

No 229

in

*Circuit*

Court

*Kaufman Haas &  
Buckhener*

Plaintiff

vs

*Joseph J Wilson*

Defendant

Action for *Money*

Docket *A* Page *520*

*G O Redman*

Attorney for Plaintiff

Attorney for Defendant

RECEIVED  
JUL 10 1914  
U.S. DEPT. OF JUSTICE

1885  
 Nov 10 Petition for View of plat  
 Journal C p 555

1886  
 Jan 7 Contention for want of plat  
 Journal C p 590

May 13 let reading report  
 Journal C p 690

May 14 ordered opened  
 Journal C p 693

Road

change in road beginning at SW Cor Sec 21  
 S 3 80 R 45 E to residence of Sam Wade,  
 said change being bet Angle posts 27 + 28

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

Joseph Oregon  
October 30<sup>th</sup> - 1883

To the Hon. County Court of Union County  
Oregon: I would respectfully propose to  
your Honorable body, that in view of the great  
necessity of the establishment of the County  
road asked for in the accompanying petition,  
that in case your Hon. body will grant  
the change asked for in the accompanying  
petition I will relinquish all my claim  
and right to damages on said road.  
- - - Jacob Devine

Be it Remembered, That at a term of the Honorable County Court of Union County, State of Oregon, begun and held at the Court House, in Union in said County, on the 4 day of November A. D. 1885, and from day to day thereafter, during the continuance of said term.

Present: Hon. A. C. Craig County Judge,  
" John C. Bluedley Commissioner,  
" Geo. Ackles Commissioner,  
B. F. Nilson Clerk,  
A. L. Saunders Sheriff.

with the judicial duty of said term  
The following, among other proceedings, were had, to-wit:

IN THE MATTER OF a proposed  
Union County  
Road petitioned for by Jacob  
Devine and others

On this day came Jacob Devine who presents to the Court the petition of himself and twelve others, praying for the location of a  
county road

as follows, to-wit:  
Beginning at a point about 11 miles from place of beginning of said road at angle stake no. 27 on the north line of section 7, T. 2 S., R. 45 E., N. M. Thence West about 40 rods to W. N. corner of said section 7. Thence North to angle stake no. 28 about 80 rods to intersect with line of said road the terminus of said change proposed

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; that more than twelve of said petitioners are legal householders residing in the vicinity of said road, and that a good and sufficient bond has been filed;

IT IS THEREFORE ORDERED BY THE COURT that Thos. H. Hughes  
Allison M<sup>c</sup>Adams and Thos. Humphrey  
be appointed Viewers, and Geo. J. Vail Surveyor, to view, survey and report upon said proposed County road and that they meet at the house of Jacob Devine on the 18 day of November 1885 and duly qualify before entering upon the discharge of their duties in this behalf.

(Signed) A. C. Craig  
County Judge.

NOTE.—The three viewers must meet.  
Attest: B. F. Nilson  
Clerk

COUNTY COURT

OF

County,

STATE OF OREGON.

Appointment of Road Viewers and Surveyor.


NOV 23 1895

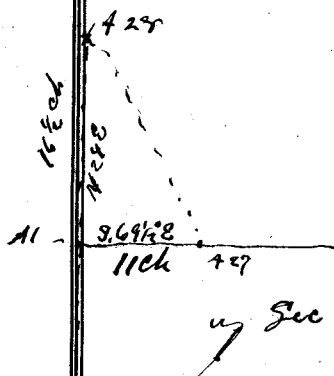
*Delivered by*  
*McDonald*  
*Allen*

1/10/1895

Dec. 18<sup>th</sup> 1885

Met to order of the Hon. County Court  
at the residence of Jacob Devine  
after being duly proceed to view  
survey and locate the change on  
the road (commencing 1/2 mile above  
the head of Lake and terminating near  
Sam. Wades house at the Longford)  
Commenced at A. 27 on above road  
marked stake C. ch of R. continued on  
the course of  $S 69 \frac{1}{2}^{\circ} W$ . No var. 11 chs to  
NW Sec. Cor. Sec. 7 Twp 2 S. R 45 E W. M.  
set stake marked A. 1 thence  $N 24^{\circ} E$   
16.00 Chs to Angle Stake No 28. Terminus  
marked T.C.R. and report the route  
practicable and recommend the  
change.

Viewers { Thomas H. Hughes  
Thomas Humphreys  
Alison W. Adams  
Geo. J. Vail  
Surveyor.



County Clerk  
R. J. Moore  
NOV 23 1895

Report of time and travel fees  
Thos Hughes 1 day  
2 miles travel \$2.10

Thos Humphrey 1 day  
6 miles travel \$2.60

Alison McAdams 1 day  
4 miles travel \$2.40

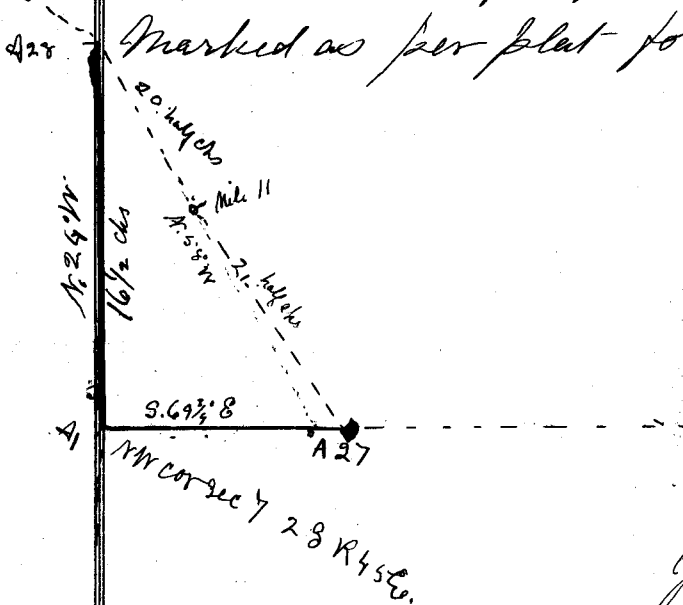
Alison McAdams.  
Toll man.

No fees allowed  
no fees collected

Plat of Change of Road on  
 Survey of Road running from  
 SW Cor Sec. 21 Twp 3 S. R. 45 E to  
 Intersect County Road from Lostine  
 via Alder to Josh. Haydens on Sheep  
 Cr. at Longford near Dam. Maels

Met according to Order of Court  
 at J. Devines residence. The viewers and  
 chainmen all present, after being  
 duly sworn proceeded to view, survey  
 & locate the change petitioned for viz  
 Commenced at Angle Stake 27 running  
 thence S  $69\frac{3}{4}^{\circ}$  W. No variation on sec. line 11 chs  
 to NW Cor Sec. 7 Twp 2 S. R. 45 E thence on sec  
 line N.  $24^{\circ}$  W.  $16\frac{1}{2}$  chs to Angle Stake No 28  
 with points of beginning angle & terminus  
 marked as per plat following

Scale 10 inches = 60  
 1/2 Mile of 800 chs



Geo. J. Nail  
 Surveyor



Surveyors Plat

Filed MAY 13 1886

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

*D. G. Wilson*

County Clerk.

you can allow me for one days work  
surveying & plotting or not. I made no charge  
when I sent out the first plat or you would probably  
have noticed the plat

May 9<sup>th</sup> 1886  
Horn County Court  
Union Co.

I ~~never~~ ~~stated~~ the plat of change ~~of~~ the  
road running from the head of lake via Joseph  
Bunnets flat to Leony ford was never received or  
lost. I sent it in same letter with Kewers  
report I am very certain and it probably slipped  
out in opening and was overlooked. I send from  
the field notes a Duplicate Yours Respy  
Geo. T. Vail

Jacob Devine

Geo. F. Vail

E. J. Froyth

W. J. Phelps

J. W. McCully

Jacobson

J. D. McCully

~~W. H. Mearns~~

A. H. Cashow

J. W. Miles

J. Burnett

Charles Hanson

D. G. Olsen

Filed NOV 18 1895

at ... o'clock, A.m.

*B. P. Wilson*  
County Clerk

To the Hon. County Court Union  
County Oregon.

We your petitioners would respectfully  
propose, that in case you grant the change  
herein proposed we will stand responsible  
for any irregularities which may exist  
and that we will recommend the appoin-  
ment as viewers ~~J. H. Hughes~~ Allison  
McAdams, and Thos. Humphrey  
and Geo. F. Vail as surveyor and that we  
will guarantee the said view and survey  
to be free and shall cost nothing to said  
Union County.

H. G. Burleigh  
Atty for Petitioners.

To meet at the House of Jacob Deane  
Nov 18<sup>th</sup> at 10 o'clock 1885

State of Oregon }  
County of Union } S S

I, Jacob Devine,  
after being first duly sworn say that I pasted  
three notices <sup>one of which gapes</sup> copy of which is herewith attached  
the 6<sup>th</sup> day of October 1883, as follows  
one at = Place of beginning of proposed change  
and one at = Place midway between place of beginning & end  
and one at = Place proposed change intersects the old survey  
all of which places are at the place of the change,  
asked for in the accompanying petition  
That said notices were pasted conspicuously  
and kept pasted, continuously every day since  
the said 6<sup>th</sup> day of October 1883.

Jacob Devine

Subscribed and sworn to before me this  
29<sup>th</sup> day of October 1883

E J Forsythe

Justice of the Peace

Part of  
notices is hereby given that at the next regular  
term of the County Court of Union County Oregon  
to be held at the town of Union in said Union  
County on Monday the 2<sup>nd</sup> day of November  
1883, a petition will be presented asking  
for a change in the present location of the  
County road petitioned for by R. F. Stubbins  
et al and presented at the January term of the  
County Court of said Union County Oregon  
beginning at the S.W. corner of sec 21 T 3 S R  
45 E 1/4 E 1/4 thence in an easterly direction  
along the meanders of the East side of the Wall  
Lake Thence through the town of Joseph  
and terminating near the residence of  
Sam. Wade in Union County Oregon as follows  
Beginning at a point about 1/2 mile from begin-  
ning of said road at angle stake No 27  
on north line of sec 7 T 2 S R 45 E 1/4 E 1/4  
thence West about 40 rods to corner of  
said sec 7 thence north about 20 rods to  
intersection with line of said road the term-  
inus of said change proposed

James  
Jacob Devine  
Geo. G. Vail  
E. J. Forsythe  
J. H. Phelps  
J. W. McCully  
A. L. Brown  
F. D. McCully

R. H. Ashaw  
J. H. H. H. H.  
J. Burnett  
Charles Hanson  
O. C. Oliver

RECEIVED  
NOV 10 1955  
AT OFFICE  
COMMERCIAL

State of Oregon }  
Union County }<sup>00</sup>

I B. J. Melore being  
just duly sworn say that I posted  
a copy of the notice hereto attached  
on the Court house door at the  
City of Union, Union County  
Oregon on or about the 7th  
day of October 1883 - and 30  
days prior hereto  
Subscribed & sworn to before B. J. Melore  
me this Nov-10-1883

A. G. Lewis  
County Judge



Dev County Court for  
Union County Oregon

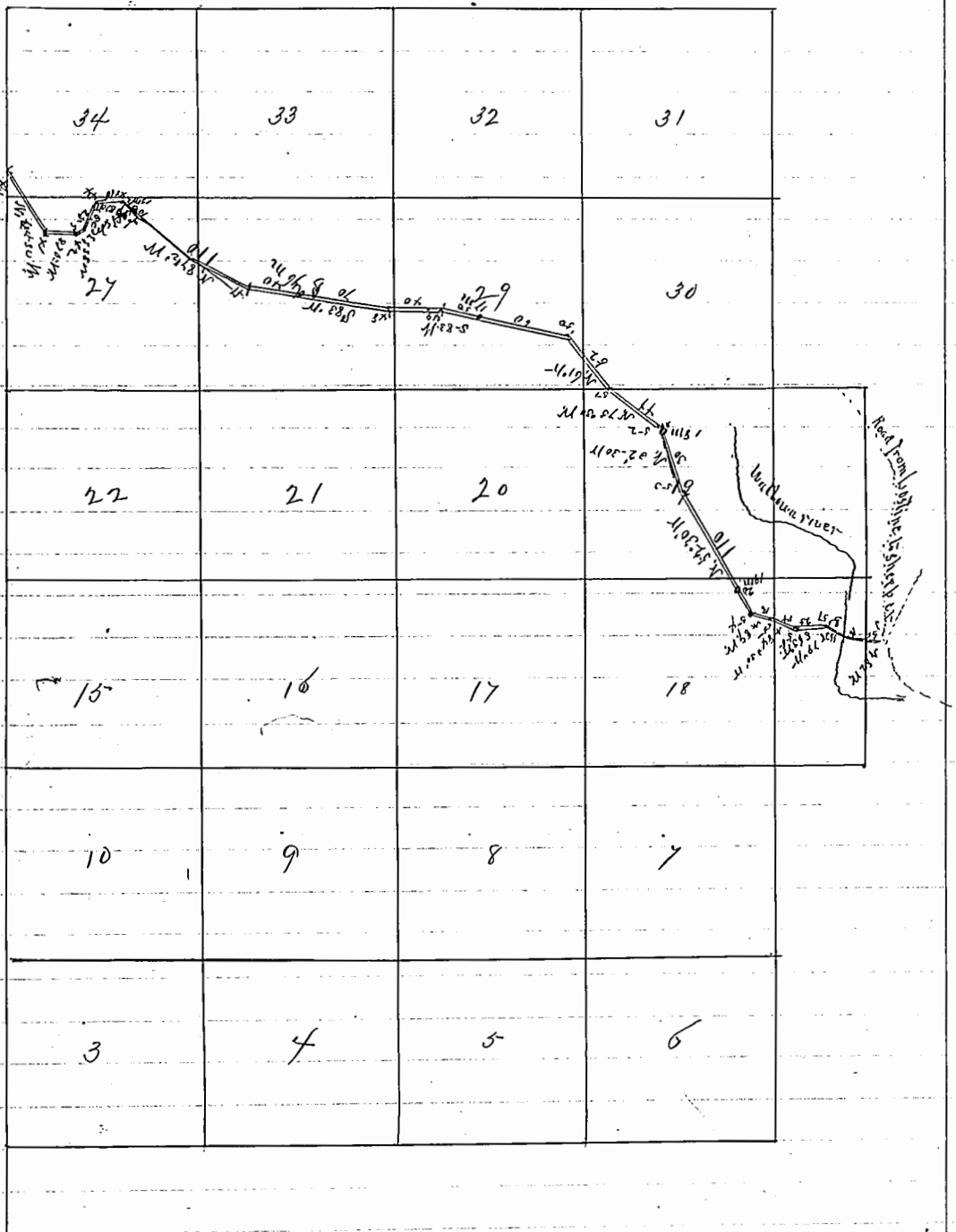
Petition.

We the undersigned resident householders  
and legal voters residing along the line  
of and in the immediate vicinity of the  
County Road Petitioned for by R. F.  
Stubblefield and others and presented  
at the January term, <sup>1885</sup> of the honorable  
County Court of Said Union County  
and beginning at the SW corner of Section  
No. 21 Twp. No 3 South of R 45 E. W. M.  
thence in an easterly direction along  
the meanders of the east side of the Hollow  
Lake, thence through the town of Joseph  
and terminating <sup>near</sup> at the residence of  
Sam Steele in Union County Oregon.  
We respectfully ask that the County  
Court grant a change in route of said  
road as near as practicable as follows:  
Beginning at a point, about 11 miles from  
place of beginning of said road, at angle  
stake No 27 on the North line of section  
7 T. 2 S. R. 45 E. W. M. Thence West about  
40 rods to N.W. corner of said section 7  
thence north to angle stake No 28.  
about 80 rods the intersection with line  
of said road the terminus of said change  
proposed

Fifth Judicial Day

Tuesday

Nov-10-1883



In the matter of a  
 proposed county road  
 petitioned for by Jacob  
 Devine et-al

now at this time comes  
 Jacob Devine and twelve others and presents  
 to the court their petition praying that a county  
 be changed and located as follows: Beginning  
 at a point about eleven miles from place of

Fifth Judicial Day

Tuesday Nov. 10 - 1885

beginning of said road at angle stake no. 27  
 on the North line of section 7 T. 2 S. R. 45 E. N. M.  
 thence West about 40 rods to N. N. Cor. of said section  
 7 - thence north to angle stake no. 28 about  
 80 rods to intersection with line of said road  
 the terminus of said change proposed. 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  
 that more than twelve of said petitioners are legal  
 householders residing in the vicinity of said road  
 and that a good and sufficient security has been  
 given. It is therefore ordered by the Court that  
 Thos. H. Hughes Allison McAdams and Thomas  
 Humphrey be appointed viewers and that Geo.  
 J. Vail Surveyor, to view, survey and lay out and  
 report upon said proposed road and that  
 they meet at the residence of Jacob Demie  
 on the 18th day of Nov. 1885 at 10 o'clock A.M.  
 and duly qualify before entering upon their  
 duties in this behalf.

In the matter of the resignation of O. P. Bell  
 Justice of Peace Precinct }

you at this time  
 comes O. P. Bell and files his resignation  
 as Justice of the Peace of Union Precinct  
 Union County Oregon and the Court  
 after duly examining said resignation and  
 it appearing that the same should be accepted  
 It is therefore ordered by the Court that the  
 said resignation be and is hereby accepted  
 and said O. P. Bell relieved from further  
 duty as such Justice and the parties in his  
 undertaking released from further liability  
 thereon.

third judicial Day Friday Jan 8 - 1886

ordered that this matter be continued for the term and it is further ordered that the clerk of this Court notify the said Surveyor of the deficiencies as aforesaid.

On the matter of a  
proposed County road }  
petitioned for by A. M. }  
Courtney et al } 3

Now at this time this cause came on to be heard upon the report of the viewers and surveyors reports heretofore appointed to view survey and report upon said proposed road. And it appearing to the Court that no surveyors plat or field notes have been filed with the report of viewers and that said report is deficient. It is therefore hereby ordered that this matter be and the same is hereby continued for the perfecting of said report and the Clerk of this Court is directed to notify said petitioners of the facts.

On the matter of a  
proposed County road }  
petitioned for by Jacob }  
Devine et al } 3

Now at this time this matter comes on to be heard upon the report of viewers and surveyor heretofore appointed in the above entitled road to view survey and report upon said proposed road. And it appearing to the Court that there is no plat of road nor field notes returned to this Court with the report of the viewers. It is therefore hereby ordered that this matter be and the

Third judicial Day Friday Jan - 8 - 1886

same is hereby continued for the term and the Clerk of this Court is hereby directed to notify the petitioners of the facts.

On the matter of the application of S. A. Dray for a liquor License

Now at this time this matter comes on for hearing upon the petition of S. A. Dray heretofore filed in this Court for a liquor license authorizing the said S. A. Dray to keep and offer for sale malt, viuous and spiritous liquors in less quantities than one gallon in Pine Valley precinct Union County Oregon and it appearing to the satisfaction of the Court that said petition contains the names of a majority of the legal voters of said precinct that said petition and a notice of the presentation of said petition at this time has been published as by law required in such cases made and provided and that a good and sufficient bond has been filed, herein as well as the receipt of the Treasurer showing that the required amount has been paid into the Treasury therefor It is ordered by the Court that a license issue to the said S. A. Dray authorizing him to keep and offer for sale malt, viuous and spiritous liquors in less quantities than one gallon in the precinct of Pine Valley Union County Oregon for the period of one year from this date.

Second Judicial Day Thursday May 13-1886

of the views and surveyor heretofore appointed to view survey and report upon said 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 Jacob Devine et al }

Now at this time this matter comes on to be heard upon the reports of the views and surveyor heretofore appointed to view survey and report upon said 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 the establishing of a new road district }

Now at this time, application having been made for the establishing of a new Road District in Camp Carson precinct Union County Oregon with the following boundaries to wit: commencing at the head of Grand River thence following the divide between the River and North Powder and Wolf Creek and from thence along the divide between the River and Beaver creek to the mouth of Fly valley creek thence up said creek

Third Judicial Day Friday May 14-1886

Court met pursuant to adjournment present the same Judge and officers as on yesterday.

Due proclamation of the opening of Court having been made the Journal of yesterday's proceedings was read and approved (and is now here signed)

A. B. Craig  
Judge

Whereupon the following proceedings were had to-wit:

In the matter of the proposed County road petitioned for by Jacob Devine et al

Now at this time this matter comes on to be heard upon the second reading of the viewers (and surveyor's 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 in all things have been regular and in accordance with the law in such cases made and provided, that said reports have been read on two different days of this term of this Court and that no bills for damages or reconstructions have been filed herein) It is ordered by the Court that the viewers report and the report of the surveyor and plat and field notes of the said road be recorded and the said proposed road established and opened according to Law.

Viewers report

Nov-18-1875

Met to order of the Hon. County Court at the residence of Jacob Devine after

Third Judicial Day

Friday, May 14 - 1886

being duly proceed to view survey and locate the change on the road (Commencing 1/2 mile above the lake and terminating near Saw Wades house at the Long Ford) commenced at A-27 on above road - reached stake C. ch. of A, continued on the course of S. 69 1/2° W. no. var 11 chs. to N. W. cor. sec. 7 Twp. 2 S. of R. 45 E. N. W. set stake marked A. 1. Thence N 24° E, 16.50 chs to angle stake no. 28 terminus marked T.C.R. (and report the route practicable and recommend the change

Viewers

- Thomas H. Hughes
- Thomas Humphrey
- Alison M<sup>c</sup> Adams

Geo. J. Vail, Surveyor

Surveyor's Report

That of change of road on survey of road running from S. W. corner sec. 21 Twp. 3. S. of R. 45 E. to intersect County road from Lorraine via Alder to Losh Hayden's on Sheep cr. at Long Ford near Saw Wades.

Met according to order of Court at J. Demie's residence, the viewers and chainmen all present (aftr being duly sworn proceed ed to view, survey and locate the change petitioned for viz: Commenced at angle stake 27 running thence S. 69 3/4° W. no var - on sec. line 11 chs. to N. W. cor. sec. 7 Twp. 2. S. of R. 45 E. thence on sec. line N 24° W. 16 1/2 chs. to angle stake no. 28 with points of beginning (angle and terminus marked as per sheet following

Geo. J. Vail  
Surveyor

