

No 231

Circuit Court

Samuel McMurran
Plaintiff

vs

Frank Johnson

Defendant

Action for *Money*

Docket *A* Page *420*

Bell and Carter

Attorney for Plaintiff

Attorney for Defendant

RECEIVED
FEBRUARY 1908
LAW OFFICE
OF
JAMES H. HARRIS

Record of the Case

1885
 Nov 11 Petition for Divorce aff'd
 Journal C p 558
 1886
 Jan 9 Contingencies for want of plea
 Journal C p 595
 May 13 1st reading report
 Journal C p 688
 May 14 ordered opened
 Journal C p 706

243

1/4' Whitmore

Road

Beginning at SW cor Sec 36 T 1 R 6
 43 E to intersect Co road at head
 of Whiskey Creek

WITNESSES

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

243

24

To the Honorable County Court of Union
 County Oregon we the undersigned Citizens of
 the above named County ^{of} State would most
 respectfully petition your Honorable Court
 to locate and establish a County road in
 Union County Oregon described as follows
 Beginning at the South west corner of
 Section 36 Township 1 North of Range 43 East
 of Willamette Meridian running thence East
 one Mile to the South east corner of said
 Section 36 Thence North $\frac{1}{2}$ Mile to the North
 west corner of J B Courtney Ranch Thence
 East $\frac{1}{2}$ Mile to the Center of Section 31 Town-
 ship 1 North of Range 44 E. N. M. Thence ~~on~~
 the most practicable route to the North west corner
 of Benj. Hooper's Ranch Thence East $\frac{3}{4}$ of a
 Mile to the South east corner of the South west
 quarter of Section 29 Township 1 North of Range
 44 E. N. M. Thence North $\frac{1}{2}$ mile to the center
 of Section 29 Township 1 North of Range 44
 E. N. M. Thence East $\frac{1}{4}$ Mile Thence North $\frac{1}{2}$
 Mile Thence on the most practicable route to
 intersect the present County road North east
 of the residence of Mr. Tomapp Thence
 running North $\frac{1}{4}$ Mile on said County
 road Thence on the wagon road now tra-
 velled to intersect the present County road
 at the head of Whiskey Creek

All in Union County Oregon and
 we your petitioners would ever pray

Names	Names
James W. Whitmore	J. W. Cole
W. F. Cole	L. C. Shultz
J. B. Williams	A. Prow
J. B. Nobles	J. Lacey Gammack
J. Roberts	J. S. Harvick
Mr. Knappe	J. B. Courtney
J. B. Smith	A. W. Courtney
Geo. E. Hunter	
C. A. Hunter	
L. B. Hunter	
S. W. Russell	
Thomas Lathrop	
O. A. Ketchum	
Wm. Thipp	
E. Bay	

Fri., OCT 12 1895
at o'clock min

B. F. Wilson
County Clerk

To all whom it may concern
 Notice is hereby given that there will be a
 petition presented to the county court of
 Union County Oregon at the regular session
 in November 1885 for the location and
 establishment of a County road described
 as follows - viz

To the Honorable County Court of Union
 County Oregon we the undersigned Citizens
 of the above named County and State would
 most respectfully petition your Honorable
 Court to locate and establish a county
 road in Union County Oregon described
 as follows

Beginning at the South west corner of
 section 36 Township 1 North of Range 43
 East of Willamette Meridian running thence
 east one mile to the South east corner of said
 section 36 Thence North one half mile
 to the Northwest corner of J B Courtneys
 ranch Thence east one half mile to the
 center of section 31 Township 1 North of
 Range 44 E W M Thence on the most
 practicable rout to the North west corner
 of Beny Hoogles ranch Thence east
 $\frac{3}{4}$ of a mile to the South east corner of
 the South west quarter of section 29 Town-
 ship 1 North of Range 44 E W M

Thence North one half mile to the center of
 section 29 Township 1 North of Range 44 E
 W M Thence east $\frac{1}{4}$ mile Thence North $\frac{1}{2}$
 mile Thence east $\frac{1}{4}$ mile Thence North $\frac{1}{2}$
 mile Thence on the most practicable rout
 to intersect the present County road North
 east of the residence of Mr. Conapp Thence
 running North $\frac{1}{4}$ mile on said county road
 Thence running on the wagon road as now
 traveled to intersect the present county road
 at the head of Whiskey Creek all in Union
 County Oregon and we your petitioners
 will ever pray -

Names	Names
Jonas H Whitman	E. Gay
W F Cole	G W Cole
W H Williams	L B Schultz
J B Hobbs	A Prow
J Roberts	J Imrey Hammack
L B Hauger	J S Hammack
J B Smith	J B Courtney
Geo E Hunter	A W Courtney
L A Hunter	
L B Hunter	
J M Burnett	
Thomas Sampson	
O W Hinchey	
Wm. Phipps	

State of Oregon
Union County }^{ss}

O. B. F. Nelson

being duly sworn say that I posted
the notice hereto attached on the
Court House door in Union Union
County - Oregon on the 26th day
of September 1883.
Subscribed & sworn
to before me this 5-
day of Nov - 1883.

B. F. Nelson

W. L. Craig
Co Judge

I A W Courtney being first-duly sworn
depose and say that on the 23rd day of
September 1883 I posted notices of
of the within proposed road according
to law at the following places
on the road petitioned for
vis One, 1/2 miles from beginning
of said proposed road, One about
half way from the beginning to
the terminus of said road, And
one about 1 mile from the terminus
of said road, And further that on
the 23rd day of September 1883 I
mailed one to the County Clerk of
Union County, Oregon, to post-
on Court house ~~at~~

A W Courtney

Sworn and Subscribed to
before me this 8th day
of October 1883-

J A Hunter
Justice of the peace

Filed NOV 5 1895

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

R. B. McElaine

County Clerk.

By J. M. ...

Secretary

Know all men by these presents
that we or either of us are held and
firmly bound unto the County of
Union and State of Oregon, in the
sum of fifty dollars,

The condition of the above bond
is such that if the within petition
-ed for road is allowed or granted
then the above bond to be null
and void, otherwise to have full
force and effect.

F. B. Nobles
A. W. Courtney

Signed in my presence
this Oct 8th 1885.

Filed OCT 12 1885
at ... o'clock, ... min.m.

County Clerk.

Responsible County Court of
Union County, Oregon

Report of Viewers and
Surveyor of the viewing and
Surveying of the Proposed County
Road petitioned for by A. N.
Courtney and others. The three
Viewers met at the time specified
in notice (Nov. 20th 1885) at the house
of A. N. Courtney and adjourned
until Nov. 23rd 1885, the Surveyor being
engaged in a Contest case of land.

Upon Nov. 23rd met and after
being duly qualified proceeded
to view, survey and locate said
road commencing at the S.W.
Corner of Sec 36 Twp 1 N. R. 43 E W.M.
and terminating and intersecting
a located County road running
from Aler North to State line
at the head of Whiskey Creek
at a point about 200 yards N.
of Angle State No. 25 on said road.
Commencement marked with a post
marked R.C. Mound & pits all mile
posts marked plainly and having mounds
& pits stakes set at each angle

and numbered except in timber
when angle was marked upon trees
the Turnings marked with a post
with RT cut and 11M also a fir
tree 1/2 ch E with blaze and same
marks. Post has mound & pits.
all in Union County Oregon.

We would respectfully request
the above survey and proposed
route of road as practicable and
recommend the same to be
located and ordered opened by
the Hon. County Court as a
County Road

Viewers)
Signed
O. M. Bishop
W. A. Minor
J. John Deant

Geo. J. Vail Surveyor

Filed DEC 28 1885

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

B. F. Wilson

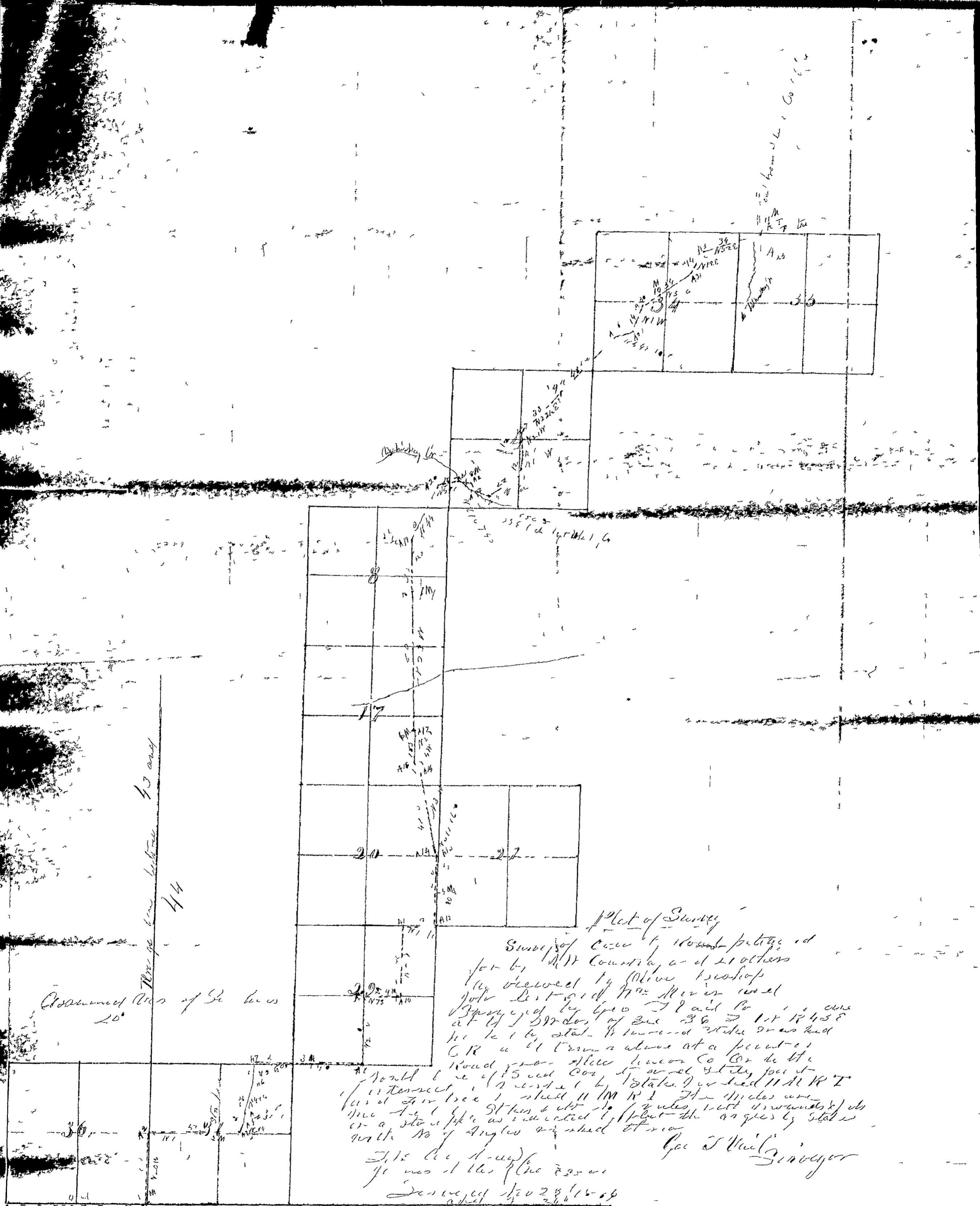
County Clerk.

Filed MAY 12 1886

at o'clock min m

B. F. Hibbard

County Clerk



Assumed line between 43 and 44

Plot of Survey

Survey of corner to corner platting of
 lot by Matt Country and others
 as viewed by Oliver township
 John Bert and Mrs. Meris and
 approved by Geo. J. Paul Co. as
 at 1/2 S 89° 10' E 100' R 45 E
 to be a state railroad strike or as
 CR will turn above at a point of
 Road from Olive Union Co. Co. to the
 north line of 15 and Co. to road at the point
 of interest a stake was placed N 75° 20' E
 and a tree marked N 75° 20' E. The stakes were
 then set by stakes and a line was run
 on a straight line as indicated by the angles by stakes
 with no angles marked at the

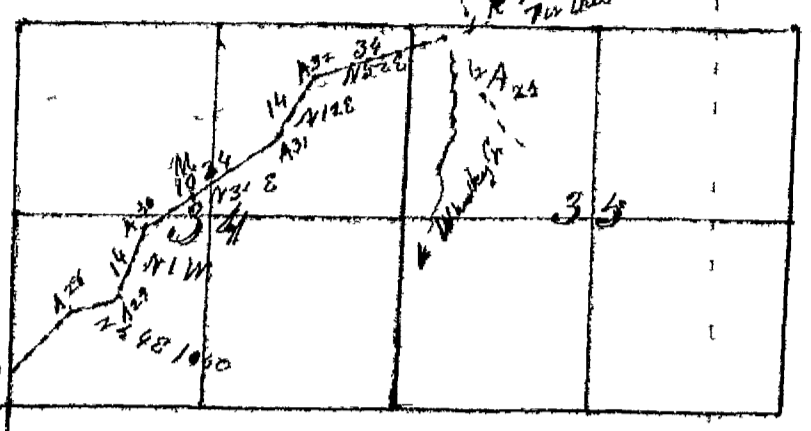
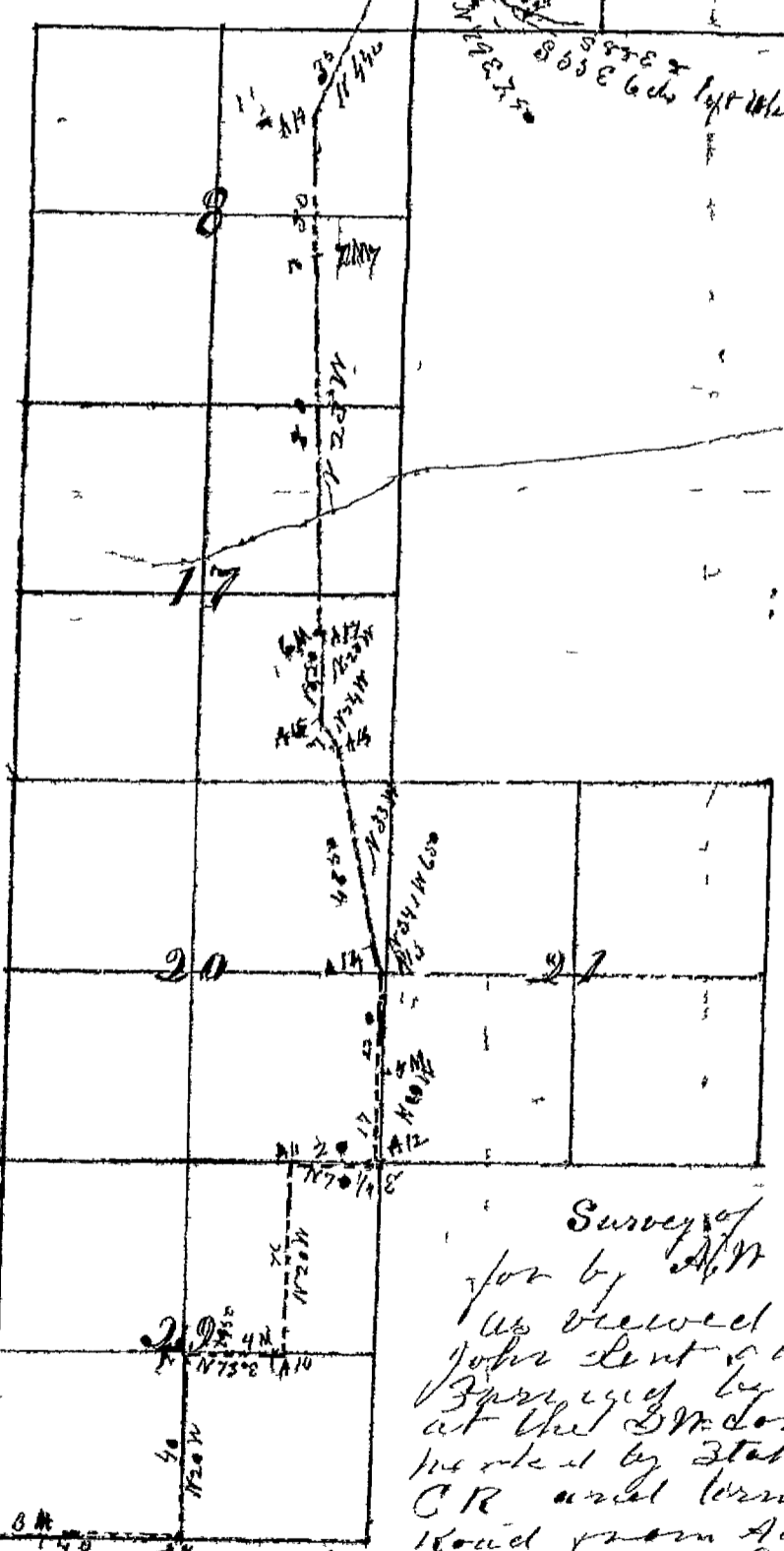
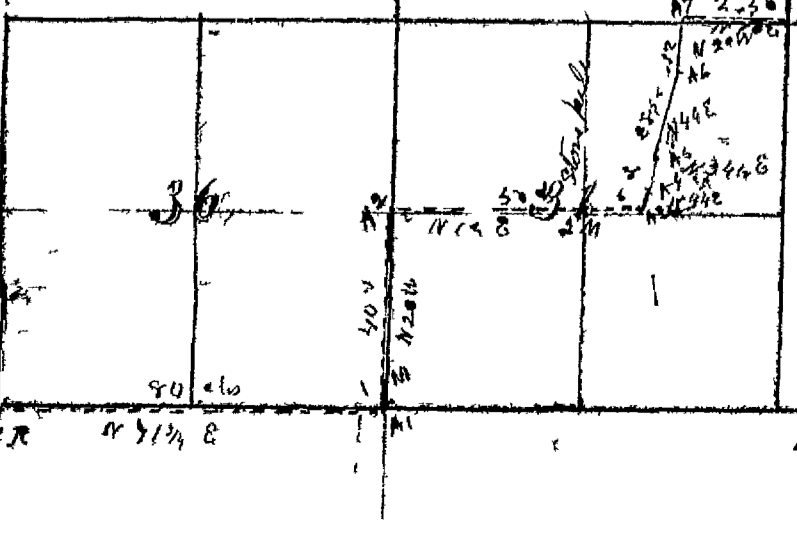
1/2 (see above)
 The road line (see above)
 Surveyed Jan 25 1866
 at

Geo. J. Paul
 Surveyor

Base line

Range line between 43 and 44

Assumed Cor of Sec lines
20°



Plat of Survey
 Survey of County Road petitioned
 for by J. W. Country and 21 others
 was viewed by Oliver Bishop
 John Lent and from their view
 surveyed by Geo J. Vail Commissioner
 at the corner of Sec 36 T. 14 N. R. 43 E
 marked by Stake W ground, Stake marked
 CR and corner at line at a point on
 Road from Allen Union Co Co to the
 North line of Said County and State part
 of intersection marked by Stake marked H. M. R. T.
 and tree marked H. M. R. T. The miles are
 marked by Stakes with 1/2 miles with grounds & pits
 on a stone pits as indicated by plat the angles by Stakes
 with No of angles marked thereon
 Geo J. Vail Surveyor
 Surveyed Nov 28 1866
 and Jan 24 1867

Real from Allen to Co. N. C.

Washburn Cr

Washburn Cr

Base line

Fifth Judicial Day

Wednesday Nov. 11-1886-

Court met pursuant to adjournment present the same judge, Commissioner and officers as on yesterday

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

A. C. Craig
County Judge

Whereupon the following proceedings were had to-wit:

In the matter of appointing
a Justice of the Peace for
Union Precinct

Now at this time comes
J. B. Thomson and presents his petition asking
that he be appointed Justice of the Peace
for Union Precinct, Union County Oregon to fill
the vacancy occasioned by the resignation of
C. F. Bell And it appearing to the Court
that said J. B. Thomson is qualified and is
a fit and proper person to be appointed
as such Justice It is therefore hereby ordered
by the Court that J. B. Thomson be and
she is hereby appointed as Justice of the
Peace for said Union Precinct to fill
serve out the unexpired term and that
said J. B. Thomson sub. upon the discharge
of his duties as such Justice upon his filing
a good and sufficient bond, herein approved
and taking the oath of office.

In the matter of a
proposed county road
petitioned for by J. H.
Courtney and others

Now at this time comes

Sixth Judicial Day

Wednesday Nov-11-1883-

A. N. Courtney and twenty-one others and present to the Court a petition praying for the location of a county road as follows: Beginning at the South west corner of Section 36 Township one north of Range 43 East of Willamette Meridian, running thence East one mile to the South East corner of said Section 36, thence north $\frac{1}{2}$ mile to the North west corner of J. B. Courtney Ranch; thence East $\frac{1}{2}$ mile to the center of Section 31 Township one north of Range 44 E. N. M. Thence on the most practicable route to the North west corner of Benj. Rogers ranch, thence East $\frac{3}{4}$ of a mile to the South East corner of the South west quarter of Section 29, Township 1 north of Range 44 E. N. M. Thence north $\frac{1}{2}$ mile to the center of Section 29 Township 1 north of Range 44 E. N. M. Thence East $\frac{1}{4}$ mile, thence North $\frac{1}{2}$ mile, thence on the most practicable route to intersect the present county road North East of the residence of Mr. Knapp thence running North $\frac{1}{4}$ mile on said county road, thence on the wagon road now traveled to intersect the present county road at the head of Whiskey creek.

And it satisfactorily appearing to the Court that due notice of the pendency of this proceeding has been given as required by law; that twelve or more of said petitioners are legal householders residing in the vicinity of said road, and that a good and sufficient bond has been filed herein It is therefore ordered by the Court that Oliver Bishop John Leach and William Miner be appointed Viewers and Geo. J. Vail Surveyor to view survey and report upon the said proposed road and that they meet at the residence of A. N. Courtney on the 20th day of November 1883 - at 10 O'clock A.M. and duly qualify before entering upon the discharge of their duties in this behalf.

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 }

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 }

Now at this time this matter comes on to be heard upon the report of viewers and surveyors 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