

Shaw

No. ~~3~~ 25-

Circuit Court

The J. I. Case
Trusma Machine
Plaintiff

vs.

A. Shaw & Co.
John Munkers
Defendant

Action for

Docket

Page

Sheldon J. Caudlesley
Attorney for Plaintiff

Attorney for Defendant

RECEIVED
FEB 23 1891
U.S. DISTRICT COURT
NEW YORK

Record of the Case

1865
 1st Return of Viewers app'd
 Journal A p 176
 2nd Return of Viewers Report
 Journal A p 185
 3rd Return of Viewers Report
 Journal A p 189
 4th Return of Viewers Report
 Journal A p 211
 5th Return of Viewers Report
 Journal A p 215
 6th Return of Viewers Report
 Journal A p 220

21



Commencing at E cor Sec 13 T33R
 R 40 S to Mitchell's Bridge on
 Hall's Halla Road

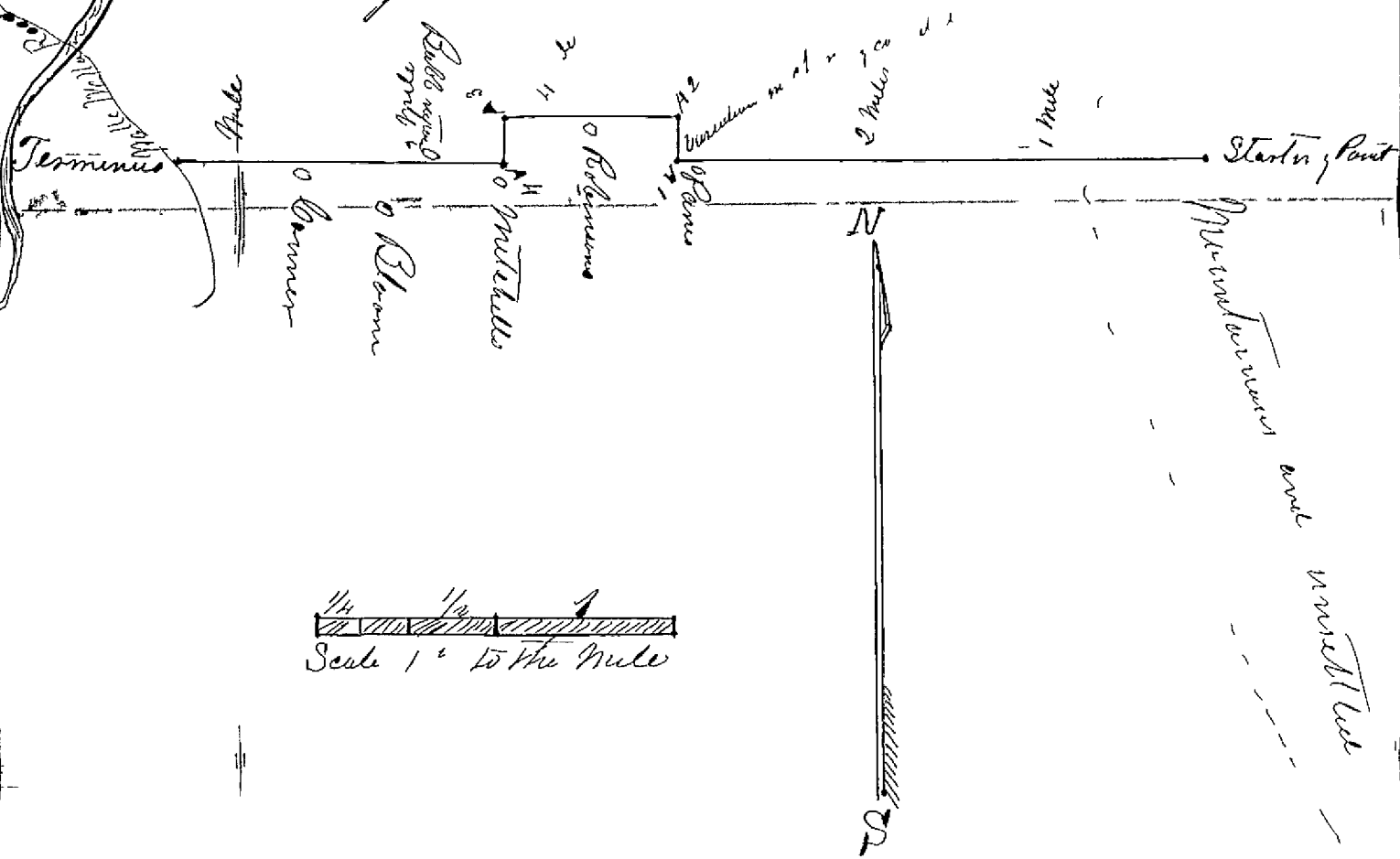
WITNESSES:

21

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

RUBBER
 or cords

Plot of the survey of a County Road
 from the NE corner of Sec 13 T 3 N
 Range 40 E Will Mer



The above Plot for a County Road
 was surveyed on the 31st day of July
 1888 commencing at the NE corner
 of Sec 13 T 3 N Range 40 E Will Mer
 and running thence 3 miles West to
 Angle Post No 1. There being a
 variation in chaining the first mile,
 of 10 Rods it was corrected at
 this point, and the NE corner of
 Sec 15 T 3 N Range 40 E was taken
 as the point from which to run
 the line of survey runs from thence 20
 chains N to Angle Post No 2 thence
 W 1 mile to Angle Post No 3

Thence 20 Chains to Angle Post No 4
Thence W 1 Mile and $48\frac{1}{4}$ Chains
making the whole distance from the
Starting point to the terminus Six
Miles and $8\frac{1}{4}$ Chains

Turners } J. G. Finem
 } H. J. Phamaker
 } George Delany

Chain Beers } Thomas B. Harrington
 } G. W. Goble
 } J. J. Connor

Marker Wm. Christie

State of Oregon }
Miner's Survey } 33

I, J. J. Curtis County Surveyor
of Miner's County hereby certify that
the foregoing Plot and note of the
Survey of a proposed County Road
is true and correct

J. J. Curtis
Surveyor

The receivers on the Western described
County road nearly about formerly in
regard to the practicality and necessity for
such a road upon or over the line
of survey the general opinion of the parties
was that a good animal road requiring
but little work

Very Respectfully
J. E. Pomeroy
J. W. Woodruff

Post Office
July 24th 1868

State of Oregon }
Union County } 88

A. J. Curtis County
Surveyor of Union County Oregon
hereby certify that at the survey of
a proposed County Road from the
N. E. corner of Sec 13. T. 3. N. Range 40 E
well met done on the 21st and 22nd days
of July 1868 J. G. French J. Shumaker
and George Delaney were duly sworn as
Viewers, Thomas Babbington G. W. Goble
and J. Corner were duly sworn as Chain
Bearers, and Wm. Sulist as Marker

A. J. Curtis } 6
County Surveyor

Notice

Notice is hereby given that the Citizens of Shoreside Cove will make application at the July term of the County Court for a County Road commencing at the South East Corner of Section 12 and running west on Section Line, 3 Miles, thence north on County Road, 80 Rods thence West, 1 Mile thence South, 80 Rods thence west on the above mentioned Section Line to its terminal at or near Mitchell's Bridge on the Walla Walla Road.

State of Oregon }
Union County } ss

I A K Robinson being first
duly sworn say that Three Copies of the within
Notice was posted along the line of said road in
its vicinity and one at the Court house
thirty days prior to the time to the best of my
knowledge & belief

Subscribed & sworn to before me this } A K Robinson
1st day of July 1868 }

E M Currier }
Notary Public

location of a County Road was presented
to the County Commissioners of Union
County Oregon at the July Term 1868
praying for the Location of a County Road
as follows To wit
Beginning at the
N.E. Cor of Sec 13 T.P. 3 R. 10
thence N on Sec line to the N.E. Cor
of Sec 16 thence N 80 rods thence N 1 mile
thence S 80 rods thence, or on the above
mentioned Sec Line to its termination near Mitchell
on the Walla Walla road

Now therefore I
Randall Robinson am held and firmly
bound unto the County Court of Union
County Oregon on my the sum necessary
to pay for the surveying and viewing said
road providing the same shall not be deemed
a necessary and practicable route

Sahwanda July 7 E. A. R. Robinson
1868

Mr. & Mrs. J. H. B. C.
W. M. Evans
Wash

Mr. & Mrs. J. H. B. C.
W. M. Evans
Wash

To the Hon County Court of
Union County Oregon Gentlemen

The Undersigned would very respectfully
represent to your Honorable body that by
~~the grant of the following described road~~
To wit "Commencing at the North East Cor
of Sec 13 Township 3 North range 10 East
thence West on Sec line to the North East
Corner of Sec 16 thence N 80 rods thence West
one mile thence S 80 Rods thence West
on the above mentioned ^{Sec} line to the terminus
near Mitchells Bridge on the Walla Walla
Road" That the Undersigned will be
sustain great damages by the location
of said Road to wit as the sum
of Seven Hundred Dollars for which
amount the Undersigned claims as
recompense for the expenses that he
will sustain by reason of said
location

Laborer
August 5th 1868

Frederick Mitchell

Bill of Exchange
Pay to the order of
J. M. Brown
Cash

To the Hon. Just Court of Union County
Oregon, The Undersigned would
very respectfully represent that by the
location of a County Road sixty feet in
width or any other width greater than
thirty feet do Commence at "N E Cor Sec
13, T P 3, N Range 30 East and to
terminate at or near McArthur Bridge
the Undersigned will sustain great
damage to wit for the sum of Two
Hundred Dollars for which amount
I hereby claim providing said
location is made
Dated Aug 6th 1884

J R Salvo

Franklin Aug 6th 1868-

J. M. Conway
Clerk

1869

Huron County, Oregon Jan 30th

We the undersigned being the
jurors summoned and sworn to assess dam-
ages sustained by Fred Nuttall by reason
of a road running through his enclosed land
said road commencing at Nuttall's Bridge
and terminating at the North East corner
of Section 13, T. 3, Range 11 - after having viewed
and examined the premises determine and
assess the said damages of the said Nuttall
at \$60.00. No damages entitled to Mr. Bloom

H. W. Duncan
J. W. Hoemaker
W. R. Hurd

In the matter of a
County Road

Now at this time was presented a petition from the Citizens of Forest Cove praying for the location of a County road commencing at the N.E. Cor. of Sec. 13 T. P. 3 North Range 40 East thence running West on Sec Line to the North East Corner of Sec. 16 thence North 50 rods thence West One mile thence S 80 rods thence West on the above mentioned Section line to its terminus Near Mitchells Bridge on the Walla Walla Road" which petition was duly accompanied by a bond and Notice and said petition having been granted it was ordered that S. G. French, George Delaney and J. Shormater be appointed Viewers and and the 20th day of July appointed as the day to view said road to wit at its point of beginning at the place aforesaid and S. Quilis was appointed as Surveyor in the matter of County Surveyor {

Now at this time J. S. Curtis appeared and filed his bonds which were duly approved and having subscribed the usual form of an oath was duly declared Surveyor of Union County

Court then adjourned till tomorrow
at 9 O'clock A.M.

In the matter of a }
 County Road } Now at this time was read
 the report of the Viewers on a proposed County road
 Commencing at Urrintown and running on the
 nearest and most practicable route to Powder River,
 which report was laid over for Consideration tomorrow

In the matter of a }
 County Road } Now on this day was
 read a report of a proposed County road "Commencing
 at S W Cor of Sec 16 T. P. 3 thence due north on Sec line
 of Tizard & Hayden farms and intersecting the County
 Road running from French & Co Mill to Summerville
 at or near the Sugitts & Delaney farms" which
 report was read and laid over for Consideration tomorrow

In the matter of a }
 County Road } Now on this day was read
 a report of a proposed County road "Commencing
 at the N E Cor of Sec 13 Township 3 North Range
 40 East thence West on Sec line to the N E Cor of Sec
 16 thence north 80 rods thence west one mile thence
 South 80 rods thence west on the above mentioned
 Sec line to its terminus near Mitchell's Bridge on
 the Walla Walla Road which report was laid
 Over for Consideration tomorrow

In the matter of }
 Appointment of Constable } Now at this time it
 appearing to the Satisfaction of the Court that ^{Paris}
 Sheriff Elected Constable for Union Precinct has failed to
 Qualify as Said Constable It is ordered by the
 Court that Frank Benson be and he is
 hereby appointed as Constable for Union
 Precinct until his Successor is Elected and
 Qualified or until the further order of this Court
 Court then adjourned until Tomorrow at ten o'clock

✓	John E. Jeffers Printing for Co.	472	45
✓	R. Chinoweth Work on Jail	42	00
✓	" " " " " "	32	50
✓	J. D. Correll Assessors Salary	89	98
✓	A. L. Haviness Lumber for Co. Bldg	200	41
✓	E. J. McComas Clerk Fees	61	95
✓	S. Gates Service as Commissioner	71	00
✓	John Mc Dowell " "	12	53
✓	Arthur Harnick Sheriffs Fee	9	60
✓	S. Alverson County Judge	44	56
		15	00
		1112	98

In the matter of a
County Road

It appearing to the Court that the Viewers heretofore appointed to assess certain damages on a proposed County road Commencing at the N.E. Corner of S¹ T. P. 3 North Range 40 East and terminating near Mitchell's Bridge have failed to make a report of the same according to law. It is therefore ordered that J. Shoemaker, H. W. Duncan and H. H. Mines be and they are hereby appointed as appraisers to appraise said damage to meet at place of beginning on Sat Jan 23rd 1889 at 2 O'clock P.M. to make report at next term of this Court

Court then adjourned until next regular Term
S. Alverson
County Judge

Billiard License
 J.P. Stevens
 In the matter of
 Billiard License
 To J.P. Stevens

Now at this time was presented a receipt from the County Treasurer for the sum of Twenty five Dollars deposited by Jno P Stevens for a license to keep a Billiard table to let for hire in La Grange precinct for a term of Six Months whereupon it was ordered that a license issue to Said Stevens for a term of Six months from this date to keep a Billiard table to let for hire for a term of Six months from this date

Road Supervisor
 Report
 Dist No 4
 Jas Fordyce
 Road Sup=
 In the matter of Report
 of Road Supervisor of
 Road District No 4

Now at this time was presented a report of Road Supervisor of Road District No Four which report was duly received and it was ordered that James Fordyce be and he is hereby appointed as Road Supervisor for Said Road District for the ensuing year

Damages
 on Co-Road
 In the matter of the
 Report of Viewers to
 Assess Damages

Now at this time was presented a report of Viewers heretofore appointed to appraise damages on a County Road proposed to commence at N.E. Cor Sec 13 T. 2. S. R. 30 E and to terminate at or near Matchells Bridge. which report was accepted and it was ordered that this matter be continued until the next regular term of this Court for further consideration

Court then adjourned until tomorrow at ten o'clock and

Second Judicial Day May 6th
 Court met pursuant to adjournment same officers present as yesterday

Due proclamation of the opening of Court having been made the following business was transacted

In the matter of
 a County Road

Now at this time was presented a petition praying for a change in a County Road between Union and forest Cove commencing as follows

" By at the N.W. corner of the S.W. 1/4 of Sec 7 T4 S of range
 " 44 E or about 1/4 of a mile N. of Blige's house on the T.P.
 " line thence running on a direct line until it intersects
 " the old road near Clark's Ranch and vacating all that
 " part of the old road from that point to where it intersects
 " the County Road leading to the Saw mill on Galhorne
 " Creek - Said petition was also accompanied by a remonstrance comprising about two thirds more names than said petition whereupon it was considered by the Court that said petition be not allowed

In the matter of
 a County Road

Now at this time came up for consideration claims for damages herein before applied for on a proposed County Road commencing as follows Sec 13 N.E. cor of Sec 13 T.P. 3 R. Range 44 E. 1/4 mile N. and running thence to Mitchell's bridge - and it appearing to the Court that there has been damages allowed by juries herein before appointed by the Court to assess the same and that the petitioners for said road are unwilling to pay said damages It is ordered by the Court that said petition be not allowed