

No 37 Law
in

Michigan

Court

Chickenski, et al

Plaintiff

vs

W. J. Ford

Defendant

Action for

Docket

Page

C. H. Jones

Attorney for Plaintiff

Attorney for Defendant

PRINTED AND PUBLISHED BY THE
LAW OFFICE OF THE
STATE OF MICHIGAN

Record of the Case.

1897

May 11 Petition for Reversal of
Journal B p 597

July 9 Order of Appeal
Journal B p 622

161

WITNESSES.

Road

commencing at Stanley Bridge
to Summit of Trail Creek Mountain
near line bet Union + Unatilla
counties -



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

161

To J. G. McCoy and John Startley
Viewers, appointed to review a County
Road between the Startley Bridge and
the Summit of Trail Creek Mountain
The following are the field notes of
the survey of the above described
Road Beginning on the County
Road at the Summit of Trail Creek
Mountain at post marked R

Thence	N 21° W	2 miles	280 rods	to post marked	A I
"	N 23° W	5 "	20 "	" " "	A II
"	N 50° W	"	160 "	" " "	A III
"	N 54° W	3 "	260 "	" " "	A IV
	N 37° W	2 "	240 "	" " "	A V
	N 56° E	1 "	80 "	" " "	A VI
	N 83° E		190 "	" " "	A VII
	N 21° E	2 "	270 "	" " "	A VIII
	N 19° E	3 "	298 "	" " "	R I

and intersecting County Road at the
Startley Bridge

State of Oregon }
County of Union } SS

I Eugene Chase County Surveyor
in and for the County and State aforesaid do
hereby certify the field notes of the survey
of the above described road are correct
as surveyed by me under the supervision
of the viewers on the 27, 28 of June 1881

Eugene Chase
Co Surveyor

Summary Report

Final Study 5/25/88

Willie Shell
Co. Clerk

Survey of County Road from the
Starkey Bridge to the summit of
the Trail Creek Mountain

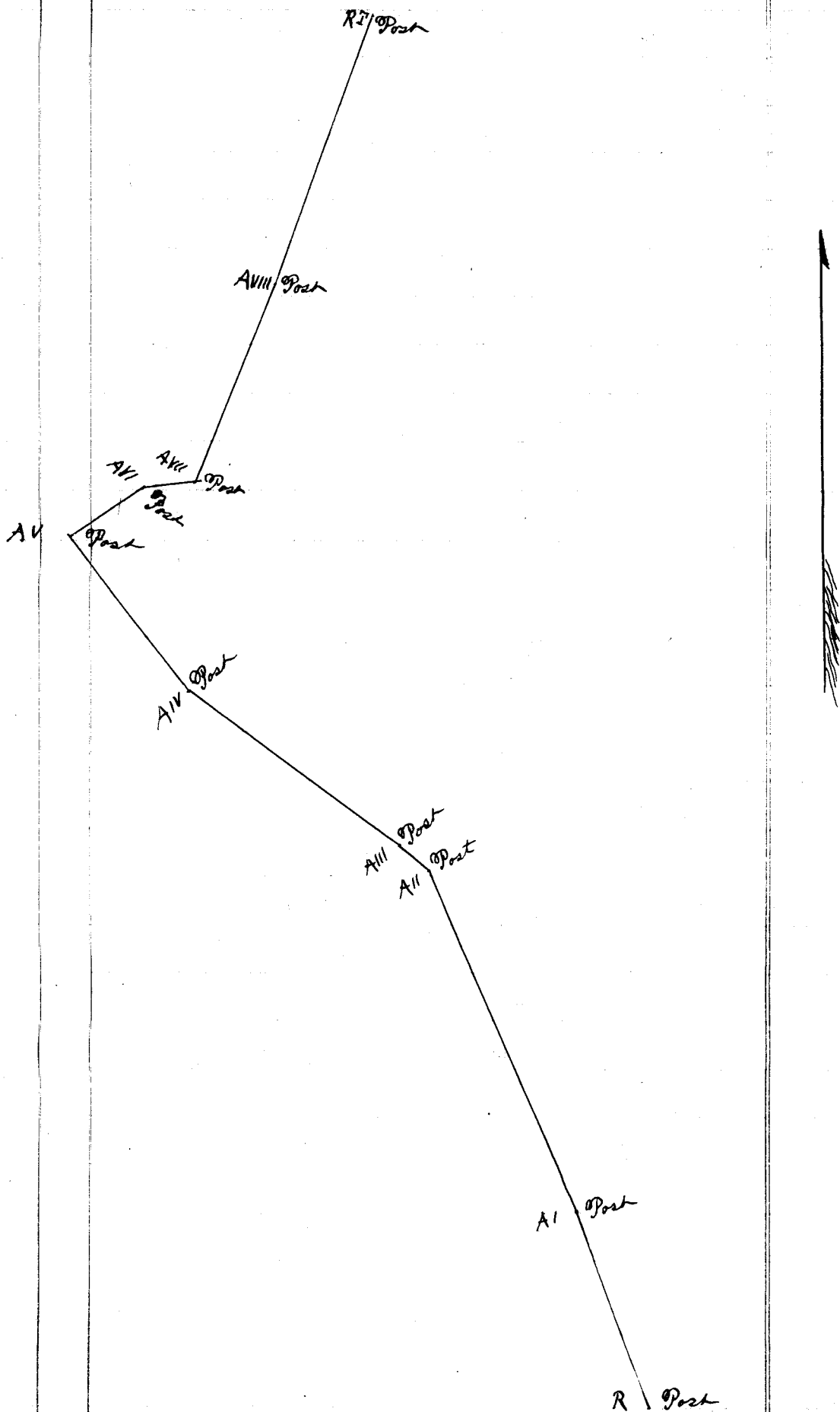
Survey ed June 27th + 28th 1881

Variation 20° East

Scale of distances

640 rods to the inch

Whole distance 23 miles 198 rods



To the Hon County Court of Union County Oregon
 We the Undersigned Citizens of Round Road River
 Precinct Union County Oregon ¹⁸⁵⁵ would respectfully
 represent that a County Road commencing at
 The Steerly Bridge on the County Road leading
 from La Grand to the Steerly Ranch, and
 running from thence on the most practicable
 route to what is known as the Sheep Ranch
 and from thence to the summit of the Trail
 Creek Mountain near the line between Union
 and Wasatch Counties would be a benefit
 to the Citizens of Union County and the
 Traveling Public

Therefore We respectfully pray that three
 disinterested Viewers may be appointed with
 The County Surveyor and that said route
 may be Surveyed and laid out as a County
 Road

Names

Names

W. Bush

George Starkey
 C. M. Gardner

James P. McEly
 Douglas Keane

L. L. Looney

Isaac ~~Starkey~~

J. S. Currie

W. L. Brownham

A. Jackson

W. J. Neil

J. M. Kysiek

Robert Kelly

Geo. W. Robinson

F. W. Benton

Louis Stultz

R. Adams

G. Helms

D. D. Davenport
To Dunton

Notice is hereby given that
at the May Term of the County Court
of Union County - State of Oregon 1881
a petition will be presented to said
Court praying the location and
establishment of a county road
as follows, to wit: Commencing
at the Statley Bridge on the county
road leading from La Grande to
the Statley Ranch and running
from thence on the most practicable
route to what is known as the
Sheep Ranch and from thence
to the summit of the trail creek
mountain near the line between
Union and Wasatch Counties

J. Hopper

State of Oregon } 83
County of Union }

I J. G. McCoy being first duly sworn say that the notices of which this is a copy have been posted in three public places in the Precinct in which the the Road is to be located and one at the Court House in Union Union Co Oregon more than thirty days previous to the date on which the Petition is presented

Subscribed and sworn to
before me this 20th day
of April A. D. 1881

Willis Skiff
Co. Clerk

J. G. McCoy

Filed Apr 20 1881
Willis Skiff
Co. Clerk

Return
New
at Budd et al
R. H. W. 20. 1881
County of Clark

11

Survey to be made 18th May
Viewers John Starkey
J. G. Mc Coy
Willis Baird

Know all Men by these Presents:

THAT ~~WE~~ *J. J. McCloy*

~~and~~ *Union*, of the County of ~~Morrison~~ and *Union*

State of Oregon, are held and firmly bound unto the said County of ~~Morrison~~ in the sum of *Fifty* Dollars, the payment of which, well and truly to be made, we bind ~~ourselves~~ *myself my* heirs, executors and administrators firmly by these presents.

Signed this *20th* day of *April* A. D. 18*81*

Now the condition of the above obligation is such, that whereas, if the County Road petitioned for by *A. Bush* and others, and presented at the *May* term, 18*81*, of the County Court of said ~~Morrison~~ *Union* county, commencing at the *Starkey Bridge* on the County road leading from *Lee Grand* to the *Starkey Ranch* thence to the *Sheep Ranch* and from thence to the summit or Boundary line between *Union & Unmatilla* be located and established, then this obligation to be void; otherwise to remain in full force and virtue in law.

J. J. McCloy

original made to new in year

Filed Apr 20, 1887
W. L. H. Hoff
Bookkeeper

Be it Remembered

That at a term of the Honorable County Court of Union County, State of Oregon, begun and held at the Court House in Union in said County on the 12 day of May A.D. 1871 and from day to day thereafter, during the continuance of said term:

Present: Hon. Mc Craig County Judge,
" Wm G Hunter Commissioner,
" Willis Jeff Clerk,
R J Rogers Sheriff.

The following, among other proceedings, were had, to-wit:

IN THE MATTER OF Petition for a
_____ County
Road _____

On this day came H Bush who presents to the Court the petition of himself and more than twelve others, praying for the location and establishment of a County road as follows to-wit: Commencing on the County road leading as follows, to-wit: from La Grande to the Starkey Ranch and running from thence on to most practicable route to what is known as the Sheep Ranch; and from thence to the summit of the trail creek mountain between Union and Wasatcha Counties.

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 that a good and sufficient bond has been filed:

IT IS THEREFORE ORDERED BY THE COURT that John Starkey and Willis Jeff be appointed Viewers, and Eugene Lebase Surveyor, to view, survey and report upon said Proposed road and that they meet at the Starkey Bridge on the 16 day of May 1871 and duly qualify before entering upon the discharge of their duties in this behalf.

(Signed)

Mc Craig
County Judge.

NOTE.—The three viewers must meet.

Attest Willis Jeff Clerk, E. M. Waite

State of Oregon }
Union County } J. Eugene Chase being
duly sworn say that I will perform
the duties of Sheriff in accordance
with the within appointment according to
law and the best of my ability.

Subscribed and sworn to }
before me this 13th day } Eugene Chase
of May A.D. 1886

Willis Staff
J. C. & Co. Clerk
Deputy

Filed July 24th 1886
Willis Staff
Clerk

To the Hon County Court of

Union County Oregon

We submit the following as our report as viewers of road viz;
From the Starkey Bridge to the summit of the Trail Creek Mountains We met by appointment on the 27th of June 1881 and after being first duly sworn in company with the Surveyor proceeded to view survey and lay-out said road completing said survey on June 28th. We select from said Surveyor's plat of surveys which as shown by Surveyor's plat one which we heartily recommend for County road and public travel - We therefore submit the above hoping the same will meet your approval

Delg McBy } Viewers of proposed
John Starkey } County Road

Amount \$50

General Receipt

Patrol Fund, 27th 1881

Wm. H. H. H.

County Clerk

bond has been filed. It is therefore hereby ordered by the Court, that Joseph Bugg, Leonard Lang and W. N. Young be appointed viewers and Eugene Chase Surveyor to view survey and report upon said proposed road and that they meet at about the house of Mr. W. Mullen on the 21st day of June A. D. 1881 and duly qualify before entering upon the discharge of their duties in this behalf.

In the matter of
petition for
County Road
Starkey Road

On this day was presented the petition of H. Bush et al praying the location and establishment of a County road as follows, to wit: Commencing at the Starkey Bridge on the County road leading from La Grande to the "Starkey Ranch" and running from thence on the most practicable route to what is known as the Sheep Ranch and from thence to the summit of the trail Creek Mountain near the line between Union and Umatilla Counties. And it is satisfactorily appearing to the Court that from proof filed herein due notice of the pendency of these proceedings 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 has been filed.

It is therefore ordered by the Court that John Starkey, J. W. McCoy and Willis Nail be appointed viewers and Eugene Chase Surveyor to view, survey and report upon said road and that they meet at the Starkey Bridge on the 16th day of May and duly qualify before entering upon the discharge of their duties in this behalf.

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

In the matter of Starkey Road
 Viewers report Now at this time you a
 second reading the report of the viewers and
 survey upon a proposed County road from
 Starkey Bridge to the summit of the trail creek
 mountain, which report is as follows writ:

"To the Hon County Court of Union
 County Oregon"

We submit the following as
 our report as viewers of road, viz:

From the Starkey Bridge to to the summit
 of the trail creek Mountain, we met by
 appointment on the 27th of June 1881 and
 after being first duly sworn in Company
 with the Surveyor proceeded to view lay
 out and survey said road completing
 said survey on June 28th we select from
 said Surveyors plat of surveys which as
 shown by Surveyors plat one which we
 heartily recommend for County road
 and public travel. We therefore submit
 the above hoping the same will meet
 your approval.

J. S. McCoy } Viewers of proposed
 John Starkey } Road

And it appearing to the Court from the
 above report that said road is a public
 necessity and no person having claimed
 damages by reason of the location of said road
 and it also appearing to the Court that
 the proceeding herein have been in
 all things regular and in due
 form of law. It is therefore hereby
 ordered and adjudged that said route
 be established as a County road and
 public highway and be ordered opened
 as such in accordance with the
 field notes and plat of said survey
 which is as follows. Writ:

Beginning on the County road at the
 summit of trail creek Mountain
 at post marked B. Hence
 N 21° W 2 miles to post marked A 1
 Hence N 23° W .5 " " 20 " " " " A 11
 " " 50° W " 160 " " " " A 111

Hence to $54^{\circ} 20'$ 3 miles & 260 rods to post marked A IV
 " N $37^{\circ} W$ 2 " " 240 " " " " AV
 " N $56^{\circ} E$ 1 " " 80 " " " " AVI
 " N $83^{\circ} E$ " " 190 " " " " AVII
 " N $21^{\circ} E$ 2 " " 270 " " " " AVIII
 " N $19^{\circ} E$ 3 " " 298 " " " " RT and
 intersecting County road at the Starkey bridge
 State of Oregon $\frac{2}{55}$ & Eugene Chace County
 County of Union $\frac{2}{55}$ Surveyors in and for the County
 and State of Oregon do hereby certify the
 filed notes of the survey of the above described
 road are correct as surveyed by me under
 the Supervision of the views on the 27th & 28th of
 June 1881 Eugene Chace
 Co Surveyor

Surveyed June 27th & 28th 1881
 Variation 20° East
 Scale of distances 640
 rods to the inch, whole
 distance 23 miles,
 198 rods

