

No 317

in

Circuit

Court

J. B. Williamson

Plaintiff

vs

Mr. C. Allen

Defendant

Action for Money

Docket

Page

Eaton & Baker

Attorney for Plaintiff

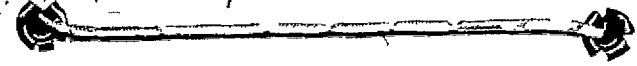
Attorney for Defendant

RECEIVED  
FEBRUARY 1900  
U.S. DEPARTMENT OF JUSTICE

1886  
Nov 4 Petition rec Viewas alphabet  
1887 Journal D of 44  
Jan 11 *Dean* road Journal D of 93

Road

commencing at center of Sec 2 T 3 S  
R 45 E to SE cor of SW 1/4 Sec 9 T 2 S  
R 47 E



DIRECTIONS. Place papers on TOP OF RUBBER  
Fasten first, then sides. Throw the rubber cords  
over the ends in package is complete.

In the County Court of the  
Morrison County Oregon County Road  
November Term 1886 Petition

Comes now R. M. Dorsey, J. P.  
Gardner Wm H. Keptum Et al and  
respectfully represent that the  
wants Convenience and benefits to  
the public require that a County  
Road be laid out located and  
established - to wit

Beginning in the Center of Sec-  
tion two (2) Twp 3 South of Range  
4 S E M. thence running east  
one (1) mile - thence South twenty  
(20) rods - thence east to County  
Road running from Dan Sim-  
ons ranch South up Sheep  
Creek into the timber about  
one half mile - thence South on same  
line of said road to the SW  
Corner of Section Six (6) Twp  
3 South Range 4 E M about  
40 rods - thence east one and one  
half (1 1/2) miles to the SE Corner  
of Twp 4 of Section 3 - 3 - S 4 E M  
- thence in an easterly direction  
down a certain Canyon and Crossing

Sheep Creek near Jacob Pelebas  
Corral. about one half mile  
thence South easterly along the  
present wagon road to top of  
hill east of Middle Sheep Creek  
about three fourths of a mile  
thence in a South easterly direc-  
tion to Crossing Section line  
between Sects Nine (9) and Sixteen (16)  
Said Trip and Range about one half mile  
thence on the most practicable route  
to NE Corner of SE<sup>4</sup> of NE<sup>4</sup> of Sec  
15 Trip and Range aforesaid about  
about one mile = thence North easterly  
to the SE Corner of SW<sup>4</sup> NE<sup>4</sup> of  
Section 11 Said Trip and Range  
about 1/4 miles. thence North  
one half (1/2) mile = thence North easterly  
on most practicable route to the  
South west Corner of Section 36  
Trip 2 South Range 46 E<sup>1/2</sup> M<sup>1/2</sup>  
about One and one fourth miles  
thence North easterly on the most  
practicable route to the SE Corner  
of SW<sup>4</sup> of Sec 7 Trip 2 South of  
Range 47 E<sup>1/2</sup> M<sup>1/2</sup> <sup>about 6 miles</sup> and there  
terminating

All of which points and places  
are in Union County Oregon and  
the undersigned petitioners being  
householders in said County and  
living in the vicinity of said road as  
prayed for in the foregoing petition

Names

R. Beth

George D McKay

P. E. Nelson

William Watkins

J. J. Mason

Geo Pierce

J. W. Evans

W. H. Blenkinship

J. J. Blevins

J. E. Hayden

J. W. Huffman

Geo. A. Russell

Mrs. R. Atkins

D. C. Davis

Merat Blevins

Names

R. M. Downey

Wm. M. Hepburn

J. W. Rankin

A. C. Hutchinson

G. W. Sprague

E. J. Ridge

C. J. Needham

Sarah Stearn

Dell Davis

Ezra Evans

J. A. Lomer

H. S. Pierce

L. S. Tuttle

Small Station

P. M. Downey

R. B. Smith

W. M. Taylor

Wm. Hepburn Chal

Filed Nov. 3 1876

C. S. Meier

Queen

By J. D. Parker & Co.



Positive  
and  
Official

W. M. Brown

R. R. Bush

Geo. W. King

Wm. K. Johnson

Sheet 3 day 1/1/1896

W. M. Brown

(Certificate)

By S. B. Parker Deputy



STATE OF OREGON,

County of Union

I, R. M. Doursey being first

duly sworn, on oath say, that I posted three notices (a copy of which is herewith annexed) of the proposed road, in the following places, to-wit:

One at the beginning of said road (i.e.) The Center of Sec 27 Twp 3 South of Range 45 East (herewith annexed)  
One on the proposed road at Jacob Ruben place  
One at the terminus of said road to wit Southeast Corner of SW 4 Sec 7 Twp 3 S R. 47 E 1/4 W

and one at the Court House door, in Union in said Union County and State of Oregon, thirty days prior to the presentation of petition herein, and that all of said petitioners are householders residing in the vicinity of said proposed road in said Union County and State of Oregon.

R. M. Doursey

Subscribed and sworn to before me, this 31 day of October A. D. 1886

A. W. Gorran  
Notary Public

# Notice

Notices hereby given that at the next regular term of the Honorable County Court of Union County Oregon which Court is holden at <sup>Courthouse in</sup> Union in Union County Oregon on the 1 day of said November 1886 a Petition will be presented to said Court at said time and place praying for a County road to be laid out granted and located as near as practicable but following route to wit Beginning at center of sec. 2 Twp 3 S R 45 - Ewn thence running East one mile Thence south 20 rods Thence east to County road running from Dan Simmons' ranch ~~at~~ up Sheep Creek into the timber <sup>about 1/2 mile</sup> ~~thence~~ south on ~~the~~ said County road to the SW corner of sec. 6 Twp 3 S R 46 Ewn. about 140 rods Thence east one and half miles to the S E corner of SW <sup>Quarter</sup> corner of sec. 5 Twp 3 S R 46 Ewn Thence in an easterly direction down eastern Canyon ~~and~~ crossing Sheep Creek near Jacob Beilers Corral about one half mile Thence south Easterly, along present wagon road to top of hill east of middle Sheep Creek about 3/4 of mile Thence in a south Easterly direction to crossing of Section line between sections 9 and 16 said Twp & Range about one half mile

Thence on most practicable route to north East corner of S E quarter of S E quarter of sec. 15 Twp 3 Range aforesaid about one mile Thence to East, to the S E corner of SW quarter of S E quarter of sec. 11 Twp 3 Range aforesaid about ~~one and 1/4 miles~~

Thence north one half mile Thence north Easterly on most practicable route to SW corner of sec. 13 Twp 2 S R 46 Ewn about 1 1/4 miles Thence north Easterly on most practicable route to S E corner of SW quarter of sec. 1 Twp 2 S R 47 Ewn about 6 miles and there terminating all of which point and places are in Union County Oregon

- | Names             | Names            |
|-------------------|------------------|
| R. Buth           | R. M. Downey     |
| George J. McKay   | Wm. M. Hairson   |
| P. J. Malloy      | J. W. Rusk       |
| William Walker    | J. C. Hutchinson |
| J. P. Mason       | S. W. Sprague    |
| C. S. Rives       | E. J. Rouse      |
| S. W. Brown       | S. J. ...        |
| W. H. Blankenship | S. J. ...        |
| J. J. Blumens     | S. J. ...        |
| J. ...            | E. J. ...        |
| Geo. J. ...       | J. A. ...        |
| J. H. ...         | H. J. ...        |
| J. L. Davis       | J. ...           |

**Know all Men by these Presents:**

THAT WE, Thos Roup and  
R M Dorney of the County of Union  
and State of Oregon, are held and firmly bound unto the said County of Union in  
the sum of One Hundred 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 23<sup>d</sup> day of October 1886

Now the condition of the above obligation is such, that whereas, if the County Road petitioned  
for by A Reich R M Dorney Etal and others, and presented  
at the November Term, 1886 of the County Court of said Union  
county, commencing in the Center of Section No 2 Twp 3  
South of Range 40 E W W — with one intermediate  
point near Jacob Rebers Corral and end-  
ing at the SE corner of SW 1/4 of Sec 7 Twp 2  
South of Range 47 E W W — all of which  
points and places are in Union County Or

be located and established, then this obligation to be void, otherwise to remain in full force and  
virtue in law.

Thos Roup  
R M Dorney

STATE OF OREGON,

County of Union } ss.

I, Thos Roup and  
R M Dorney each for himself says that I am worth the sum  
of One Hundred Dollars over and above all debts and liabilities and property  
exempt from execution, and that I am a resident and householder in said County and State.

Thos Roup  
R M Dorney

Subscribed and sworn to before me, this 23<sup>d</sup> day  
of October A. D. 1886

A M Gorman Clerk,  
By Notary Public Deputy

**Board of Road Petitioners.**

J. M. Cooney  
J. P. Peck  
Geo. McKay  
Wm. Hepburn

*Petitioners.*

Filed Nov. 3 1886

A. G. Neill

*County Clerk.*

By T. D. Parker

*Deputy.*







COUNTY COURT

— OF —

*County,*

STATE OF OREGON.

Appointment of Road Viewers and Surveyor.

.....  
.....  
.....  
.....  
.....  
.....

Travis Creek Minn. Co. Oregon  
Nov 29.

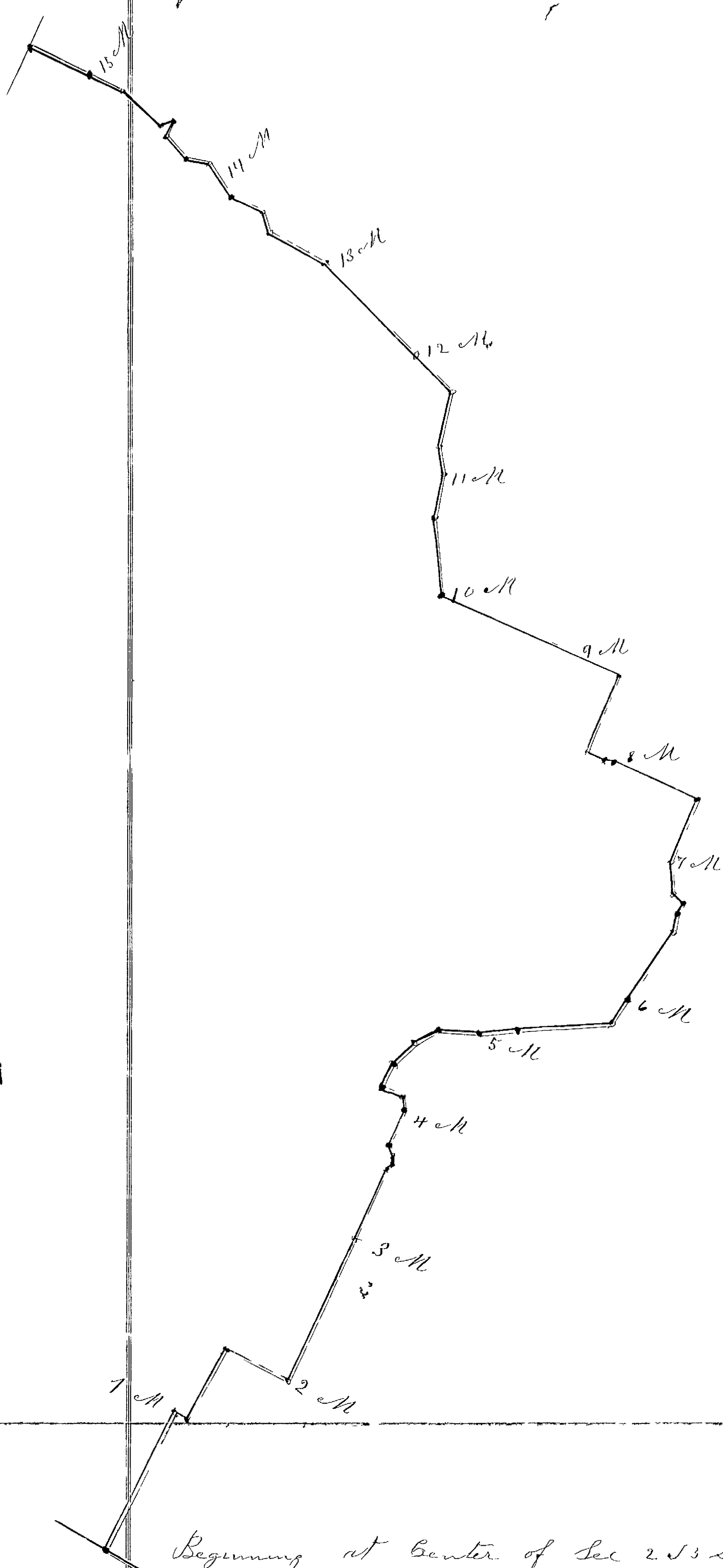
We the appointed assessors  
on the <sup>Roads</sup> returned for by R. M. Dorney  
and others on the Sheep Creek Road  
made at Travis Creek Twp. on the day  
set by the County Court of Minn. Co.  
Oregon on Nov. 22 and approved until  
the Nov. 29 at that time the Charima  
and one marker was appointed and  
qualified and work was commenced  
and continued until said road  
been was completed

We the assessors Recommend that the  
County Court of Minn. Co. Oregon  
of Oregon except the Surveyor report  
and order said Road opened

Assessors.

E. B. Day  
D. Simmons  
A. J. Perkins





Beginning at Center of Sec 2 S 3 E  
 R. 40 E 20, 70 There

	East	322	Rods to 1
	There South	20	to 2
	East	178	" to 3
There	with Cor 1/2 R South	160	" to 4
"	East	482	" " 5
"	S 50 E	8	" " 6
"	N 67 E	18	" " 7
"	N 65 E	22	" " 8
"	East	74	" " 9
"	N 70 E	22	" " 10
"	North	35	" " 11

Thence East	38 Rods to A	12
" S. 70 E	58	13
" S 52 E	56	14
" S 20 E	75	15
" S 50 E	54	16
" S 18 E	198	17
" S 60 E	262	18
" N. 70 E	48	19
" S 85 E	28	20
" N. 55 E	50	21
" East	152	22
" North	190	23
" N 30 W	12	24
" North	44	25
" East	166	26
" North	404	27
" N. 60 E	100	28
" N 75 E	90	29
" N 59 E	56	30
" N 78 E	114	31
" N 20 E	364	32
" N 10 E	132	33
" N 50 E	48	34
" North	72	35
" N 30 E	80	36
" N 10 W	48	37
" N. 20 E,	68	38
" S 80 E	30	39
" N 50 W	24	40
" N 16 E	106	41
" N 2 E	202	42

Thence Terminating

Surveyed by P. M. Burleigh  
 Nov 22<sup>d</sup> 1886  
 according to order of  
 County Court of  
 Union County Oregon

In the County Court of the State of Oregon  
for Union County -

In the matter of the County road  
prayed for by petition of  
R. M. Downey R. Beith et als -

Now comes W. H. Winters and represents to the  
County Court that the road prayed for by  
R. M. Downey R. Beith et als  
in the petition a bore referred to viz Commenc-  
ing at the Centre of Section 2 - T. 3 S. R. 45 E  
in Union Co Oregon running thence East  
One Mile thence South 20 rods thence thence  
East to County road half mile thence South  
an said road to the S.W. Cor Sec 6 T. 3 S. R. 46 E -  
140 rods & c & c - To the S.E. Cor of S.W. 1/4 of Sec 7 -  
T. 2 S. R. 47 E. W. M.

It is sought to be located and opened through  
the centre of petitioners W. H. Winters lands -  
as follows viz that said W. H. Winters is the  
owner in fee of the Section one of Township  
2 South of Range 45 East. W. M. and in Union  
County Oregon and that said petition asks to have  
said <sup>road</sup> located through said Section viz Commencing  
at the centre of Sec. 2 T. 3 S. R. 45 E thence  
running East One Mile thence South 20 rods  
thence East half mile -

That the location thereof and opening of the  
same as prayed for in said petition will  
be of great damage to petitioners W. H. Winters  
viz in the sum of \$1000<sup>00</sup> -

And therefore he prays that viewers be appointed to appraise the said damage - and that the same be paid to him before the said road be ordered opened -

W. H. Winters

State of Oregon }  
County of Union } ss I R. E. Easton being first duly sworn say that I am attorney for W. H. Winters claimant in the above petition for damages that that I have personal knowledge in relation to the facts therein stated and I truly believe the matters therein set forth are true

R. E. Easton

Subscribed and sworn to before me this 6 Dec 1886

A. M. Hull  
Clerk

County Court  
Union County

In the matter of the road  
proposed for by  
R. M. Downing et al

Claim of W. H. Winters  
for damages

Filed Dec 6 1886  
C. J. Price  
Clerk

Little County Court of the State of Oregon  
for Union County -

In the Matter of the County  
road petitioned for by

Now at this time comes W. H. Winter  
A remonstrator against the location  
or opening of the road prayed for in  
said petition.

And moves the Court to strike out the  
said petition and dismiss the said  
proceedings thereon for the follow-  
ing grounds -

1<sup>st</sup> That there has been no notice of  
the presentation of said petition given  
by the petitioners, as provided by law -  
in this <sup>1<sup>st</sup></sup> that the notice posted was not  
signed by the petitioners.

2<sup>nd</sup> That the proof of posting thereof  
does not show that the same have  
been posted for the length of time nor  
in the places ~~provided~~ by law -

3 That said notice does not purport to come  
from petitioners

4<sup>th</sup> That said petition does not state facts  
sufficient to give the Court jurisdiction  
of the subject matter thereof in this  
it does not show that petitioners reside in the  
vicinity of the proposed road - And purports  
to be from parties who do not sign the same

County Court  
Union County

Re the Matter of the  
County road project for  
by R. M. Deering et al  
Petition to change  
Petition

Filed Dec 10 1936  
O. G. Mills  
Clerk

W. B. Martin  
Atty for respondent

To the Honorable the County Court  
of the State of Oregon for Union  
County -

In the matter of the petition  
of R M Downey, R Burt et als -  
for the location of a County Road

Now comes the undersigned and represent  
to the Court that they are householders  
of Union County and reside in the vicinity  
of where said proposed road herein after  
referred to is to be laid out and located  
viz Commencing at the centre of Section  
2 T. 3. S. R. 4. 5. E. W. M. in Union County  
Oregon running thence East One mile thence  
South 20 rods thence East half mile thence South  
to SW. Cor of Sec. 6 T. 3. S. R. 4. 6. E. W. M. 140 rods -  
thence E. 1/2 Miles to SE Cor of SW 1/4 Sec 5 - T. 3. S. R. 4. 6.  
E. W. M. thence in an E. or S. by direction down a canyon  
crossing sheep Creek at Jacob Beebos former  
site - to the SE Cor. of SW 1/4 Sec 7 - T. 2. S. R. 4. 7. E.  
Said road being petitioned for by R M Downey  
R Burt & R M Downey et als -  
said petition having been filed on the 3rd  
day of Nov. 1886 -  
And the undersigned hereby remon-  
strate against and object to the locati-  
on of or opening of said road as a public  
high way  
And ask that said petition be disall-

ed and dismissed and  
for the reason that the same is not  
proposed or located on a practicable  
route - and on a route of public conven-  
ience. -

Union County - Oregon.

Dec. 6 - 1886 -

To Honorable

County Court  
Union County

Walter J. Peterson  
for County road by  
R. M. Downey

Remonstrance

Filed Dec 6<sup>th</sup> 1886  
A. J. Neale  
C. Clerk



In the County Court of the State of Oregon -  
for Union County.

In the Matter of the County  
road petitioned for by R. M. Downey  
et als. commencing at the center of Section  
2. T 3 S R 45 E - running thence E - 1 Mile thence  
South 20 rods thence E -  $\frac{1}{2}$  Mile thence South  
to the S.W. Cor of Sec 6 T 3 S R 46 E. thence East a Mile  
and a half &c -

Now comes Joseph E. Stickney and represents  
to the Court that he is the owner and in the  
possession of the S  $\frac{1}{2}$  of SE  $\frac{1}{4}$  Sec 6 - & W  $\frac{1}{2}$  of  
of the NE  $\frac{1}{4}$  of Sec 7 - Town 3 S R 46 E - and that  
the said proposed road cuts through the center  
of said land viz along the South line of the S  $\frac{1}{2}$  of  
SE  $\frac{1}{4}$  of Sec 6 - a distance of half of a Mile

That there is already a County road on the South  
line of the said W  $\frac{1}{2}$  of NE  $\frac{1}{4}$  of Sec 7 - and is for  
all purposes more convenient than the present  
proposed road -

That affiant will be damaged by the location  
of the said road as prayed - in the sum of  
\$1000 =, for extra fencing loss of land in con-  
venience to the farm - and injury in moving and  
changing buildings on account thereof -

And I hereby present my claim for the  
said sum of \$1000 - as damages therefor -

Subscribed and sworn to  
before me this 3 day of  
Jan 1887 -

Joseph E. Stickney

Robert Eakin.

Notary Public for Oregon

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In the County Court  
Western County

As the matter of fact  
County Road petitioned for  
by R. M. Downey et al -

Done for stamps  
by J. E. Stearns

Filed January 3rd 1887  
C. J. Neill clerk  
W. J. Oliver Deputy

Friday Nov. 4<sup>th</sup> 18862<sup>nd</sup> Judicial Day

Beginning at a point 18 rods West of the center of Sec 35 Township One, N. Range 38. E. N. M. thence running North Easterly  $\frac{1}{4}$  of a Mile to the North West corner of the North  $\frac{1}{4}$  of said Sec 35; thence due North  $1\frac{1}{4}$  Miles, thence due East on Section <sup>line</sup> to intersect a travelled highway commonly called the Halls Halls Wagon Road at a point 40 rods West of the N. E. Corner of Section 25 Township One North Range 38 E. Willamette Meridian all of said points and places lying and being in Union Co. State of Oregon, 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 given It is therefore Ordered by the Court that J. D. Woodell J. W. Hammock and E. D. Harne be appointed Viewers and Moses Austin Surveyor to view, survey and report upon said proposed road and that they meet at the School house at 9 O'clock Nov. 9<sup>th</sup> 1886 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  
R. M. Downey and Others

On this day came R. M. Downey who presents to the Court the petition of himself and twenty seven others praying that the Court cause to be Viewed, layed out and surveyed, commencing and running as follows to wit: Beginning at center of Sec 2, T. 3. S. R. 45. E. N. M. thence running East One Mile thence South 20 rods thence East to County road running from Dan Dammons ranch South up Sheep Creek into the timber about  $\frac{1}{2}$  mile thence on said line on said County road to the S.W. corner of Sec 6. T. 3 S. R. 46 E. N. M., about 140 rods thence East One and half miles to the South East Corner of S. W. quarter of Sec 5; T. 3 S. R. 46 E. N. M., thence in an Easterly direction down a certain canyon and crossing Sheep Creek <sup>near</sup> Jacob Beeler road about One half mile thence South Easterly along present wagon road to Top of

Thursday Nov. 4<sup>th</sup> 18862<sup>nd</sup> Judicial Day

thence East of Middle Sheep Creek about three fourths of a Mile, thence in an Easterly direction to crossing of Section line between Sections 9 and 10, said Township and Range about thence on most practicable route to North East corner of S.E. 1/4 of N.E. 1/4 of Sec 15; Township and Range aforesaid about One Mile, thence N Easterly to the S.E. corner of S.W. 1/4 of N.E. 1/4 of Sec 11 Twp 4 Range aforesaid, thence North One half mile thence North Easterly on most practicable route to S.W. corner of Sec 36, Twp 2, S.R. 46 & N.M., about 1 1/4 miles thence North Easterly on most practicable route to S.E. corner of S.W. 1/4 of Sec 7, Twp 2 S.R. 47, E.N.M., about 6 miles and there terminating. 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 Dan Simmons, J. B. Day and A. J. Perkins be appointed Viewers and P. M. Burleigh Surveyor to view, survey and report on said proposed road and that they meet at Prairie Creek Post Office Nov. 22<sup>nd</sup> 1886 - at 10 O'clock A.M. and duly qualify before entering upon the discharge of their duties in this behalf

In the Matter of opening }  
Road in District No 33: }

Now at this time this matter coming on to be heard. And it appearing to the Court that Viewers and Surveyors report had been filed and duly recorded in the matter of a road petitioned for by R. F. Stubblefield & others and the same had been accepted and ordered filed, by the Court on Nov. 10<sup>th</sup> 1885 and at the same time the Court ordered the said road opened according to law. and it also appearing to the Court that the said road had not been opened. It is therefore ordered by the Court that the clerk notify the Supervisor of Road District No 33, to open said road according to Viewers and Surveyors report and according to law and order of this Court entered as aforesaid

Sixth Judicial Day.

Tuesday January 11<sup>th</sup> 1887

J. W. Nowille	Summersville	Farmer
Jerry Tuttle	"	"
Justices Wade	"	"
Thomas Wade	"	Merchant
Wm E. Rinchart	"	"
Roderick McKenzie	"	Liveryman
John McDonald Jr	"	Farmer
V. S. Davines	"	"
Hiram McDonald	"	"
Edward Garne	"	"
A. J. Brown	Bed Rock	"
R. R. Smith	"	"
J. C. Brooks	Pine Valley	"
A. Buchanan	"	"
A. P. Greene	"	"
J. M. Bogart	North Powder	"
J. E. Carroll	"	Blacksmith
W. W. Ellis	"	Farmer
A. K. Graham	"	"
Thos O'Bryan	"	"
D. W. C. Nelson	"	"
Henry Graham	"	Merchant
Jaime Newman	"	Farmer
C. H. Duncan	Eagle	Miner
Henry Rogers	"	Farmer
R. C. Dunlap	Immaha	Stockman
J. S. McCoy	Starkey	Farmer
J. P. McCoy	Camp Carson	"

In the Matter of the Proposed County Road Petitioned for by R. M. Downey et al

Now at this time this matter came on to be heard upon the reports of Viewers & Surveyor heretofore appointed, and these reports having been read in open court and certain irregularities occurring, and the Court being satisfied that the papers in the case are not in accordance with the law provided for the regulation of such cases the whole matter is dismissed.

Thereupon Court adjourned till tomorrow morning at 9 o'clock