

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

copy - with
James M. - mgif
11/15/05

RECEIVED
FEB 11 11 41 AM '05
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

1882

Nov 7 Botet's sec of land over
Journal C of 132

1884
Jan 10 Views of fields
Journal C of 146

Mar 6 1st 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
Northerly direction across the said
Charles Myers land as there is a
duster road now running across
said Charles Myers land claim - Thence
in a Northerly direction in the Summerville
Weston and Walla Walla Wagon 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
Henry Fisher
E. J. Martin
E. B. Moslock
H. J. Myers
J. O. Myers
W. H. Clemons
J. Harris
J. W. Pentecost
H. E. Brinkart
E. M. Calcutt

Names
J. H. Graves
W. R. Chatter
Jacob Collins
E. L. Barnett
C. H. Dettl
J. W. Chatter
J. P. Patton
J. W. Little
C. A. Hines

perfectly correct
J. W. 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 admissible 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 |
| St. A. Myers | J. C. Bonnette |
| J. O. Myers | Geo. F. Clark |
| W. A. Crismon | J. W. Chatter |
| J. Hanger | W. 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 day
 Henry, Rube & others

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 Sumnerville
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]
~~John A. Hamilton~~ [SEAL]
W. J. Williamson [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. Pitts, 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 North-erly direction across said Chas Myers' land as there is a timber road now running across said Chas Myers' land claims thence in a North-erly 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

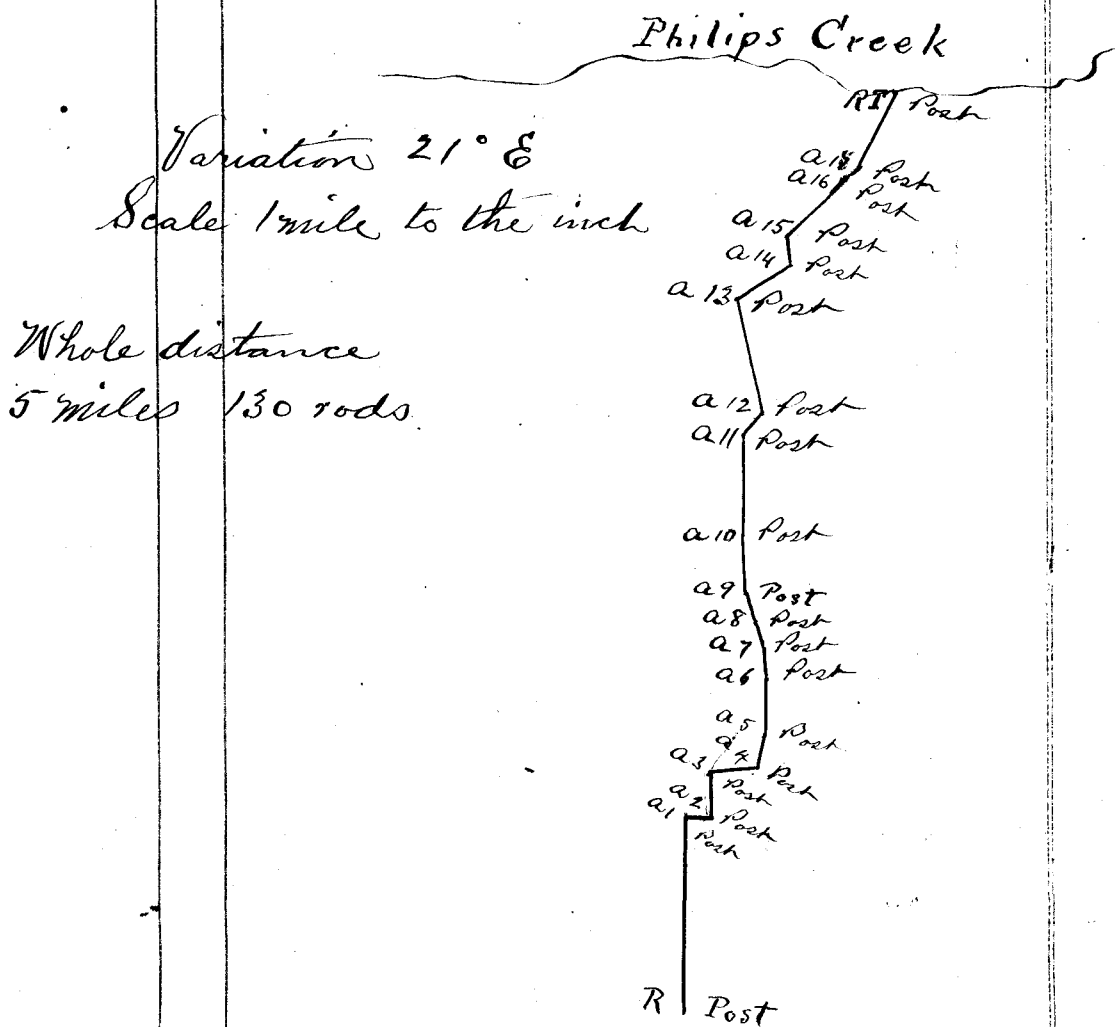
Thence North 1 mile	to post marked				a 1
East	16 rods	"	"	"	a 2
"	North 80	"	"	"	a 3
"	N 26° E 81	"	"	"	a 4
"	N 13° E 60	"	"	"	a 5
"	N 1° W 83	"	"	"	a 6
"	N 2° W 48	"	"	"	a 7
"	N 9° W 40	"	"	"	a 8
"	N 11° W 44	"	"	"	a 9
"	N 3° W 95 ²³	"	"	"	a 10
"	North 172 ⁴⁰ 283 ⁸⁴	"	"	"	a 11
"	N 38° E 48 " 792	"	"	"	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 Bull 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

2d 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