

No 219

in

Circuit

Court

W J Snodgrass

Plaintiff

vs

E J Morelock

Defendant

Action for

Money

Docket A

Page

452

M Baker

Attorney for Plaintiff

PROVE F R D EN E V E
M N F E I B G I P P N V I E C m p f
I W I I S E I O I
P E A R I S

1897
 May 11 Petition rec. (Review appeal)
 Journal D of 155
 July 6 1st reading of report
 Journal D of 171
 July 7 ordered opened
 Journal D of 174

Road

commencing on N line of S16th Sec 12 T18 S18
 R 34 E near residence of A Shaw to
 intersect Woodward Road -

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

Road Petition

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

We the undersigned householders
in Union County, Oregon, and
Residents in the vicinity of the pro-
posed County Road hereafter described
most respectfully petition your Honorable
Body to cause to be surveyed, laid out
and established according to law, a
County Road in the County of Union
and State of Oregon and described
as follows, to wit - Commencing at
a point on the North line of the SW¹/₄
of Section 12 T 1 South Range 38 E W M
where the old traveled road running North
from Sumner's Crossings said line, near
the residence of A Shaw and running
thence a little West of North along
the old ^{traveled} road to near Dr W E Reinhart's
residence, thence West about 1/4 of a
mile and then West of North along
the line of said old traveled road
to a point 18 rods West of the Center
of Section 35 T 1 N R 38 E W M
all of which distance is along the
line of the said old traveled road
Thence a little East of North on the
old road about 85 rods, more or
less to the South side of the
NE⁴ of the NW⁴ of Sec 35 - Thence
East to the S E Corner of said
NE⁴ of NW⁴ of Sec 35 T 1 N R 38 E W M
Thence on its line 1 1/2 miles and two rods
over thence East 80 rods more or
less as the good of the road may
require thence Angling South Easterly
and then Easterly to intersect what
is known as the Woodward Road all
of which points and places are in the
County of Union and State of Oregon

Dated this 23^d day of March A D 1887

Notice posted this 7 day of March A D 1887

Names Names
H W M ... by your ...

Notice posted this

1 day of March A.D. 1887

Names

Names

H W Oliver

Comrad Kredener

A G Gahwister

R J Childers

J W Bailey

A J Patten

John Gray

C. A. Kuler

W R Shepperd

Edm Droll

R R Tree

J P Childers

W S Wally

W H Kinchard

G Wally

E F Troch

L L W. Kerner

W H Patten

A Waldock

Essex. Fisher

J. Lehart by Am.

Wm. M. P. P. P.

A. M. M. M. M.

D. L. L. L. L.

B. D. D. D. D.

Chas. Patten

Roderick M. M. M.

J. H. H. H. H.

Wm. E. Kinchard

Pr. 2 March 25 1887
A. J. Well c. k.
By J. O. Oliver Deputy

County Court of the State of Oregon,

FOR THE COUNTY OF Union ss.

KNOW ALL MEN BY THESE PRESENTS:

That we, H W Oliver

of the County of Union and State of Oregon, are held and firmly bound unto Union County, in said State, in the sum of One Hundred Dollars, for the payment of which sum, well and truly to be made, we hereby bind ourselves, our heirs, Executors and Administrators, jointly and severally by these Presents, as witness our Hands and Seals this 6 day of May A. D. 1887.

The Condition of the above obligation is such that Whereas,

If the proposed County Road petitioned for by H W Oliver and others shall be declared a public highway by the County Court, after the same has been duly surveyed viewed and the viewers & surveyors reports submitted to the said County Court then these presents to be void, but in case reports of Viewers & surveyors herein shall be unfavorable, and the proposed road not granted by the said County Court then these presents to be of full force and effect unless the petitioners herein shall pay all costs and expenses of the viewing and surveying as above set out.

H W Oliver 

State of Oregon }
County of Union } ss

I, H. W. Oliver, being
first duly sworn say I am worth
the sum of Two Hundred Dollars
over and above all my just debts
and exclusive of property exempt
from execution H. W. Oliver

Subscribed & sworn to before me this
6 day of May 1887
C. M. Dowell
Notary Public for Oregon

Filed May 7th 1887

C. J. Neill

Clerk
By H. W. Oliver Deputy

To The Honorable County Board of Union
County State of Oregon

We the undersigned are appointed by your
body to view a proposed County Road petition
for by H. W. Oliver and others

commencing at a point on the north line of
the S W $\frac{1}{4}$ of sec. 12 Township one south
of Range 38 East of the Will-Mer - where the
old traveled Road running North from
Summerville crosses said line near the resi-
dence of a Shaw. Thence North and west to a
point near the center of sec 35 Township
one North of Range 38 East of the Will-Mer -
thence North and east to intersect the Woodbine
Road. Submit the following report to you.

We met on the 21st day of May 1887 as mentioned
in your order and after first being duly
sworn in presents with Moses Austin as
surveyor. Asa Brown and Arannah Austin
as Chainmen. Proceeded to view survey
and lay out said proposed County Road
as shown by surveyors Plat and report
here with annexed. We found the Road
to lay on very good ground and taking
into consideration the ~~area~~ necessity
that exist for said road we recommend
that it be established as a County Road

Thomas R. Adair
Elias Kopton
R. Triggell Thomas } surveyors

To The Honorable County Court of Union
County State of Oregon

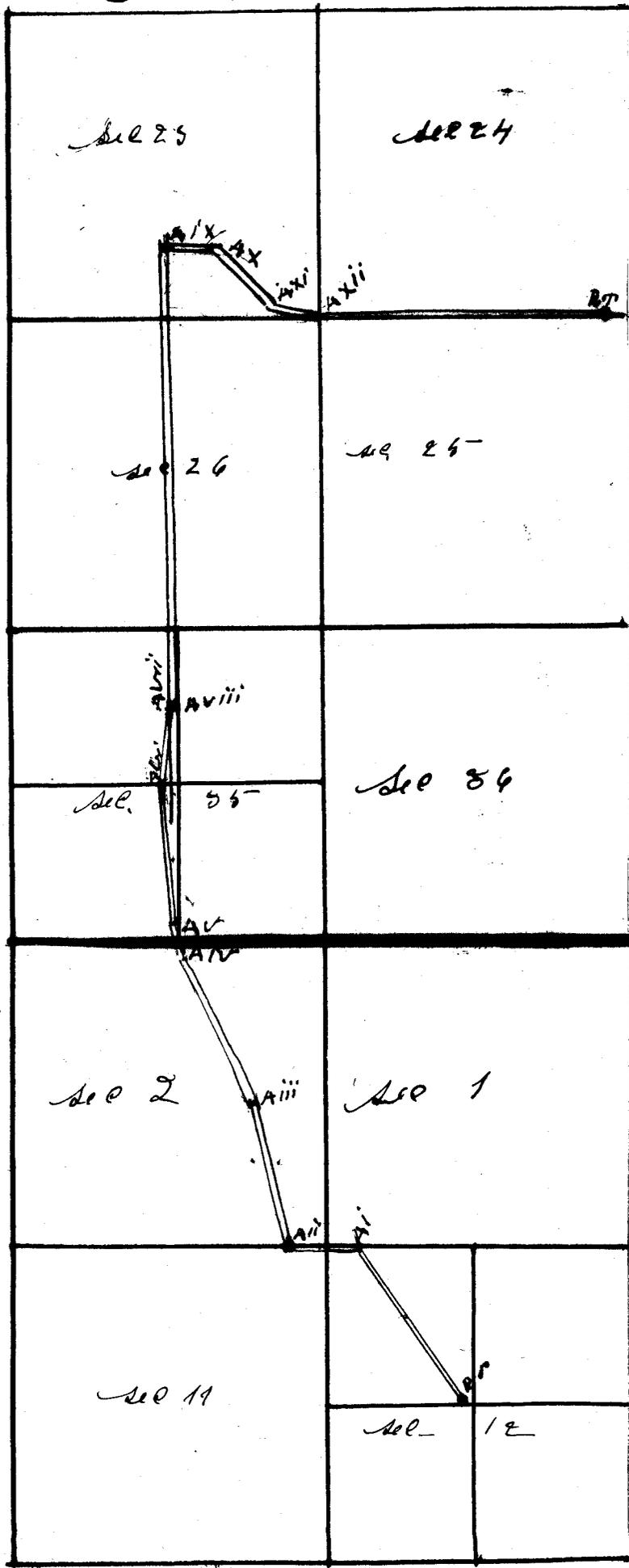
We the undersigned jurors appointed by your
body, to view a proposed County Road petition
for by H. W. Oliver and others

commencing at a point on the north line of
the S W $\frac{1}{4}$ of sec. 12 Township one south
of Range 38 East of the Will-Mer - where the
old traveled Road running North from
Summerville crosses said line near the resi-
dence of a Shaw. Thence North and west to a
point near the center of sec 35 Township
one North of Range 38 East of the Will-Mer -
thence North and east to intersect the Woodlawn
Road. Submit the following report to you.

We met on the 24th day of May 1887 as mentioned
in your order, and after first being duly
sworn in presence with Moses Austin as
surveyor. Asa Brown and Arannah Austin
as Chainmen. Proceeded to view survey
and lay out said proposed County Road
as shown by surveyor's plot and report
here with annexed. We found the Road
to lay on very good ground and taking
into consideration the ~~area~~ necessity
that exist for said road we recommend
that it be established as a County Road

Thomas W. Adk
Elias Kopton } Jurors
R. Triggell & Thomas

G. 1. N. R. 58. 6



Base L.

G. 1. N. R. 58. 6

Surveyors Report to viewers for a Road
 Retention for by H W Alver and others
 commencing at a pond on the north line
 of the SW 1/4 of sec 12 Township 1 south of
 Range 58 east of the Will-Mer - as follows -

Thence	N.	35°	W.	48.40	Chains to A. P i
"	W.			13.80	" " " ii
"	N.	24°	W	41.86	" " " iii
"	"	58° 30'	"	45.54	" " " iv
"	"	12°	"	9.50	" " " v
"	"	5°	"	40.	" " " vi
"	"	5°	E	20.60	" " " vii
"	E			2.25	" " " viii
"	N.			120.50	" " " ix
"	E			19.	" " " x
"	S.	58° 15'	E	28.	" " " xi
"	"	81°	E	9.15	" " " xii

at the Cor. to sections 28, 24, 25, + 26.
 Township 1 north of Range 58 east of the
 Will-Mer -

" E 77.70 Chains to R. T Pond

at the intersection of the Woodward Road
 whose distance 5 miles + 69.60 Ch. mag. or 20° E

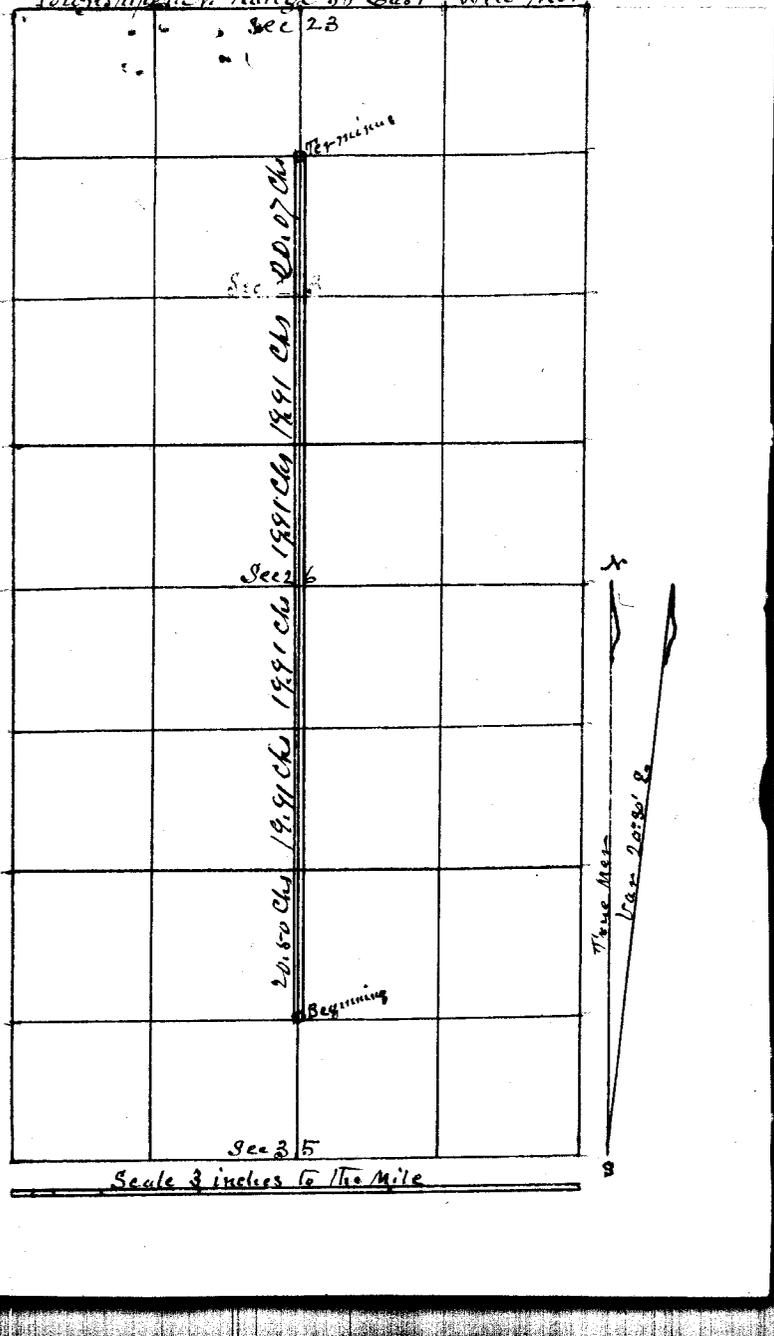
I do hereby certify that the above Field Notes
 and Plot are correct as surveyed
 by me on the 21st day of May 1887

Moses Austin
 C. D. Surveyor

Filed June 18-1887
Cust. Meill, clerk
Ray. Oliver Deputy

William, Report of Towns
Read first trial and
proceed for second reading
on June 27th day of
the present term.
July 6, 11 1887.
The initial report read
in open court - some
time and no remembrance
of bids for dumps filed
against the same the
within 30 days is declared
a public nuisance
July 5th 1887

Township 41 N Range 38 East Will-Mer



To the Hon County Court and Viewers in the matter of
a resurvey of a Portion of County Road No 280
The following is submitted to wit

This Survey was made May 27th 1893 as follows to wit
Commencing at the SE corner of the NE^{1/4} of the NW^{1/4}
of Sec 35 in T. 1, N. Range 38 East and from thence
running N Var 18° 30'

20 50 Intersected the $\frac{1}{4}$ Sec corner between Secs 26 & 35 as
reestablished by J W Kimball and also in accordance
with the Field Notes of the Government Survey

Thence N on Random line

20 00 Set Temporary $\frac{1}{8}$ Stake

40 00 " " Centre of Sec

60 00 " " $\frac{1}{8}$ Corner

79 62 Intersected $\frac{1}{4}$ Sec corner between Secs 23 & 26 4th Rth
East of the corner

From thence South on true

line S. 0° 2' East

89 91 Set $\frac{1}{8}$ corner for centre of Road

39 82 " corner for centre of Sec and centre of Road

59 72 " $\frac{1}{8}$ corner for centre of Road

79 62 Intersected $\frac{1}{4}$ Sec corner

From the $\frac{1}{4}$ Sec corner between Sec 23 & 26 N

20 07 Intersected the $\frac{1}{16}$ corner as already established

50 To the Terminus of the Road Thence N

Marked by a Stake as for instructions and
also on the Rock buried for the $\frac{1}{16}$ corner

Whole Distance One and one half miles +

J L Curtis
County Surveyor

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 3rd day of May, 1893, appointed to ~~view~~ ^{review} and lay out and alter ~~the proposed~~ ^{the} county road, of which the survey hereto attached is a true and correct description, as ~~mentioned~~ ^{mentioned} for by ~~the~~ ^{the} ~~order~~ ^{order} of the court.

~~That~~ ^{we} beg leave to report that on the 27th day of May, 1893, in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to ~~view~~ ^{review} said ~~proposed~~ ^{road} for the whole distance thereof, and that in our opinion said ~~proposed~~ ^{road} should be laid out ~~and~~ ^{and} established as a public highway of Union County, Oregon; that the same ~~is~~ ^{is} practicable and would add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be

laid out ~~and~~ ^{and} declared a public highway of said county. in accordance with the survey and Plat thereof as made at this date

Jacob Gray
C. A. Myers
James H. Biggs
VIEWERS.

WHEREAS, The line of County Road No. 280, between angles No. 8 and No 9, thereof, the same being on the line extending north and south from the S.E. cor, of the N.E. 1/4, of the N.W. 1/4 of section 35, in Twp. I north of Range 30 east to the N.E. Cor of the S.E. 1/4 of the S.W. 1/4 of Sec 23, in said Twp. has become uncertain and a matter of some dispute among the property owners along the line thereof; and, WHEREAS, it is necessary in order to have a good County road for the convenience of said property owners as well as the people generally in the neighborhood that the line of said road be established correctly, and that the same may be opened the full legal width of sixty feet, It is therefore hereby mutually understood and agreed between the undersigned, being all the owners of the lands along said County road, that in case the County Court of Union County, Oregon, will direct said road to be re-viewed and re-surveyed as provided by Section 4071, of Hill's Code, in Chapter LXXVI of Title I, thereof, that we will accept said survey as final and will respectively move our fences back full thirty feet from said line as so established.

Witness our hands hereto attached this May 4", A.D. 1893.

H. H. Williamson
J. W. Pentecost

~~F. G. Johnson~~

A. J. Johnson

H. W. Oliver

James Oliver

Williamson

Pentecost

A. J. Johnson

Francis Johnson

H. W. Oliver

James Oliver

IN THE COUNTY COURT OF THE STATE OF OREGON FOR UNION, COUNTY

In the Matter of Re-viewing and Re-surveying, the Road petitioned for by H.W.Oliver et.al. and which is known and platted as Road No.280 for the purpose of restoring monuments and ~~est~~ establishing the line of the road:

Comes now John Bailey, Road Supervisor of Road District No.13, and represents to the Court that the line of Road No.280, from the S.E. Corner of the N.E. quarter, of the N.W. quarter of Section 35, in Twp.1.North of Range 38 E.W.M. and extending thence North, to the N.E. Cor. of the S.E. quarter of the S.W. quarter of Section 23 in said Twp. the same being that portion of County Road No.280, lying between angles No.8 and No.9 thereof has become uncertain by reason of the fact that the angle post^s and monuments thereon cannot be found and the line is in dispute between the property owners along the line thereof, and therefore moves the Court to appoint three disinterested householders of the County to re-view said County Road and cause the same to be correctly surveyed and monuments established as by law provided under the direction of the County Surveyor of Union County, Oregon.

J. A. Bailey

San County Court
of Union County
Oregon

In Matter of Road
No 280

Motion for Return

FILLED.

MAY 3, 1893

James Owen
County Clerk

STATE OF OREGON,

County of Union

88.

I, J. R. Oliver being first

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

One on J. C. Bonnett's Blacksmith shop in Summerville Or; one on a tree near Oliver's mill and one at the terminus of the road near John Higgs and a fourth on the Court House floor Union Or.

All of which are conspicuous and Public places and in the vicinity of the said proposed County Road
~~and one at the Court House door, in~~ 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.

J. R. Oliver

Subscribed and sworn to before me, this 6 day of May A. D. 1887

W. M. McDowell

Notary Public for Oregon

1857
May 27th 1857

A. S. Mill, Esq.
Capt. Oliver, 8th Regt

Notice is hereby given to all whom it
 may concern, That the undersigned House
 holder in the County of ~~Clatsop~~ ^{Wasco} and State of
 Oregon and Residents in the vicinity of the
 proposed County Road hereinafter described
 will present to the Honorable County Court
 of Wasco County at the next Regular Term
 of said Court, to be held at the March Term
 to be held in the Court House in the City
 of ~~Amor~~ ^{Amor}, beginning March 7th 1887 a petition
 praying said County Court to cause to be
 surveyed laid out and established according
 to law a County Road in the County and State
 aforesaid and described as follows, to-wit:
 Commencing at a point on the North line of the
 South West 1/4 of Section 12 T. 1 N. R. 38 E. W. M. where the old travelled road running
 North from Summerville crosses said line,
 near the residence of A. Shaw, and running
 thence a little West of North along the old
 travelled road to near the Residence of Dr. W. E.
 Rinehart, thence West about 1/2 of a mile and
 then West of Northwesterly along the line of said
 old travelled road to a point 18 rods West
 of the center of Section 33 T. 1 N. R. 38 E. W. M.
 all of which distance is along the line of the
 said old travelled road. Thence a little East
 of North on the old road about 80 rods more
 or less to the South side of the NE 1/4 of
 Sec. 33 Thence East to the SE Corner of said NE 1/4
 of Sec. 33, T. 1 N. R. 38 E. W. M. Thence North
 and thence ^{and two rods per} 1 1/2 miles, Thence East 80 rods
 more or less as the grade of the roads may
 require Thence Angling South Easterly and
 then Easterly to intersect what is known
 as the "Wardwood Road" all of which
 points and places are in the County of
 Wasco and State of Oregon

Dated this 23rd day of ~~January~~ ^{March} A.D. 1887
 Notice Posted this ~~Day~~ ^{Day} of ~~January~~ ^{March} A.D. 1887
 Names Names
 H. W. Oliver Byron Niederer

Notice Posted this Day of March AD 1887

Names

Names

H W Oliver

Corydon Anderson

A J Shuster

R J Childes

N W Bailey

A J Patton

John Young

C O Keeler

W R Sheppes

J P Weisberg

C O Duvell

J M Brubaker

R A Pea

G A Froch

A S Wally

W H Patton

G Wally

E W. Spoke

S R M. Kenzie

M. M. Mallock

Daniel Gerhard by the

Mrs. M. C. P. O.

A. M. M. M.

J. S. S. S.

B. D. S. S.

Chas. Patton

Roderick H. H.

J. M. S. S.

Wm. E. R. S.

Posted March 26th 87

By T. Oliver

Filed MAY 10 1887

at o'clock min m

April

County Clerk

By, [Signature]

[Signature]

First Judicial Day

Wednesday May 11th 1887

of the Court from proof filed herein that due and legal notice of the pendency of this proceeding has been given as by law provided; that more than twelve of said petitioners are legal householders and living in the vicinity of the said proposed road, and that a good and sufficient undertaking has been filed herein as required by law. It is therefore considered and ordered by the Court that Isaac McMullen, Joel Hood and J. H. Chandler be appointed viewers and H. W. Cook surveyor to view, survey and report on the said proposed road and that they meet at the house of J. N. Pancake on May 23rd 1887 at 10 o'clock A.M. and duly qualify before they enter upon the discharge of their duties in this behalf.

In the Matter of the }
 Road petitioned for }
 by H. W. Oliver et al }

Comes now H. W. Oliver who presents to the Court the petition of himself and 27 others praying that a County Road be laid out and established as follows to-wit: Commencing at a point on the North line of the S.W.⁴ of Sec 12 T1 S. R 38 E. N. M. where the old travelled road running North from Summerville crosses said line, near the residence of A. Shaw and running thence a little West of North along the old travelled road to near the Residence of Dr. W. E. Rinehart thence West about $\frac{1}{4}$ of a mile and then North of North West along the line of said old travelled road to a point 18 rods West of the center of Sec 35 T1 N R 38 E. N. M. all of which distance is along the line of the said old travelled road. Thence a little East of North on the old road about 85 rods more or less to the South side of the N.E.⁴ of NW.⁴ of Sec 35, Thence East to the N.E. corner of said N.E.⁴ of NW.⁴ of Sec 35 T1 N R 38 E. N. M. Thence North on this line $\frac{1}{2}$ mile and 2 rods thence East 80 rods more or less as the good of the road may require. Thence angling South Easterly and then Easterly to intersect the "Woodward Road" all of which points are in Union County Oregon. And it appearing to the satisfaction of the Court from proof filed herein that due notice has been given of the pendency of this proceeding, as provided by law. That more than twelve of said petitioners are legal householders and living in the vicinity of the said proposed road

First Judicial Day

Wednesday May 11th 1887

and that a good and sufficient undertaking has been filed herein, It is therefore considered and ordered that Thomas Wade Robert Brazell and Elias Kuhn be appointed viewers and Moses Austin surveyor to view survey and report on the said proposed road and that they meet at Summerville on Saturday May 21st at 9 o'clock A.M. and duly qualify before they enter upon the discharge of their duties in this behalf.

Thompson Court adjourned till tomorrow morning at 9 o'clock

First Judicial Day

Wednesday July 6th 1887

also appearing to the court that Jacob Collins is a suitable and proper person for such officer it is therefore now ordered and adjudged by the Court that he be and he is hereby appointed Justice of the Peace for Summerville Precinct to serve until his successor is duly elected and qualified and that he file a bond with the County Clerk of Union County in the sum of One Thousand Dollars, Conditioned on the faithful discharge of his duties as such officer.

In the Matter of Road
Petitioned for by A. W. Oliver
and others

This matter came on to be heard upon the reports of the viewers and Surveyor heretofore appointed by the Court and the said reports having been read in open Court for the first time are laid over for further consideration on another day of this Term

In the Matter of Road
Petitioned for by E
Stelman and others

At this time is presented to the Court the reports of Viewers and Surveyor on the proposed County Road petitioned for by E Stelman et al, and said reports having been read in open Court for the first time are laid over for further consideration on some other day of this Term.

In the Matter of Road
Petitioned for by J. Hoop
man and others

At this time is presented to the Court the petition of J. Hoopman and others praying that a County road be laid out and established as follows to-wit: Commencing at a point on the present County Road where the same crosses the half section line of Sec 23 in Township 8 South of Range 46 E. W. M. running thence as nearly as practicable due North on the half section line through Sections 14 and 11 Township 8 S. R 46 E. W. M. bearing some 300 or 400 yards to the right to pass district School house at or near the center of the N. E. 4 Sec 11 Township 8 S. R 46 E. W. M. thence North West through Sec 2 3 8 8. and

Second Judicial Day

Thursday July 7th 1887

In the Matter of the Proposed
County Road - Petitioned for
by H. N. Oliver et al.

This matter coming on to be heard on the reports of Viewers and Surveyors heretofore appointed, for a second reading and it appearing to the Court that these reports are favorable, and having been read in open court on two different days of this term as required by law, and no remonstrance or bill for damages having been filed, and it further appearing that the proceedings herein had been in all things regular and according to law, It is therefore considered and adjudged that said reports be accepted and allowed and approved and placed on record and the proposed road be declared a public highway and opened according to law.

Viewers Report

To the Honorable County Court of Union County, State of Oregon:-
We the undersigned Viewers appointed by your body to view a proposed County Road petitioned for by H. N. Oliver and others Commencing at a point on the North line of the S.W. 1/4 of Sec 12 Township one South, of Range 38 East of the Will-Mer where the old travelled road running North from Summerville crosses said line near the residence of A. Shaw, thence North and West to a point near the center of Sec 35 Township one North of Range 38 East of the Will Mer thence North and East to intersect the Woodward Road, submit the following report, to-wit: We met on the 2nd day of May 1887 as mentioned in your order and after first being duly sworn, in presence with Moses Austin as Surveyor, Asa Brown and Arannah Austin as chairmen proceeded to view, survey and lay out said proposed County Road as shown by Surveyors Plat and Report herewith annexed. We found the Road to lay on very good ground and taking into consideration the necessity that exists for said road we recommend that it be established as a County Road.

Thomas Wade }
Elihu Kuhn } Viewers
R. H. Spriggell }

Surveyors Report

To viewers for a Road petitioned for by H. N. Oliver and others, Commencing at a point on the North line of the S.W. 1/4 of Sec 12 T¹ S of Range 38 East of the Will Mer as follows: (where the old travelled road running North from the town of Summerville crosses said line)

Second Judicial Day

Thursday July 7th 1887

Thence N 33° W 48.40 chains to A. P. I
 " " " 13.30 " " " " II
 " N 24° W 41.86 " " " " III
 " " 33° 30' " 45.34 " " " " IV
 " " 12° " 9.50 " " " " V
 " " 5° " 40. " " " " VI
 " " 5° E 20.60 " " " " VII
 " E 2.25 " " " " VIII
 " N 120.50 " " " " IX
 " E 18. " " " " X
 " S 33° 15' E 23. " " " " XI
 " " 81° E 9.15 " " " " XII at the corner to

Sections 23-24-25 & 26 Township 1 North of Range 38 East of the Hill. Mer. Thence E 77.70 chains to R. 2 Past at the intersection of the Woodward Road. Whole distance 5 miles and 69.60 ch. mag. v 20° E.

I do hereby certify that the above Field Notes and plat are correct as surveyed by me on the 21st day of May 1887

Moses Austin

County Surveyor

