

Law

No 46

in

Circuit Court

S. Ottenheimer

Plaintiff

vs

A. L. Saunders

Defendant

Action for Replevin

Docket

Page

Lawrence Holmes & Co.

Attorney for Plaintiff

Attorney for Defendant

RECORDED & INDEXED  
MAY 11 1890  
FBI

1880

May 13 Petition per Viewers a/h/h  
Journal B p 456

July 5 1st reading report  
Journal B p 482

July 8 ordered opened  
Journal B p 501

Roads

change in Pyle Canyon beginning  
at S W cor Wm Hoffmanns Orchard  
to School House

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

To the How County Court of  
Union County Oregon

We the undersigned twelve citizens  
and householders and others resi-  
ding in the vicinity and along  
the hereinafter described route ask  
that you cause to be located and  
grant a change in what is known  
as the Pyle Canyon County road  
as follows to wit: Beginning at the  
South West corner of W<sup>m</sup> Huffmans  
orchard, thence to the West side of  
J. Stanley's quarter thence to the  
East side of B. Ashby's house  
thence to the County road thence  
along said road as now travelled  
to a point about 20 rods South of  
the south line of the land owned by  
B. Ashby, thence across the run and  
up on the West side about one and  
one half miles on the most prac-  
ticable route without creating  
clearance and intersecting the above  
named County road South of the  
School house and to vacate so  
much of the County road as  
now located as is included in  
the proposed change. All of

which above mentioned points and places are in Union County Oregon.

Names	Names
W J Yukler	C. S. Prescott
Wm Wilson	W. E. Chase
Wm Hutchins	W. D. ...
Geo Stute	Edwin Miller
Thomas Baird	J. Davis
Wm ...	J. E. Remington
D. B. Baker	James O. Pennell
James O. Pennell	
J. B. Green	
W. H. ...	
Alvord ...	
Ed ...	
Geo. ...	
Frank ...	
Pharment	
J. E. ...	
Wm ...	
James ...	
Wm ...	
Wm ...	
Wm ...	
G. M. ...	
J. S. ...	
S. A. ...	
Thomas P. ...	
James P. ...	
James P. ...	
James W. ...	
J. S. ...	
H. C. ...	
Geo. ...	
Mile off in	
J. Johnson	
S. C. ...	
H. Lynch	
H. Robinson	

P  
Peterson

Change in the

PP  
Syle Boungun

Receipts - Post

Fixed April 27<sup>th</sup> 1880

Wills Sapp

Co. Clerk

Deacons

J. Q. Lowell

to H. J. Wain

J. to G. J. Wain

May 19<sup>th</sup>

to assets at

from W. J. Wain

## Notice

It is hereby given that ~~at~~ the next regular term of the County Court of Union County, Oregon a petition will be presented asking to have a change located and established in the Pyle Canyon. County road as follows to wit: Beginning at the South West corner of W<sup>th</sup> Huffmans' orchard, thence to the West side of J. Stanley's yard, thence to the East side of B. Ashby's house, thence to the County road, thence along said road to a point about 20 rods South of the South line of B. Ashby's land, thence across the run and up on the West side about one and one half miles on the most practicable route without creating damage and intersecting the above named County road South of the School house, and to vacate so much of the County road as now located as is included in the proposed change.

Dated March 20<sup>th</sup> 1880

Blackaw Ashby

County of Oregon } ss  
Union County } I Bladon  
Ashby being duly sworn say  
that I posted the within notice  
on the court house door in  
Union in said County more  
than thirty days prior to this  
date and three copies  
hereof in three public places  
in Union County Oregon  
in the vicinity of said <sup>purpose</sup> well  
more than thirty days  
prior to this date

Subscribed and sworn to } Bladon  
before me this 13<sup>th</sup> day }  
of May 1880.

Willis Stiff  
Notary Public  
De

# Know all Men by these Presents:

That ~~we~~ I Bladen Ashby

am held and firmly bound unto the County Court of Union Co. Oregon in the sum of Fifty ~~\_\_\_\_\_~~ DOLLARS, lawful money of the United States, to be paid to the said County Court

~~for the use of the Administration on Account~~, for which payment well and truly to be made, ~~we~~ bind myself ~~and~~ my Heirs, Executors, Administrators and Assigns, jointly and severally firmly by these Presents.

Sealed with ~~our~~ <sup>my</sup> Seals, and dated this 13 day of May one thousand eight hundred and eighty

The condition of the above obligation is such that should the Road petitioned for by W.P. Licklin and others ~~should~~ be granted then this obligation to be null void otherwise to be in full force and effect in law

Signed, Sealed and delivered in presence of

Ellis Chatham

Bladen Ashby  
for Bladen



[SEAL.]

W. H. Humphreys



**BOND**

FROM

Wm. D. Keffner

to  
Main Court

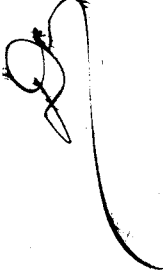
Executed Aug 13 1884

Filed, Aug 13 5 1884

At 7 o'clock, P. M.

Wm. D. Keffner  
County Clerk.

Wm. D. Keffner



Be it Remembered that a  
regular term of the County Court  
of the State of Oregon for the Pro-  
vince of Union began and held at  
the Court House in Union  
in said County on the 12<sup>th</sup> day  
of May A.D. 1850 and from  
day to day during the con-  
tinuance of said term,  
Present John A. Craig  
County Judge R. R. Holmes &  
W. G. Smith Co. Commissioners  
J. O. Swackhammer Sheriff and  
Willis Huff Clerk, the following  
Roads were created surveyed  
and the following named viewors  
appointed and the following  
times set for said surveys:  
to wit: County Road  
petitioned for by W. B. Gray et al  
commencing at the N.E. Cor. of  
Section 15. T. 2 South Range  
38 East, running thence south  
one fourth of a mile; thence  
East to the Ben Halley and  
Willow Creek County Road  
and to locate all other  
part of the County Road

commencing at the N. E. corner of Sec 15 T. 2, S. R. 38 East and running thence East one mile through the lands of Wm Gray. It was ordered that John A. Childers, J. R. Kellogg and Henry Myers be appointed viewers and Eugene Chase Surveyor to view survey, lay out and report upon said road and that they meet at the house of Wm Gray on the 25<sup>th</sup> day of May 1880 and after being duly sworn proceed upon their duties in this behalf. Also

County Road petitioned for by J. A. Wilson et al as follows, to wit: Commencing at the bridge at or near the house of James A. Wilson & to come Union Co Oregon and running thence North  $\frac{1}{4}$  mile thence West  $\frac{1}{2}$  mile intersecting the County Road  $\frac{3}{4}$  of mile from its starting point. It was ordered that M. B. Reese, W. B. May and A. R. Robinson be appointed viewers and Eugene Chase

Surveyor to view survey and lay  
out said road and report the  
same and that they meet at  
the house of James A. Wilson  
on the 24<sup>th</sup> day of May 1880  
and after ~~being~~ duly qualified  
proceed to their duties in this  
behalf. Also County Road  
petitioned for by Calvin Knapp  
as follows, to wit:

Commencing at the NW cor  
of the S 1/2 of N 10 1/4 of sec 9 in T 2  
S. of R. 38 E. and from thence East  
one mile intersecting the  
County Road, said County Road  
running East one mile, thence  
commencing at the terminus of  
said road from thence East  
1 1/4 miles, thence South 1/4 of  
mile; thence East 1 1/2 miles  
thence South 1/4 mile, thence  
East intersecting the Sumnerville  
and Union Town Road.

It was ordered that John A.  
Childers, J. R. Kellogg, and Henry  
Myers be ~~and~~ appointed  
Viewers and Eugene Chase  
Surveyor to view, survey and

report upon said road and that they meet at the residence of W<sup>m</sup> Jones on the 26<sup>th</sup> day of May 1880 and after being duly qualified proceed to their duties in this behalf.

Also County Road petitioned for by G. S. Plakeslee et al. as follows, to wit: Commencing on the County Road at the N.E. corner of the S.E. 1/4 of Sec 13, T. 4 S. R. 39, E. thence South one half mile to the South East corner of said Sec 13, thence South 165 feet to the center of "A" street of the town of West Union, thence West 260 feet, thence North 165 feet to the center of the County Road leading from the town Union to the Ladd Hill and also to locate all that part of the County road between the S.E. corner of Sec 13 and the terminus of said proposed County road.

It was ordered that W. J. Feklin Jackson Finkle and G. S. Remon

be appointed viewers and  
Eugene Chase Surveyor to  
view survey, layout and  
report upon said proposed road  
and that they meet the State  
Land Office <sup>on the 26<sup>th</sup> day of May 1880</sup> in said  
County and after being duly  
qualified proceed upon their  
duties in this behalf.

Also County Road petitioned  
for by W. J. Dicklin et al as  
follows, to wit: Commencing  
at the South West corner of Wm  
Hagman's orchard in Pyle Canyon  
thence to the west side of J Stanley's  
garden, thence to the East side  
of B Ashby's house thence to the  
County road; thence along said  
road as now travelled to a  
point about 20 rods south of  
the South line ~~owned~~ of the land  
owned by B. Ashby, thence across  
the run and up on the west side  
about 1 1/2 miles on the most  
practicable route without creating  
damage and intersecting the  
above named lev. road South  
of the school house and to

vacate so much of the lot road  
as now located as is included  
in the proposed change.

It was ordered that J. L. Egbert  
& H. Lewis and J. D. Carroll be  
appointed viewers and Eugene  
Chase surveyor to view survey and  
report upon said road and that  
they meet at the residence of Mrs  
Stappman on the 19<sup>th</sup> day of May  
and duly qualify before proceeding  
upon their duties in this behalf.

A. L. Leray  
County Judge

State of Oregon } ss  
Union County } Eugene Chase being  
first duly sworn say that I will perform  
the duties of surveyor in accordance  
with the within appointment to  
the best of my ability.

Subscribed and sworn to } Eugene Chase  
Surveyor

19<sup>th</sup> day of May 1880

Willis Steff

Willis Steff Clerk

Robert

Eugene Chase

Filed July 8<sup>th</sup> 1880

Willis Steff

To the How County Court of  
Union County, Oregon

We the undersigned viewers  
appointed to view, survey and  
locate a proposed change in  
what is known as the Pyle  
Canyon County road submit  
the following report.

We met on the <sup>clay</sup> ~~main~~ in  
your order to wit. the 19<sup>th</sup> day  
of May A.D., 1880 and after  
being first duly sworn in  
company with the Surveyor  
proceeded to view, survey and  
locate said change as directed  
and as shown by the Surveyors  
report and plat submitted  
herewith. We find the distance  
on the proposed route to be 990  
rods and on the road as now  
traveled to be 890 rods

Taking into consideration the  
fact that it will take but little  
work to put the proposed route  
in good traveling condition  
and the convenience to the owners  
of the land over which the proposed  
change is located we are of



the opinion that the change  
ought to be granted. All of  
which is respectfully submitted,

J. B. Egbert  
J. J. Larnall  
E. H. Lewis

} Viewers

Viewers Report  
on proposed change  
of W. J. F. Robinson

Filed July 12, 1860

W. J. F. Robinson

Co. Clerk

To J. C. Egbert, E. H. Lewis and J. D. Carroll  
 Viewers appointed to review the County Road  
 in Pyle Canyon. The following are the  
 field notes of the survey of the above  
 described road - commencing at the  
 SW corner of W<sup>m</sup> Huffmans orchard  
 at a Post marked R  
 Thence S 30° E - 53 lds to Post marked A I.  
 " S 49° E - 56 " " " " A II.  
 " S 14° E - 200 " " " " A III.  
 " S 31° E - 22 " " " " A IV.  
 " S 35° E - 56 " " " " A V.  
 " S 18° E - 44 " " " " A VI.  
 " S 7° W - 24 " " " " A VII.  
 " S 27° E - 34 " " " " A VIII.  
 " S 25° E - 80 " " " " A IX.  
 " S 12° E - 46 " " " " A X.  
 " S 7° E - 108 " " " " A XI.  
 " S 18° E - 64 " " " " A XII.  
 " S 20° E - 128 " " " " R I and

intersecting the Co Road south of School House  
 State of Oregon )  
 County of Union ) SS

I Eugene Chase County Surveyor  
 in and for the County and State aforesaid do hereby  
 certify that the field notes of the survey of the  
 above described road are correct as surveyed by  
 me on the 19<sup>th</sup> day of May 1880.

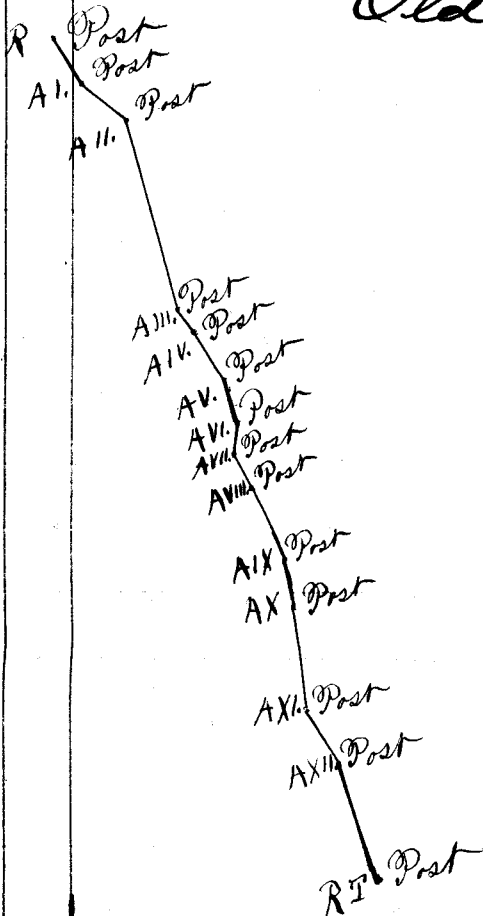
Eugene Chase  
 County Surveyor

Survey of change of road  
in Pyle canyon Surveyed  
May 19<sup>th</sup> 1880

Variation 20° East

Scale of distances  
200 rods to the inch

Whole distance 2 miles + 295 rods  
Old road 2 miles + 250 rods



Plot of W. S. Ficklin  
and others

Filed July 8<sup>th</sup> 1880

W. S. Ficklin  
and others

May 13.  
1880

that John A Childers, J. R. Kellogg and Henry Myers be appointed Viewers (who are three disinterested Persons in said Road) and Eugene Chase is hereby appointed Surveyor, to view, survey and report upon said proposed Road & Change, and that they meet at the Residence of Wm. B. Gray on the 25 day of May A.D. 1880— and duly qualify before entering upon the discharge of their duties in this behalf

In the Matter  
of  
the Petition of  
W. J. Ficklin & others  
for a Change of Road } Road Change  
in  
Pyle Canyon

On this Day came Wm. J. Ficklin who presents to the Court the petition of himself and many others, praying for the Change, location and establishment of a County Road in the Pyle Canyon as follows to wit:

Beginning at the South West Corner of Wm. Huffman's Orchard, thence to the West side of J. Stanley's Garden, thence to the East side of B. Ashby's house, thence to the County Road, thence along said road as now travelled, to a point about 20 rods South of the South line of the land owned by B. Ashby, thence across the run and up on the West side about one and one half miles on the most practicable route without creating damage and intersecting the above named County Road South of the Schoolhouse and to vacate so much of the County Road as now located as is included in the proposed Change—

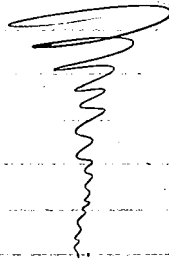
and it satisfactory appearing to the Court, from Proof filed herein, that due notice of the pendency of this proceed

@May 13" 1880.

ding 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 that a good and sufficient bond had been filed.

It is therefore ordered by the Court that John C. Egbert, E. H. Lewis and J. D. Covell, who are three disinterested Persons in said Charge of Road, be and the same are hereby Viewers and Eugene Chase Surveyor, to review, survey and report upon said proposed Change and that they meet at the house of Wm. Henffman on the 19<sup>th</sup> day of May 1880 and duly qualify, upon the discharge of their duties in this behalf.

In the Matter  
of  
Change of Line  
of  
Island & Summerville  
Precincts.



Now at this Time was appointed the petition of Thomas Anckman and others, praying for a Change in the line of Summerville and Island precinct —

And it appearing to the Court that it would be beneficial to the said petitioners to have a Change made as prayed for in said Petition —

It was considered, ordered and adjudged, that the line of said Summerville precinct be changed as follows: to wit: —

Commencing at the S. W. Corner of Tl. S. R. 39 E. — and running thence two miles due East to intersect the line of Summerville Precinct —

In the matter of }  
Viewers Report }

Now at this time was read the first time the viewers report on the proposed County Road petitioned for by J. J. Blevens and others and laid over until to-morrow for further consideration.

In the matter of }  
Viewers report }

Now at this time was read for the first time the viewers report on a proposed change of County road petitioned for by W. H. Gray and others which said report was laid for further action to-morrow.

In the matter of first }  
reading of viewers report }

Now at this time was read the viewers report on the proposed County road petitioned for by Calvin Knapp and others which said report was laid over for further consideration until to-morrow.

In the matter of }  
Viewers report }

Now at this time was read the viewers report on a proposed change of County road petitioned for by W. T. Picklin and others for the first time which said report was laid over for further consideration to-morrow.

In the matter of }  
first reading of }  
Viewers report }

Now at this time was read for the first time the viewers report on a proposed County road petitioned for by G. L. Blacklee and others and laid over for further consideration until to-morrow.

In the matter of change in the  
 Pyle canyon County Road 3

On this day it is read the Viewers report the second time on a proposed change in what is known as the Pyle canyon County Road asked for by a petition signed by W. F. Fuchlin and others. And it appearing that said viewers report favorable and there being no remonstrance filed against said petition and no bills for damages presented and further that due notice of the pending of this proceeding has been given as by law required it is ordered and adjudged that said change be granted and the route as shown by the the Surveyors Plat be and the same is hereby established as a County road and that it be opened for public travel according to law and that all that portion of the County road that is now being traveled that is included in the proposed change is hereby vacated as a County road and it is further ordered that the viewers report together with the Surveyors Plat of said proposed change be recorded as by law required.

Viewers Report

To the Hon. County Court of Union County  
 Oregon

We the undersigned viewers appointed to view survey and locate a proposed change in what is known as the Pyle canyon County road submit the following report: We met on the day named in your order to wit, the 19<sup>th</sup> day of May A. D. 1880 and after being first duly sworn in company with the surveyor proceeded to view survey and lay out said change as directed and as shown by the surveyors report and plat submitted herewith. We find the distance on the proposed route to be 920 rods and on the road as now traveled to be 890 rods.

Taking into consideration the fact that it will take but little work to put the proposed route in good traveling condition and the convenience to the owners of the land over which the proposed change is located we



are of the opinion that the change ought to be granted. All of which is respectfully submitted.

J. C. Egbert }  
 J. D. Carroll } Viewers  
 E. H. Lewis }

Surveyors Report.

To J. C. Egbert E. H. Lewis and J. D. Carroll  
 messrs. appointed to view the County Road in  
 Pyle Canyon. The following are the field notes of  
 the survey of the above described road, Commenc-  
 ing at the S. West corner of Wm. Huffmans  
 orchard at a Post marked R

Thence	S 36° E	53 rods	to Post marked	R	A. I.
"	S 49° E	56	"	"	A. II.
"	S 14° E	206	"	"	A. III.
"	S 31° E	22	"	"	A. IV.
"	S 33° E	36	"	"	A. V.
"	S 18° E	44	"	"	A. VI.
"	S 7° W	24	"	"	A. VII.
"	S 27° E	34	"	"	A. VIII.
"	S 25° E	80	"	"	A. IX.
"	S 12° E	46	"	"	A. X.
"	S 7° E	108	"	"	A. XI.
"	S 18° E	64	"	"	A. XII.
"	S 20° E	128	"	"	R. T. ...

and intersecting the County road south of  
 the School house.

State of Oregon }  
 County of Union } ss I Eugene Chase County sur-  
 veyor in and for the County and State aforesaid do hereby  
 certify that the field notes of the survey of the above des-  
 cribed road are correct as made by me on the 19<sup>th</sup> day  
 of May 1880.

Eugene Chase  
 County Surveyor

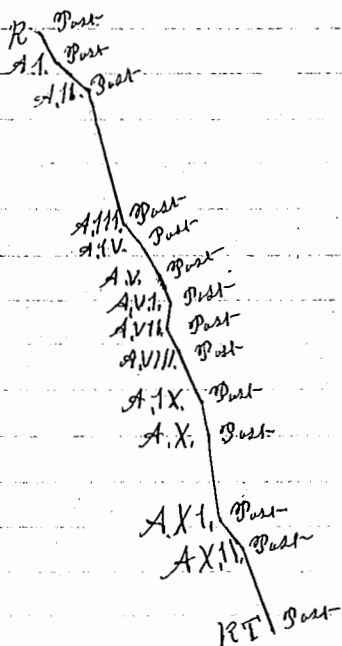
Survey of change of County Road in Pyle Canyon  
 Susseged May 19<sup>th</sup> 1880

Variation 20" East

Scale of distances 200 rods to the inch.

Whole distance 2 miles & 295 rods

Old road 2 miles & 250 rods



In the matter of damages  
 and establishment of County road  
 petitioned for by R. J. McWilliams et al

Now on this day is read the report of the  
 appraisers of damage on the proposed County road  
 petitioned for by R. J. McWilliams and others. And  
 it appearing from said report that F. Murchison  
 the party claiming damage will be damaged by  
 reason of the establishment of <sup>said</sup> proposed County  
 Road in the sum of ten dollars it is ordered  
 that the same be paid, and it appearing that  
 there is no remonstrance or further bills for  
 damage filed herein it is ordered that said route  
 be established as a County road and opened to  
 public travel and that the views and sur-  
 veyors reports be recorded of which the follow-  
 ing are copies to wit.