

No 26 G

<sup>in</sup>  
Circuit

Court

John McDonald Jr

Plaintiff

vs

W J Martin

Defendant

Action for

Docket

Page

R Eakin & Pro

Attorney for Plaintiff

Attorney for Defendant

RENTS RECEIVED  
MAY 1910  
LAWYER  
1910

1881  
 Nov 10 Petition see Viewers alphabet  
 1881 Journal B p 647  
 Jan 5 let residing request  
 Journal B p 664  
 Jan 6 ordered opened  
 Journal B p 678

Road

Commencing at S E cor of S W 4 Sec 10  
 S 1 S R 43 E to NW cor Sec 1 S 1 S  
 R 43 E

B

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 County,  
Oregon

We the undersigned citizens of Union County  
Oregon, would respectfully petition your  
Honorable body to locate and establish a  
county road in Union County, Oregon  
described as follows.

Beginning at the south east corner of the south  
west  $\frac{1}{4}$  of section 10, Township 1 south, Range  
43 east, on the present traveled road  $\frac{1}{4}$  of a mile  
east of Lostine in above named county and state  
running thence North 160 rods, thence East  
80 rods, thence North 160 rods thence East  
90 rods, thence in a north easterly direction  
about two hundred yards crossing the  
Wallowa River to the mouth of the canyon  
north of Samuel Frances Ranch, thence  
up said canyon on the most practicable  
route, to the north west corner of section 1,  
Township 1, Range 43 east. And we your  
petitioners will ever pray &c

Jan. A. Hunter  
S. K. Francis  
B. S. Halley  
R. P. Dishman  
A. W. Courtney  
J. B. Nobles  
D. M. Alvord  
L. M. Chapman  
Geo. W. Williams  
J. L. Gine

James Buchanan  
A. H. Stuart  
et W. Downs  
S. J. Post  
Eugene Thomas  
Sam. Wade  
Frank L. Brown  
R. L. Eriem  
George C. Hunter

Willow Road

Mad. Pr. Titian

Alea Sept 27  
1881

Willis Jeff  
Clerk

Geo & Helen  
Deputy

Road Notice

Sept 23 1881

Notice is hereby given that a petition will be presented to the county court of Union county, Oregon at its regular meeting in November 1881, for the location and establishment of a county road in Union county, Oregon, described as follows

Beginning at the S. E. corner of the S. W. 1/4 of Sect 10, Town 1 south, Range 43 east on the present traveled road 1/4 of a mile east of Lostine, in above named county and state, running thence north 160 rods, thence east 80 rods, thence north 160 rods, thence east 90 rods, thence in a north easterly direction about two hundred yards crossing the Wallawa river to the mouth of the canyon north of Samuel Frances Ranch, thence up said canyon on the most practicable route to the N. W. corner of Sect 1, Township 1 south, Range 43 east

Jas. A. Hunter  
 S. K. Francis  
 B. S. Halley  
 R. P. Dishman  
 A. W. Courtney  
 J. B. Niles  
 D. M. Alvord  
 L. M. Chapman  
 Geo. W. Williams  
 J. L. Fine

James Buchanan  
 A. H. Stewart  
 N. W. Sower  
 S. L. Post  
 Eugen Flinn  
 David M. Mable  
 Frank L. Brown  
 R. L. Evers  
 George E. Hunter

State of Oregon }  
County of Union } I Gal A Hunter  
being first sworn say that I posted three  
notices of which the annexed notice is  
a true copy in three public places in  
the vicinity of the within proposed County  
Road in Union County, Oregon on  
the 25<sup>th</sup> day of Sept A D 1881 as follows  
to wit: One at the store of Johnston &  
Brown, Lostine

One at the office of Justice of the  
Peace of Wallowa Precinct.

And <sup>one</sup> ~~one~~ at the proposed road one and  
one fourth miles from place of beginning  
and that all of said notices were pos-  
-ted more than thirty days prior to  
the presentation of the petition herein.

~~Subscribed and sworn to~~ } signature  
~~before me~~ this 4<sup>th</sup> day of } Gal A Hunter  
Nov. A D 1881, }

~~Justice of the Peace~~  
I saw and subscribed before  
me this day and year above  
written } Geo. T. Nail  
Notary Public, in and for  
Union County Or.

Applicant of printing  
of notices in L. R. Case  
Case, A. Hunter et al

New York 3<sup>rd</sup> 1881  
Willis West  
Clerk

J. C. & Co  
Deputy

Wm. J. Smith  
Brown & Co

5<sup>th</sup> Dec  
J. H. O'Brien  
& Associates

Wm. West

# Know all Men by these Presents:

THAT WE, Frank L. Brown  
 and R. M. Dorey, of the County of Union and  
 State of Oregon, are held and firmly bound unto the said County of Union in the sum of  
Fifty Dollars, the payment of which, well and truly  
 to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents.

Signed this 3<sup>rd</sup> day of November A. D. 1881

Now the condition of the above obligation is such, that whereas, if the County Road petitioned  
 for by James A. Hunter and others, and presented  
 at the Nov. term, 1881, of the County Court of said Union county, commencing  
 at South east corner of the South west  $\frac{1}{4}$  of Sec. 10, T. 1 S. R. 43 E. on the present traveled road  $\frac{1}{4}$  of a mile East of Justice  
 in above named County & State, thence on the route as des-  
 cribed in said petition & ending at the N. W. corner, T. 1 S. R. 43 E.  
 be located and established, then this obligation to be void; otherwise to remain in full force  
 and virtue in law.

Frank L. Brown,  
R. M. Dorey



# Know all Men by these Presents:

THAT WE

of the County of \_\_\_\_\_ State of \_\_\_\_\_ do hereby certify that the following is a true and correct copy of the petition filed in our office on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

Witness our hand and seal of office at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
County Clerk

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County Clerk

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County Clerk

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County Clerk

\_\_\_\_\_  
County Clerk

*Filed Nov. 8<sup>th</sup> 1948*  
*Willis Clark*  
*Co. Clerk*

1  
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 Beginning  
about  $\frac{1}{4}$  mile East of Lastine at  
the S E cor of S W  $\frac{1}{4}$  of Sec 10 T 1 S - R 43 East  
Thence North 160 rods Thence East 80 rods  
Thence North 80 rods Thence East 90 rods  
Thence in a North Easterly direction  
to the N W corner of Sec 1 T 1 S - Range 43 E  
submit the following report in relation  
thereto. We met on the 5<sup>th</sup> day  
of December A D 1881 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  
as directed in your order and  
as shown by the Surveyor's plat  
and report submitted herewith.  
We find the road to be located  
on very good ground and will  
be of great benefit therefore we  
recommend that said route be  
established as a County Road  
G W Richardson } Viewers of  
W B Perkins } proposed Co Road

Revenue Report

Place Penn 8<sup>th</sup> 1882

William Hall  
County Clerk

Lostine Ogn

Nov 4<sup>th</sup> 1881

Friend Skiff

I would suggest  
as viewers on our proposed  
road John H. McCubbin,  
Geo W Richardson, and  
Wm B Perkins all addressed  
at Lostine and the 21<sup>st</sup>  
of Nov as time of survey  
yours

Jas A Hunter

Lostine Ogden Nov 3<sup>rd</sup> 1871

Friend Skiff

I hope the county court will accept my official certificate in regard to defenses incurred on inquest; I had occasion to send my affidavit - in regard to our county road and had to ride nearly forty miles (to Prairie Creek and back) before finding one qualified to administer the oath.

In the inquest case the names of the jurors and witnesses and medical expert all accompany the proceedings so that the court can see at a glance whether the account is true or not

As ever yours

J A Hunter

in regard to the  
place of meeting  
of the viewers on  
your proposed  
county road  
Day-Lostine,  
as this is near the  
starting point

Amelia

Co. Clerk.

I send the  
proceedings of  
the inquest with  
Mr. A. C. Smith  
who will hand  
them with the  
money found on  
the body (\$39.00)  
to the coroner upon  
his arrival at  
Union

Hunter

Report of Surveyors, the viewers of a proposed  
 county road from the S E cor of the S W  $\frac{1}{4}$   
 of Sec 10 T 1 S Range 43 East on the present  
 travelled road  $\frac{1}{4}$  of a mile East of Lostine  
 Thence North 160 rods Thence East 80 rods  
 Thence North 160 rods Thence East 90 rods  
 Thence in a North Easterly direction to the  
 N W corner of Sec 1 T 1 South R 43 East

The following are the field notes

Beginning at the S E cor of the S W  $\frac{1}{4}$   
 of Sec 10 T 1 S - Range 43 East at a  
 post marked R and a mound

Thence	North	160 rods	to post marked	A I.
"	East	80	" " " "	A II.
"	North	80	" " " "	1 M + mound
"	North	80	" " " "	A III.
"	East	90	" " " "	A IV.
"	N 41° E	44	" " " "	A V.
"	N 26° E	106	" " " "	A VI. 2 M + mound
"	N 17° W	60	" " " "	A VII.
"	N 42° E	124	" " " "	A VIII.
"	N 30° E	82	" " " "	A IX.
"	N 60° E	54	" " " "	3 M + mound
"	N 60° E	16	" " " "	A X.
"	N 85° E	46	" " " "	R I + mound

and terminating at the N W corner of  
 Sec 1 T 1 S - Range 43 East

State of Oregon }  
 County of Union } SS

I, Eugene Chase County Surveyor in and  
 for the county and State aforesaid do hereby certify that  
 the field notes of the survey of the above described  
 road are correct as surveyed by me under the  
 supervision of the viewers on the 5<sup>th</sup> day of  
 December 1881.

Eugene Chase Co Surveyor

Surveyors Report

Pr  
Street No 371 852

W. H. Clark  
Co. Clerk



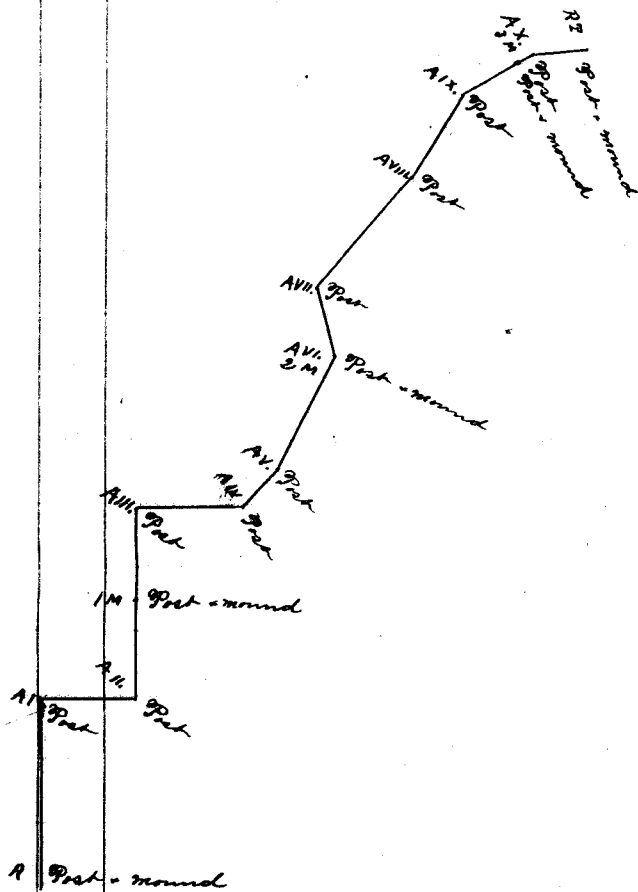
Survey of County road leading from  
near Lostine to the NW corner of  
Sec 1. T 18 Range 43 East

Surveyed Dec 5 1881

Variation  $21^{\circ}$  East

Scale of distances 160 rods to the inch

Whole distance 3 miles 62 rods



In the matter of Road  
 Petition of J A Kemter  
 et al. near Sartine

Willow Road

J A Kemter et al

On this day came J A Kemter who presents to the Court the petition of himself and others praying the location and establishment of a County road as follows, to wit:  
 Commencing at the S E Cor of the S W<sup>4</sup> of Sec 10 T 1 R 43 E, on the present traveled road  $\frac{1}{4}$  of mile East of Sartine Union Co Ore, running thence North 160 rds, thence East 80 rds thence South 160 rds thence East 90 rds thence in a Northeasterly direction about two hundred yards crossing the Willow River to the mouth of the canyon South of Samuel Boerssis Ranch, thence up said Canyon on the most practicable route to the North West Corner of Section 1 T 1 R. 43 E, and it satisfactorily appearing to the Court, from proof filed herein that due notice of the pendency of these proceedings have been given as by law required; that more than twelve of said petitioners are legal Home Holders 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 John H. W. Cebbin, W<sup>4</sup> B Perkins and Geo W Richardson be appointed viewers and Eugene Chase Surveyor, to view, survey and report upon said proposed road and that they meet at the place of Johnston & Brown on the 5<sup>th</sup> day of Dec 1891 and duly qualify before entering upon the discharge of their duties in this behalf.

In the matter of the  
 Petition of W F Davis  
 et al for a Co Road

W F Davis et al

On this day was presented the petition of W F Davis et al, praying the location and establishment of a County road as follows, to wit:

Commencing on the County Road near the School House at the head of Little Creek Canyon, thence as previously surveyed on or the road, as now traveled to the South

At a regular Term of the County Commissioners Court begun and held at the Court house in Union in Union County Oregon on the 5<sup>th</sup> day of January A.D. 1887, there was present Hon A. C. Craig Judge, Geo. J. Hunter and A. S. Saunders County Commissioners, R. J. Rogers Sheriff and Willis Skiff, Clerk.

Due proclamation of the opening of Court having been made the following proceedings were had, to wit:

In the matter of the report upon a certain County road located near Fortine Willow Road

Now on this day was read the first time the report of the Viewers upon certain proposed County road, petitioned for by Geo. A. Hunter and other located near Fortine in Union County Oregon. Beginning about 1/4 of a mile from said Fortine Union Co Oregon and terminating at the N.W.  $\frac{1}{4}$  of corner of the N.W.  $\frac{1}{4}$  of Sec. 1, T. 1, S. R. 43, E. and said report laid over for a second reading.

In the matter of the report of the Viewers upon a County road located in high valley W. F. Davis Road

Now on this day was read the first time the report of the Viewers on a certain proposed road beginning on the County road near the School House at the head of Little Creek Canyon and running from there to W. F. Davis Mill, and said report laid over for a second reading.

It is hereby ordered that the said motion be and the same is hereby allowed and said petition dismissed with all proceedings had thereunder.

In the matter of the  
viewers report of  
a County road

Now at this time was the second reading of the viewers report upon a certain County road in the Willow Valley, which report is as follows to wit:

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 beginning about 1/4 mile East of Postville at the S.E. Cor of S W 1/4 of Sec 10. T. 1. S. R. 43 East thence North 160 rods thence East 80 rods thence North 80 rods; thence East 90 rods, thence in a North Easterly direction to the N.W. corner of Sec 1. T. 1. S. Range 43. E. submit the following report in relation thereto. We met on the 5<sup>th</sup> day of December A.D. 1881 as mentioned in your order and after being first duly sworn in Company with the Surveyor proceeded to view survey and layout said road as directed in your order and as shown by the Surveyors plat and report submitted hereunto. We find the road to be located on very good ground and will be of great benefit. Therefore we recommend that said route be established as a County Road.

G. W. Richardson Viewers of proposed  
W. B. Perkins Co Road

And it appearing to the Court that the above route is a public necessity

and of public utility and that the proceedings herein have been in all things regular and in due form of law.

It is hereby ordered that said route be and the same is hereby established as a County Road and public highway and be opened as such in accordance with with the Plat and the field notes of the Surveyor which is as follows, to wit

Beginning at the S E cor of the S W 1/4 of Sec 10 T. 1. S. Range 43 East at a post marked R and a mound: thence North 160 rods to post marked A I " East 80 "

" " " A II " North 80 "

" " " J. M. & mound " " 80 "

" " " A III " East 90 "

" " " A IV " N 41° E 44 "

" " " A V " N 26° E 106 "

" " " A VI 2 M + mound " N 17° W 60 "

" " " A VII " N 42° E 124 "

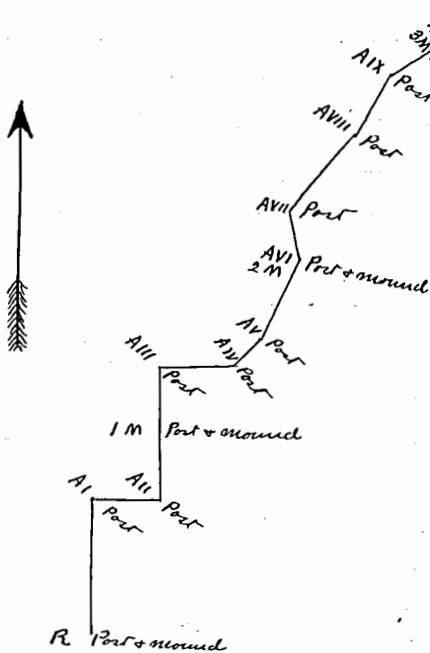
" " " A VIII " N 30° E 82 "

" " " A IX " N 60° E 54 "

" " " J. M. & mound " N 60° E 16 "

" " " A X " N 85° E 46 "

" " " R T & mound, and terminating at the N W corner of Sec 1, T. 1. S. Range 43 East.



Surveyed Dec 5<sup>th</sup> 1881  
 Variation 21° East  
 Scale of distances 160 rods to the inch.  
 Whole distance 3 miles  
 62 rods