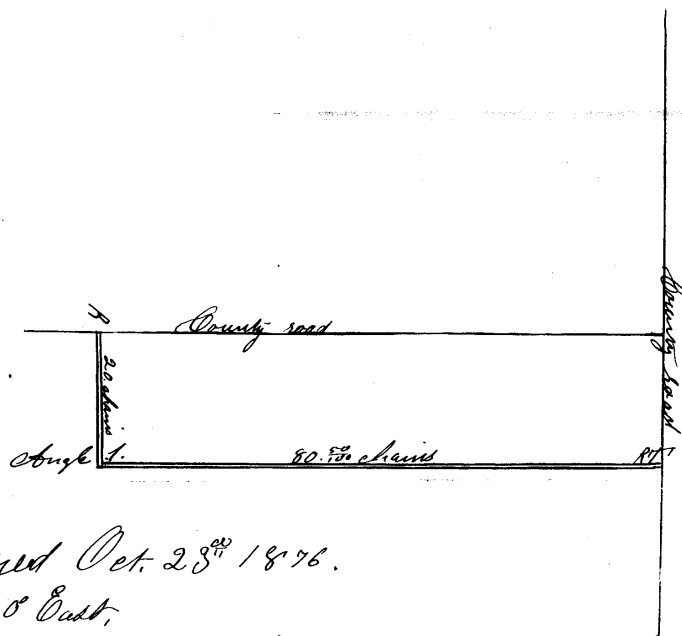
Beginning at the N. W. corner of Sec. 14
T 2 S, R 38 E. at a post marked R. Thence
South 20 chains to post marked #1. Thence
East 80^{7/10} chains to post marked R.T. (the terminus)

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

I Willis Shiff County Surveyor in
and for the County and State aforesaid do hereby certify
that the above field notes of the survey of a proposed
change of the County road on the North line of
Sec. 14, T 2 S, R 38 E, are correct as made by me
under the supervision of the viewers on the 28th day
of Oct. 1876.

Willis Shiff County Surveyor

Plat of survey of a proposed change
in the County road on the North line of Sec. 14
Town 2 South, Range 38 East.



Surveyed Oct. 28th 1876.

Var. 20 East.

Scale of distances 20 chains to the inch

Whole distance 1 mile 20^{7/10} chains

Survey

Whereas a petition has been presented
to the County Court of Union County
at the September Term thereof for the year
1876, for a change in the County Road
Commencing at the North East Corner
of section 5 T. 2, S. R. 38. E and terminating
at N. E. corner S. 14. T. 2, S. R. 38. E.
and to vacate so much thereof as
described in the accompanying petition
Therefore I Mr. B. Gray am held
and firmly bound to Union County
in the sum of One hundred dollars,
Conditioned that if the prayer of the
petitioners be not granted, and allowed
I will pay all costs and expenses
that may be incurred by reason of
such review not exceeding the above
sum of \$100

Dated Sept 6 1876

Wm. B. Gray

Approved Sept 6^r
1876 C. C. Braman
County Judge

Notice

Notice is hereby given that a Petition will be presented to the County Court at the Sept term thereof 1876. for a change in the County Road commencing at the N. W. corner of Sec 15 T. 2 S. R. 38 E. running thence 2 miles east to the North East Corner of Sec 14 T. 2 S. R. 38 E.

Petition above referred to will ask the above Road to be changed as follows.

Commencing at the North East corner of Sec 15 T. 2 S. Range 38 E. running thence due South on the Sec line between Sec 14 and 15 one quarter of a mile, thence due east one mile to a point one quarter of a mile due South of the N E corner of Sec 14 T. 2 S R 38 E.

and that all of that portion of the County Road lying East of the N E corner of Sec 15 T. 2 S R 38 E.

Terminating at the N. E. corner of Sec 14 T. 2 South Range 38 E be vacated and closed as a County Road

State of Oregon }
Union County } ^{SS}

J. William B. Gray

being duly sworn say that four of
the within notices have been posted
in Public places more than 30
days prior to this date, as follows
One on the front door of the Court
house in Union in said County
and three along the vicinity of
the proposed change of the within
described Road.

Subscribed & sworn to
before me this 6th day
of Sept-1876

R. J. Cale's
Co. Clerk

Wm. B. Gray

Filed Sept 6th 1876
R. J. Cale
Co. Clerk

July 1st 1846.

To the Hon County Court of Union County
Oregon.

We the undersigned twelve citizens
and householders and others residing
along and in the vicinity of the
hereinafter proposed change of County
Road. Most Respectfully petition your
Hon. Body to have or cause a change
or alteration ^{to be made} in the County Road
commencing at the North West Corner
of Sec 15 T. 2. S. R. 38 E running
thence East two miles to the North
East Corner of Sec 14 T. 2 S R 38 E,
Said Change to be made as follows.
to commence at the North East
corner of Sec 15 T. 2 S R 38 E, running
thence due South on the Sec line between
Sec 14 & 15 in Town 2, S, R. 38 E One
quarter of a mile, thence due East
one mile to a point one quarter of
a mile due South of the N. E. Corner
of Sec 14 T. 2 S R 38 E. and that
all that portion of the County road
lying East of the N. E. Corner of Sec 15
T. 2 S R 38 E, - Terminating at the
N. E. Corner of Sec 14, T. 2 South R 38 E
be vacated and closed, all of
said points and proposed changes

are in Union County Oregon.
and the Plat of the Road proposed
to be changed is Recorded in the
Commissioners Journal of the Co
Court at page 588. and for
the above ~~change~~ your petitioners
swear pray.

Names

Names

George Akley
W G Lauer
G. A. Grimmett
J Sammon
Charles Knapp
A. J. Johnson
J. C. [unclear]

Wm. Moss
J. R. Kelley
Jason Webster
E Hammack
Saml Truscott
C P Dudley
J J Hunter
A J Hughes
B S Halley
Wm B. Brown

Petition for Change
of
County Road

by
H. B. Gray & Ackles

Filed Sept 6th 1876

R. J. Cates
Co. Clerk

E. J. Neville

Thomas Childers

J. G. Merrill

Oct 23rd 1876

To the Hon County Court of Union Co State of Oregon
We the undersigned. Your appointed assessors
met at the appointed place

on Monday the 23rd inst. and after being duly
sworn proceeded to view the following described
road (by) commencing at the N.W corner of Sec 15 T2 S R 38 E running

running thence East 2 miles to the N East corner of Sec 14 T2 S R 38 E change in the above
road to be made as follows (to wit) commencing at the N.E corner of section 2
S. R. 38 East running thence due south on the line between Sec 14 & 15 T2
S R 38 E. one or of a mile. thence due east one mile to a point one fourth of a
mile due south of the East corner of section 14 T2 S R 38 E

Now after a careful examination of the
above described road would respectfully report
to Hon. County court of Union Co. that the
~~alteration~~^{alteration}
~~establishment~~^{establishment} of said road would be of no
advantage or disadvantage to the public travel
but of material advantage to ^{private} individuals

E T Miller

J. J. Woodell
R. J. Childers

In the matter of }
 License; Liquor } Sept-6th 1876.
 Warrick & Churchill }

Now on this day comes Arthur Warrick & C. Churchill, and presents to the Court, a Petition, praying for a License to sell Spirituous Liquors in Labraude Precinct Union County Oregon for a period of six months which Petition was accompanied by satisfactory proof of Notices having been posted according to law more than ten days prior to this date, also by an undertaking in the sum of Five Hundred Dollars that the said Warrick and Churchill would keep an orderly house, as required by law, which bond has been approved by the Court.

It is therefore Ordered that a License issue to the said Arthur Warrick and C. Churchill authorizing them to sell Spirituous Liquors in Labraude Precinct Union County Oregon for a period of six months from this 6th day of Sept 1876.

In the matter of Petition }
 for County Road. } Sept-6th 1876.

On this day comes W B. Gray who presents to the Court the petition of himself, and sixteen others praying for a change in the County Road commencing at the North West corner of Sec 15 - T. 2. S. R. 38. E. running thence East two (2) miles to the North East corner of Sec 14. T. 2. S. R. 38. E. = said change to be made as follows; to commence at the North East corner of Sec 15 - T. 2. S. R. 38 E. running thence due South on the Sec line between Sec 14 and 15. in Town Two South R. 38 E. one quarter of a mile thence due east one mile to a point $\frac{1}{4}$ of a mile due South of the N. E. corner of Sec 14. T. 2. S. R. 38 E and that all that portion of the County Road lying east of the North East corner of Section 15. T. 2. S. R. 38 E and terminating at the North E. corner of Sec 14 be closed & vacated as a County 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 two-thirds of said petitioners are legal householders residing in the vicinity of said Road and that a good and sufficient bond has been filed which approved by the Court:

It is therefore ordered by the Court that E. J. O'Neill Thomas Childers and J. L. Woodell be appointed viewers, and Willis Skiff Surveyor and that they meet at the home Wm. B. Gray on Saturday the 30 day of Sept. 1876 and duly qualify before entering upon the discharge of their duties in this behalf.

Whereupon the Court adjourned until to-morrow morning at 9 o'clock

Monday Oct 2nd 1876

At an adjourned Term of the County of the State of Oregon for Union County begun and held at the Court house in Union in said County on the 2nd day of Oct-1876.

There was present Hon. E. C. Brainard County Judge; F. T. Dick County Commissioner; S. O. Swackhammer Sheriff, & R. S. Bates, Clerk.

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

In the matter of appointment
of Road Viewers & Surveyor

Now on this day it appearing that the Clerk omitted to notify the viewers & Surveyor of their appointment duly made on the 6th day of Sept^r by this Court, to view Survey and locate a certain proposed Change of County Road upon a Petition presented by W^m B. Gray & others, a description of which is entered upon page 47 of this Journal It is therefore ordered that Thomas Childers, J. L. Woodard & E. T. Neville be appointed viewers & Willis Skiff Surveyor and that they meet at the house of W. B. Gray on the 15th day of Oct-1876, and duly qualify before entering upon the discharge of their duties in this behalf.

No further business appearing the Court adjourned until tomorrow morning at 9 O'clock.

Keville has passed the proper examination and it further appearing that the quota of Schollships from this County is not yet filled. it is therefore ordered by the Court that James M. Keville be & hereby is selected by the Court, as entitled to gratuitous tuition in the State University.

In the matter of }
Road Viewers report }

at this time was taken in consideration the report of the viewers on the proposed change of the County Road leading from LaGrande to Union said report stating that the proposed change would make said Road shorter but it appearing from the Official plat of said change that the distance would be increased & from evidence submitted that said change would be a detriment to the travelling public & of no public utility It is therefor ordered that said change be not granted & that further proceedings herein be not had.

In the matter of Viewers }
Report on change of Co Road }

Now at this time it was ordered that the report of the viewers on the proposed change of Co Road, commencing at the N.E. Corner of Sec 15 T. 2. S. R 38 E. and it is ordered that the same be taken under advisement until the next Regular Term of this Court.

In the matter of }
dismissing Road }
Petition: Indian }
Valley to Wallow }