

10711 v

No 36 Equity

in

Circuit

Court

State of Oregon
Plaintiff

vs

R E Stevenson
et al

Defendant

Action for Money

Docket

Page

R Eakin

Attorney for Plaintiff

Attorney for Defendant

NEVER FILED AGAINST ANYONE IN THE
LAWYER'S OFFICE FOR THE
1902

Record of the Case

100

WITNESSES

1877
 Nov 10 Petition rec & appropriations
 made - Journal B p 169
 1878
 Jan 11 Order presented
 Journal B p 180
 Sept 6 Report of Comm^{rs} & discharge
 Journal B p 207

○ - Road ○
 In re appropriation for grading
 on Hendershott Point & Summerville
 Road -

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

100

To The Honorable The County
Court of Union Co Oregon

We your commission who
were appointed to let contract
for grading the road from
Hendershott's point to the high
ground north of Grand Rond
River on the Sumnerville &
Hendershott's Point Road and
also to receive the work when
completed. Would report that
Angus Shaw (the contractor)
has completed the grading
as per contract, and it was
received by the commissioners
on the 13 of July A. D. 1878

We would call the attention
of your Honorable body to the
fact, that the appropriation
was so small, and the length
of the grade being 528 rods. We
were compelled to make the
specification for the grade in
regard to width as narrow as prac-
-ticable. Therefore we would
respectfully ask your Honorable
body to make another small
appropriation to be expended

in widening the grade to a
width, that Steam may pass
in safety on most of the grade.
Respectfully Submitted
Dated this the 6th day of September
A. D. 1878

R. D. Ruckman
E. T. Neville
Mr. B. Reese

Report

Filed Sept 6th 1878
W. L. Smith
Co. Clerk

Accepted

of Union Co & State of Oregon

Where as, The County Court, has appointed a Commission, consisting of the following named persons, viz. E J Neville
M B Reese & R L Ruckman to expend
One Thousand Dollars for grade 528 rods
of Road, known as the Hendersonhott
Point & Summerville Road, the grading
is to commence where the La grand Road

Leading to the ~~the~~ intersects the above named Road, thence
North along said road to the high ground
North of the River, a distance of 528 Rods

the Specification of the above named grade
shall be as follows, the Base 18 ft in width

See First the grade to decrease in width in the
Ratio of 16 ft wide to 12 in high, 14 ft 9 in to
18 in high 14 ft to 28 in high 13 ft to 28 in high
& 12 ft to 33 in high

See Second Stake No 1 - 33 in high No 2 - 22 in high
No 3 - 22 in high No 4 - 21 in high No 5 - 18 in high

See Third Stake No 1 - 18 in high No 2 - 17 in high No 3 - 15 in
high No 4 - 16 in high No 5 - 22 in high

See Fourth Stake No 1 - 22 in high No 2 - 16 in high No 3 - 31 in
high No 4 - 20 in high No 5 - 25 in high

See Fifth Stake No 1 - 25 in high No 2 - 27 in high
No 3 - 22 in high No 4 - 18 in high No 5 - 16 in high

See Sixth Stake No 1-16 in high No 2 15 in high No 3-15 in high
(Culvert 10 ft wide) No 4-25 in high No 5-29 in high

See Seventh Stake No 1-29 in high No 2-23 in high No 3-16 in
high No 4-16 in high. The stakes are 20 rods
from one to the other except the last one
which is 4 rods

There is to be three ^{additional} bridges
placed on the above named
Road, to be designated by
the commission

One 10 feet span one of 16 feet span
and one of 20 feet span

15588 1/2
116 1/2
3975

106 1/2
13
318
4088
1384

14643
10712
3951

4494
21411
8551

This agreement made this 21 day of
March 1878, between A. Shaw party
of the first part and E. J. Nevilles M. B.
Perry & R. D. Ruckman, the Committee
appointed by the County Court of
Missin County, Oregon, ^{contract for the} grading of
Road known as the "Hendershott's point
& Emmersville Road" parties of
the second part.

Witnesseth that the said party of the
first part hereby agree and undertake
to grade, and insert Bridges and
culverts upon, 5.28 rods of Road
known as the "Hendershott's Point &
Emmersville Road" at the places and
points, in the manner and to the
extent set forth in the specifications
hereto annexed and made a part
of this contract. The work to be
commenced by the 26th day of March
1878 and to be completed according
to said specifications by the 24th day
of June 1878 unless retarded by
high water then by August, 1st
1878.

The abutments of the bridges to be
built of rock (2 1/2) two and one half feet
thick (14) fourteen feet wide

~~As consideration of the said~~
Union County, Oregon,
exclusive of the wings.
The bridges each to have not less than
four stringers - not less than two
inches in diameter.

In consideration whereof the said party of the 2nd part hereby agrees and promises to pay to the said party of the first part the sum of \$750.⁰⁰ in County orders being the Balance of an appropriation of \$1000. made at the Nov. Term 1877 of the said County Court for this purpose.

That is an additional consideration the said party of the first part is to have and receive an amount of money subscribed by the Citizens of Mason, said County, for this purpose, said subscription being now in the hands of S B Carr, and to be collected by him and paid to the party of the first part if collectable.

It is further hereby agreed that the said party of the first part is to use what lumber and material is now upon the said road, and if the same is not sufficient for all the bridges & culverts named in the specification, the same are to be received without carrying.

The above amounts in County orders and the said subscriptions to be paid to the said party of the first part.

when the said work shall be comple-
ted according to the terms of this
contract

Witness our hands this 21 day of March
1878. at Union, Oregon.

E. T. Neville
A. B. Rees
R. D. Rockman
J. A. Shaw
J. J. Farr

Contract
A. Shaw
to
Neville, Rockman
& Rees. Care;

To the Hon County Commissioners
of Union Co. &

The undersigned, Citizens
of Union Co. would most respectfully
represent to your body, that, that
portion of the County Road
leading from "Grandshots Point"
to Sapsucker, north of Grand
Ronde River is subject to annual
overflow; occasioned by the
rise in the river and the
flatness of the locality.

That said overflow in some
instances the traveling public
in general, and the citizens
in particular.

That the survey of said road
is entirely practicable.

That it is very desirable that
travel be kept pass over said
road at all seasons of the
year.

We therefore pray that your
Honorable body may make such an
appropriation, to assist private
enterprise to accomplish the

much desired work - as you
in your judgment may
deem just - for which we
will most earnestly, zealously
& faithfully pray.

Love Union Co. &
Oct 9th 1877

- | Names | Names |
|----------------|------------------|
| L. B. Shaver | J. A. F. Meard |
| L. P. Holmes | O. S. Bloom |
| Thos. Coons | Geo. A. B. B. B. |
| D. W. Weaver | M. W. Bloom |
| E. A. Hunt | M. R. Minor |
| J. H. Hume | John S. Clark |
| L. A. Wigner | John Stocher |
| W. R. Robinson | Joe Martin |
| W. A. Mitchell | J. G. Russell |
| B. B. May | L. H. B. B. |
| W. W. B. B. | O. P. Barney |
| J. P. B. B. | J. P. Ellis |
| Benn. S. May | J. G. B. B. |
| J. M. B. B. | J. G. B. B. |
| L. J. B. B. | J. G. B. B. |
| John B. B. | J. G. B. B. |

To the Hon County Commissioners
of Union Co &

The undersigned, Citizens
of Union Co would most respectfully
represent to your body, that, that
portion of the County road
leading from "Hendershot's Point"
to said bridge, north of Grand
Ronde River is subject to annual
overflow; occasioned by the
rise in the river and the
flatness of the locality -

That said overflow inconven-
iences the traveling public
in general, and the citizens
in particular -

That the widening of said road
is entirely practicable -

That it is very desirable that
travel choked pass over said
road at all seasons of the
year -

We therefore, pray that your
Honorable body may make such an
appropriation, ^{of not more than one thousand dollars or} to assist private
enterprise to accomplish the

much desired work - as you
in your judgment may
deem just - for which we
with most earnest, zealously
& faithfully pray -

Love Union Co
Oct 9th 1877

Names	Names
L. R. Blaine	J. A. F. Mead
L. R. Holmes	O. S. Bloom
D. Weaver	Geo. W. ...
E. A. Hunt	M. W. Bloom
L. ...	W. R. Minor
L. A. ...	John S. Clark
J. H. ...	John Slocum
W. A. Mitchell	Joe Martin
O. B. ...	J. ...
Rev. J. ...	O. T. Barnes
J. ...	J. P. Ellis
L. J. ...	J. ...
J. ...	J. ...

the full cost of said bridge first mentioned and if any more expenses is necessary and to give to the builder thereof, a certificate, stating the amount and value of the work actually done, which certificate shall be a voucher to the court to pay the money for the same.

In the matter of
 Appropriation to
 grade the county
 road leading from
 Heudeshotts Point to
 Summerville



Now at this time was presented a petition by the citizens of Union County praying for an appropriation to grade the county road across the Grand Ronde River Bottom, from Heudeshotts point to the highlands beyond on the road leading to Summerville, and it appearing to the court that the prayer of said Petitioners is reasonable and that said appropriation is of essential benefit to the traveling public, It is therefore ordered, and adjudged and decreed by the court that the sum of \$1000.00 be expended by Union County for grading said road; and that a commission be appointed comprising the following named persons to wit. E. J. Neville; R D Beckman and M R Rees, the duties of said Commissioners shall be and they are hereby empowered to contract with any party or parties to grade and raise said road, to expend the amount herein appropriated for said purposes, and when in their judgment or a majority thereof said road shall be built, raised and graded according to their contract.

Jan 11th 1878 premises surrounded by said line connecting with the said South line of T. 1 S. R. 39, shall be apart of said Road Dist- No 7. And it further, appearing that there is some settlement on the north of said Dist- No 7 who are not included in any Road Dist, it was therefore ordered that said Dist be enlarged as follows commencing at the N. W. corner of T. 1. S. R. 39 E. (being the N. W. corner of Dist- No 7.) running thence North one & one half mile thence east two miles thence South one & one half mile South to the North line of said Road Dist- No 7, and said premises inside of said line be included in said Dist- No 7.

And the matter of location
of
County Road & marking same

Now at this time it appearing that the County Road across the Bottom land from Henderson's point to the highland beyond on the County Road from Henderson's Point to Summerville, should be surveyed & marked so that the Commissioners appointed to work out & superintend the ~~applying of the~~ appropriation made by the County to grade said Road across the River bottom.

It was therefore ordered that Willis Skiff Co Surveyor be notified to Survey & mark said Road from Henderson's point across the bottom to the highland beyond, or so much thereof as said commissioners are unable to find the exact location of, and that he take to assistance M. B. Rees one of said Commissioners

In the matter of appointment of
Justice of the Peace for Cove Precinct

Now at this time it appearing to the satisfaction of the County Court that it is necessary for the appointment of Justice of the Peace for Cove Precinct. - The Justice elect having failed to qualify according to Law. - therefore the Court having confidence in the integrity and ability of James Payne he is therefore appointed as Justice of the Peace of Cove Precinct.

In the matter of Road
Commissioners report.

Now comes the ~~case~~ the commissioners - E. T. Steville, R. D. Ruckman and W. B. Kellie and file their report as such commissioners of employed time appointed to let contract for grading a road from Hendersonholts point to the high ground north of Ground Run river on the Summerville & Hendersonholts wagon road and receive the work when completed. which report is read and accepted and commissioners discharged

There being no further business before the court it was thereupon adjourned for the Term,
A. C. Craig
County Judge

In the matter of fines
of G. Thompson and R. H. Lewis

Now at this time it appearing to the satisfaction of the Court that according to an entry heretofore made in this journal that - R. H. Lewis and Charles Thompson were unjustly fined in the sum of ten dollars each. It was therefore ordered that the same be and is hereby annulled and held for naught.