

No 496

in

Lerocch

Court

John P Bowler

Plaintiff

vs

Frank W Emory

Defendant

Action for

Money

Docket

Page

Walter V. Hyde

Attorney for Plaintiff

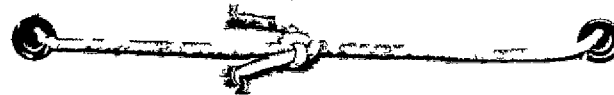
Attorney for Defendant

RECEIVED GREEN B.N. H. E. V. CO.
FILED IN OFFICE OF THE CLERK
JAN 1 1881
NEW YORK

1879
 July 9 Petition see Viewers appointed
 Journal B p 327
 Sept 3 1st reading Report
 Journal B p 344
 Sept 4 Continuance
 Journal B p 345
 Nov 5 Report read let to no
 Journal B p 366
 Nov 6 ordered opened
 Journal B p 373

Road

from Galnande to Starkeys Ranch



To The Honorable County
Court of the State of Oregon for
Union County

We the undersigned
householders and inhabitants of
Union County State of Oregon
and residents in the vicinity
where the county road here
after asked to be located is
situated would most
respectfully pray your honorable
body that you would
establish a county road from
Lafayette in said County on
the most possible and practicable
route to what is known as the
old Daily Ranch and owned and
occupied by Mr. John Starkey
in the said County and State
all of which you perhaps
would see pray by
Names
A. J. [unclear]

55/1

G. P. [unclear]

Names

Elias Bair
 P. S. Black
 A. B. Garguff
 J. A. Reed
 A. S. Moore
 H. Anderson
 William Davis
 G. W. P. ...
 C. G. ...
 L. ...
 H. W. ...
 W. J. ...
 W. H. ...
 J. L. ...
 Arthur ...
 Geo. ...
 C. S. Williams
 J. Weather
 Arthur ...
 A. ...
 Lewis ...
 J. B. ...
 W. ...
 J. S. ...
 E. ...
 H. ...

Names

S. A. Mahaffey
 Wm W. ...
 H. L. ...
 R. W. ...
 P. H. ...
 Hiram ...
 A. C. ...
 John ...
 E. S. ...
 Wm ...
 J. ...
 B. ...
 J. W. ...
 Wm ...
 Frank ...
 Thos ...
 C. ...
 J. ...
 Daniel ...
 A. ...
 W. ...
 J. ...
 H. ...
 Ben ...
 D. ...
 M. ...
 E. ...

Mr. Lane
George Parker
A. G. Allen

W. S. Sims

W. H. Davis
N. M. Davis
A. B. Davis

John W. Cullen
S. H. Ballew
B. J. Burdick
Wm. Spence
J. Bayer

John Baker
John Baker
John Baker
John Baker

T. M. Burdick
Robert Young
J. P. Young
Josep Chambers
Wm. H. Williams

La. H. Bachman
W. T. Bashness
James R. Bashness
W. S. Bush

John Storer
M. W. Bush
B. H. Bartholomew
J. H. Grady
G. Korman

J. R. Norstall
Peter Schilling
C. W. Dunder
E. S. Babcock
J. L. Garvin

H. L. Sutton
Albert Wilson
R. H. Grady
A. R. Lowrie
W. C. Sturgill

John Anderson
S. H. Jones

R. B. Briggles
Wm. Ray
A. H. Beach

111
111
111

Racet-Peterson
From
Lafayette H. Peterson



State of Oregon }
 County of Union } ss I L.W. Grant's body
 first duly sworn say that I posted
 the enclosed notice under Court house
 in Union County Oregon
 door, on the 10 day of March 1879
 more than thirty days prior thereto,
 Subscribed and sworn to
 before me this 13 day of } J. M. Williams
 May 1879. }
 J. L. Carter
 Notary Public

State of Oregon }
 County of Union } ss I J. Crawley being
 first duly sworn say that I posted
 the notice of public use
 is a copy in their places (public)
 and the line of said proposed road
 in this County, more than thirty
 days prior thereto, to wit on
 Mar. 10 1879
 Subscribed and sworn to by John Crawley
 before me this 14 day }
 May 1879 }
 P. O. Mahaffey
 Justice of the Peace

Filed May 28
 1879
 Willis Skiff
 Clerk
 J. S. Teleahin - Deputy
 Williams to Dooling or Stanley
 Ranch

To all persons whom it may concern, you are hereby notified that there will be a petition presented to the County Court of the State of Oregon for Union County at the May term thereof A. D. 1879. Praying the said Court to locate and lay out a County road, from La Grande to what is known as the old Daily Road Ranch, now owned and occupied by Mr. John Starkey in the County and State aforesaid

Robert Young

Dated this
10th day of
March. 1879

Surveyors Report

Sagrand Sept-22nd 1851

To the Honorable Viewers of County
 held from Sagrand to George Stankley
 Meigs & Henry set forth field notes and
 plat of survey, commencing in front
 of Stage Barn Sagrand, at post marked
 R
 then as follows

N	85°	West	4 1/2	obs 178	A 7
S	50°	E	6	20	A 77
S	87°	W	4 1/2	20	A 777
N	99°	W	9 1/4		
N	45°	W	6 1/2		AV
W			6 1/2		
S	87°	W	9 1/2		
N	55°	W	2 1/2		
N	85°	W	9 1/2		A 7X
N	31°	W	4		A X
N	12°	E	3		
N	32°	W	20 1/2		
N	28°	W	24 3/4	obs	
N	38°	W	8		
N	63°	W	8 1/2		
N	22°	W	16		7 M
N	30°	W	12 1/2		A XV7
N	60°	W	8		
N	40°	W	21 1/2		
N	75°	W			
N	65°	W			
N	22°	W			

S	4°	W	10 1/2
S	39° 30'	W	21
S	22°	W	5 1/2
S	77°	W	6
S	22°	W	7
S	40°	W	16 1/2
S	42°	W	4
S	42°	W	9
S	70	W	26
S	25°	W	5
S	29° 30'	W	4 1/2
S	7°	E	20
S	32° 30'	W	15 1/2
S	32° 30'	W	9
S	74°	W	5 1/2
S	16° 30'	E	26 1/2
S	7°	W	4
S	78° 30'	W	3 1/2
S	86°	W	5 1/2
S	89° 30'	W	4
N	18°	W	5
N	41°	W	7 1/2
N	25°	W	9 1/2
N	32°	W	9
N	42°	W	16
N	55°	W	12
N	28° 30'	W	7
N	35° 30'	W	9
N	85°	W	9 1/2
S	26° 30'	W	6 1/2
S	67°	W	5 1/2
S	45°	W	10
S	80°	W	19

3 M

4 M

5 M

10 1/2 ^{3/4} ~~2 1/2~~

21 ~~5 1/2~~

5 1/2 ~~5 1/2~~

6

7

16 1/2

4

9

26

5

4 1/2

20

15 1/2

9

5 1/2

26 1/2

4

3 1/2

5 1/2

4

5

7 1/2

9 1/2

9

16

12

7

9

9 1/2

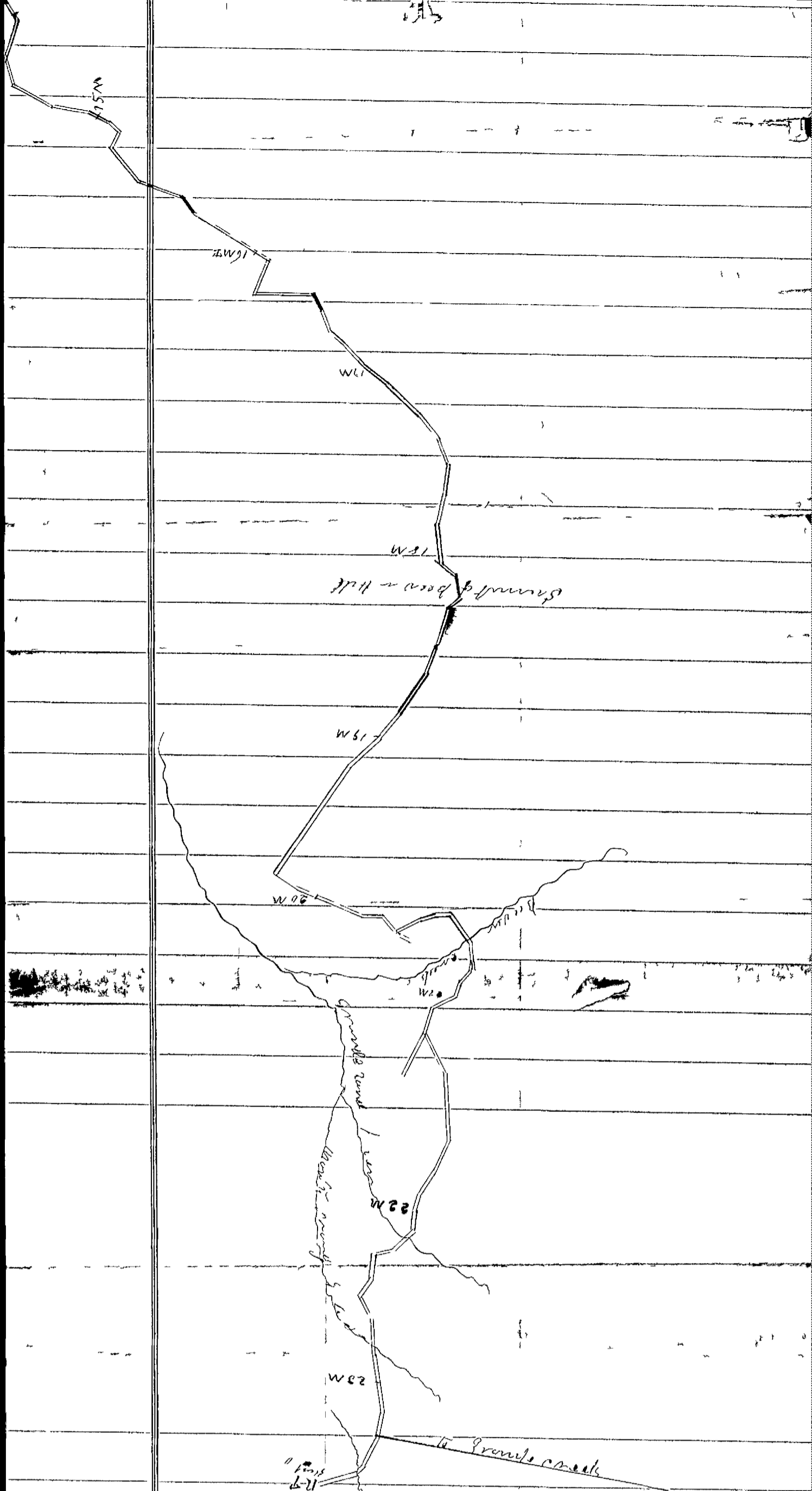
6 1/2

5 1/2

10

19

N	54°	W	23 —	
S	71°	W	14 —	
S	26° 30'	W	7 1/2 —	
S	95° 30'	W	23 —	
S	88°	W	9 1/2 —	
S	6° 30'	W	10 —	
S	17°	E	26 —	8 miles
S	27°	E	26 1/2 —	
S	6°	W	9 1/2 —	
S	16°	E	24 —	
S	73°	E	15 —	
S	20°	E	6 1/2 —	
S	19° 30'	W	8 —	9 m
N	40°	W	17 1/2 —	
S	81°	W	17 1/2 —	
S	1° 30'	E	5 —	
N	56°	W	11 1/2 —	
S	72° 30'	W	19 —	10 m
S	72° 30'	W	8 —	
S	89°	W	22 1/2 —	
N	74°	W	29 1/2 —	
S	97° 30'	W	15 —	
S	97° 30'	W	2 1/2 —	10 m
S	8°	E	3 6 1/2 —	
N	78°	W	15 1/2 —	
N	43°	W	22 —	
N	84°	W	13 1/2 —	73 m
N	84° 30'	W	12 1/2 —	A
N	81° 30'	W	6 1/2 —	
N	53°	W	7 —	
S	84° 30'	W	12 1/2 —	
S	71° 30'	W	37 1/2 —	AXEN
N	72°	W	11 —	
N	56°	W	14 —	
N	22°	W	15 —	
N	40°	W	10 1/2 —	
S	82°	W	8 1/2 —	74 m
S	82°	W	2 —	AXEN



Whole distance 25.11, 53 chs 41 - . 615

Scale of distance 20 chs to the inch

to the true accuracy of a survey of mountain country, using

traverse

accompany with the following bills surveyed

the foregoing tract by James Lee Gravelly to Stanley

commencing on the 1st ending 1st of Sept 1895

Chummen ^{chs} Mr. Mitchell & George Perkins

Each four days = \$8.00

Teamster Watson Beigel with team 4 days = 16.00

Flagman James Williams 4 days = 8.00

~~Surveyor W.B. Campbell~~

to Surveying stick of marking 40 4 days \$21.00

to Drafting 1 day = 4.00

to Plot & record = 1.50

to Millage 48 Boatmen wages = 4.80

to Herby carrying the above bills

are correct and just

W.B. Campbell

County Surveyor

Bills Audited

\$34.30

At a Regular Term of the Commissioners Court for the County of Union State of Oregon for Union County. July 9th 1899
 There was present Hon. A. C. Lewis County-Judge. Wm. G. Hunter and L. R. Holmes Co. Commissioners J. C. Swackhamer Sheriff. Willis Stiff Co. Clerk -

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

In the matter of }
 Road petition asking }
 for a Road leading }
 from La Grande to }
 Starkey Ranch }

Now at this time came A. Sommes and files a petition with this Court signed by himself and twelve other citizens and householders living along and in the vicinity of a route they ask to be established as a County Road, as follows to-wit: From La Grande in said County on the most feasible and practicable route to what is known as the old Daily ranch and owned and occupied by Mr. John Starkey in the said County and State all of which road petitioned for is located in Union County. And appearing to the Court that due notice of the pendency of these proceedings have been given, that Twelve of said petitioners are citizens and householders living along and in the vicinity of said proposed route, and that a good and sufficient undertaking has been filed as by law required. It was ordered that Thomas Williamson, Green Arnoed and Eli Pair be and they are hereby appointed viewers and W. B. Campbell Surveyor to view survey and report upon said Road, and that they meet at Sommes & Pairs Store in

July 9th 1849 the town of La Grande Oregon and qualify and proceed to survey and locate said route on the 31st day of July 1849

In the matter of
Appointment of
Constable for

La Grande Precinct } Now at this time James
J. L. Leurtis and presents to the court his
petition signed by the citizens of La Grande
Union County Oregon praying that he be
appointed Constable of said Precinct.

Whereupon it was ordered that the said
J. L. Leurtis be and he is hereby appointed
Constable of La Grande Precinct - Union
County Oregon, and that his term of
office expire July 1st 1850 - (The legally
elected Constable for said Precinct having
heretofore resigned,

In the Matter }
of
Viewers report }

Now at this time was read
for the first time the report of the viewers
and surveyor heretofore appointed to view
and survey a road petitioned for Charles
Kellogg et al and laid over until tomorrow
for further consideration.

In the Matter of }
Viewers report }

Now at this time was
read for the first time the report of the
viewers and Surveyors heretofore appointed
to view, survey and report on a route
petitioned to be established as a County
Road by J. B. H. Green.

Sept 3rd / 79

In the matter of }
Viewers Report. }
}

Now at this ^{day} came on for the first reading the report of the viewers heretofore appointed to view and report on a proposed Co Road from La Grande to Stearkey Ranch.

In the matter of }
Viewers Report. }
}

Now at this time was read for the first time the report of the viewers heretofore appointed to view and report on a proposed Co Road from Hobrooks Saw Mill to intersect the Road running from Lerne to Big Creek,

In the matter of }
Viewers Report. }
}

Now at this time was read the second time the report of the viewers heretofore appointed to view, layout and report on a proposed Locumity road from or near the N.W. Corner of the N.E. 1/4 of the N.E. 1/4 of Sec 31. T. 3. S. 13. R. 38. East to the old mill site of W. J. Smokey.

In the matter of }
Viewers Report. }
}

Now at this time was read the first time the report of the viewers heretofore appointed to view and report on a proposed change in the Locumity Road at or near the mouth of the Ladd Canyon.

Whereupon the court adjourned until 9 o'clock tomorrow morning

Second Judicial Day Sept. 4th A.D. 1849

Court met pursuant to adjournment.

Same Officers present as of yesterday

Due proclamation of the opening of Court having been made the proceedings of yesterday were read, approved and are now signed.

A. Craig,
County-Judge

In the matter of }
Viewers Report. }

Now at this time was presented and read the second time the report of the viewers, heretofore appointed to view and lay out a proposed County Road running from La Grande to Statkys Ranch and it appearing that said report was not in due form it was ordered that said report be laid over until the next regular Term of this Court for correction.

In the matter of }
Viewers Report. }

Now at this time was read the second time the report of the viewers heretofore appointed to view locate, lay out and report upon a proposed County Road leading from Holbrooks Saw Mill to intersect with the County Road leading from Levee to Pig Creek which is as follows, to wit:

Union July 18th 1849

To the Hon County-Court of Union County, Oregon

We the undersigned viewers met on 18th day July 1849, the day mentioned in your order and after being sworn and in company with your Surveyor proceeded to view, survey, and lay out the Road as described in your order as above by Surveyors Plat of Survey

At a Regular Term of the Co. Commissioners Court begun and held at the Court House in Union in Union County Oregon on the 5th day of Nov. A.D. 1879 present Hon. M. C. Craig Judge of said County W^m H. Hunter and H. P. Holmes Co. Commissioners S. C. Swackhamer Sheriff and Willis Skiff Co. Clerk.

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

In the matter of
Road petition from
Katrumbes to Starkeys
Ranche

The report of the viewers on this Road having filed a report of their doings on this road at the last Regular term of this Court and said report not appearing in due form it was laid over for correction and now at this time said report having been corrected the same was read for the first time and in open Court and laid over until to-morrow for further consideration.

In the matter of the
petition of L. L. Blakely
and others for County
Road

Now at this time was read the first time the report of the viewers on Road petitioned for by L. L. Blakely and others running from near J. P. Bains house to a post set at the margin of the Court this road leading from Union to La Grande.

In the matter of
Viewers Report on
Road from La Grande
to Starkey's Rancho.

Now came on for
the second reading the report of the Viewers
appointed to view a road from La Grande
to "Starkey's Rancho," which report is as
follows to wit:

To the Hon County Court of Union County
Orsgm.

We submit the following as our report
as viewers of Road viz: from La Grande to
Starkey's Rancho.

We met on the 21st of July as men-
tioned in your order and after being duly
sworn in company with the surveyors proceed-
ed to view, survey and lay out said road
from day to day up to Saturday July 26th and
adjourned until Aug 5th. Met on the 5th of
August and adjourned until Tuesday the
12th met on that day and continued
said survey two days and adjourned
until Friday 29th continuing survey one
day, adjourned until Sept 1st and
closing said survey. We select from
said surveyors four of surveys which as
shown by surveyors plan, one which
heartily recommend for County Road
and public travel. We therefore report
submit the following above hoping the
same will meet your approval.

Thomas Williamson } Viewers of
Elias Paier } proposed road

And it appearing to the satisfaction of the
Court that the proceedings herein have
been in all things regular and in
accordance with law, and no damage
having been claimed by the reason of the
location thereof and remonstrance having
been filed against the location thereof, and
in consideration of said viewers report,

It was ordered that said route be
established as a County Road and

public highway and that the same be opened and worked as such in accordance with field notes and Surveyors plat thereof of which the following is a copy. to-wit:

Commencing in front of Stage Barn, La Grange

" at Fort marked "B" then as follows

" N	89°	West	4 1/2 chs or 18 ^R	A I
" S.	5°	E.	6 "	A II
" "	89°	W	4 1/2 "	A III
" N	35°	W	9 1/4	A IV
" S	45°	W	5 1/4	A V
" W			6 1/2	A VI
" S	81°	W	9 1/2	A VII
" N	59°	W	2 1/2	A IX
" N	78°	W	9 1/2	A IX
" N	35°	W	4.00	A X
" N	12°	E	4.00	A XI
" N	32°	W.	16.21	1 M
" N	32°	W	14.25	A XII
" N	28°	W	30.50	A XIII
" N	38°	W	8.50	A XIV
" N	63°	W	11.00	A XV
" N	22°	W	15.00	A XVI
" N	30°	W	4.50	A XVII
" N	60°	W	6.25	2 M
" N	60°	W	1.50	A XVIII
" N	40°	W	15.50	A XIX
" N	75°	W	6.50	A XX
" N	65° 35'	W	9.50	A XXI
" S	22°	W	10.50	A XXII
" S	48°	W	5.50	A XXIII
" S	39° 30'	W	16.00	A XXIV
" S	24°	W	5.50	A XXV
" S	11°	W	5.50	3 M A XXVI
" S	22°	W	7.00	A XXVII
" S	40°	W	16.50	A XXVIII
" S.	42°	W	13.00	A XXIX
" S	7°	W	25.50	A XXX
" S	24°	W	9.50	A XXXI
" S	7°	E	8.50	4 M
" S	7°	E	11.50	A XXXII
" S	32° 30'	W	15.50	A
" S	32° 30'	W	9.00	A XXXIII
" S	74°	W	5.50	A XXXIV
" S.	14° 34'	E	26.50	A XXXV

S	1°	W	4.00	A XXXVI
S	78° 30'	W	8.00	5 M
S	80° 30'	W	4.00	A XXXVII
N	58°	W	5.00	A XXXVIII
N	41°	W	7.50	A XXXIX
N	28°	W	9.50	A XL
N	33°	W	9.00	A XL
N	42°	W	16.00	A XLII
N	39°	W	12.00	A XLIII
N	28° 30'	W	7.00	A XLIV
N	39° 30'	W	9.00	6 M
N	89°	W	3.50	A XLVI
S	26° 30'	W	6.50	A XLVII
S	64°	W	5.50	A XLVIII
N	49°	W	13.00	A XLIX
S	80°	W	12.00	AL
N	54°	W	16.00	AL I
S	71°	W	12.50	AL II
S	26° 30'	W	7.50	AL III
S	35° 30'	W	6.00	A 7 M
S	35° 30'	W	14.00	AL IV
S	25°	W	11.50	AL V
S	6° 30'	W	10.00	AL VI
S	14°	E	35.50	AL VII
S	6°	W	10.00	A 8 M
S	10°	E	24.00	AL VIII
S	12°	E	15.00	AL IX
S	20	E	6.50	A LX
S	13° 30'	W	3.00	A LXI
N	40°	W	17.50	A LXII
S	81°	W	17.50	9 M
S	1° 30'	E	5.00	A XLIV
N	56°	W	11.50	A LXV
S	72° 30'	W	27.00	A LXVI
S	89°	W	23.50	A LXVII
N	74°	W	18.00	10 M
N	74°	W	29.50	A LXVIII
S	37° 30'	W	17.50	A LXIX
S	3°	E	26.50	A LXX
N	78°	W	15.00	A LXXI
S	43°	W	9.00	11 M
S	43°	W	22.00	A LXXII
N	84°	W	26.00	A LXXIII
N	81° 30'	W	6.50	A XXIV
N	55°	W	7.00	A LXXV

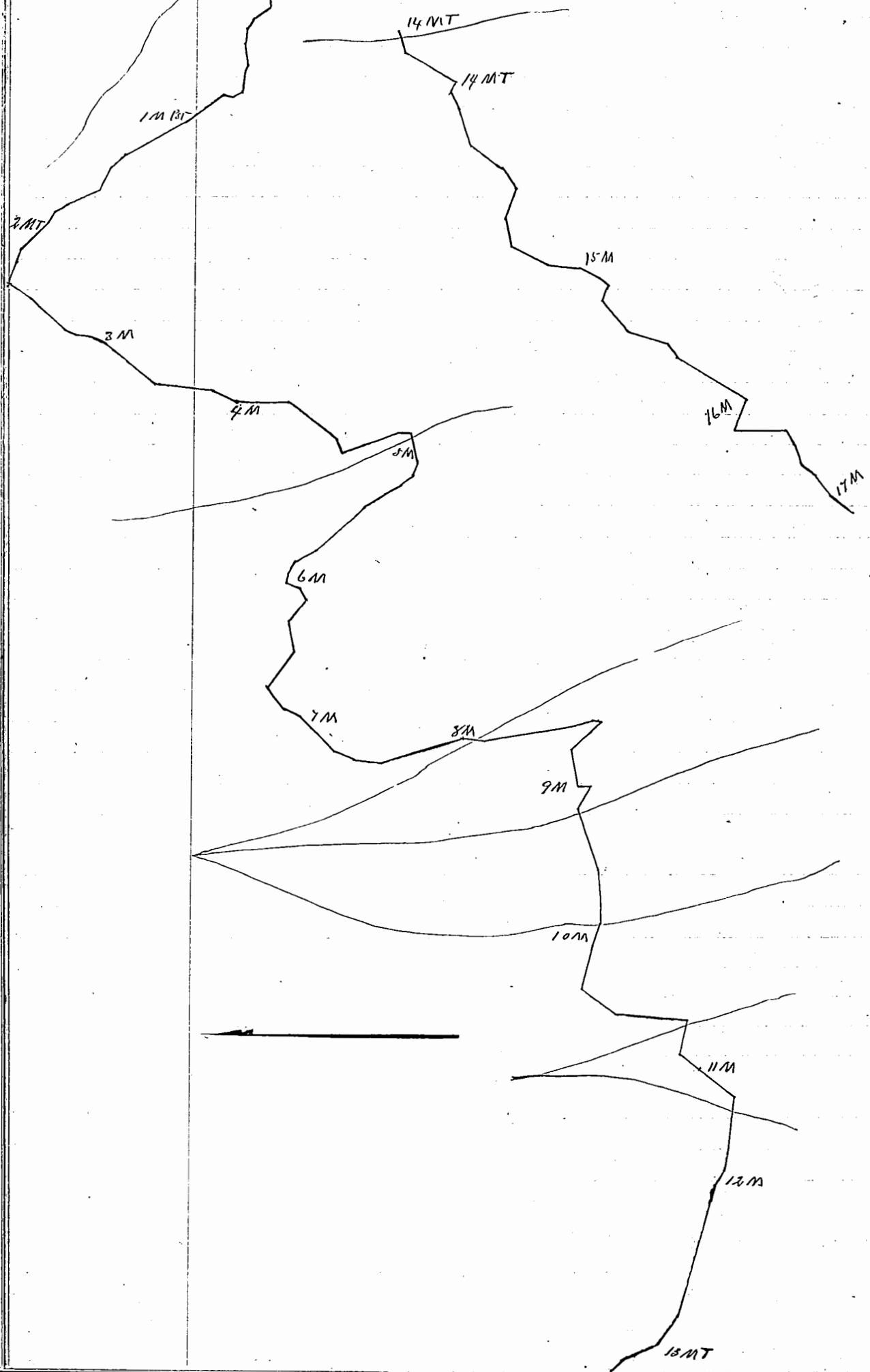
S	8		8.50	12 M
S	84° 30'	W	12.50	A LXXVI
N	71° 30'	W	34.50	A LXXVII
N	72°	W	11.00	A LXXVIII
N	56°	W	15.00	A LXXIX
		"	12.50	= 13
N	22°	W	15.50	
N	40°	W	10.50	A LXXX
S	82°	W	10.50	A LXXXI
S	36°	W	6.50	A LXXXII
S	28°	W	16.50	A LXXXIII
N	60°	W	5.00	A LXXXIV
S	70°	W	9.00	A LXXXV
S	75°	W	19.00	A LXXXVI
S	37°	W	2.00	14 M
S	37°	W	14.00	A LXXXVII
S	60°	W	6.50	A LXXXVIII
N	71°	W	16.50	A LXXXIX
S	75°	W	9.00	AXCI
S	30°	W	16.50	AXCI
S	10°	W	14.50	AXCII
S	29°	W	3.00	15 M
S	29°	W	4.00	AXXCIII
S	44°	W	4.50	AXCIV
N	64°	W	5.50	AXCV
S	37°	W	15.00	AXCVI
S	20°	W	14.00	AXCVII
S	56° 30'	W	5.50	AXCVIII
S	33°	W	6.50	16 M
S	33°	W	8.00	AXCIX
N	65°	W	8.00	AC
N	65°	W	6.00	ACI
S			22.00	ACII
S	64°	W	6.50	ACIII
N	69°	W	8.50	ACIV
S	41°	W	7.50	ACV
S	48°	W	11.00	ACVI
S	37° 30'	W	2.50	17 M
S	37° 30'	W	7.00	ACVII
S	44°	W	14.50	ACVIII
S	53°	W	13.00	ACIX
S	69° 30'	W	9.00	ACX
N	82°	W	11.00	ACXI
N	78° 30'	W	12.00	ACXII
S	84°	W	7.50	ACXIII

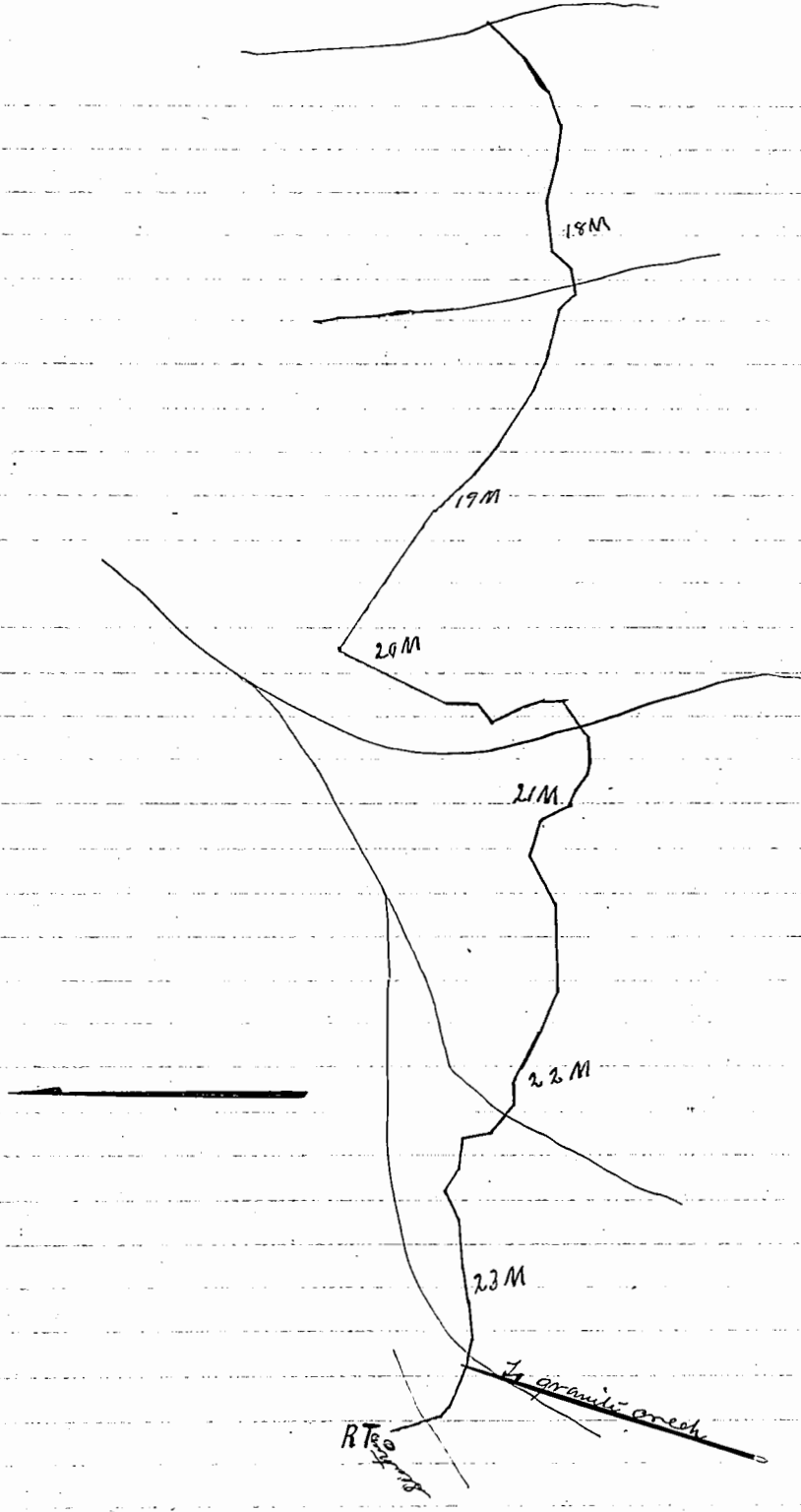
S	84°	W	2.50	18 M.
S	84°	W	4.50	A CXIV
S	40°	W	6.00	A CXV
S	83°	W	7.50	A CXVI
N	38°	W	6.50	A CXVII
N	32°	W	10.50	A CXVIII
N	69°	W	8.50	A CXIX
N	58°	W	19.00	A CXX
N	49° 30'	W	12.50	19 M
N	40°	W	15.50	A CXXII
N	56°	W	49.00	A CXXIII
S	34°	W	10.00	A CXXIV
S	22°	W	5.00	20 M
S	22°	W	22.50	A CXXV
S	3° 30'	W	7.50	A CXXVI
S	37°	W	6.00	A XXVII
S	28°	E	10.00	A CXXVIII
S	16°	E	4.00	A CXXIX
S	3°	E	4.50	ACXXX
S	55°	W	13.00	ACXXXI
S	86°	W	5.00	ACXXXII
N	81°	W	4.00	ACXXXIII
N	49°	W	6.50	ACXXXIV
N	77° 30'	W	6.50	21 M. ACXXXV
S	28° 30'	W	19.50	ACXXXVI
N	72° 30'	W	10.50	ACXXXVII
S	64 30'	W	18.50	ACXXXVIII
S	88.00	W	25.50	ACXXXVIII
N	66°	W	13.50	ACXXXIX
N	57° 30'	W	10.00	ACXL
N	73°	W	8.00	22 M
N	82°	W	6.50	ACXLI
N	41° 30'	W	10.00	ACXLII
N	12° 30'	W	9.50	ACXLIII
N	82°	W	10.00	ACXLIV
N	51°	W	7.50	ACXLV
S	64° 30'	W	9.00	ACXLVI
S	89°	W	17.00	ACXLVII
S	84°	W	22.50	23 M ACXLVIII
N	84°	W	10.00	ACXLIX
N	62°	W	13.50	ACL
N	42°	W	3.00	ACL
N	16°	W	16.00	= RT

(See plate next page)



La Grande





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