

No 344

in

Circuit Court

P A Mahaffey

Plaintiff

vs

William Held et al

Defendant

Action for Foreclosure

Docket

Page

C. H. Penn

for Plaintiff

Attorney for Defendant

FOR THE DOCUMENT ENTER
M J IND D W C O P P N V I N C W M Y
L A W A L I S I C I
F O R S A L E I 1 9 8 2

1884
 May 1st Petition rec Viewers app'd
 Journal C p 228
 July 10 1st reading report
 Journal C p 271
 July 11 ordered opened
 Journal C p 274

Road

Commencing at N W cor Sec 32 to
 Parkers Store on N^r of NW⁴ Sec 21 T 8 S
 R 46 E 20m

P E T I T I O N .

IN THE COUNTY COURT OF UNION COUNTY.

To the Honorable County Court of Union County, Oregon.

The undersigned persons being householders of Union County, State of Oregon, and residing in the vicinity where the following described proposed county road is to be laid out and located, most respectfully pray the Court to lay out and locate a County road as hereafter described, viz: Commencing at the Northwest corner of section No. 32 and the Southwest corner of section No. 29 thence running along said sections lines East to the Northwest corner of section No. 33 and Southwest corner of section No. 28, thence angling south on the said section lines between section No. 33 and section No. 32 to the Southwest corner of section No. 33 and the Southeast corner of section No. 32 of Township No. 7 South of Range No. 46 East of the Willamette Meridian. Then running South as near as practicable between and on the section lines of section No. 4 and 5 to what is known as the McNutt ford of Clear creek, thence South on the lines of sections ^{no.} 8 and 9 to, the Northwest corner of section No. 16, ^{thence South along the line of No. 16} and 17 eighty rods to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of section No. 16, thence angling and running in a Southeasterly direction over what is known as the Gravel ridge through section No. 16 to and intersecting the county road known as the Eagle Valley and Brownlee Ferry Road as near as practicable at Parker's store located upon the North 1/2 of the Northwest 1/4 of section No. 21 in Town No. 8 South Range 46 East of the Willamette Meridian. All of McNutt Ford Gravel ridge points and places being in Union County, State of Oregon, Pine Valley Precinct.

Witness our hands this day of March 11th A.D. 1884.

L. Flory

J. M. Drake

Wm. T. Denney

Reuben Reed.

I.L.Ludiker(signed by C. Coffinberry

A.R.Curry.

L.Loyd.

C.A.Oliver.

Geo.H.Oliver.

I.N.Pancake

March 12th, A.D.1884

John S. Curry

J.T.Denney.

Monroe Updike.

Jos. Bragg.

F.M. Stewart.

A.P.Greener.

James McNutt)

James Mills) Signed by C. Coffinberry.

John Morison)

March 12th, A.D.1884.

Orange Gaylord

Ed. B. Gaylord

J.L.Hoopengarner

A. Tarter

James Westerdale) signed by C. Coffinberry.

March 14th, A.D.1884.

Joel Hewitt) signed by C. Coffinberry.

Endorsed:

Petition.

Filed May 14, 1884.

W.T.Wright Co. Clerk.

By O.F.Bell Deputy.

N O T I C E .

TO WHOM IT MAY CONCERN:

Notice is hereby given that the undersigned persons being the petitioners hereinafter mentioned will on the 7th day of May, A.D.1884, being the next regular term of the County Court of Union County, Oregon, present to said Court a petition for the location and opening of a County road as follows: Commencing at the Northwest corner of section No. 32 and the Southwest corner of Section No. 29, thence running along said section lines East to the Northwest corner of section No.33 and the Southwest corner of section No.28-thence angling South on the section lines to the Southwest corner of section No. 33 and Southeast corner of section No. 32 in Township No. 7 South of Range No. 46 East of the Willamette Meridian, thence due South as near as practicable on the section lines of section No. 4 and 5 to what is known as the McNutt Ford of Clear Creek, thence South on the lines of sections No. 8 and 9 to the Northwest corner of section No. 16, thence South along the lines of section No. 16 and 17 eighty rods to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of section No. 16, thence angling and running in a Southeasterly direction through section No. 16 to and intersecting the County road as near as practicable at Parker's Store located upon the North 1/2 of the Northwest 1/4 of section No.21 Town^m 8 South Range 46 East of the Willamette Meridian.

Witness our hands this day of March 17th, A.D. 1884.

L.Flory

Jos. Bragg

J.M.Drake

F.M.Stewart

Wm.T.Denney

A.P.Greener

Reuben Reed

James McNutt)

A.L.Ludiker, (signed by C. Coffinbery.

James Mills) signed by C. Coffinbery.

A.R.Curry

John Morison)

L.Loyd.

Orange Gaylord

C.A.Oliver

Ed.B.Gaylord.

Geo. H. Oliver.

J.L.Hoopengartner.

I.N.Pancake

A.Tarter

John S. Curry

Joel Hewitt(signed by C. Coffinberry.

James Westerdale(signed by C. Coffinberry.

J.P.Denney

Monroe Updike

STATE OF OREGON,)
County of Union.) ss.
Lower Eagle Precinct.)

I, Crosby C. Coffinberry, being first duly sworn, say that I posted four copies of the within notice in four public places in the vicinity of the within described proposed county road on the 17th day of March A.D. 1884 as follows, to-wit: One at the place named therein as the ending ^{or} of termin^wes of said road on Mr. Parker's store, one at the district school house on the said building, one at Mr. John Thyssen's shop and one at Mr. McNutt's Ford of Clear Creek on a balmtree. And that said notices were posted more than thirty days prior to the date of the presentation of the petition herein named.

Crosby C. Coffinberry.

Subscribed and sworn to before me this 2nd day of April A.D. 1884.

L.L.Holcomb, J.P.

Endorsed:

Proof of posting.

Filed May 14, 1884.

W.T.Wright Co Clerk.

By O.F.Bell Deputy.

N O T I C E .

TO WHOM IT MAY CONCERN:

Notice is hereby given that the undersigned persons being the petitioners hereinafter mentioned will on the 7th day of May, A.D. 1884, being the next regular term of the County Court of Union County Oregon, present to said court a petition for the location and opening of a county road as follows: Commencing at the Northwest corner of section No. 32 and the Southwest corner of section No. 29, thence running along said section lines East to the Northwest corner of section No. 33 and Southwest corner of section No. 28, thence angling south on the section lines to the Southwest corner of section No. 33 and Southeast corner of section No. 32 in Township No. 7 South of Range No. 46 East of the Willamette Meridian, thence running due south as near as practicable to the section lines of section No. 4 and 5 to what is known as the McNutt Ford of Clear creek, thence south on the lines of sections No. 8 and 9 to the Northwest corner of section No. 16, thence south along the lines of section No. 16 and 17 eighty rods to the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of section No. 16. thence angling and running in a southeasterly direction through section No. 16 to and intersecting the county road as near as practicable at Parker's store, located upon the North 1/2 of the North 1/4 of section No. 21 Town No. 8 South Range 46 East of the Willamette Meridian.

Witness our hands this day of 21st day of March, A.D. 1884.

L. Flory

J. M. Drake

Wm. T. Denney

Reuben Reed

A. L. Ludiker (signed by C. Coffinberry.

A. R. Curry

L. Loyd

Jos. Bragg

F. M. Stewart

A. P. Greener

James McNutt)

James Mills) signed by C. Coffinberry.

John Morison)

Orange Gaylord.

C.A.Oliver

Geo.H.Oliver

I.N.Pancake

John S.Curry

J.P.Denney

Monroe Updike

E.B.Gaylord

J.L.Hoopengarner

A.Tarter

James Westerdale(signed by C.
Coffinberry.

Joel Hewitt(signed by C. Coffinberry.

STATE OF OREGON,)
Union County.) ss.

I, O.F.Bell, being first duly sworn, say that on the 21st day of March, A.D.1884 I posted the within notice on the door of the Court house in the city of Union, Union County, state of Oregon, being the place at which the County Court of said Union County holds its session.

O.F.Bell.

Subscribed and sworn to before me this 14th May, A.D.1884.

W.T.Wright,

County Clerk.

Endorsed:

Proof of posting at Court House.

Filed May 14, 1884.

W.T.Wright, Co.Clerk.

By. O.F.Bell, Deputy.

KNOW ALL MEN BY THESE PRESENTS: That we, James McNutt and Joel Hewitt, of the County of Union and state of Oregon, are held and firmly bound unto the County of Union in the sum of Two Hundred Dollars, the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents.

Signed this 2nd day of April, A.D.1884.

Now the condition of the above obligation is such, that whereas,, if the County road petitioned for by L.Flory and others, and p resented at the May term 1884 of the County Court of said Union County, commencing at the NW corner of sec. 32 and the Southwest corner of sec. 29, thence running along said sect lines east to the Northwest corner of sec.33 and intersecting the county road near Parker's store in Pine Valley, Union County, Oregon, ^{located and} be established, then this obligation to be void; otherwise to remain in full force and virtue in law.

James McNutt

Joel Hewitt.

STATE OF OREGON,)
County of Union.)

I, James McNutt and Joel Hewitt each for himself says that I am worth the sum of two hundred dollars over and above all debts and liabilities and property exempt from execution, and that I am a resident and householder in said County and ~~state~~.

James McNutt

Joel Hewitt.

Subscribed and sworn to before me this 2nd day of April, A.D.1884.

L.L.Holcomb, J.P.

Endorsed:

Bond. Filed May 14, 1884.

W.T.Wright, Co.Clerk

By O.F.Bell, Deputy.

TO THE HONORABLE COUNTY COURT OF UNION COUNTY, OREGON:

We, the undersigned viewers appointed by your Honorable Body to view out a county road as follows: Commencing at the N.W. corner of Sec. 32 Township 7 South Range 46 East, thence running by way of McNutt's ford of Clear creek and gravel ridge to intersect the county road known as the Eagle Valley and Brownlee ferry road as near as practicable at Parker's store located upon the North 1/2 of N.W. 1/4 Sec. 21 Town 8 South Range 46 East W.M., all of which points and places being in Pine Valley precinct, Union Co. Oregon, submit the following report in relation thereto: We met on the 6th day of June, A.D. 1884 as mentioned in your order and after being first duly sworn in company with the Surveyor proceeded to view, survey and lay out said road according to order and as shown by surveyor's plat and report submitted herewith. We found the road to be laid on as good ground as the country over which the road is laid would admit of and taking into consideration the necessity that exists for said route, we recommend that it be established as a county road.

Isaac McMullen)
A. Buchanan) Viewers of proposed
M.A. Scott) County Road.

Endorsed:

Viewers' Report. Filed July 10, 1884.

B.F. Wilson,
Co. Clerk.

Report of Surveyor to the Viewers of a County Road as follows, to-wit: Commencing at the N.W. corner Sec. 32, thence East to N.W. corner Sec. 33, thence South on section line between sec's 32 and 33 to the S.E. corner of Sec. 32 and the S.W. corner of Sec. 33, Township 7 South Range 46 East W.M, thence South on section line between sec's 4 and 5 to the McNutt ford of Clear Creek, thence South on the line of sections 8 and 9 to the N.W. cor. Sec. 16, thence South 80 rods, thence in a Southeasterly direction over the gravel ridge through section 16 to and intersecting the County road known as the Eagle Valley and Brownlee ferry road as near as practicable at Parker's store located upon N1/2 NW1/4 Sec. 21 T. 8 S-Range 46 East.

The following are the field notes:

Commencing at N.W. corner of above named Sec. 32 at a post marked R, thence East 1 mile to a post marked A 1, and 1 mile thence South 4 miles and 80 rods to post marked A 2, thence South 52 E 142 rods to, post marked A 3, thence S 24 E 32 rods to post marked A 4, thence S 15 E 16 " " " A 5 " S 45 E 120. " " " R T and intersecting County road near Parker's store.

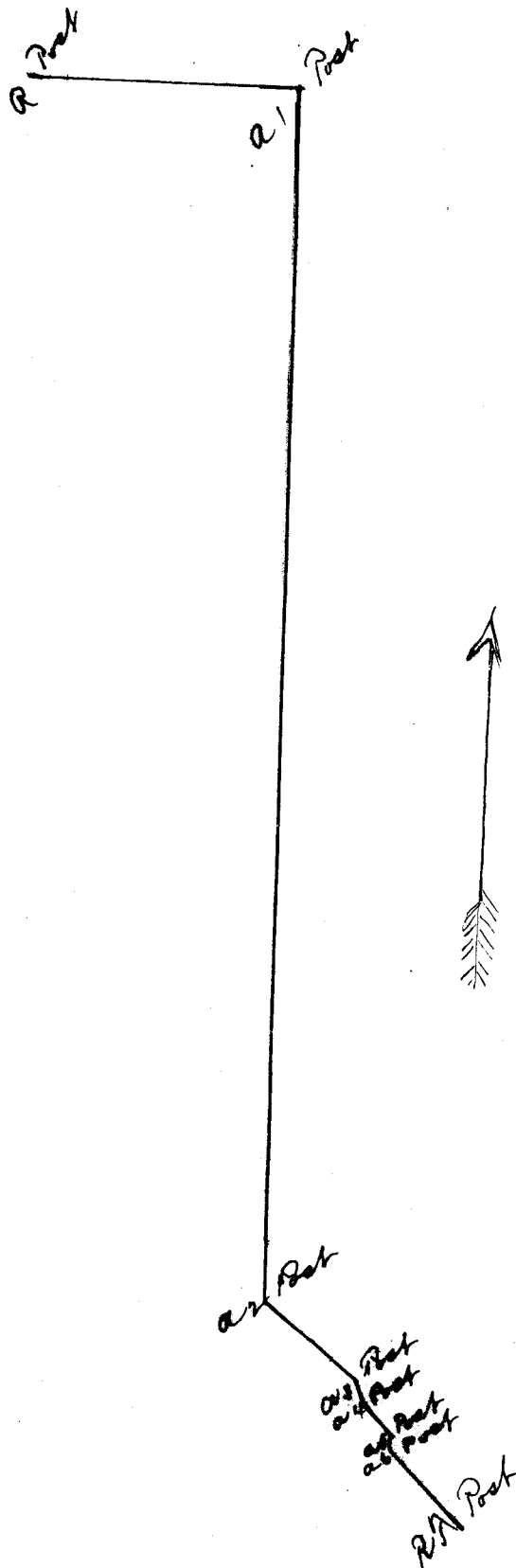
STATE OF OREGON,)
) ss.
 County of Union.)

I, Eugene Chase do hereby certify that the field notes of the above road are correct as surveyed by me ^{on} the 6th and 7th days of June, A.D. 1884.

Eugene Chase,
 County Surveyor.

C.
Survey of Road in Pine Valley, surveyed June 6th and 7th,
1884.

Variation 20° E. Scale 200 rods to inch.



Endorsed:

Surveyors Report. Filed July 10-1884.

B.F. Wilson, Co. Clerk.

In the County Court of the State of Oregon,
For Union County,

In the matter of the *road*
petitioned for by
.....
L. Plossy et al
.....

State of Oregon,)
County of Union,) ss.

I, G. W. Benson, County Clerk of Union County,
Oregon, do hereby certify that the foregoing is a true and correct
transcript of the original papers in the above entitled matter,
transferred to Baker County, Oregon.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal
of the County Court this 5th day of July, A.D.1902.

G. W. Benson
.....Clerk.

Baker
County Oregon

petition of Oregon
for

Winn County

Baker water
of the road peti-
tioned for by R.
H. Long et al

Manuscript of
papers transferred
to Baker County

Oregon

Filed July 25, 1902

G. W. Brown
Clerk

First Judicial Day

Wednesday May 14th 1884.

at the house of Joel Bewick on the 5th day of June A.D. 1884 at 10 o'clock A.M. and duly qualify before entering upon the discharge of their duties in this behalf.

In the matter of a proposed
County Road petitioned for
by E. Flory et al.

Now at this time is presented to the Court the petition of E. Flory and twenty four others, Citizens of Union County praying for the location of a County Road as follows: to wit: commencing at the North west corner of section No 32 and the South west corner of section No 29 thence running along said section lines east to the North west corner of section No 33 and South west corner of section No 28 thence angling South on the said section lines between section No 33 and section No 32 to the South west corner of section No 33 and South east corner of section No 32 of Township No 7 South of Range No 46 East of the Willamette Meridian thence running South as near as practicable between and as the section lines of section No 4 and 5 to what is known as the McKak ford of Clear Creek thence South on the lines of sections No 8 and 9 to the South west corner of section No 16 thence South along the line of sections No 16 and 17 right to the North west corner of the South west 1/4 of the north west 1/4 of section No 16 thence angling and running in a South easterly direction over what is known as the Gravel ridge through section No 16 to and intersecting the County Road known as the Eagle Valley and Brownlee Ferry Road as near as practicable at Parkers Store located upon the North 1/2 of the North west 1/4 of section No 21 in Town No 8 South Range 46 East of the Willamette Meridian. All of McKak Ford, Gravel Ridge Points and places being in Union County State of Oregon Pine Valley Precinct. And it satisfactorily appearing to the Court from proof filed herein that due and legal notice of the pendency of this proceeding has been given as by law required that more than twelve of said petitioners are legal householders living in the vicinity of the proposed County road and that a good and sufficient bond has been filed herein It is therefore ordered by the Court that Alexander Buchanan, Isaac McMullen and M. A. Scott be appointed Viewers and Eugene Chas Surveyor, to view survey and report upon said proposed County Road and that they meet at the house of E. Flory on the 6th day of June A.D. 1884 at 10 o'clock A.M. and duly

First Judicial Day

Wednesday May 14th 1884

qualify before entering upon the discharge of their duties in this behalf.

In the matter of a proposed
County Road petitioned for
by M. W. Winter et al

Now at this time is presented to the Court the petition of M. W. Winter and eighteen other Citizens of Union County praying for the location of a County Road as follows, to-wit: Commencing at what is known as the "James Adams Cabin" on a branch of Little Sheep Creek on the north west quarter (1/4) of section seventeen (17) Town Three (3) South of Range Forty six (46) E. 11. and thence running north westerly on the most practicable route to the north east corner of the south east 1/4 (1/4) of section seven (7) thence west on the half section line in said section to the range line on the west side of said range and entering range forty five (45) on the half section line of section twelve (12) and continuing west on said half (1/2) section line across said section (12) to the Prairie Creek School House situated on the north west corner of the south west quarter (1/4) of said section (12) thence running north eighty rods between sections (11) eleven and twelve (12) to the south east corner of the north east 1/4 (1/4) of the north east 1/4 (1/4) of section eleven (11) thence west on the north quarter (1/4) of said section (11) about two hundred and eighty five (285) rods to a point near Mr. J. A. Rich's store and thence to intersect a travelled road left open by common law (running up Prairie Creek) thence to run in a north westerly direction to the northwest corner of section eleven (11) the piece of eighty (80) rods thence north one half (1/2) mile to the north west corner of the south west 1/4 (1/4) of section No. Two (2) All in Township No. Three (3) South of Range 45 where the said road petitioned for intersects County Road running east and west and thence terminates. And it satisfactorily appearing to the Court from proof filed herein that due and legal notice of the pendency of this proceeding has been given as by law required, that more than twelve (12) of said petitioners are legal householders living in the vicinity of the proposed County road and that a good and sufficient bond has been filed herein. It is therefore ordered by the Court that D. C. Reavis, Geo. Rosewell and P. M. Bloom be appointed Viewers and Eugene Chase Surveyor to view survey and report upon said proposed County Road and that they meet at the house of M. W. Winter on the 12th day of June A. D. 1884 at 10 o'clock A. M. and duly qualify before entering upon the discharge of their duties in this behalf.

Fourth Judicial Day

Thursday July 10th 1854

In the Matter of a proposed
County Road petitioned for
by J. St. Steuens et al

Now at this time is presented to the Court the report of the viewers heretofore appointed by the Court in the above entitled road accompanied by the report of the Surveyor and field notes and plat of the survey, which report is read in open Court for the first time and pursuant to the provisions of the Statute in such cases made and provided it is ordered that said reports be laid over for a second reading on another day of this term.

In the Matter of the proposed
County Road petitioned for
by W. H. Winters et al

Now at this time is presented to the Court the report of the viewers heretofore appointed by the Court in the above entitled road accompanied by the report of the Surveyor and field notes and plat of the survey, which report is read in open Court for the first time and pursuant to the provisions of the Statute in such cases made and provided it is ordered that said reports be laid over for a second reading on another day of this term.

In the Matter of the proposed
County Road petitioned for
by ~~J. H. H. H.~~ et al

Now at this time is presented to the Court the report of the viewers heretofore appointed by the Court in the above entitled road accompanied by the report of the Surveyor and field notes and plat of the Survey, which report is read in open Court for the first time and pursuant to the provisions of the Statute in such cases made and provided it is ordered that said reports be laid over for a second reading on another day of this term.

Fifth Judicial Day

Friday July 11-1854

Pursuant to adjournment ^{Court} met - Friday morning July 11 1854 with the following officers present
Hon. A. C. Craig Judge. Hon. Geo. Oakes and
Hon. Jas Standley Commissioners B. F. Wilson
Clerk A. L. Saunders Sheriff.

Due proclamation of the opening of Court -
having been made and the last days proceedings
was read and approved and is now herewith

A. C. Craig
Co. Judge

Thereupon the following proceedings were had
to wit:

In the matter of a proposed
County Road petitioned for
by G. Flory et-als

Now at this term the viewers and Surveyors
reports on the road proposed County Road petitioned
for by G. Flory et-als comes on for a second reading
as provided by law and said reports being favorable and
having been read on two different days of this term of the Court
and it appearing to the Satisfaction of the Court that the
proceedings herein have been regular and according to law and
there being no remonstrance or bills or claims for damages
filed herein it is therefore ordered by the Court that said
viewers Report and plat of Surveyor be placed on Record
and said proposed road be established as a County
Road and opened according to law.

Viewers Report:

To the Hon. County Court of Union County Oregon
We the Undersigned viewers appointed by your
honorable body to view out a County Road as follows:
Commencing at the W. N. corner of Sec. 32 Township 7
South Range 46 East thence running by way of Dr. Smith

Fifth Judicial Day

Friday
Thursday July 11-1184

Ford of Clear Creek and gravel ridge to intersect - The County Road known as the Eagle Valley & Brownlee Ferry Road as near as practicable at Parkers Store located upon the North 1/2 of N. W. 1/4 Sec. 21 Township 8 South Range 46 East N. M. all of which points and places being in Pine Valley Precinct Union Co. Oregon - submit the following report in relation thereto. We met on the 6th day of June A. D. 1884 as mentioned in your order and after being first duly sworn in company with the Surveyor proceeded to view survey and lay out said Road according to order and as shown by Surveyor's plat and Report submitted herewith. We found the road to be laid out on as good ground as the country over which the Road is laid would admit of and taking into consideration the necessity that exists for said route we recommend that it be established as a County Road.

Deaac McMillen

A. Buchanan
M. A. Scott

} Viewers of proposed
County Road

Report of Surveyor to the Viewers of a County Road as follows to wit: Commencing at N. W. Corner Sec 32 Thence East to N. W. Corner Sec 33 Thence South on Sec. line between Secs 32 & 33 to the S. E. Corner of Sec. 32 & the S. W. corner of Sec. 33 Township 7 South Range 46 East N. M. Thence South on Sec. line between Sec 32 & 33 - to the Mc Nutt Ford of Clear Creek thence South on the line of Sec 33 & 34 to the N. W. Corner Sec 16. Thence South 80 rods, thence in a south westerly direction over the gravel ridge through Sec. 16 to and intersecting County Road known as the Eagle Valley and Brownlee Ferry Road as near as practicable at Parkers Store located upon N. 1/2 N. W. 1/4 Sec. 21 T. 8 S. Range 46 East.

The following are the field notes

- Commencing at N. W. corner of above named Sec. 32 at a post marked R. Thence East one mile to a post marked A 1 & 1 M., thence South 4 miles & 80 rods to post marked a 2. Thence South 520 E 142 rods to a post marked a 3. Thence S. 240 E 32 rods to a post marked a 4.

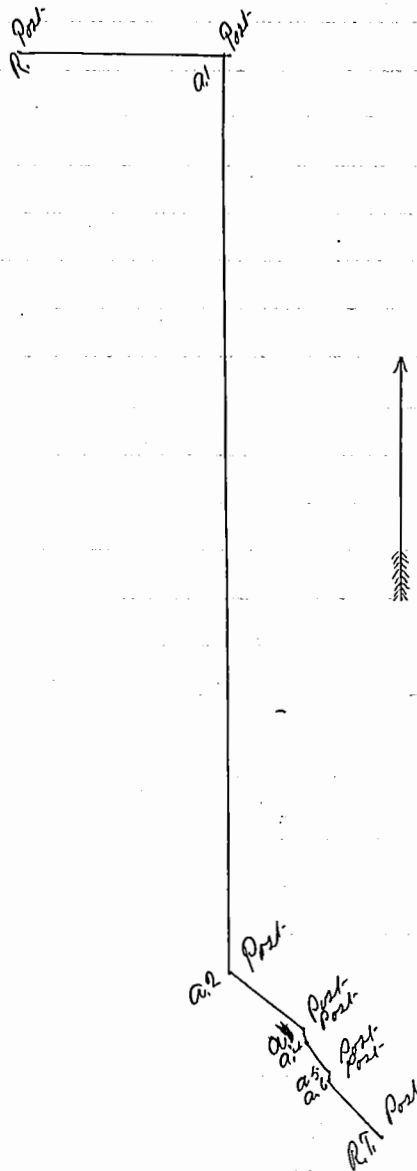
Fifth Judicial Day

Friday July 10-1884

Thence S 15° E 16 rods to a post-marked a-5
 " " 45° E 120 " " " " " " " " " " R.T.
 and intersecting County Road near Parkers Store
 State of Georgia } ss
 Union County

I, Eugene Chase do hereby certify that
 the field notes of the above Road was correct as surveyed by
 me on the 6th day of June A. D. 1884

Eugene Chase
 C. Surveyor



Variation 20° E.
 Scale 200 rods to the inch
 Surveyed June 6th 1884