

No 35 Equity  
in  
Circuit

Court

State of Oregon  
Plaintiff

vs

W B Campbell  
et al

Defendant

~~Action~~ <sup>Part</sup> for Foreclosure  
of Mortgage

Docket

Page

R E Allen  
Attorney for Plaintiff

Attorney for Defendant

HEWLETT-DUNN COMPANY  
14 W. 1st St. Portland, Ore.  
Printed in U.S.A.

**Record of the Case**

102 P

**WITNESSES.**

1875  
May 22 Petition re Success appals  
Journal B p 216  
Jul 5 ordered opened  
Journal B p 218 221

Road

change in Grande + Sumnerville  
Road - Commence at S W cor of No 4  
Sec 1 T 2 S R 38 E

Also

change in Heskett Co Road Commence  
at SW cor of No 4 of No 4 Sec 1 T 2 S  
R 38 E

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

102

To the Honorable County Court of  
 Union County Oregon we the undersigned  
 Citizens resident House Holders of Union  
 County Oregon respectfully petition your  
 Honorable body to Change a portion of the  
 County Road running from Sugrund to  
 Summerville said Change is asked as follows  
 commencing at a point on said road  
 to wit at the south west corner of the north  
 west  $\frac{1}{4}$  of the north west  $\frac{1}{4}$  of Sec 1 Town 9  
 South of Range 34 East of T. M. Thence north  
 one fourth <sup>of a</sup> mile thence East one half mile  
 reintersecting the above named County Road  
 instead of as it now runs

We also pray for a change in County Roads  
 across the valley known as the Heskell  
 Road

Commencing at a point on said Road  
 to wit at the south west corner of the north  
 west  $\frac{1}{4}$  of the north west  $\frac{1}{4}$  of Sec 1 T. 2  
 South of Range 38 East of ~~thence north~~  
~~one fourth one fourth four mile~~ thence north one  
 mile thence South one fourth mile reintersecting  
 the above named road at that point we also pray  
 your Honorable body to vacate and set aside all  
 the above named roads between said described points all  
 of which points and places are in Union Co Oregon

Names

- R. J. Spalders
- C. C. Lindsay
- S. H. Parker
- S. O. Johnson
- J. H. Stanley
- John Baker
- A. Laid
- E. H. Hammond
- J. M. Hammond
- S. J. J. J. J.
- J. A. M. M. M.
- John M. Donald
- J. B. M. M.
- R. D. B. B.

Where as a petition has been presented to the County Court of Union Oregon for a change in a County Road as follows commencing at the south west corner of the N.W.  $\frac{1}{4}$  of the S.W.  $\frac{1}{4}$  of S. 1. T. 2. S. of R. 38 E of W. M. thence east one half intersecting the above Co Road

Therefore J. R. Childers agree to pay to the Court of Union Oregon

all costs and expenses that may occur by reason of the view of said Road provided the said change be not allowed  
Dated May the 22<sup>nd</sup> 1878

R. J. Childers

Filed May 22 1878

D. J. Cole

Clerk

H. W. Anthony

S

## Notice

Notice is hereby given that there will be a petition presented to the county Court of Union County State of Oregon at the next term thereof 1878 praying for a change in the county road leading from Six Grand to Summerville said change is asked as follows commencing at a point on said Road to wit at the south west corner of the north west  $\frac{1}{4}$  of the north west  $\frac{1}{4}$  of Sec 1, T. 2, S. of R. 38, E. of W. M. Thence north one fourth mile Thence East one half mile reintersecting the above named County Road instead of as it now runs said petition will also pray for a change in the county road running across the valley one fourth of a mile south of the Township line known as the Heskett Road commencing at a point on said road to wit at the south west corner of the north west  $\frac{1}{4}$  of the north west  $\frac{1}{4}$  of Sec 1, T. 2, S. of R. 38 East Thence north one fourth mile Thence East one mile Thence south one mile reintersecting the above named road at that point said petition will also pray your Honorable body to vacate and set aside all the above named Roads between said described points all of which points and places are in Union County Oregon

D

State of Oregon }  
County of Union }

J. R. Childers

being duly sworn say that  
I posted 4 of the foregoing  
notices as follows,

One on the Court-house  
door in Union, one at  
the commencement of the  
therein described proposed  
Road, ~~one~~ at the terminus  
and one in the vicinity  
of the said road.

Subscribed & sworn R. J. Childers  
to before this 22<sup>nd</sup>

1878

R. J. Childers  
Deputy

To the Hon. County Court of Union  
County, State of Oregon.

In the matter of changes in the  
La Grande and Summerville County road also  
in the Heskett County road your viewers submit  
the following as their report.

We met on the day named in your order  
the three viewers being present  
and after being first duly sworn proceeded  
to view survey and lay out said changes  
as directed and as shown by the surveyors report  
submitted herewith. We find the distance  
on the proposed change in the La Grande and  
Summerville road to be 240 rods and as now  
traveled to be 240 rods and the change on  
the Heskett road to be 480 rods and on the  
road as now ~~traveled~~ <sup>located</sup> 320 rods. We find  
both changes to be located on good ground  
and now open to travel. Taking into consider-  
ation the benefits to the settlers in the  
neighborhood and also the traveling public  
We are of the opinion that the



changes out ought to be granted.  
All of which is respectfully submitted.

Bailey Baker } Reviewers.  
D. H. Boling }  
Wm Hamilton }

Yours respectfully

Filed July 14 1878  
R. G. Davis  
Co. Clerk

Field notes of the survey of a proposed change in the Le Grande and Summerville County road. Beginning at the S.W. corner of the N.W.  $\frac{1}{4}$  of the N.W.  $\frac{1}{4}$  of Sec 1, Town 2 South, Range 38 East, at a Post marked R. Thence North 80 rods to Post marked C. 1. Thence East 160 rods to Post marked R. T., and intersecting the above mentioned road.

Field notes of the survey of a proposed change in the Heskett County Road

Beginning at the S.W. corner of the N.W.  $\frac{1}{4}$  of the N.W.  $\frac{1}{4}$  of Sec 1, Town 2 South, Range 38 East, at a Post marked R. Thence North 80 rods to Post marked C. 1. Thence East 320 rods to Post marked C. 11. Thence South 80 rods to Post marked R. T., and intersecting the above named road.

State of Oregon }  
County of Union } S.S.

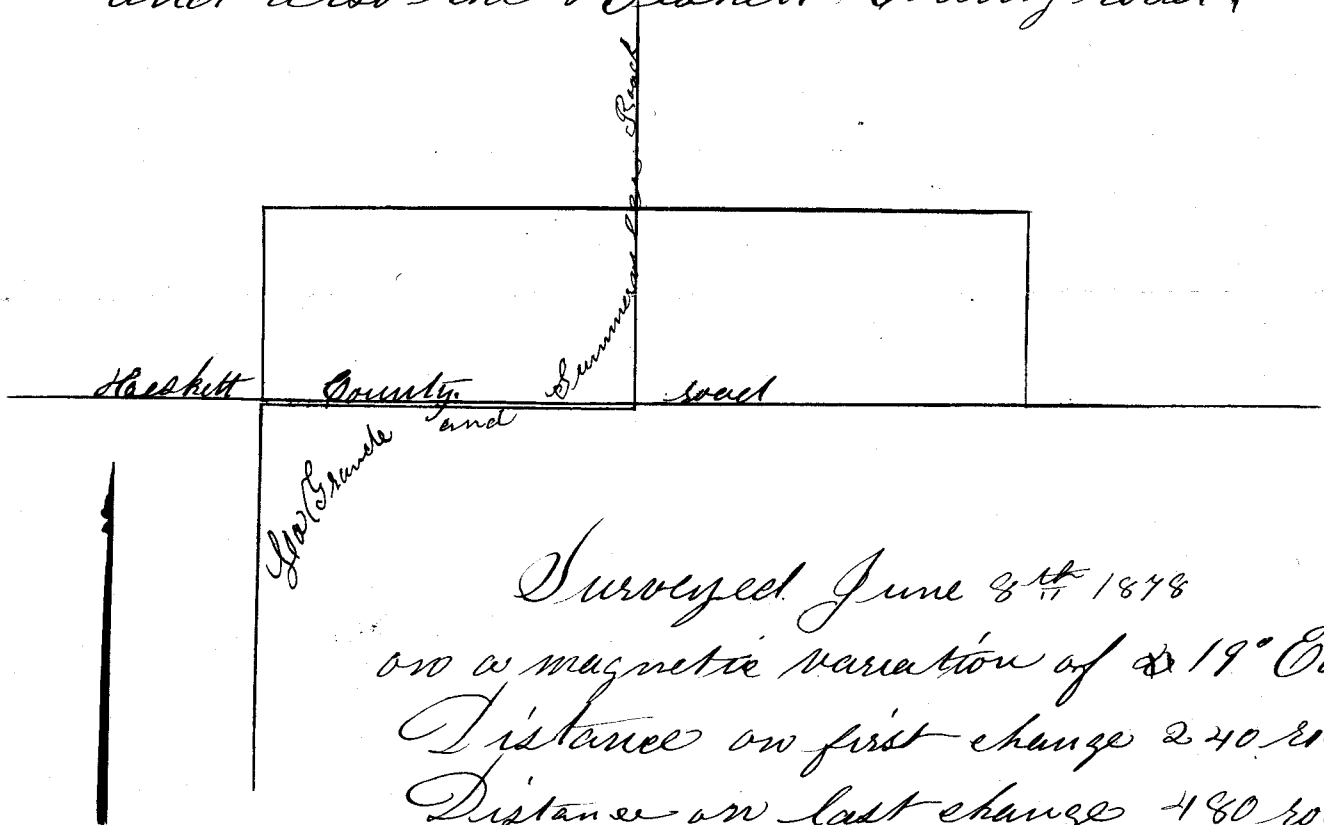
I Willis Schiff County Surveyor in and for the County and State aforesaid do hereby certify that the above field notes of two proposed changes in the County roads are correct as made by me under the supervision of the viewers on the 8<sup>th</sup> day of June, 1878

Willis Schiff Co. Surveyor,

Curvey

Filed July 14 1878  
R. C. Allen  
Per C. Allen

Plat of the proposed change in the  
Summersville and Low Grande County road  
and also the Heskett County road,



Surveyed June 8<sup>th</sup> 1878  
on a magnetic variation of  $19^{\circ}$  East  
Distance on first change 240 rods,  
Distance on last change 480 rods,  
Scale of distances 80 rods to the inch.

May 22. 1878 In the Matter of Change  
County Roads.

Now at this time comes R. J. Childers who presents to the Court a Petition of himself and others, for a Change in the County Road, running from La Grande to Summerville, said Change to be as follows:

Commencing at a Point on said Road, to wit: at the South West Corner of the North West  $\frac{1}{4}$  of Sec. 1. Town 2. South of Range 38. East of W. M. thence north one fourth of a mile, thence East one half mile intersecting the above named County Road instead of as it now runs.

The same Petitioners also pray for a Change in what is known as the Heskett County Road, said Change to be as follows:

Commencing at a point on said Road to wit: at the South West Corner of the North West  $\frac{1}{4}$  of the North West  $\frac{1}{4}$  of Sec. 1. T. 2. South of Range 38 East thence North one fourth mile thence east one mile, thence South one fourth mile reintersecting the above named Road at that point.

And the Petitioner do further pray; to vacate and set aside all the above named Roads between said described points, all of which points and places are in Union Co. Oregon.

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 - and it coming to the Knowledge of the Court, that more than twelve of said petitioners are legal householders residing in the Vicinity of said roads and that a good and sufficient bond has been filed.

It is therefore ordered by the Court, that James Bowen, Wm. Hamilton and Pauly Baker be appointed Viewers and Willis Skiff Surveyor, to view, survey, and report upon said Change, and that they meet at

the house of Thomas Kenzie on the 8<sup>th</sup> day of June 1878 and duly qualify before entering upon the discharge of their duties in this behalf, and to report to this Court at the next July Term thereof

In the Matter }  
of }  
Cancelling County }  
Orders }

Now at this time comes George Starks County Treasurer and turns over County Warrants in the sum of \$17,088.<sup>39</sup>/<sub>100</sub> Seventeen Thousand and Eighty eight <sup>39</sup>/<sub>100</sub> Dollars, which Orders were cancelled in open Court. It was therefore ordered, that the Treasurer, and Union County <sup>each</sup> have a Credit of: Seventeen Thousand and Eighty eight <sup>39</sup>/<sub>100</sub> Dollars. -

The following Bills were then allowed:

	Names	what for	amt
1039	P. A. Mochaffey	Constable Fees	38
1040	G. J. Sander	Coffin for Chimney	12
861	F. J. Dielt	Commissioners Fees	17
1041	Jessie Ambler	"	28
1042	Jessie Green	called Inmar	4
1043	J. H. Hansell	"	4
1044	T. B. Handson	"	4
265	C. A. Chapman	"	4
1045	Geo. Fieldlin	"	4
1046	J. W. Robins	"	4
1047	G. P. Holmen	"	4
1048	Joseph Oliver	"	2
1049	J. P. Tucker	"	2
1050	John Allen	"	2

in the Court on Monday the 5<sup>th</sup> day of Aug 1878  
and after being duly sworn proceed to  
view & mark said proposed Road & report  
to this Court at the next Regular term.

In the matter of Viewers Report  
and  
Change in County Roads

Now comes on  
for hearing the Report of the viewers at the  
second thereof, having been read in open  
Court on the 3<sup>rd</sup> of July last Judicial  
day, upon certain Changes in County  
Roads for description of which see page  
218 of this Journal upon the Petition, and  
the said Report of viewers being favorably  
and there being no remonstrance or claim  
for damages, the Court ordered that the  
prayer of the Petitioners be granted and  
said Roads changed as prayed for and  
reported by viewers. No plat and field notes  
see Page 227.

In the matter of Appointment  
of  
Justice of the Peace. Eagle Precinct

Now at this time comes Samuel Williamson  
who was, on the 3<sup>rd</sup> day of June 1878 elected  
Justice of the Peace for Eagle Precinct, and having  
failed to qualify in the time prescribed  
by law, now asks the Court to appoint  
him such Justice.

Thereupon the Court ordered that said  
Samuel Williamson be and he was  
appointed a Justice of the Peace for Eagle  
Precinct who immediately qualified  
as such.



Field notes of the survey of a proposed change in the La Grange and Summerville County road. Beginning at the S.W. corner of the N.W.  $\frac{1}{4}$  of the N.W.  $\frac{1}{4}$  of Sec. 1 Town 2 South Range 38 East - at a Post marked R. Thence North 80 rods to Post marked A. 1. Thence East 160 rods to Post marked R. T. and intersecting the above mentioned road.

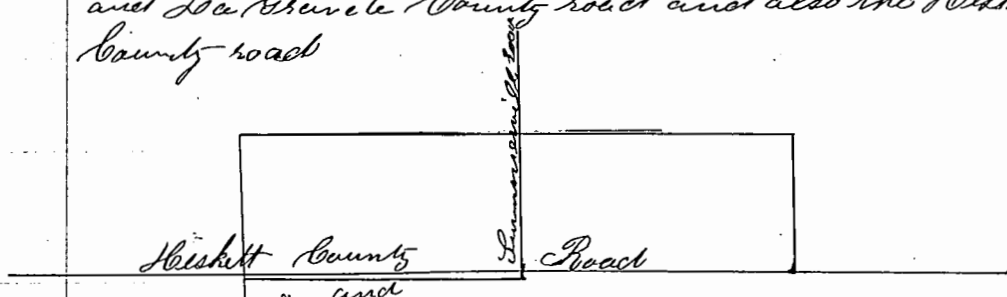
Field notes of the survey of a proposed change in the Heckett County Road.

Beginning at the S.W. corner of the N.W.  $\frac{1}{4}$  of the N.W.  $\frac{1}{4}$  of Sec. 1 Town 2 South Range 38 East at a Post marked R. Thence North 80 rods to Post marked A. 1. Thence East 320 rods to Post marked A. 11. Thence South 80 rods to Post marked R. T. and intersecting the above mentioned road.

State of Oregon } ss.  
 County of Union }

I Willis Schiff County Surveyor in and for the County and State aforesaid do hereby certify that the above field notes of two proposed changes in the County roads are correct as made by me under the supervision of the viewers on the 8<sup>th</sup> day of June 1876,  
 Willis Schiff  
 Co. Surveyor

Plot of the proposed change in the Summerville and La Grange County road and also the Heckett County road



La Grange

Surveyed June 8<sup>th</sup> 1876  
 on a magnetic variation of 20° East  
 Distance on first change 240 rods  
 Distance last change 480 rods  
 Scale of distances 80 rods to the inch.