

No 49 &  
in  
Court Court

C C Coffinberry  
—Plaintiff

vs

Thos Babington  
Defendant

Action for Money

Docket

Page

J H Crawford  
Attorney for Plaintiff

Attorney for Defendant

74-16-87

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**Record of the Case**

Mar 9 Petition res. Review aff'd  
Journal A p 779

June 3 1st reading & set out  
Journal B p 3

April 4 Petition denied  
Journal B p 12

80

Road

Commencing at SE cor of NW 1/4 Sec 30  
T 18 R 39 E to 1/4 mile N of SW cor of  
Sec 20 T 18 R 39 E being a change  
to Sumner Co road

**WITNESSES.**

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

80

In the County Court Union County  
Oregon

In the Matter of a Petition  
for a change in Co road  
leading from Summerville  
to Union as prayed for  
by J. J. Woodell et al -

Now comes the Petitioners and  
shows the Court to allow the  
Petitioner J. J. Woodell to pay  
costs and ~~charges~~<sup>interest</sup> said change  
as prayed for in petition - the  
~~same being any upon petition~~  
J. J. Woodell's land - under  
Sec - 12 of Chapter 50 - Misc. laws  
of Oregon Code -

Robert E. Eakin  
Atty for Petitioners

Price above 2/1976  
P. J. Bates  
K. Baker

In the County Court of Union County  
Oregon -

Latter Matter of the petition  
for a Change in Co. Road -  
leading from Summersville  
to Union - in Saul Co.,  
as prayed for by J. T. Woodall  
et al. -

Now Comes the Petitioner  
for said road and moves  
this court to strike out the  
remonstrance presented  
against the same for the reason  
~~that the same does not show that~~  
said remonstrators are households  
residing in the vicinity of said  
proposed change - and for  
the reason that the same does  
not refer to the Road prayed for  
by <sup>Saul</sup> Petitioners - but refers to road prayed  
for by J. T. Woodall -

in Union Co.

Robert Carlin  
Atty for Petitioners.

Allen

Paul G. Smith 4-11-1886

J. J. Hooper  
C. C. Cook

1886

Union Co Oregon

1876

March 24

To the Honble County Court of Union Co Oregon, Where has Jas Woodell of Union Co Oregon has petitioned for an alteration (or change) in the road leading from Sumnerville to Shoemaker's point said change described as follows (by corner bearing at the South East corner of the N E qr of Sec 30 Town Range 39 E running thence N 1/2 mile North to the S W corner of Sec 20 Town Range 39 E there West 1/4 mile there intersecting the above named road, - Now the undersigned do most respectfully Remonstrate against the change of said road as payed for in the petition of Jas Woodell as such change of said road would add materially to the distance of every day travel on said road, also causing an obstruction in the direct road to the School House and would place the road on much worse ground if changed than where it is already located, - We would further state that the undersigned are citizens of Union County residing in the vicinity of the above named road,

- |  |   |
|--|---|
| <p>Names -</p> <ul style="list-style-type: none"> <li>x R. D. Kueckman</li> <li>x W. B. Kueckman</li> <li>x J. D. Kueckman</li> <li>x J. J. Kueckman</li> <li>x W. H. Clearman</li> <li>x J. S. Friesell</li> <li>x J. L. Kueckman</li> <li>x J. Kueckman</li> </ul> | <p>Names -</p> <ul style="list-style-type: none"> <li>Wm. Kueckman</li> <li>Wm. Kueckman</li> <li>Wm. Kueckman</li> <li>Wm. Kueckman</li> <li>Wm. Kueckman</li> <li>Wm. Kueckman</li> <li>Wm. Kueckman</li> <li>Wm. Kueckman</li> </ul> |
|--|---|

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>x W. B. Kueckman</li> <li>x J. W. Kueckman</li> <li>x W. B. Kueckman</li> <li>x G. J. Keeler</li> <li>x J. A. McCombs</li> <li>x G. M. Kueckman</li> <li>x W. White</li> </ul> | <ul style="list-style-type: none"> <li>Collin McRae</li> <li>Sam Wale</li> <li>Redrick McRae</li> </ul> |
|---|---|

19

Miss Abigail 3/15/96

W. D. Baker  
C. W. Clark



# Notice

Notice is hereby given that a petition will be presented at the March term of County Court of Union County Oregon for a change in the Sumnerville and Union County Road as follows. Commencing at the South East corner of the North East quarter of Sec. 30, T. 1. S. R. 39, E. and running thence  $\frac{1}{2}$  mile North, to the South West corner of Sec 20, T. 1. S. R. 39, E. thence West  $\frac{1}{4}$  mile there intersecting the above named Road

This the 27<sup>th</sup> day of Jan. 1876

State of Oregon  
County of Marion 3<sup>rd</sup>

I J. J. Woodell being first duly sworn say that the notices similar to the within notice have been posted thirty days previous to this date. Three of said notices were posted in the vicinity of the proposed change and one on the Court House Door in Marion Subscribed and sworn to before me

This 9<sup>th</sup> day of March 1876  
R. S. Cate's  
Co. Clerk

Filed March 9<sup>th</sup> 1876

R. S. Cate's  
Co. Clerk

J. J. Woodell

To the Harv. County Court  
of Union County Oregon

The following report is  
submitted by us the undersigned  
viewers appointed to view out and  
locate a proposed change in the  
Summerville and Union County road  
over the land of P. J. Woodell.  
We met on the day set (the 27<sup>th</sup>  
day of March 1876) and after being  
first duly sworn in company with  
the surveyor proceeded to view survey  
and lay out said change of road as  
directed and as shown by the surveyors  
report and plat submitted herewith

We find the distance by the new route  
to be 65 chains and by the road now  
traveled to be  $46\frac{3}{4}$  chains. Taking into  
consideration the inconvenience to the public  
by the increase in distance and the  
inconvenience to the <sup>parties</sup> asking for the change  
it is our opinion that the petition  
is reasonable and would recommend that  
you establish the road agreeable thereto.

Respectfully  
John Standley  
W. O. Johnson  
R. J. Childers } Viewers

Wheeler report

Filed April 8<sup>th</sup>  
1876

T. D. Baker  
Columbia

To the Honorable County Court of  
Union County, Oregon

Gentlemen  
We the undersigned petitioners by this  
petition ask your honorable body to  
make a change in the County road  
running from Summerville to Vernon (said  
road in Vernon County, Oregon)

as follows

Commencing at the South East corner  
of the North East quarter of Sec 30 Town 1  
South Range 39 East and running thence  
 $\frac{1}{2}$  mile north to the south west corner of  
Sec 20 T. 1. S. R. 39. E. Thence west  $\frac{1}{4}$  mile  
thence intersecting the above named road  
and that all the points along the  
proposed change are in Vernon County  
Oregon and that each petitioner hereto  
signed is a resident householder along  
and in the vicinity of said Road  
and for the above your petitioners ever  
pray

James  
J. A. Knight  
Joseph Harris  
J. D. Courtney  
Lounsey Courtney  
S. S. Mitchell  
Wm. Hault

James  
J. E. Woodell  
M. Selrak  
J. S. Woodell  
William Hamilton  
W. B. Knight  
J. S. Clark  
Wm. Gorman

J. S. Woodell  
A. A. Hamilton  
C. W. Hamilton  
M. H. Hamilton  
D. C. [unclear]  
G. B. Hamilton

Whereas a petition has been presented to the Board  
of County of Union County Oregon for a change  
in the County Road running from Sumnerville  
to Union Crossing at the S. E. corner of the  
N. E. 1/4 of Sec. 30 Township 1 S. Range 39 E. and  
running thence 1/2 mile north to the S. W. corner of  
Sec. 20 Township 1 S. Range 39 E. of the Willamette  
thence west 1/4 mile then intersecting the above  
named Road

Wherefore I J. J. Woodell am held and  
bound to the County of Union in the  
sum of One Hundred (\$100.00) Dollars  
The conditions of this Bond are such  
that if the said change in the County Road  
shall be not approved and allowed  
then the said J. J. Woodell will pay all costs  
and expenses that may accrue by reason of  
such view and survey not exceeding the sum  
of One Hundred Dollars

Given at Union Oregon J. J. Woodell  
March 9<sup>th</sup> 1876

Patience

John Marshall

Book

Filed March 9<sup>th</sup>

1876

P. S. Case I

vs. Duck

Patience

John Marshall

Book

Filed March 9<sup>th</sup>

1876

P. S. Case I

vs. Duck

Report to owners of the survey of a  
proposed change of the Sumnerville and  
Hendershott Joint County road.

Beginning at a post marked R placed at the  
South East corner of the N E  $\frac{1}{4}$  of Sec 30 Town 1  
South Range 32 East Thence North 40 chains  
to a post marked A 1 Thence West  
25 chains to post marked R I placed  
at the intersection of the County road

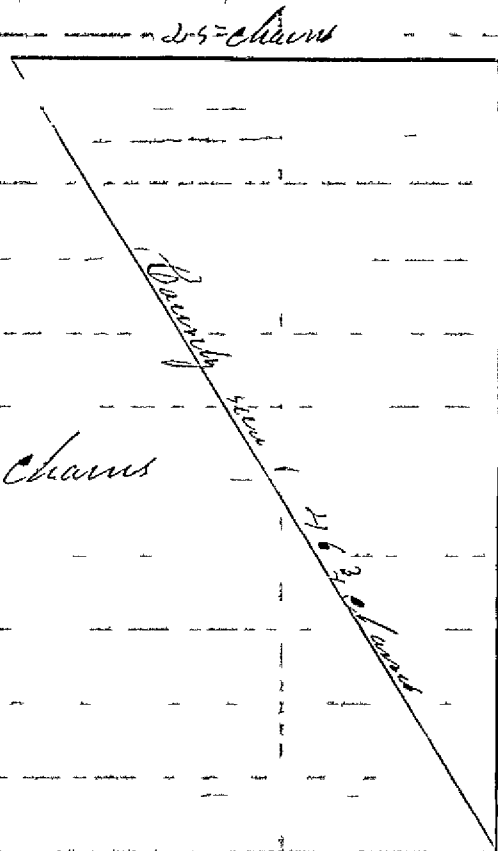
State of Oregon } ss.  
County of Union }

I Willis Shuff County surveyor  
in and for the County and State aforesaid  
do hereby certify that the above field notes  
of a proposed change in the County road leading  
from Sumnerville to Hendershott's Point are  
correct as made by me under the supervision  
of the owners on the 27<sup>th</sup> day of March 1886.

Willis Shuff  
County Surveyor,



Plot of a proposed change in the  
Sumnerville and Hendershot Town Road



Variation  $1^{\circ}$  East  
Scale of Distances 10 chains  
to the inch

W. H. H. H.

Field April 1894

F. O. H. H.  
C. C. H. H.

In the matter of } March 9<sup>th</sup> 1876  
 Road Petition } Change of Road from Sumnerville  
 to Union — Now on this day came J. S.  
 Woodell, and presents ~~a petition~~ <sup>asking for a change of the County Road Union</sup> to the  
 Court a Road Petition <sup>to be changed from Sumnerville to Union</sup> signed by more  
 than twelve householders <sup>of Union Co</sup> residing along  
 the route of said <sup>proposed change of</sup> Road <sup>change</sup> ~~petition~~ described as fol-  
 lows. Commencing at the South East  
 corner of the North west quarter of Sec 30  
 Town one South Rang 39 East, and running  
 thence 1/2 mile north to the South west corner  
 of Sec 20 T. 1. S. R. 39. E. Thence west one fourth  
 mile, intersecting the above named road.

The Petition was accompanied by satisfactory proof  
 that four notices has been posted as follows.  
 one on the Court house door in said Co and  
 3 along the route of the proposed change, giving  
 due notice of the pendency of said petition.  
 also by a Bond that the costs of survey  
 & view, not exceeding two hundred dollars,  
 would be paid in case said proposed change  
 should not be made.

And it appearing to the Court that the petitioners  
 have proceeded according to law. It is there-  
 fore ordered that S. O. Johnson, Thomas Childers  
 and J. C. Stanley be and they are hereby  
 appointed viewers and Phillis Skiff Surveyor  
 to meet at the Sand Ridge School House on  
 the 27<sup>th</sup> day of March 1876 and after being duly  
 sworn proceed to view and survey of  
 said proposed <sup>change of</sup> Road and report the same to  
 this Court.

Justice of the peace, as soon as he shall file a Bond and his oath of Office, as required by law.

In the matter of Road }  
Viewers Report } April 3<sup>rd</sup> 1876

Cove Trimble Road

Now on this day was Read for the first time the Report of the viewers heretofore appointed to view out and Report on a proposed County Road commencing at Bowles & McDaniel's store thence in a South Easterly direction to the Springs on the head of Elizabeth Creek.

In the matter of }  
Road Viewers Report } " " "  
Summerville to intersect Labraud Road.

Now at this time was read for a first time the Report of the Viewers heretofore appointed to view out and report on a certain proposed County Road commencing at the south end of Jefferson Street in the town of Summerville and running thence in a westerly direction to intersect the Trimble, and Labraude Road. Reported favorable

In the matter of }  
Road viewers Report } Change of Road around J. T. Woodell's Farm.

Now on this day was read for the first time the report of the viewers heretofore appointed to view out a change of the County Road leading from Henderson's Point to Summerville, said change being made around the farm of J. T. Woodell. Report favorable.

by reason of the location of said proposed  
Co Road through their premises.  
said viewers to qualify before entering upon  
the discharge of their duties as such.

In the matter of qualification } April 4<sup>th</sup> 1876  
of John McCall as Justice of the Peace }  
Now on this day  
came John McCall heretofore appointed  
Justice of the Peace for Silver Lake precinct  
and files his bond and oath of Office  
as such Justice as by law required.  
and he is fully authorized to act as  
such Justice from this 4<sup>th</sup> day of April 1876

In the matter of }  
Road viewers report } April 4<sup>th</sup>  
Now on this day was  
read a second time the report of the  
viewers on the proposed change of the  
County Road leading from Hendershotts point  
to Summerville  
whereupon R. D. Ruckman filed a remonstrance  
against said proposed change, signed  
by more persons than were in the Petition  
whereupon the Petitioners by their Atty filed a  
motion to strike out the remonstrance which  
motion the Court overruled.  
Petitioners then filed a motion asking the Court  
to allow J. T. Woodell to pay costs, and make  
said change as prayed for in said petition  
the same being only upon J. T. Woodell's land  
under sec 12 of Chap 50 miscellaneous laws of  
Oregon, which motion the Court overruled  
and it appearing to the Court that the Remonstrance  
had a greater number of names than the Petition  
legally entitled to be thereon.  
It is therefore ordered that said <sup>change of</sup> Road be not  
granted, and that the petitioners pay all costs of survey and view.  
Court then adjourned until to morrow  
morning at 9 O'clock