

Law No # 2

in

Court

Frank Bros Inc Co

Plaintiff

vs

W. B. Gray et al

Defendant

Action for

Docket

Page

R. Eakin

Attorney for Plaintiff

Attorney for Defendant

Dec 3

RECEIVED IN THE CLERK'S OFFICE OF THE DISTRICT COURT OF THE DISTRICT OF COLUMBIA
JAN 1 1908

Record of the Case

34

WITNESSES.

Petition rec + Viewe's app'd
 Jour at a p 302
 Petition rec + Viewe's app'd
 Jour at a p 310
 Petition rec + Viewe's app'd
 Jour at a p 320
 Petition rec + Viewe's app'd
 Jour at a p 327

Road

From Court House known as Israel's la c
 Highway to County road for v
 Calhoun Hill

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

34

Whereas an application has been made to the County Court of Union County Oregon at the next next term thereof for the year 1876 to grant and lay out a County Road leading from the south end of Isaac's land and running in a westerly direction to intersect the County road leading from Union to Las Grutas in said County and State and more particularly described in a petition filed in the Clerk's office of said County and State on the 14th day of June A.D. 1876

Therefore J. Adams Miller as principal and John Banks, Wm M. Stafford and C. H. Prescott as sureties, are held and jointly bound to the County of Union for the sum of Two hundred dollars

The condition of the above obligation is such, that if the prayer of the petition before mentioned, be not granted, and allowed, then we, the authors of us, will pay all costs and expenses that may be incurred by reason of such review otherwise to remain null and void

Dated this 5th of September A.D. 1876

Adam Miller	Co.
John Banks	Co.
Wm M Stafford	Co.
C. H. Prescott	Co.

Powell

Articles of
Incorporation
of the
Powell
Company
of the
State of
California
1870

Remonstrances

To the Honorable Court
 Union County (Cm)

The undersigned Citizens and Sayagers in Road District No 9 of Union County Oregon respectfully remonstrate against the establishment of a county road commencing at the southwest corner of Mrs Lewis and south west corner Mr H. Israels Farm in County aforesaid thence running west one and a half miles thence north one half mile thence west to where it intersects the road leading to Sayagando and ask Your Honorable Body to take into consideration

First that the route abovesaid is sometimes under water for the distance of two miles and in these years which are actually inundated is so saturated with water that no heavy loaded teams could pass over the same and a great part of the remaining part of the route is very caused by through and irrigation.

Second that the expense of the County in the way of damages of settlers and the building of a bridge on said road would perhaps be no less than One thousand Dollars and to make the road a good one would require all the road labor of the District for many years while other roads of once interest would need to be neglected and thereby become impassible.

Third that the road abovesaid is running parallel with and part of the way but one half mile from a County road already built and is not in the interest of the people asked for by the Public Trusting that you will decide in the interest of the People Your Remonstrators will in obedience

Names

Names

- Wm Fletcher
- Geo Henniger
- Ed. C. Good
- Wm. W. Johnson
- J. B. Heltz
- Jabez I. Hinckley
- John Brownley
- Conrad Miller
- James Welch
- W. T. Fulkner
- B. Stanton
- M. S. Shubbell
- Wm. A. Colyer
- Wm. W. Reynolds
- Charles Apperson
- Wm. S. Buckley
- Paul Coffin
- S. Hannah
- Ed. J. Medd
- John Greighton
- Wm. H. Holbrook
- J. B. Bams
- John McLean
- J. J. Newberry
- J. A. Baskin
- John Powell
- Wm. H. Jones
- Wm. H. Binson
- H. Bardin
- J. H. Baird

- William Edley
- William R. Westerman
- J. Johnson
- Robert Shaw
- Geo Smelser
- Andrew Milkerson
- N. Ficklin
- J. Ficklin
- Chas. Finckley
- Mr. Pizer
- Lab. Medley
- J. Ruddle
- Wm. A. Reed

Remond...
1870

Arden Sept 23rd
1870 of the Black
for details

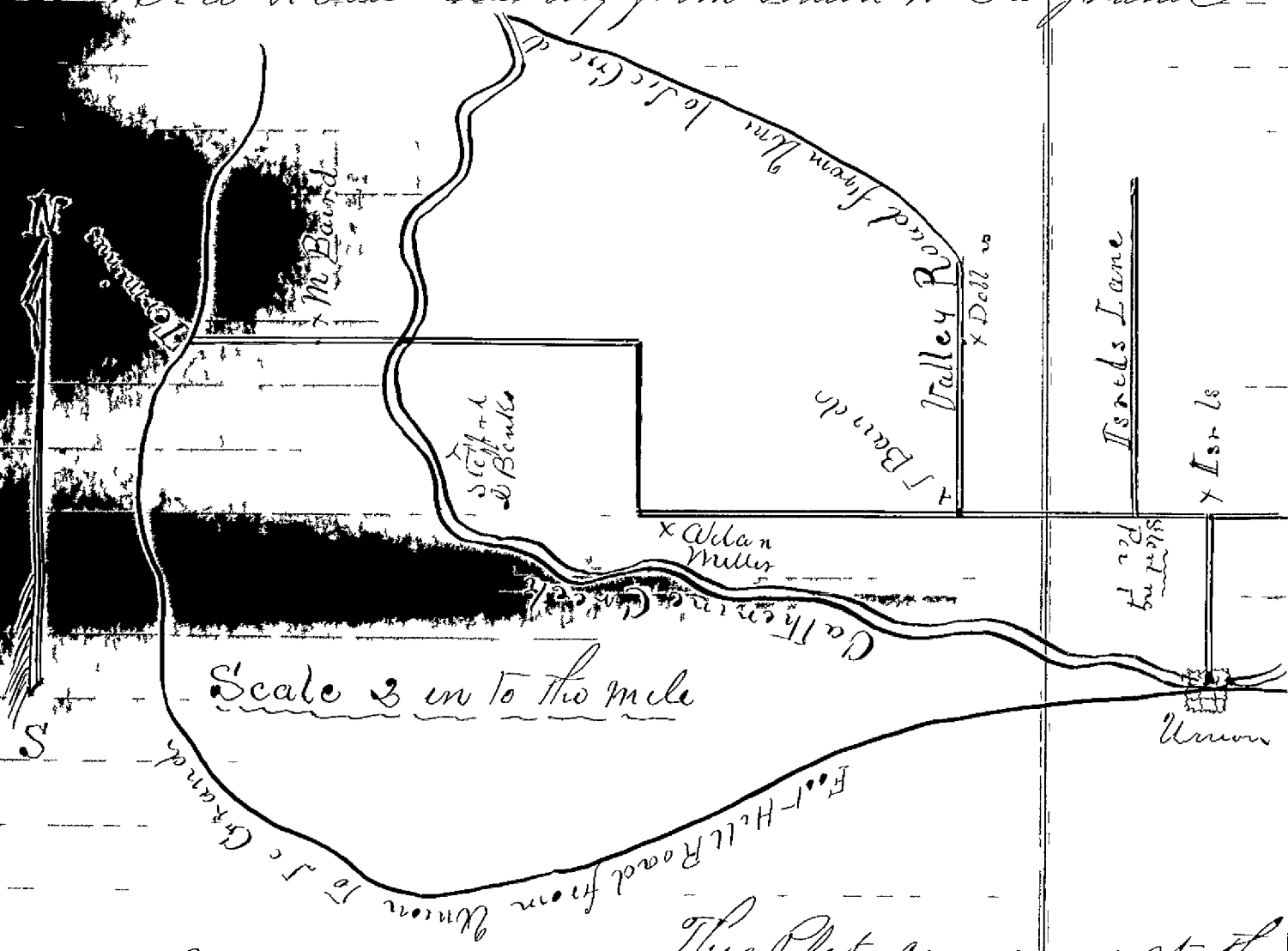
Justices of the Peace of County
Commissioners for Union County
Oregon

We the undersigned appointed by
your Hon. Body to view out a proposed
County Road commencing at the south end
of Isaacs Land and terminating on the
Foot Hill Road leading from Union
to La Grange beg leave to report
the following "to wit"

That we met on the 1st day of Dec
1870 with J. S. Curtis as Surveyor and
after being duly sworn proceeded to view
out said Road and that we believe
said Road as surveyed under our direction
and in accordance with the enclosed Plat
to be not only practicable but of general
benefit to the citizens living in the
vicinity of the proposed line of Road.
All of which is respectfully
submitted

Surveyors }
 } J. M. Bartberger
 } John Russell
 }

Plat of the survey of a proposed County Road
 commencing at the south end of Isaacs Lane
 and terminating at a point on the Foot
 Hill Road leading from Union to Sa Grand.



This Plat commences at the
 south end of Isaacs Lane and running West $1\frac{1}{2}$ Miles
 thence North $\frac{1}{2}$ mile thence 63 Chas to Catherine Creek
 $1\frac{1}{2}$ Chas across the Creek and $46\frac{1}{2}$ Chas to the
 terminus of the Road at a Post set at the
 side of the Foot Hill Road leading from Union
 to Sa Grand Done on the 1st day of Dec 1870

J. S. Curtis
 Surveyor

Complaint

The undersigned would hereby respectfully make complaint to the Honorable County Court, Union Co. Tenn. that the opening of a County Road commencing at the north west corner of Mr. Louis, and south west corner of Mr. Osneals Farms in Road district No 9 thence running west & along my Farm one half mile, would damage me to the amount of five hundred dollars, and pray that Your Honorable Body will take cognizance of this and cause the same to be assessed and paid.

With Regard Your Complainant
Conrad Miller

Hyd. Dept
2301 870
of Mr. Black
County, Ark

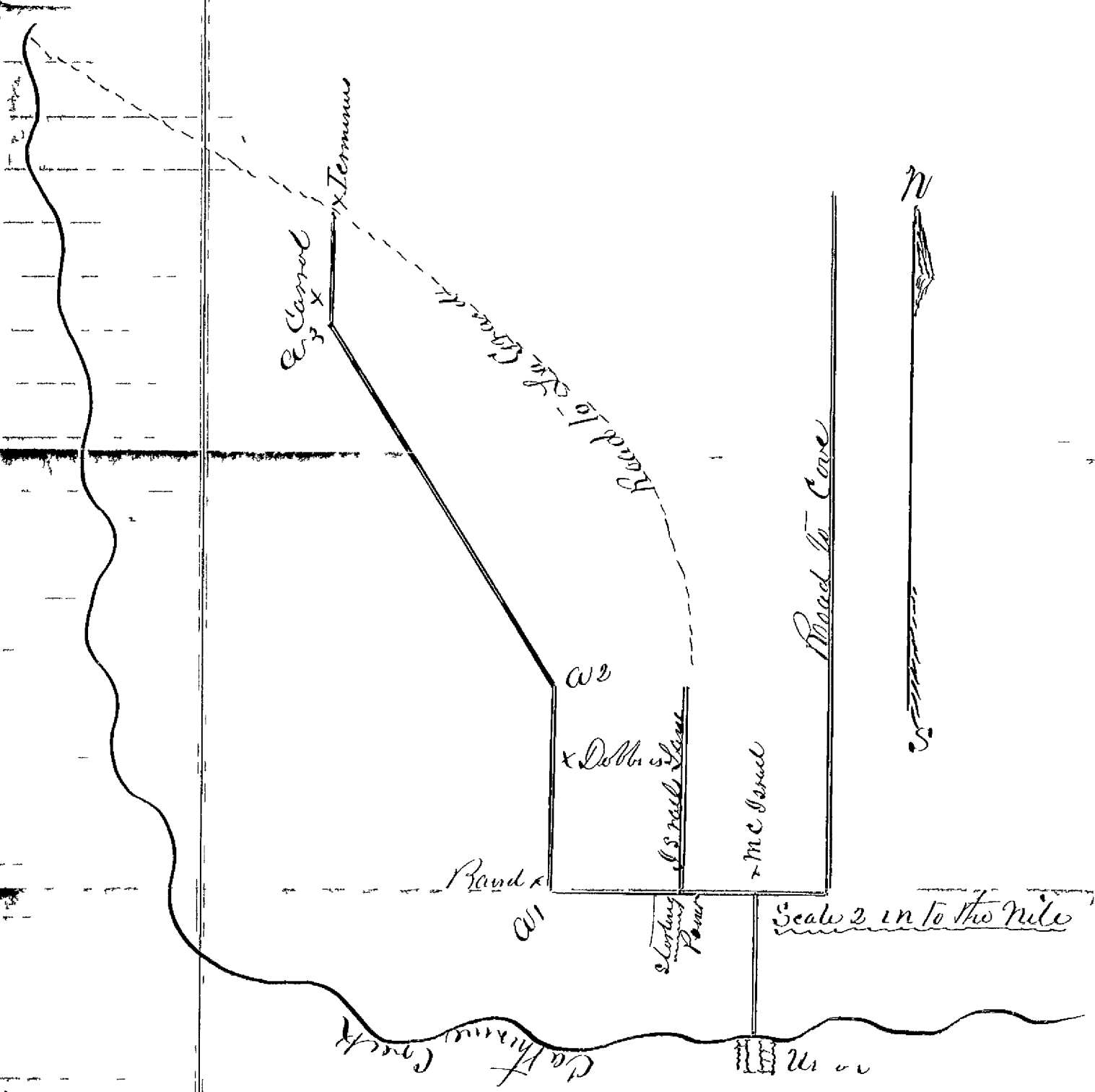
Complaints
To the Honorable County Court,
Union County Oregon Sept 22^d 1870
G. to

The undersigned
would respectfully make complaint to the
Honorable County Court, that the opening of a
County Road commencing at the North west
corner of Mr Lewis, and south west corner
of Mr M L Israels, Farms in road district
No. 9 Union County thence running west, along
my land three quarters of a mile to Adam
Mullers, thence north one half mile thence west
to the old county road leading to Lee Grand
would be a great damage to me, to the amount
of at least one thousand dollars Hoping
that your Honorable Body will notice this
fact and if you grant this useless and costly
road that the damage to your complainant
may be assessed and paid as what I will
ever pray

Respectfully Yours &c

Peter M Coffin

Plat of the Survey of a proposed County
 Road commencing at the south end of "Isaacs
 Lane," and terminating at a point on the
 Road from Union to La Grand



The survey of the foregoing
 Plat was done on the 13th day of Oct 1870

Commencing at the south end of Islands
Lane near the Town of Union and running
Thence West 40 Chs to Angle Post No 1
Thence North 60 Chs to Angle Post No 2
Thence W by 33° West 125 Chs to Angle
Post No 3 Thence North 33 Chains to
the terminus of the Road making
the whole distance 3 Miles and
18 Chains

J. S. Curtis
Surveyor

State of Oregon,
Union County, 1888

I hereby certify
the foregoing to be a correct Plat
of the Survey of the Road described
as made by me under the direction
of the Deacons

J. S. Curtis
County Surveyor

To the Hon County Court of
Union County Oregon

We the Undersigned appointed
to view out a proposed County Road
by leave to report that we met on the
13th day of Oct 1870 and after being
duly sworn proceeded to view out said
road with J. S. Curtis as Surveyor
we accordaned with the foregoing
Plot and further that we deem
said proposed Road to be practicable
and of general benefit to the
Citizens residing in the vicinity
of the said Road all of which
we respectfully submit

A. H. Stewart

Wm. Hutchinson

Some time to do the
good in the
of the
of the
of the

Patent
Patent

Patent

admitted

RECEIVED
CLERK OF DISTRICT COURT
9-2-11

12

Petition

To The Honorable County Court
of the County of Union in the
State of Oregon

We the undersigned twelve Citizens
~~Home Holders and others of the~~
County of Union and State of
Oregon residing in the vicinity
and along the road where the
hereinafter described County Road
is desired to be vacated and
another to be laid out and located
respectfully petition your Honorable
body to grant the vacating of
and laying out and locating in
place there of a new County road
to follow as near as practicable
and feasible the following route
to wit: First to vacate so much of
the County Road running from
Union to La-Grand in Union County
Oregon commencing at the South end
of the lane known as Israels
lane $\frac{3}{4}$ of one mile S W. from the
afore said town of Union and
running north $\frac{3}{4}$ of a mile to the
House of Martin Blize thence
north westerly according to the
Survey of Land Road by the
County Surveyor made at the

Time of running said Road
to a point at or near the
House of L. S. Carroll said
last distance being a bout two
miles and then to lay out and
locate a County Road commencing
at the South End the fore going
mentioned Isreal's lane of a mile
N. W. from said town of Union
and running down a lane westerly
1/2 mile to the House of Thomas
BaIRD thence northwesterly through
the lane by the House of Dobbin
and Brannan 1/2 a mile thence north
westerly to the House of L. S. Carroll
a bout one mile to intersect the
County Road at the points and
places before mentioned all of
which points and places are in
Union County Oregon

Dated this 2^d day of Aug 1870

A. Colburn	J. A. Moore
Thomas J. Beard	John Purdy
John Beard	John D. D. D.
Samon Miller	Robt Brannan
C. Miller	S. Benson
P. Shurtz	E. H. Lewis
J. J. Carroll	J. J. Nelson
Ed. Baker	

Public Notice

It is here by given that at
the next regular term of
the Honorable County Court
of Union County, Oregon,
to be held at Sea Grande
Oregon, on the first Monday
in September next, A.D. 1870.
An application will be made
by the undersigned and others
to said County Court to
grant the location of, and
laying out, and locating, in
place thereof a new county Road
to follow as near as practicable
and feasible, the following
route, herein after mentioned
to wit: — First to locate
so much of the County road
running from Union to Sea
Grande in Union County, Oregon
commencing at the south end
of the line known as Israels
line, $\frac{3}{4}$ of one mile N.W. from
the aforesaid Town of Union

and running northerly $\frac{3}{4}$ mile
to the house of Martin ~~Blay~~
thence northwesterly according
to the survey of said road by
the County Surveyor made at the
time of viewing said road
to a point at or near the house
of J. D. Carroll said last distance
being about two miles - and
then to lay out and locate a
County Road commencing at
the South end of the foregoing
mentioned ~~Adrials~~ lane $\frac{3}{4}$ of

a mile ~~W. W.~~ from said town
of Wilson and running down
a lane westerly $\frac{1}{2}$ mile to the
house of Thomas Baird, thence
northerly through the lane by
the house of Cobbin and Brannin
~~1/2~~ mile - thence northerly to the
house of J. D. Carroll about one
mile, to intersect the County
Road at the point before mentioned
All of which points and places
are in the County of Oregon
Dated this 2^d day of July 1890

John D. Brown
John D. Brown
C. H. Prescott

Whereas an application has been made to the County Court of Union County, Oregon at the next September term thereof for the year 1870 to vacate so much of the County Road leading from Union to Grand in the County and State as commences at the south end of Israel Lane, as described in the petition filed in the Clerk's Office of said County and State on the 3rd day of September 1870. Therefore the said Board as aforesaid and John Gobbs and R. N. Bramm are held and firmly bound to the County of Union for the sum of One hundred dollars.

The Condition of the above obligation is such, that if the prayer of the petition before mentioned be not granted, and allowed, then we, or either of us will pay all costs, and expenses that may be incurred by reason of such review. Witness the hand and seal of said Board.

Dated this 5th of 3
September AD 1870 3

J. L. Lott
R. N. Bramm
Thomas

(Seal)
(Seal)
(Seal)

Pauline

Miss Stephens
1000
1000
1000

Approved

April 5th 1876

W. J. Lawrence

Secretary

Petition

To the Honorable County
Court of the County of Union
in the State of Oregon

The undersigned Tractor Citizens
Householders, and others, of the
County of Union and State
of Oregon residing in the vi-
cinity and along the route
where the hereinafter desired
and described County Road,
is to be laid out, respectfully
petition your Honorable Body
to grant, and lay out a
County Road in the County
of Union, and State aforesaid
and to commence at the south
end of the land known as Israels
land $\frac{3}{4}$ of one mile N. W. from
the Town of Union in said County
and State, and running
westerly $\frac{1}{2}$ mile to the place
of Thomas Baird, one, and
 $\frac{1}{4}$ mile N. W. from said
town of Union - thence westerly

one mile to the house of
Adam Miller - thence northward
one half mile - thence $\frac{3}{4}$
of a mile westerly to Catherine's
Creek, and thence westerly
about one mile to intersect
the County Road running
from Union to La Grange
and to follow as near as
practicable and feasible the
above described route all
of which points, and places
are in Union County Tenn

Names Names

Stafford & Banks

A. E. Eaton

Simon Miller

John Dobbs

R. A. Branard

Edmond Meiler

Thomas P. Burch

John Bard

C. H. Prescott

E. H. Stewart

M. C. Israel

Frederick W. Madison

Lead Pelton

Julius Dept 6/27/20
S. M. & B. M.
County, Alaska

Second Judicial Day

September the 6th 1870

Court Met pursuant to Adjournment
Same Officers present as on Yesterday.

Due proclamation of the Opening of Court
having been made the following Business
was transacted

In the Matter of
Jailers Fees

Now at this time it was
Ordered that the Jailor of this County be and
he is hereby allowed the Sum of One Dollar
per day when when he has no prisoners in
Charge and that he is hereby allowed the
Sum of three dollars and thirty three and one
third Cents per day for each day that he
has prisoners in Charge in the County Jail
of this County

In the Matter of
County Road

Now at this time was
presented the following Road Petition in
Words as follows to wit

To the Honorable County Court of the County
of Union in the State of Oregon

The Undersigned twelve Citizens Household
and Others of the County of Union and State
of Oregon residing in the Vicinity and along
the route where the hereinafter desired and
described County Road is to be laid out res-

humbly petition your Honorable Body to grant and lay out a County Road in the County of Union and State aforesaid and to Commence at the south end of the Lane known as Israels Lane $\frac{3}{4}$ of one mile N W from the Town of Union in said County and State and running easterly $\frac{1}{2}$ mile to the house of Thomas Baird one and $\frac{1}{4}$ miles N W from said Town of Union, thence Westerly one mile to the house of Adam Miller - thence South-erly one half mile - thence $\frac{3}{4}$ of a mile Westerly to Catharine Creek, and thence Westerly about one mile to intersect the County Road running from Union to Salpoude and to follow as near as practible and feasible the above described rout all of which points and places are in Union County Oregon (Signed by A & Eaton and 12 others)

Which Petition was duly accompanied with a Bond according to law and also proof that notices had been posted in accordance with law and the Court being satisfied that the requisite number of resident House holders residing in the vicinity and along the line of said proposed Road J. S. McComas Samuel Bloom and O. D. Audriens are hereby appointed Viewers of said Road and J. L. Curtis is appointed Surveyor and the 16th day of September 1870 is the day appointed for said Viewers to meet at the House of Messrs Stanton in the Town of Union, and Report their proceedings therein at the next Term of this Court

appointed Viewers to meet on the 15th day of September 1870 have not been legally notified. It is therefore Ordered that the time be extended until the 13th day of October next that said Viewers with J L Curtis Surveyor meet at the House of Ben Stantons on said day and view and mark said proposed road and report their doings thereon at the November term of this Court And that the Clerk make out and deliver to the Sheriff notices of said Order

In the Matter of
County Roads

Now at this time it appearing that John L Caviness Thomas Baird and S O Sweetshamer heretofore appointed Viewers on a certain proposed County Road to meet at the House of Tho^s O'Brien on the 17th day of September last had not had sufficient notice thereof as required by law, It is therefore Ordered that the time be extended to the 18th day of October next for said Viewers and Surveyor to meet at said O'Brien and proceed to mark & view out said proposed Road and report their proceedings thereon at the November term of this Court And that the Clerk make out and the Sheriff serve the required notices

In the Matter of
County Roads

Now at this time it appearing that J. L. McComas Samuel Bloom and C D Andrews heretofore appointed Viewers on a certain proposed County to meet on the 16th of September last at the

Third Judicial Day

Court met pursuant to adjournment

Present Hon. E. C. Brainard County Judge Arthur
Warrick Sheriff B H Lewis and A C Smith
County Commissioners and S M Black County
Clerk

The proclamation of the Opening of the Court
having been made the following Business was
transacted

In the Matter of Appointment
of Road Viewers

Now at this time it
it appearing to the Court that the Viewers heretofore
appointed as Road Viewers to view out a Proposed
County Road commencing at the South end of the lane
known as Drucks Lane $\frac{3}{4}$ of a mile N from the
Town of Union in Union County thence as per
petition to the Board of Commissioners terminating at the County
Road from Union to Galpanda having failed to
meet and perform their duties as such Road
Viewers it is hereby Ordered that John Russell
A M Hartmuss and Jacob Newnan be and they
are hereby appointed Viewers of Said Proposed
Road to meet at the House of Ben Stanton
in the Town of Union on the 26th day of November
1870 and after being duly qualified according to
law to view the same and report their pro-
ceedings at the next Term of this Court, and
it is further Ordered that J L Curtis be appoin-
ted Surveyor of Said Road to meet at the same
time and place, and survey the same under
the direction of the Viewers and report the
Survey and plat at next regular Term of this
Court

Third Judicial Day

Court met pursuant to adjournment.
Present Same Officers as on Yesterday

After proclamation of the Opening of Court
having been made the following Business
was transacted

In the Matter of County Road
Now at this time the petition praying for a
County Road from Israels Lane $\frac{3}{4}$ of a mile NW
of Union running westerly $\frac{1}{2}$ mile to Thos Stains
thence to Adam Hilles thence northerly $\frac{1}{2}$ mile
thence westerly $\frac{3}{4}$ of a mile to Catherine Creek &
thence westerly to intersect the County Road from
Union to LaGrande being the Second Reading
of said petition, and at this time was
read a Remonstrance of William Hutchinson
and forty two others remonstrating against
the granting of said proposed County Road
and also damages claimed in the sum
of \$1500 if said Road should be granted
as prayed in said petition. It is therefore
Ordered and adjudged by the Court that
the prayer of said petitioners for said
proposed Road be and the same is hereby
reputed, and the prayer of said petition is
not granted.