

No 1187

in

Circuit

Court

W. B. Campbell
Assignee
Plaintiff

vs
Wesley Titus
Defendant

Action for

Money

Docket

Page

Paul V. Lester
Attorney for Plaintiff

Attorney for Defendant

Handwritten notes:
copy - with
James M. - right
- 15 -

RECEIVED
FEB 11 1900
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

1882

Nov 7 Botetune sec of land over
Journal C of 132

1884
Jan 10 Views of fields
Journal C of 146

Mar 6 Int plan showing report
Journal C of 193

May 7 ordered opened
Journal C of 194

Road

Commencing at 1/4 stake in center of Sec 12
T18 R 35 E to Phillips Creek

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 Court of
 Union Co. Oregon

We the Undersigned Legal Voters
 and Residents of Summerville Precinct
 and Locality would most respectfully
 Petition the Honorable County Court of
 Union Co. Oregon for a Road
 To be located as follows -
 Commencing at the Quarter Stake
 in the center of Section 12 Township
 One South of Range 38 East N. M.
 Thence running North one mile to
 the south line of Charles Myers
 Land claim - Thence running in a
 Westerly direction across the said
 Charles Myers land as there is a
 timber road now running across
 said Charles Myers land claim - Thence
 in a Westerly direction in the Summerville
 Weston and Walla Walla Wagon Road
 to road to Phillips Creek

~~The above proposed road is absolutely~~
 necessary for the citizens of above
 named locality to be used for a
 Township Road Therefore We Petition
 the Hon. Co. Court to grant the same
 and I as Petitioners will ever Pray

Names
 Lemmy Fisher
 E. J. Martin
 E. B. Moslock
 H. J. Myers
 J. O. Myers
 W. H. Clemons
 J. Harris
 J. W. Pentecost
 H. E. Brinkhart
 E. M. Calcutt

Names
 J. H. Graves
 W. R. Chatter
 J. C. Collins
 J. L. Barnett
 C. H. Dett
 J. W. Chatter
 J. P. Patton
 J. M. Little
 C. A. Hines

perfectly correct
 J. M. Little

Parton of
Henry Paul others

for a
County Road

March November 7 1883

Wm Wright
County Clerk

Notice

Notice is hereby given, that the Citizens and legal voters living in Sumnerville precinct and locality in Union County, State of Oregon, will petition the Honorable Court - Court of Union County, State of Oregon for a County road to be laid out and located according as the law requires,

beginning at the quarter stake in the center of Section No 12 Town 1 S Range 38 E N. M. thence running north on rails to the south line of Charley Myers land claim thence running in a north easterly direction across the said claim Charley Myers as there is a timber road now running across said Charley Myers land claim. Thence in a northerly direction on the Sumnerville Weston and Walla Walla Wagon Road to Phillips Creek, with such variations as may be considered reasonable when viewed and surveyed, the above road is highly necessary for citizens in this vicinity to get to timber land.

- | Names | Names |
|----------------|-----------------|
| George P. Pelt | J. G. Graves |
| E. J. Martin | W. B. Chatter |
| E. B. Morelock | Jacob Collins |
| A. J. Myers | J. B. Bennett |
| W. C. Myers | Chas. J. Foster |
| W. H. Brown | J. W. Chatter |
| J. H. Hanson | J. P. Patton |
| J. W. Portant | J. W. Tuttle |
| W. E. Burkart | E. S. Myers |
| E. M. Clemons | |

Posted up by R. J. McWilliam
September 12th 1883

State of Oregon }
Union County } 3rd

I R J McWilliams being first-
duly sworn say that I posted three
of the within notices - on public places
within the vicinity - of said proposed
road therein described on the 12th
day of September - A.D. 1883 - as follows to wit
one of said notices on -

at the starting point of said ^{Road} on
the floor at the quarter Stake of Section No 12 Town
1 South Range 38th E 7th W
of one of said notices on the side of Charles
Myers Bran - at his place on said Road

of one of said notices on the front of R. P.
W. William Salmon at Summerville Union County
Oregon

R. J. McWilliams

Subscribed and sworn to before me
this 9th day of November 1883

Ed W. Dowell
Notary Public for Oregon

Filed Nov 14 1883
W. W. Wright
Clerk

Notice.

Notice is hereby given that the citizens and legal voters living in Summerville precinct and locality in Union county State of Oregon will petition the Honourable county court of Union co State of Oregon for a county road to be laid out and located according as the law requires commencing at the quarter stake in the center of sect no 12 Town 1 S R 35 E N M thence running north one mile to the South line of Charles Myers land claim thence running in a northerly direction across the said Charles Myers as there is a timber road now running across said Charles Myers land claim thence in a northerly direction on the Summerville Weston & Walla Walla Wagon Road 800's Road to Philips creek with such variations as may be considered advisable when viewed and surveyed the above Road is highly necessary for settlers in this locality to get to timber for wood etc

Names	Names
Henry Gubb	J. H. Graves
E. J. Martin	W. R. Chatter
E. B. Morlock	Joseph Collins
A. A. Myers	J. C. Burnett
J. O. Hoyle	Geo. F. Clark
W. A. Crismon	J. W. Chatter
J. Hanger	A. P. Patten
J. W. Terticot	J. W. Cuttle
W. R. Rusk	C. A. Myers
E. M. Glendon	

Posted Sept 12 1873
 J. T. Williamson

State of Oregon
 County of Union. I John F. Williamson being first duly
 sworn say that on the 12th day of September A.D. 1883
 I posted the within notice on the Court House door
 in the City of Union Union County State of Oregon
 subscribed sworn to before
 me this 10th January 1884 J. F. Williamson
 D. P. Webb
 Notary Public for Oregon.

7/11/1

County Road
 partitioned for lay
 down, Rake to the

Proof of Posting
 on Court House

Filed Nov 7 1883
 W. H. Wright
 County Clerk

Know all Men by these Presents:

That we,

are held and firmly bound unto the County Court
of Union County State of Oregon in the sum of
One Hundred DOLLARS,

lawful money of the United States, to be paid to the said County Court
his Executors, Administrators or Assigns, for which payment well and truly to be made, we bind
ourselves, our, and each of our Heirs, Executors, Administrators and Assigns, jointly and severally
firmly by these Presents.

Sealed with our Seals, and dated this 6th day of ~~September~~ ^{November} one thousand
eight hundred and eighty three

The condition of the above obligation is such that If the Reviewers
appointed by the said County Court, shall
view and report favorable to the said
County Court upon the location of a
certain Road petitioned for by the citizens
along the line or route of the same, said
road to commence at the center of
Section Twelve Township One South Range
Thirty Eight East, and running thence
north along the line of the Summerville
and Walla Walla road to the crossing of
Phillips Creek, a distance of about
six miles. Then this obligation shall
be null and void otherwise to remain
in full force and valid

Signed, Sealed and delivered in presence of

Ed McDowell

Henry Duke [SEAL]
E. J. Martyn [SEAL]
~~...~~ [SEAL]
W. J. Williams [SEAL]

BOND

FROM

Henry R. R. & Co.

TO

County Court

Executed

18

Fried, Nov. 7th 1883

At 3 o'clock, P. M.

W. T. Wright

County Clerk.

To the Hon County Court of Union
County, Oregon

We the undersigned viewers
appointed by your Honorable Body to
view out a proposed County Road
as follows; commencing at the
quarter stake in the center of
Section 12 Township 1 South Range
38 East W.M. thence North 1 mile
to the south line of Charles
Myers land claim, thence in a
Northerly direction across said
Chas Myers ^{land} claim as there is a timber
road now running across said
Chas Myers land claim, thence in
a Northerly direction on the
Summerville, Walla-Walla & Weston
Wagon Road Co's road to Philippe
Creek; in Union County, Oregon
submit the following report in
that behalf — We met on the
7th day of February 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 which we heartily recom-
mend to be established

as a County Road

David Hug
John Hug
Hiram McDonald

} Viewers of proposed
County Road

In re County Road
petitioned for by
Henry Bull to the

Viewers Report

Filed March 6th 1887
W. J. Naughton Clerk
By O. J. Pitt, Deputy

Report of Surveyor to the viewers of a proposed County Road as follows commencing at the quarter stake in the center of Sec 12 Township 1 South Range 38 East thence running North 1 mile to the South line of Chas Myers' land claim thence in a Northerly direction across said Chas Myers' land as there is a timber road now running across said Chas Myers' land claim thence in a Northerly direction on the Summerville Weston & Walla Walla Wagon Road Co's Road to Philips Creek

The following are the field notes commencing at a Post marked R placed at the quarter stake in the center of Sec 12 Township 1 South R 38 E

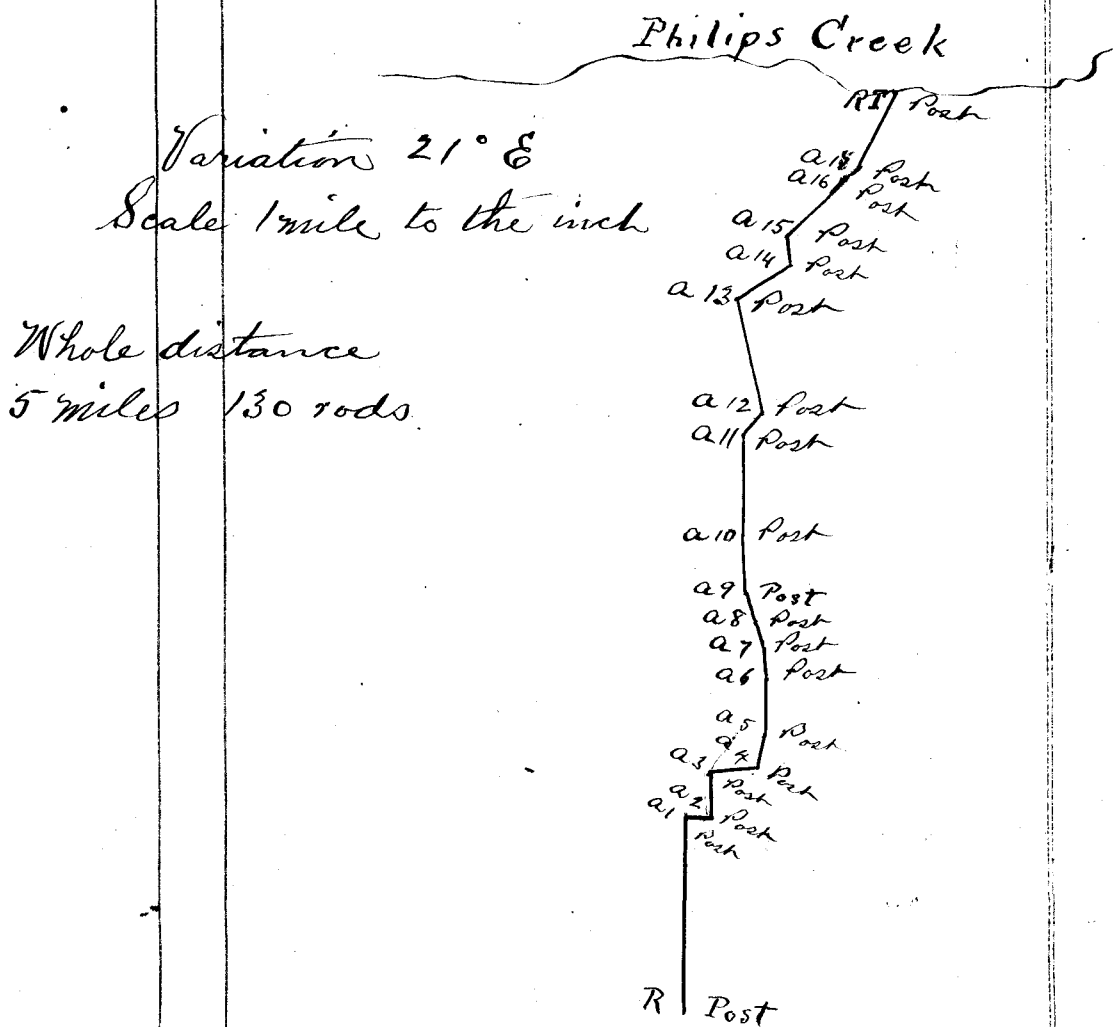
Thence North 1 mile to post marked					a 1
East	16 rods	"	"	"	a 2
"	North 80	"	"	"	a 3
"	N 26° E 81	"	"	"	a 4
"	N 13° E 60	"	"	"	a 5
"	N 1° W 83	"	"	"	a 6
"	N 2° W 48	"	"	"	a 7
"	N 9° W 40	"	"	"	a 8
"	N 11° W 44	"	"	"	a 9
"	N 3° W 95 ²³	"	"	"	a 10
"	North 172 ⁴⁰ 283 ⁸⁴	"	"	"	a 11
"	N 38° E 48 " 792	"	"	"	a 12
"	N 13° W 193 " 3184 ⁸⁴	"	"	"	a 13
"	N 32° E 100 " 1650 ✓	"	"	"	a 14
"	N 3° W 46 " 759 ✓	"	"	"	a 15
"	N 45° E 132 " 2178 ✓	"	"	"	a 16
"	N 50° E 28 " 462 ✓	"	"	"	a 17
"	N 26° E 144 " 2376 ✓	"	"	"	R 1 and

terminating at Philips Creek on the
Summerville Weston + Walla Walla
Co's Wagon Road

State of Oregon } SS
County of Union }

I Eugene Chase do
hereby certify that the above field notes
are correct as surveyed by me on
4th + 8th days of February AD 1884

Eugene Chase
County Surveyor



In re proposed County
Normal Petitioners for lay
Henry Reule others

Surveyors Report

Filed March 5th 1884

M. S. Wright Clerk

By A. G. Bell Deputy

1st day
Nov. 7. 1883

which it appears that the amount required therefor has been paid, and no remonstrance or objection thereto having been filed herein -

It is therefore ordered by the Court that License be granted to the said J. A. Myers authorizing him to keep and offer for sale spirituous liquors in less quantities than one quart in Island Precinct - Multnomah County Oregon for the period of six months -

In the matter of proposed
County Road petitioned for by
Henry Ruhl + others

Now at this time is presented to the Court the petition of Henry Ruhl and others - which petition not being accompanied by sufficient proof of posting notices, it is ordered that the same lay over for further action at another term of this Court.

Whereupon Court adjourned until tomorrow morning at 9 o'clock

2^d Day
Nov. 8. 1883

Second Judicial Day

Nov. 8. 1883

Court met pursuant to adjournment. Some officers present as on yesterday.

Due proclamation of the opening of Court was made - and the journal of yesterday's proceedings were read and approved and are now signed.

A. C. Craig
County Judge

Whereupon the following proceedings were had to wit -

Second Judicial Day

Thursday January 10th 1884

County Road leading from the vicinity of Fair Grounds to Mouth of Ladd Canyon crosses said County Road leading from Lalande to Union which is on the S. E. 1/4 of N. E. 1/4 Sec 2 T 4 S R 38 E Willamette Meridian thence running South or nearly South on the most practicable route for a County road until said South line shall intersect the County road now travelled from Lalande to mouth of Ladd Canyon which point of intersection will be on the N. E. 1/4 of S. E. 1/4 Sec 11 S. 4 S. R. 38 E W. M.; and to vacate so much of the County road leading from Lalande to mouth of Ladd Canyon as lies between the point of beginning and the point of termination, all of which points and places are in Union County State of Oregon. 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 change of road and that a good and sufficient bond has been filed herein. It is therefore ordered by the Court that Robert Shaw, P. M. Coffin and Al Graham be appointed Viewers and Eugene Chase Surveyor, to view, survey and report upon said proposed change in said County road; and that they meet at the house of Richd Gooden on the 5th day of February 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 proposed
County road petitioned
for by H. C. Ruhl and others

Now at this time the petition of Henry Ruhl and others, laid over from last term of Court on account of defective proof of notice, is taken up, and it appearing that said petition prays for a County road to be located as follows, Commencing at the quarter stake in the center of Section 122 Township one South of Range 38 East W. M., thence running North one mile to the South line of Charles Myers land claim thence running in a Northwesterly direction across the said Charles Myers land as there is a timber road now running across said Char Myers land claim, thence in a Northwesterly direction on the Summerville Weston and Walla Walla Wagon Road (as road to Philips Creek); in Union County

Second Judicial Day

Thursday January 10th 1884

State of Oregon; and it further satisfactorily appearing to the Court from the 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 road, and that a good and sufficient bond has been filed herein. It is therefore ordered by the Court that David Hogg, John Hogg, and Abram McDonald be appointed Viewers and Eugene Chase Surveyor, to view survey and report upon said proposed County road; and that they meet at the store of Ch. Ruhl in the town of Summerville in this County on the 7th day of February 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 Rollin Pratt and others

Now at this time is presented to the Court the petition of Rollin Pratt and twenty seven other Citizens of Union County, praying for the location of a County road as follows: Beginning at the south west corner of section No twenty five (25) Town two (2) South of Range 45 E. 10th W. and running thence south on sec line between sec 35th & 36 in Twp 2. S. R. 45 E. 10th W. and sec one (1) and two and eleven (11) and twelve (12) to the Prairie Creek School House in School District No 33 County aforesaid (Town Union County) situated in North West Corner of the South West $\frac{1}{4}$ of sec 12 T. 3. S. R. 45 E. 10th W. thence south three fourths ($\frac{3}{4}$) of a mile between secs eleven and twelve (11 & 12) and thirteen and fourteen (13 & 14) to South West corner of the North West $\frac{1}{4}$ of the North West $\frac{1}{4}$ of sec thirteen (13) Twp 3. S. Range 45 E. 10th W. thence east one fourth ($\frac{1}{4}$) mile to the South East corner of the North West $\frac{1}{4}$ of the North West $\frac{1}{4}$ of sec 13 Town and Range last before said thence south on quarter ($\frac{1}{4}$) line in sec 13 and 24 one mile to the South East corner of the North West $\frac{1}{4}$ of the North West $\frac{1}{4}$ of section twenty four (24) Town 3 South Range 45 E. 10th W. its termination.

And it appearing to the Court from the 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

Second Judicial Day

Thursday March 6th A.D. 1884

In the matter of a proposed
County Road petitioned for
by Henry Auhl & others

Now at this time is presented to the Court the Report of the Viewers heretofore appointed by the Court upon the above entitled road accompanied by the Report of the Surveyor and field notes and plan 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 & 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 application
of J. B. Fisher for a Liquor
License.

Now at this time is presented to the Court the petition of the legal voters of Island Precinct in this County praying that a license may be granted to J. B. Fisher authorizing him to keep and offer for sale in said Precinct Spirituous Liquors in less quantities than one quart. And it appearing to the Court that due and proper notice of the pendency of these proceedings has been made according to the law in such case made and provided, and that a good and sufficient bond had been filed herein, as also the receipt of the County Treasurer showing that the amount required therefor had been paid into the County Treasury. Therefore it is ordered and adjudged by the Court that license shall issue to said J. B. Fisher authorizing him to keep and offer for sale in said Island Precinct Spirituous Liquors in less quantities than one quart for the period of six months from the date hereof.

Thereupon the Court adjourned until tomorrow morning at 9 o'clock

Third Judicial Day

Friday March 7th 1884

Court met pursuant to adjournment present the same Officers as on yesterday.

Due proclamation of the opening of the Court having been made the Journal of yesterdays proceedings was read, approved and is now here signed

J. C. King
County Judge

Thereupon the following proceedings were had, to-wit:

In the matter of the Vault
for the safe keeping of the
County Records. }

Now at this time it appearing to the Court from oral information received that J. L. Keenter the Contractor for Building the Vault for the safe keeping of the County Records, had been unable to procure the necessary materials with which to put in the new crown or arch, in accordance with the former order of this Court made and entered at the January Term thereof. It is therefore ordered by the Court that the time within which said Contractor shall complete said work be and the same is hereby extended to the first day of regular term of this Court held in the month of May next.

In the matter of a proposed
County Road petitioned for
by Henry Ruhl and others. }

Now at this time the Viewers and Surveyors Reports on a proposed County Road petitioned for by Henry Ruhl and others 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 the plat of the Surveyor be placed on record and said road be established as a County Road and opened according to law.

Viewers Report.

To the Hon County Court of Union County, Oregon.

Third Judicial Day

Friday March 7th A.D. 1884.

We the undersigned viewers appointed by your honorable Body to view out a proposed County Road as follows; Commencing at the quarter stake in the center of section 12 Township 1 South Range 38 East N. W. thence North 1 mile to the south line of Charles Myers' land claim, thence in a Northwely direction across said Char. Myers' land claim as there is a timber road now running across said Char. Myers' land claim thence in a Northwely direction on the Jummerillo Walla Walla + Weston Wagon Road Co's road to Philips Creek, in Union County, Oregon, Submit the following report in that behalf. We met on the 7th day of February 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 which we heartily recommend to be established as a County Road.

David Hoag

John Hoag

Herain McDonald

Viewers of proposed
County Road

Report of Surveyor to the Viewers of a proposed County Road as follows, commencing at the quarter stake in the center of sec 12 Township 1 South Range 38 East thence running North 1 mile to the south line of Char. Myers' land claim thence in a Northwely direction across said Char. Myers' land claim as there is a timber road now running across said Char. Myers' land claim thence in a Northwely direction on the Jummerillo Weston + Walla Walla Wagon Road Co's Road to Philips Creek. The following are the field notes.

Commencing at a Post marked R placed at the quarter stake in the center of sec 12 Township 1 South R 38 E

Thence North	1 mile	to post marked	A 1
"	East	16 rods	" " A 2
"	North	80 "	" " A 3
"	N 26° E	81 "	" " A 4
"	N 13° E	60 "	" " A 5
"	N 1° W	83 "	" " A 6
"	N 2° W	48 "	" " A 7
"	N 9° W	40 "	" " A 8
"	N 11° W	44 "	" " A 9
"	N 3° W	95 "	" " A 10
"	North	172 "	" " A 11
"	N 38° E	48 "	" " A 12
"	N 13° W	193 "	" " A 13
"	N 32° E	100 "	" " A 14

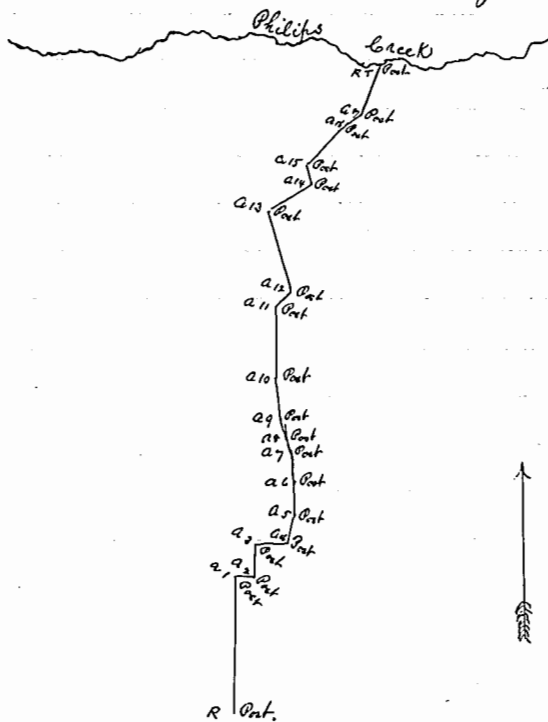
Shirid Judicial Day

Friday March 7th 1884

Thence N 30° W. 46 rods to post marked A 15
 " N 45° E 132 " " " A 16
 " N 50° E 28 " " " A 17
 " N 26° E 144 " " " RT and terminating at
 Philips Creek on the Sumnerville Hector & Walla Walla Co's Wagon Road
 State of Oregon

County of Union: I Eugene Shaw do hereby certify that the above field
 notes are correct as surveyed by me on 7th 18th days of February 1884
 Eugene Shaw
 County Surveyor.

Variation 21° E
 scales 1 mile to the inch
 whole distance
 5 Miles 130 rods



In the matter of Constructing
 a new County Jail

Now at this time is submitted to the Court plans
 and specifications for a new County Jail, which plans and specifications
 were prepared by H. J. Johnson under the direction of Hon. A. C. Craig Judge
 of this Court pursuant to the order of the Court made on the 16th day
 of January 1884 and entered at page 146 Vol 6 Journal of this Court
 and it appearing to the Court that said plans and specifications are
 appropriate and represent such a jail building as will be suitable
 and secure. It is therefore ordered that said plans and specifications
 be adopted by the Court and placed on file. It further appearing to the
 Court that said jail ought to be constructed as speedily as possible