

No 284

Circuit

Court

Eakin and Baker

Plaintiffs

vs

R. W. Deal

Defendant

Action for *Money*

Docket *A* Page *450*

Eakin and Baker

Attorney for Plaintiff

Attorney for Defendant

THE
MILWAUKEE
PUBLICATION
COMPANY
PRINTED
AND
BINDER
IN
MILWAUKEE
WISCONSIN

1986

May 4 Petition rec Viewers affid
Journal C p 644

May 13 1st hearing report
Journal C p 689

May 14 ordered opened
Journal C p 697

Road

Beginning at S E cor sec 27 31 8
R 43 E to Head of the canyon



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 honorable County Board of Union
Co Oregon we the undersigned citizens
of the above named County and state would
most respectfully petition your honorable
Board to locate and establish a county
road in Union County Oregon
described as follows beginning at the N E
corner of sec 27 Township one North Range 43
east 76 1/2 W thence south up the Canyon to the
head of the Canyon and intersect the County
road 144 rods south and 96 rods east of
the N W corner of sec 2 Township one south Range 43
east and we your petitioners will ever pray

Thomas Lathrop
G W Williams
N. Drizey
H. N. Williams.
John Edwards
A W Courtney
James Wilson
O. A. Rinehart

W J Boutsman
George Anson
D K Francis
E W George

Attorney

Filed MAR 3 1899

at ... o'clock

J. B. Wood

County Clerk

State of Oregon
Union County - 300

I B.F. Wilson being first
duly sworn say that I posted at
the Court house door in the city
of Union Union County Oregon
on the 28th day of January 1886
a notice of which the within is
a true and correct copy and
that said notice has been
as I verily believe continuously
posted since said date.
Subscribed & sworn } B.F. Wilson
to before me this }
March 4th 1886 }

A. G. Craig
County Judge

I H. N. Williams being first duly sworn
depose and say that I did on the 22^d day
of ~~February~~^{January} 1886 mail to the County clerk
of Union County, Oregon, to post on
Court house door, a notice of within proposed
county road, and that on same date I
posted according to law three notices of
said proposed road as follows - to wit
One at beginning of said proposed road
one at termination, and one on a
public crossing of Wallowa river, about
1/4 of a mile from termination of said
proposed road, H. N. Williams,
sworn and subscribed to
before me this 22^d day of February 1886

Jas A Hunter
Justice of the Peace

To all whom it may concern Notice is hereby given that there will be a petition presented to the County court of Union County Oregon at the regular session in March 1886 for the location and establishment of a county road in Union County Oregon described as follows To the Honorable County Court of Union County Oregon we the undersigned citizens of Union County Oregon in would most respectfully petition your honorable Court to locate and establish a county Road in Union County Oregon described as follows beginning at the S E corner of sec 27 township one north of Range 43 east T^h Mth thence south up the Canyon to the head of the Canyon and intersect the County Road 144 rods south and 26 rods east of the Nth Wth corner of sec 2 township one South Range 43 east and we your petitioners will ever pray

Thomas Lathrop
W. Williams

J. K. Francis
C. W. George

John Edwards
J. W. Courtney
W. L. Linn
J. P. Johnson
J. S. Vincent
C. W. George

Proof of Policy

Filed MAR 3 1886

at ... o'clock, ... min. ... a.

R. J. Wilson

County Clerk.

Know all men by these presents that I H A
Williams am held and firmly bound unto
the county of Union, ^{3rd} State of Oregon
in the penal sum of One hundred dollars

The condition of the above bond is such
that if the above named County, shall
locate and establish the within petitioned
for County road, Then the above bond
to be null and void, otherwise to
have full force and effect

Subscribed to in my presence this 22nd day of February 1886

H. N. Williams
Jas. A. Hunter
Justice of the peace

I H. A. Williams being first duly sworn
depose and say that I am worth double
the sum specified above (\$100⁰⁰) over
and above all my debts, liabilities,
exemptions by law or property
exempt from execution

Sworn ^{and} subscribed to } H. N. Williams,
before me this 22nd of February
1886

Jas A Hunter
Justice of the peace

Burd

Filed MAR 3 1886

at ... o'clock, ... min, ...

R. F. Wilson

County Clerk.

Be it Remembered that in accordance
with an order of the Honorable County Court
of Union County Oregon we the undersigned
Reviewers did meet at the Residence of
H. N. Williams on the 29th day of March 1886
and after being duly sworn to perform
the several duties of Reviewers chain carried
and markers did review the said Road
and the same was surveyed as the accompany-
ing Report and Plot of Survey shows
and all angles and miles were properly
marked from Beginning to Terminus and
we the said Reviewers would recommend
that the Road petitioned for by H. N. Williams
et al commencing at the S E cor of Sec 27
T 1 N R 43 and terminating 144 South & 40
Rods E of N W cor of Sec 2 T 1 S R 43 E
Be allowed and the same ordered opened
for the Brecken that it would be of
great benefit to the citizens in the immediate
vicinity of the same
This March 29 1886

J. H. McCallister
G. W. Richardson
F. P. Krich

Filed APR 26 1986

at ... o'clock, ... min. ...

B. J. Wilson

County Clerk.

Be it Remembered That in accordance with
an order of the Honorable County of the County of Union
State of Oregon that J. P. A. Saunders appointed
by the above named Court to Survey a Road Section
for by H. M. Williams ~~did on the 29th day of March~~
A D 1886 Meet I H McLubins George Richardson and
Fred P. Brick who were appointed by the above
named Court to Review said Road Commence the
Survey of said Road But Refers commencing said
Survey did. Swear the said Reviewers to faith-
fully Perform the duties of Reviewers and their
Clerks and Markers then commencing at the
S E corner of Sec 27 T 1 North Range 43 East as
thence 8 degrees west of South 70 Rods to a stake
3 feet high 4 inches in Diameter Marked A 1
thence 19 degrees E of South 25 Rods to a stake
3 feet high 4 inches Diameter and Marked A 2
thence 3 degrees E of South 44 Rods to stake Marked
A 3 thence 10 degrees E of S E 22 Rods to stake
Marked A 4 3 feet Long and 4 inches Diameter

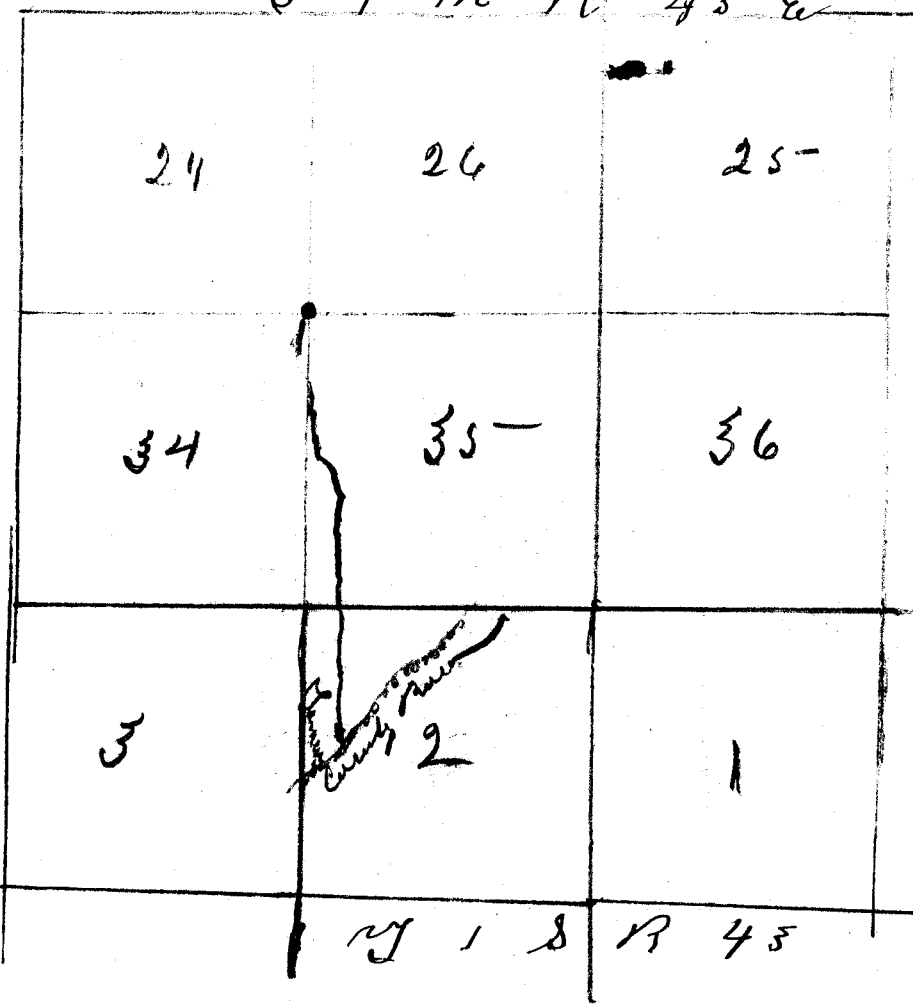
Thence 8 Degrees E of South 60 Rods to a stake
three feet long of Alder wood marked A 5 thence
11 Degrees E of South 50 Rods to stake marked A 6
thence S E 30 Rods to stake marked A 7 3 feet
high and 4 inches diameter thence South 20 Rods to stake
and mound stake 3 feet high and 4 inches diameter
and marked one mile (11) thence on same line 44
Rods to stake marked A 8 thence 10 Degrees E of S (11)
one hundred and twenty eight Rods to head of
Kanyon and intersects County Road 144 Rods South
and 40 Rods E of Sec 2 T 1 S R 43 E W M and
a stake 3 feet high of fir timber 4 inches in
diameter and mounded according to Law

I certify that the above is a true and correct
Report of Survey as viewed and shown
me by the above named Persons

J. A. Summers

Surveyor appointed

S 1 N R 43 E



at o'clock
FILED APR 1888

County Clerk

Filed APR 26 1886

at ...o'clock, ...min, ...m.

134
County Clerk.

Second judicial Day Thursday March 14/1886

of a mile, thence East one half of a mile
thence south one fourth of a mile - thence
East about $\frac{1}{4}$ of a mile &c and till it inter-
sects with the said first above mentioned
County road terminating upon said road
at or near the Powder River school house
and it satisfactorily appearing to the Court
that due and legal notice of the pendency
of this proceeding, has been given
as by law provided, that more than twelve
of said petitioners are householders residing
in the vicinity of the proposed road
and that a good and sufficient bond
has been filed herein It is
therefore ordered that P. H. Miles Justice
Wright and Cyrus Barnes be and they
are hereby appointed viewers and Fred.
Simons Surveyor to view survey and
report upon said proposed road and
further that they meet at the House
of J. B. Barnes on the 30th day of
March A. D. 1886 and duly qualify
before entering upon the discharge of
their duties on this behalf,

In the matter of a
proposed County road
petitioned for by
N. W. Milliamus et al

No - 1.

Now at this time is
presented to the Court the petition of N. W.
Milliamus and 12 others praying for the
location of a County road as follows
to wit: Beginning at the South East
corner of Section 27 Township one South
Range 43 East of Willamette Meridian
thence South up the canyon to the head
of the Canyon and intersect the County
road 144 rods South and 36 rods East
of the N. W. corner of Sec. Two Township one

Second Judicial Day Thursday March 21-1886

South of Range 43 East, and it appearing to the satisfaction of the court that due and legal notice of the pendency of this proceeding has been given as by law required in such cases made and provided that more than twelve of said petitioners reside in the vicinity of said proposed road and are householders and that a good and sufficient bond has been filed herein it is therefore ordered and adjudged that John Mc Cubbin, George Richardson and Fred. Cick be and they are hereby appointed viewers and P. H. Saunders Surveyor to view survey and report upon said proposed road and it is further ordered that they meet at the residence of H. W. Williams of the 29th day of March A. D. 1886 at 10 o'clock P. M. and duly qualify before entering upon the discharge of their duties on this behalf.

In the matter of a
 proposed county road } No. 2
 petitioned for by H. W. }
 Williams et al. } 3

Now at this time is presented to the court the petition of H. W. Williams and 18 others praying for the location of a county road, as follows, to-wit: Beginning at the N. W. corner of the S. E. qrs. of N. E. qrs. of Sec. 13 Township one north of Range 42 E. N. W. thence East on said line till it strikes the bluff, thence along the bluff till it strikes the south line of the N. E. qrs. of N. N. qrs. of Sec. 18 Township one north of Range 43 East, thence East to S. E. corner of the N. E. qrs. of the N. N. qrs. of Sec. 18 Township one north of Range 43 East, thence South $\frac{1}{2}$ mile thence East

Second Judicial Day Thursday May 13th 1886.

In the matter of a proposed }
 County road petitioned for } No One
 by H. N. Williams et al }

Now at this time this matter comes on to be heard upon the report of the viewers and surveyor heretofore appointed to view survey and report upon said road. And said reports having been read for the first time in open court according to the provisions of the statute in such cases made and provided. It is ordered by the court that the further hearing of this matter be and the same is hereby continued for a second reading on another day of this term.

In the matter of a }
 proposed county road } No. two
 petitioned for by H. }
 N. Williams et al }

Now at this time this matter comes on to be heard upon the reports of the viewers and surveyor heretofore appointed to view survey and report upon said proposed road. And said reports having been read in open court for the first time, according to the provisions of the statute in such cases made and provided. It is ordered that the further hearing of this matter be and the same is hereby continued for a second reading on another day of this term.

In the matter of a }
 proposed county road }
 petitioned for by Henry }
 Lee et al. }

Now at this time this matter comes on to be heard upon the reports

Third Judicial Day

Friday May 14-1886

Seals of Oregon }
 County of Union }^{oo} I hereby certify the foregoing
 field notes to be correct as made by me under
 the supervision of the viewers on the 30th day
 of March 1886

Fred. S. Sintonis
 County Surveyor

In the matter of the proposed
 County road petitioned for } No 1
 by H. N. Williams et al. } 3

Now at this time
 this matter comes on to be heard upon the
 second reading of the viewers and surveyors
 reports - in the above entitled road which
 said reports are now read in open court
 for the second time. (And it appearing
 to the court that the proceedings herein
 have in all things been regular and accord-
 ing to law, that the said reports have been
 read on two different days of this term of court
 and that no bills or claims for damages have
 been filed herein. It is therefore ordered by
 the court that the said reports be and
 they are accepted and ordered to be recorded
 and the road established and opened
 according to law

Viewers Report

Be it remembered that in accordance
 with an order of the Honourable County Court
 of Union County Oregon We the undersigned
 Reviewers did meet at the residence of H.
 N. Williams on the 29th day of March 1886 and
 after being duly sworn to perform the several
 duties of Reviewers chain carriers and markers
 did Review the said road and the same was
 surveyed as the accompanying report and
 part of surveyor shows and all angles
 and hubs were properly marked from begin-
 ning to terminus and we the four Reviewers

Third judicial Day

Friday May 14 1886

would recommend that the road petitioned for by H. W. Williams et al commencing at the S. E. Cor. of Sec. 27 T. 1 N. R. 43 (and terminating 144 South and 40 rods East of U. N. Cor. of Sec. 27 T. 1 S. R. 43 E. be allowed, and the same ordered opened for the reason that it would be of great benefit to the citizens in the immediate vicinity of the same. This March 29-1886

J. H. M. Cubbie
J. W. Richardson
J. P. Krick

Surveyor's Report

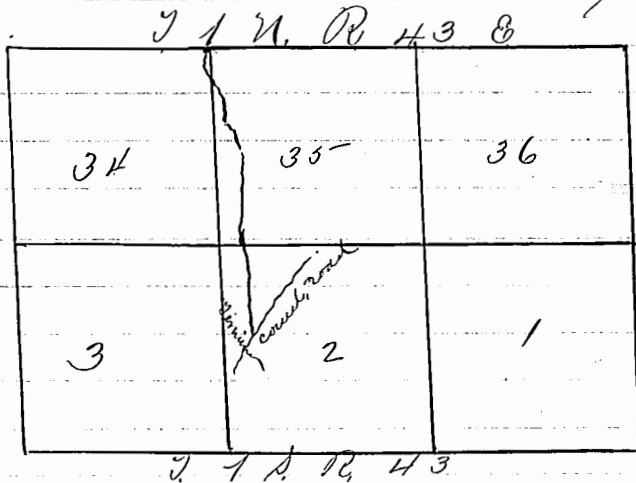
Be it remembered that in accordance with an order of the Honorable County of the County of Union State of Oregon that J. P. H. Saunders appointed by the above named Court to survey a road petitioned for by H. W. Williams (did on the 29th day of March A. D. 1886 with J. H. M. Cubbie Geo. Richardson and Fred. P. Krick who was appointed by the above named Court to Review said road commence the survey of said roads. But before commencing said survey did swear the said Reviewers to faithfully perform the duties of Reviewers and Chain Carriers (and markers, then commencing at the S. E. corner of Sec. 27 T. 1 North of Range 43 East N. M. thence 5 degrees west of South 70 rods to a stake 3 feet high 4 inches diameter (and marked A. 2 thence 3 degrees 8 of South 44 rods to stake marked A. 3 thence 10 degrees E. of S. E. 22 rods to stake marked A. 4 3 feet long and 4 inches diameter thence 8 degrees E. of South 60 rods to a stake three feet long of Alder wood marked A. 5 thence 11 degrees E. of South 50 rods to stake marked A. 6 thence S. E. 30 rods to stake marked A. 7 3 feet high and 4 inches diameter. Thence South 26 rods to stake (and round stake three feet high and 4 inches diameter (and marked one mile (1) thence on same line 44 rods

Third Judicial Day Friday May 14th 1886

to stake marked A, & thence 10 degrees E of S, (128) one hundred and twenty eight rods to head of Canyon (and intersect County road 144 rods South, and 40 rods E. of sec. 27 T. 1 S. R. 43 E. N. M. and a stake 3 feet high of Pin timber 4 inches in diameter, and rounded according to law.

I certify that the above is a true and correct copy report of survey as Reviewed and shown me by the above named Reviewers

P. H. Saunders
Surveyor Appointed



✓ In the matter of a proposed county road petitioned for by H. N. Williams et al. } No 2

Now at this time this matter comes on to be heard upon the second reading of the view's and surveyor's reports in the above entitled road which said reports are now in open court read for the second time (and it appearing to the court that the proceedings herein have in all things been regular and according to law, that no bills or claims for damages or reimbursements have been filed herein and that said reports have been read on two different days