

No. 24 E

Circuit

Court

Thomas Barton

Plaintiff

vs

The City of La Grange
and C. P. Ellsworth
Recorder

Defendant

Action for

Docket

Page

Attorney for Plaintiff

Attorney for Defendant

RECEIVED
FEBRUARY 10 1890
COURT HOUSE
LA GRANGE, GA.

1861

May 11 Petition see Stewart's affidavits
Journal B p 614

Aug 8 Re affidavit of Wm. Reid
Journal B p 633

Sept 7 1st reading report—
Journal B p 657

Sept 8 Order of assessment—
Journal B p 659

Road

from School House on foot hill
road from Union to Lathande
Dist 19 to Rogers flat

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

- Petition

To the Honorable County Court of Union County Oregon
 We the undersigned, Resident householders of the
 vicinity of the road herein after described, would
 respectfully Petition your honorable body, to grant a
 County road, as follows, to wit

Commencing at a point on the Foot hill,
 County road leading from Union to Seaside
 opposite and near the School house in School
 District No 19. Thence running due South on
 the line dividing the land Claims of N. P. Lewis
 and O. P. Goodall, until said line reaches the
 road now traveled from Grande Ronde valley, to
 the said hill of Wm. Noyes, thence along said
 road, to said said hill of said Wm Noyes
 Thence on the plainest and most public road
 in a South westerly direction, up the mountain
 to the house of William Marris, on what is known
 as Rodgers flat. All of which points and places
 are in Union County, State of Oregon.

And we your Petitioners Ever Obedient
 James Alger W. Noyes W. B. Gandy
 J. W. Shambaugh C. W. Noyes R. L. Newman
 John I. Peckler R. W. Bankes Ed. Banters
 John S. Green A. Layler A. Little
 Cassa Green Frank Allen
 Charles McClure Henry C. Clark
 E. Mulholland Joel Dotson John O. Marris
 A. Gooden R. G. Banks W. Marris
 J. J. Stillfield W. H. Marris

May 12 1881

D. A. McAlister

John H. Childers

Yvonne Barbaree

July 15th

Met. at school house

Children of
James Alger et al

Filed July 5th 1881

Willis S. Hoff

Co Clerk

29
91
02
046
—
08
03
042

95
105
280
—
470

Notice

Notice is hereby given, that a petition will be presented to the Honorable County Board of Union County Oregon, at the July 1881 term thereof. Praying for an order for a County Road as follows to wit

Commencing at a point on the foot hill, County Road, leading from Union to Selgrade, opposite and near the School House, in School District No. 19, thence running due South, on the road line dividing the land claims of W. P. Lewis, and O. P. Goodall, until said line reaches the road now traveled from Grande Round Valley, to the said mill of Wm Noyes thence on, and along said road, until it reaches said ^{Said mill} of said Wm Noyes. thence on, along, or near the plainest, and most public road, up the mountain in a South westerly direction, to the house Wm Harris on what is known as Rodgers flat. All of which points and places are in said County State of Oregon,

May 12 1881

John F. Greer	W. M. Noyes	at Large
James H. Greer	McNoyes	John P. Miller
J. H. Strambough	J. H. Clark	John H. Miller
C. McElfure	E. Hullcoll and	Wm. H. Miller
W. R. Banks	Joel. Retner	H. Miller
R. D. Banks	H. C. Cofer	
W. H. Miller	et al	
W. H. Miller	E. L. Barber	
W. H. Miller	W. L. Barber	

140
 69
 50
 1050

~~1909~~
 350
 400
 50
 1360
 12

 422
 2022
 1191

 931

3. 2 years 27
 7 1 years 56
 1 hog 100

 327

325
 12

 1007
 694

 313

*Notes and
 record of farming*
 Fred Kelly 32/1880
 Fred Kelly, Prop.
 Pa. 1880

I O. P. Goodall do solemnly
swear, that I posted the within
notice, also 2 Copies of same
in those public places; To wit -
one on School House door named
Winkley; one on Burr's house
at Hayes Saw Mill, one on sign post
at mouth of lane, by Charles McCaskey
all in vicinity of road named in Notice
and petitions, and one Court House
door, in Winton, Winton County
Oregon, more than 30 days
Prior hereto.

Winton County, Oregon.

July ~~first~~^{second}, 1881.

O. P. Goodall

Subscribed and
sworn to before me

This ~~1st~~^{2nd} day of July, 1881
at Monticello, Winton

1881
3-11

W. W. J. J. J.
Cor. Bank

Know all Men by these Presents:

THAT ~~we~~ *O. P. Goodall*

Union
of the County of ~~Mason~~ and *Union*

State of Oregon, are held and firmly bound unto the said County of ~~Mason~~ in the sum of

Twenty five Dollars, the payment of which, well and truly

to be made, ~~we~~ *I myself my* bind ~~ourselves~~ ~~our~~ heirs, executors and administrators firmly by these presents.

Signed this *22* day of *June* A. D. 18*81*

Now the condition of the above obligation is such, that whereas, if the County Road petitioned for by *James Alger* and others, and presented

at the *July* term, 18*81*, of the County Court of said ~~Mason~~ county, commencing

at a point in the county road leading from ~~Union to the La. S. at or near the school house~~ *at a point in the county road leading from Union to the La. S. at or near the school house*

and south, on the line dividing the line between the lands between *O. P. Goodall and J. P. Lewis*

to interest in the road now traveled from ~~Union~~ *Union*

to the ~~La. S.~~ *La. S.* mill road owned by ~~James Alger~~ *James Alger*

these along the said road to the said ~~point~~ *point* where

along ~~the~~ *the* ~~road~~ *road* ~~is~~ *is* ~~to~~ *to* ~~be~~ *be* ~~located~~ *located* and established, then this obligation to be void, otherwise to remain in full force

and virtue in law.

O. P. Goodall

It is 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 8 day of July A. D. 1881 and from day to day thereafter, during the continuance of said term:

Present: Hon. A. C. Craig County Judge,
" W. G. Hunter Commissioner,
" Willis Stiff Clerk,
" R. J. Rogers Sheriff.

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

IN THE MATTER OF Petition for
_____ County
Road

On this day came James Alger who presents to the Court the petition of himself and ~~Wm. Chas. Twelve~~ others, praying for the location and establishment of a County Road as follows, to-wit: Commencing at a point on the foot Hill County road leading from Union to La Grange, ~~to-wit:~~ opposite the School House in School Dist. No 19 ~~then running due South on the line dividing the lands of P. J. and G. P. Goodale, until said road crosses the road now traveled by J. H. Hayes, thence along said road to Jack Hill thence on the plainest and most public road in a South westerly direction up the mountain to the house of William Mares on what is known as Rogers Flat~~

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 D. A. McAlister, John A. Childers and France Bastress be appointed Viewers, and Eugene Chase Surveyor, to view, survey and report upon said proposed road and that they meet at the said School House on the 15 day of July 1881 and duly qualify before entering upon the discharge of their duties in this behalf.

(Signed)

A. C. Craig
County Judge.

State of Oregon }
County of Union } ss Eugene Chase being first
dey. sworn say that I will perform the requirements
of the within appointment - to the best of my ability
so help me God.

Subscribed and sworn to before me

this 11th day of July A.D. 1881

Willis Skiff

County Clerk

Eugene Chase

Eugene Chase

Filed Sept. 7th 1881

Willis Skiff

County Clerk

To the Hon. County Court of
Union County, Oregon
We submit the following as our
report as viewers of road
viz; From near the School-house
in Dist N^o 19 to Noyes Saw-
mill thence to Rogers' flat
We met on the 20th day of
August as mentioned in your
order and after being first
duly sworn in company with
the surveyor proceeded to view
survey and layout said road
We select from said surveyor's
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.

D Mc Bartness)
D A McAster) Viewers of proposed
John, A, Childers) County Road

General Report

Or. John 5th 1881

Wills & Smith
Co. Bank

To John A Childers, F Bartmuse, and
 S A McAlister viewers, appointed to
 review a county road from near the
 school-house in Dist. No 19 to Noyes
 saw-mill thence to the house of
 W^m Marre on Roger flat. The following
 are the field notes of the survey of
 the above described road

Phence	Beginning on the county road near said school-house at Rock marked R					
"	South 136 rods to Rock marked	A I.				
"	S 80° W 80 "	"	"	"	"	A II.
"	N 85° W 56 "	"	"	"	"	A III.
"	S 70° W 28 "	"	"	"	"	A IV.
"	N 79° W 6 "	"	"	Post	"	A V.
"	S 56° W 28 "	"	"	"	"	A VI.
"	S 23° E 26 "	"	"	"	"	A VII.
"	S 19° W 26 "	"	"	"	"	A VIII.
"	S 3° E 34 "	"	"	"	"	A IX.
"	South 68 "	"	"	"	"	A X.
"	S 22° W 66 "	"	"	"	"	A XI.
"	S 30° E. 20 "	"	"	"	"	A XII.
"	S 44° W. 44 "	"	"	"	"	A XIII.
"	S 17° E 196 "	"	"	"	"	R I, near
	the house of W ^m Marre					

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 under the supervision of the viewers
 on the 20th day of August 1881

Eugene Chase
 County Surveyor

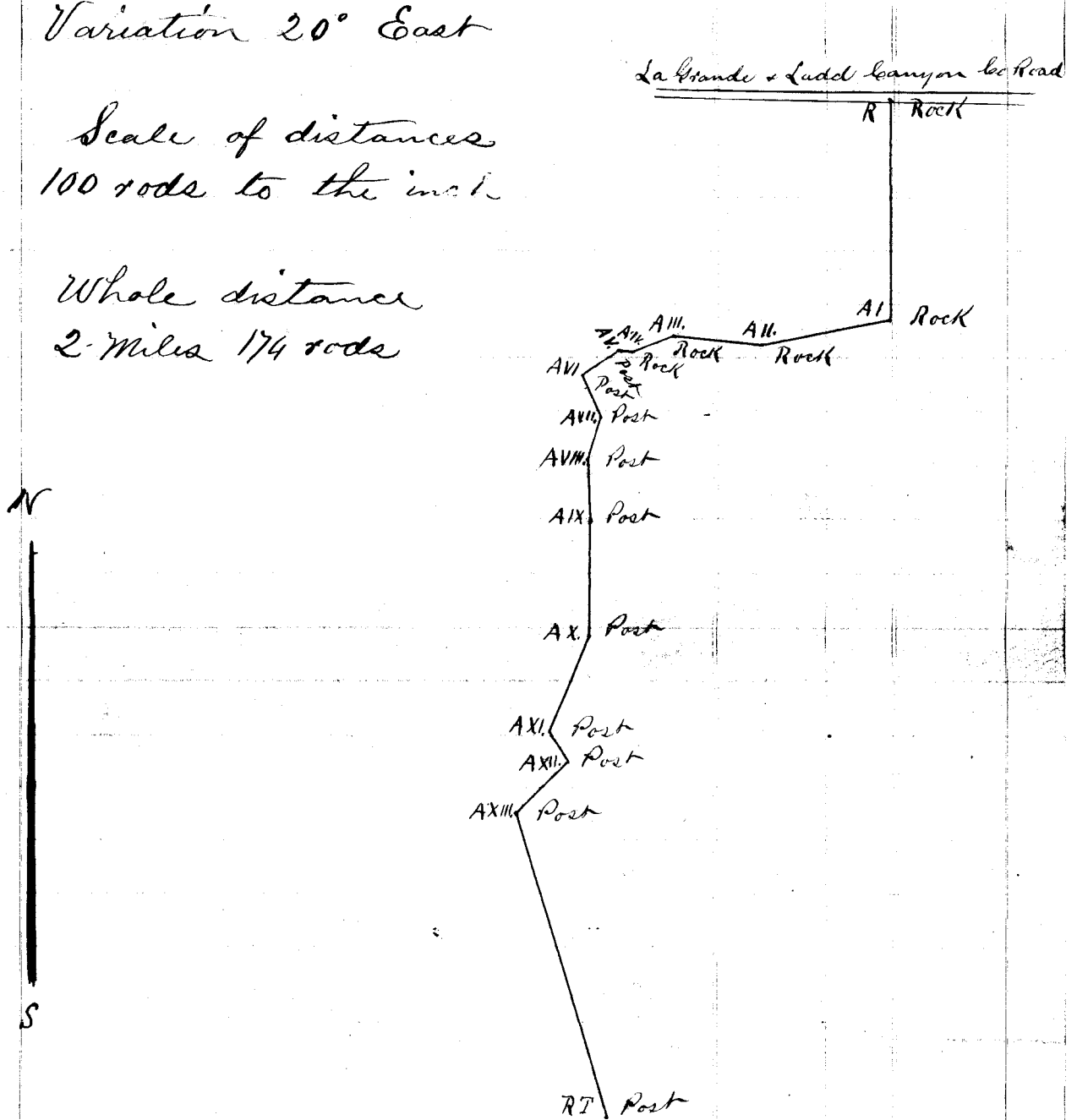
Survey of County Road from near
school-house in Dist No 19 via
Noyes saw-mill to the house of
W^m Marrs on Roger flat

Surveyed Aug 20. 1881

Variation 20° East

Scale of distances
100 rods to the inch

Whole distance
2 Miles 174 rods



Survey of County Road

from Schoolhouse in

Block No 19 via Noyse's

farm mile to Rogers place

R.

Sept 17th 1881

Dr. Wm. Smith

Geo. B. Clark

and owing from said county to him
 And it appearing to the Court that said
 petition is substantially true, and the
 Ex-County Judge of Union County and
 Ex-County Commissioners the officers with
 whom said contract was made having
 endorsed said petition, It is therefore
 ordered that said claim be allowed
 in the sum of \$295.⁰⁰

In the matter of
 Road petition
 of James Alger. On this day came
 James Alger who presents to the Court the
 petition of himself and more than twelve
 others praying the location and establishment
 of a County road as follows, to wit:
 Commencing at a point on the foot hill County
 road leading from Union to La Grande
 opposite and near the School House in
 School Dist No 19, thence running due
 South on the line dividing the land claims
 of S.P. Lewis and O.P. Goodall, until said
 line reaches the road now traveled from
 Grande Ronde Valley to the Rogers Saw Mill
 thence along said road to said Saw Mill
 thence on the most public and plainest
 road in a South westerly direction up
 the mountain to the house of Wm. Mass
 on what is known as Rogers Glah,
 all of which points and places are in
 Union County, State of Oregon. And it
 satisfactorily appearing to the Court that
 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 J. H. Mr. Alister, John A. Childers
 and Francis Partners be and they
 are hereby appointed viewers and

Eugene Chase Surveyor, to view, survey and report upon said proposed road and that they meet at the School house above named on the 15th day of July 1881 and duly qualify before entering upon the discharge of their duties in this behalf.

In the matter of
Road petition of
W. F. Davis

et al. On this day came W. F. Davis 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: Beginning on the County road near the School house at the head of Little Creek Canyon thence on the road as now traveled to Davis mill a distance of about one and one half miles. And in satisfactory appearing to the Court good proof filed herein that 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 Jackson Ficke M. B. Baird and W. T. Carroce be appointed viewers and Eugene Chase Surveyor to view, survey and report upon said proposed road and that they meet at La Grande on the 16th day of July A.D. 1881 and duly qualify before entering upon the discharge of their duties in this behalf.

Whereupon the Court adjourns until tomorrow morning at 9 o'clock

Now on this day }
 in the matter of the }
 appointment of }
 viewers, }
 It appearing to the }
 Court that the appointment to the viewers upon }
 a road leading from a point on the County }
 road from Union to La Grange, opposite }
 and near the School house in School Dist }
 No 19, to the house of William Marr in what }
 is known as Rogers Flat, was not received }
 by them in time for them to meet upon the }
 day named in the order of said appoint- }
 -ment. It is hereby ordered that said }
 orders of appointment do this day issue }
 to the said viewers, to wit: J. A. W. Blister }
 John A. Childers and France Bastness }
 Commanding them to meet and survey }
 view and lay out said road as set }
 forth in the order of this Court heretofore }
 made in this behalf.

Whereupon the Court adjourned for its }
 term.

A. Craig }
 County Judge

for and all other costs made, herein not to exceed the sum of \$25.⁰⁰. It is therefore ordered that said Wm. A. Egan pay the costs of the said survey and the proceedings had therein not to exceed the sum of \$25.⁰⁰

In the matter of the Viewers report upon Proposed County Road by James Alger et al

Rojes Saw Mill Road.

Now on this day was read the first time in open Court the report of the viewers upon a proposed road from near the School House in Dist 19 to Rojes Saw Mill, thence to the House of Mrs Mairs on Rojes Flat, and said report laid over until tomorrow for a second reading

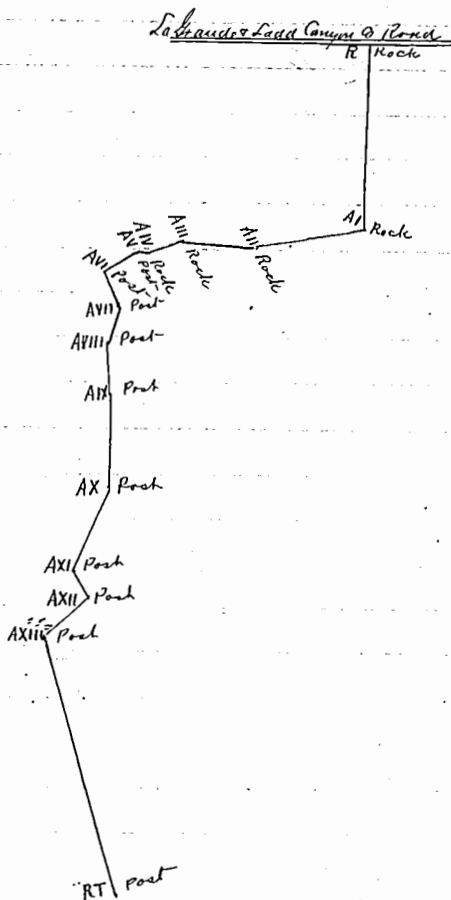
In the matter of the County Poor Contract for keeping.

Now on this day came the hour for opening the bids to keep the County poor for Union County for the period of one year from the date hereof. And it appearing to the Court that the bid of G. W. Biggers, is the lowest and best bid for the same, his bid being as follows. "That he will furnish all County paupers now in said County or that may be declared County paupers during the ensuing year, all necessary Board, Clothing, Lodging, Medical attendance, Medicine, Nursing and washing for the period of one year for the sum of nine hundred and seventy four dollars, payable at each regular meeting of the County board. It is hereby ordered that the said Contract be awarded to the said G. W. Biggers, and that he file bond for the faithful performance of his contract, in the sum of \$1000.⁰⁰

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

roads to post marked	AVIII	Thence	S 3° E	34
" " " "	AIX	"	Souch	68
" " " "	AX	"	S 22° W	66
" " " "	AXI	"	S 30° E	20
" " " "	AXII	"	S 44° W	44
" " " "	AXIII	"	S 17° E	196
" " " "	RT	near the house of W ^m Mares,		

Surveyed Aug 20th 1851.
 Variation 20° East,
 Scale of distances
 100 rods to the inch
 Whole distance
 2 miles 174 rods



State of Oregon
 County of Union
 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 under the supervision of the Viewers on the
 20th day of August 1881

Eugene Chase
 County Surveyor