

No 35 L

Circuit Court

John Blize

^{vs}
J W and J P Childers

1896 Cal up from
Jul 1st

No 346

Road
petitioned for by

○ A R Stalker et al ○

Comm 300 ft S of Quar Sec Corner
between Secs 10 & 15 T8 S R 46 E N 20

Ends at 2 mile post on Road
petitioned for by J A Denney et al
on Sec 29 T8 S R 46 E N 20

Jan 9/90 Viewers Survey on apt
Jul D p 743

Mar 1/90 Reports 1st reading
Jul D p 803

Mar 6/90 Ordered opened
Jul D p 817

PETITION FOR COUNTY ROAD.

To the Honorable County Court for Union County, Oregon:

The undersigned, householders for Union County, Oregon, residing in the vicinity where the hereinafter described road is proposed to be, respectfully petition your honorable body to lay out, alter and establish a County road within said County on the following line or route, to-wit: 50 feet wide, beginning about 300 feet south of the 1/4 Sec. Cor. between Sec. 10 & 15, in township 8, S.R. 46, E.W.M. thence running west as near as practical on Sec. line about one and three-fourths miles and terminating about 1200 feet east of the 1/4 Sec. Cor. between Sec. 8 & 17, Township 8, S R. 46, E . W. M. Also a county road 50 feet wide begining about 270 ft south of the N.E. Cor. of the N.W.1/4 of the N.E.1/4 Sec . 17, in Township 8, S.R. 46, E.W.M. thence running south to a point about 165 ft. north of the center of the S.E.1/4 Sec. 17, thence in a southwesterly direction to the center of the foot hill road, thence in a southwesterly direction to a stake at a point about 900 feet, south and 100 ft. west of the N.W. Cor. of Sec. 20, thence south as near as practicable along the 1/4 sec. line and keeping just west of Lairds Springs, thence on the most practicable route and terminating at the 2 mile post on County Road of J. A. Denny, and others, in Sec. 29, Township 8, S.R. 46, E.W.M. all the above points and places being in Union County, Oregon and in duty bound your petitioners will ever pray, etc.

Names .

A. R. Stalker,
L. Zolph,
R. H. Boyles,
John Clark,
Frank King,
T. R. Irwin,
E. Leep,
C. Hmphrey,

Names .

K. A. Leep/
T. Leep,
George Roxroth,
L. H. White,
Cyrile Bassette,
Geo. O'Conner,
M. A. Scott,
A. P. Greener,

John A. Thaysen,
Anson N. Curry,
Louis Melhorn,
Henry Smith,
J. V. Leep,
John S. Cairry,
C. Steelman,
I. N. Pancake,
Selby Leep,
E. Mills,
O. Gaylord,
Henry W. Oliver,
F. A. Dawson,
W. W. Stalker,
Ben Masche,
Geo. H. Oliver,
Thos. Buchanan,
M. M. Humble,
Jeel Hewitt,
G. A. Rosenberg,
~~Co. Steele,~~
C. B. Leep/
Wm. Bloom,
James Morrison,
Louis Flory,
F. A. Denny,
P. F. Fester,

J. W. Pyle,
E. C. Brecks,
Fritz Ceepman,
C. W. Haynie,
J. H. Tubesing,
James Lee,
M. Updike,
Geo. Stelle,
R. S. Mills,
James Westerdale,
J. A. Denny,
Rebecca A. Lloyd,
R. T. Langrell,
Edwin Mills,
Henry Foster,
Chas. Oliver,
Henry K. Oliver,
F. M. Stewart,
Isaac Hewitt,
L. Lloyd,
L. Lang,
T. N. Profitt,
Fred Dawson,
John Morrison,
R. P. Hinckley,
J. M. Drake,
Joseph Bessette,

Endorsed:- Filed Dec. 2nd, 1889,

A. T. Neill, Clerk,
By Turner Oliver, deputy.

NOTICE OF ROAD PETITION.

To all persons concerned:- You, and each and all of you, will take notice that the undersigned, householders for Union County, Oregon, residing in the vicinity where the hereinafter described road is proposed to be, will at the next session of the County Court for Union County, Oregon, to-wit: On Wednesday, the 1st day of January A. D. 1890, respectfully present to said Court a petition praying said Court to lay out, alter and establish a County road within said County on the following line or route to-wit:

50 ft. Wide, beginning about 300 ft. south of the 1/4 Sec. Cor. Between Sec. 10 & 15, in Township 8, S.R. 46, E.W.M. thence running west as near as practicable on Sec. line about one and three fourths miles and terminating about 1200 ft. East of the 1/4 Sec. Cor. between Sec. 8 & 17 Township 8, S.R. 46, E.W.M. also a County Road 50 ft. wide, beginning about 270 ft. South of the N.E. Cor. of the N.W. 1/4 of the N.E. 1/4 Sec. 17, in Township 8, S.R. 46, E.W.M. thence running south to a point about 160 ft. north of the center of the S.E. 1/4 Sec. 17, thence in a southwesterly direction to the center of the foot hill road, thence in a south westerly direction to a stake at a point about 300 ft. South and 100 ft. west of the N.W. Cor. Sec. 20, thence south as near as practicable along the 1/4 Sec. line and keeping just west of Lairds Spring. Thence on the most practicable route and terminating at the 2 mile post on County Road of J. A. Denny and others, in Sec. 29, Township 8, S.R. 46, E. W. M. all the above points and places being in Union County, Oregon.

Names.

A. R. Stalker,
L. Zelp,
R. H. Boyles,
John Clark,
Frank King,
T. R. Irwin,

Names.

K. A. Leep,
T. Leep,
George Rexroth,
L. H. White,
Cyrille Bassette,
Geo. O'Conner,

E. Leep,
C. Humphrey,
J. W. Pyle,
Anson M. Curry,
Louis Melhern,
Henry Schmidt,
J. A. Leep,
James Bee Cairry,
C. Steeleman,
I. N. Pancake,
Selby Leep,
E. Mills,
O. Gaylord,
Henry H. Oliver,
F. A. Dawson,
W. W. Stalker,
Ben Masche,
Geo. H. Oliver,
Thos Buchanan,
M. M. Humble,
Joel Hewitt,
T. A. Rosenberg,
L. Lang,
T. N. Proffitt,
Fred Dawson,
John Morrison,
R. S. Hinckely,
J. M. Drake,
Joseph Bassette,

M. A. Scott,
A. P. Greener,
John H. Thaysen,
C. C. Brooks,
Fritz Keepman,
C. W. Haynie,
J. H. Tubasing,
John S. Cairry,
M. Updike,
Geo. Steele,
R. S. Mills,
James Westerdale,
J. A. Denny,
Rebecca Lloyd,
R. T. Langrell,
Edwin Mills,
Henry Foster,
chas. Oliver,
Henry K. Oliver,
F. M. Stewart,
Isaac Hewitt,
L. Lloyd,
C. B. Leep,
Wm. Bloom,
James Morrisson,
Lewis Flory,
F. A. Denny,
P. N. Foster,

Posted Dec. 2nd, 1889, T. Oliver.

(No filing.)

State of Oregon,)
(ss.
County of Union,)

I, Thos. Leep, being First duly sworn, say that

I posted three several notices of which the notice hereto attached is a true and correct copy in three public places in said County in the vicinity of the proposed road therein described, to-wit:

One at a point about 300 ft. south of 1/4 Sec. cor. Between Sec. 10 & 15, in T. 8, S.R. 46, E.W.M. and one at a point about 1200 ft. East of the 1/4 Sec. cor. between Sec. 8 & 17, T. 8, S S/R. 46, E.W.M. and one on the two mile post of county road of J. A. Denny & others, in Sec. 29, T. 8. S.R. 46, E.W.M. thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 29th day of November, 1889, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 1st day of December, 1889, I posted a true and correct copy of said notice at the place of holding Court for Union County, Oregon, to-wit: On the front of the Court house door, in the Town of Union, in said County, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

Thos Leep.

Subscribed and sworn to before me this 28th day of December, A.D.1889,

M. A. Scott, J.P.

Endorsed:- Filed Jan. 6th, 1890.

A. T. Neill, Clerk,

By Turner Oliver, deputy.

Know all men by these presents, that we, A. R. Stalker, and Louis Zoph, of the County of Union and State of Oregon, are held and firmly bound unto the said County of Union in the sum of Two 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 28th day of December, A.D. 1889.

Now the condition of the above obligation is such, that, whereas, if the county road petitioned for by A. R. Stalker and others, and presented at the janurary Term, 1890, of the County Court of said yunion County, commencing at a point about 300 ft. south of the 1/4 Sec. cor. Between Sec. 10 & 15 in T. 8, S.R. 46, E. W. M. thence running west as near as practical on Sec. line one and three fourths miles and terminating about 1200 ft. east of the one fourthsec. line Cor. Between Sec. 8 & 17 T. 8, S.R. 46, E. W. M. Also commencing about 270 ft. south of the N.E. Cor. of the N.W.1/4 of the N.E.1/4 of Sec. 17, in T. 8, S.R. 46, E.W.M. thence south to a point about 165 ft. north of the center of the S.E.1/4 Sec. 17, thence in a southwesterly direction to a point about 900 ft. South and 100 ft. west of N.W. Cor. of Sec. 20, thence on most practical route to and terminating at 2 mile post in Sec. 29, T. 8, S§R. 46, E.W.M. be located and established, then this obligation to be void, otherwise to remain in full force and virtue in law.

A. R. Stalker,

L. Zoph,

State of Oregon,)
) (ss.
County of aUnion)

I, A. R. Stalker and L. Zoph, each for himself says that I am worth the sum of Two (200.00) 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.

A. R. Stalker,

L. Zeph,

Subscribed and sworn to before me this 28th day of December, A.D/1889,

M. A. Scott, Justice of the Peace.

Endorsed:- Bend of Road Petitioners.

Filed Jany 6th, 1890.

A. T. Neill,

County Clerk,

By Turner Oliver, Deputy.

BE IT REMEMBERED That at a regular Term of the County Court of the State of Oregon, for Union County, begun and held at the Court House in the City of Union, on Wednesday the 8th day of January, 1889, the same being the Wednesday after the first Monday in said month and the time fixed by law for holding a regular term of this Court, when were present:-

- The Hon. O. P. Goodall, County Judge,
- The Hon. John McDonald, Commissioner,
- The Hon. G. W. Benneheff, Commissioner.
- A. T. Neill, Clerk,
- A. N. Hamilton, Sheriff.

When on Thursady the 9th day of January, A. D. 1890, or the Second judicial day of said term, among other proceedings the following was had, to-wit:

In the matter of the proposed County Road)
petitioned for by A. R. Stalker, et al.)
-----)

Comes now A. R. Stalker, one of the petitioners for the above named proposed County road, and presents to the Court the petition of himself and others praying for the location and establishment of a County Road described as follows, to-wit: 50 Feet wide, beginning about 300 feet south of the quarter section corner between Secs. 10 and 15, in Tp. 8, S.R. 46, E. W. M. thence running west as near as practicable on sec. line about one and three fourth miles and terminating about 1200 feet east of the quarter Sec. cor. between Secs 8 & 17, Township 8, S. R. 46, E. W. M. Also a County road 50 feet wide, beginning about 270 ft. South of the N.E. Cor. of the N.W.4 of N.E. 4 Sec. 17, T. 8, S.R. 46, E. W. M. thence south to a point a bout 165 ft. north of the center of the S.E.4 of Sec. 17, thence in a southwesterly direction to the center of the foot hill road, thence in a southwesterly direction to a stake at a point about 900 feet south and 100 feet west of the N.W. Cor. of Sec. 20, thence south as near as practicable ^{along} the quarter Section line and keeping

just west of Laird's Spring, thence on the most practicable route and terminating at the 2 Mile Post on County Road petitioned for by J. A. Denny and others in Sec. 29, T. 8, S.R. 46, E. W. M.

And it appearing to the Court that said petition is signed by more than twelve householders of this County residing in the vicinity of said proposed road, and that said petition properly specifies the place of beginning, intermediate points and place of termination of said road, and it satisfactorily appearing to the Court that notice has been given by advertisement posted at the place of holding County Court, to-wit: At Union, County of Union, State of Oregon, and also in three public places in the vicinity of said proposed road, to-wit: One at a point about 300 feet south of the quarter Section cor. between Secs. 10 & 15, T. 8, S.R. 46, E. W. M. one at a point about 1200 feet east of the Quarter Sec. Cor. between Secs. 8 & 17, T. 8, S.R. 46, E. W. M. and one on the 2 Mile Post of County Road petitioned for by J. A. Denny et al. for more than thirty days immediately prior to the presentation of said petition to this Court, notifying all persons concerned that application would be made to this Court at the present session of this Court, and that the notices so posted were in due form and duly signed by the petitioners and that a bond for the cost of this proceedings has been duly given. It is therefore ordered that L. L. Helcomb, Degan Saunders, and I. N. Young be appointed viewers of said road and that J. W. Kimbrell be appointed surveyor of said road, and that they meet at the beginning of said proposed road on the 25th day of January, 1890, at the hour of 10 o'clock, A. M. and after qualifying to view, survey and lay out said road according to law.

(Signed). O. P. Goodall,

County Judge,

The foregoing order is entered in Comr's Jul.

'D' at page 743 thereof.

REPORT OF VIEWERS.

To the Honorable County Court for Union County, Oregon:

The undersigned, viewers, heretofore on the 8th day of Jan. 1890, appointed to view and lay out the proposed County road, of which the survey hereto attached is a true and correct description, as petitioned for by A. R. Stalker, N.l, et al, beg leave to report that on the 8th day of Feb. 1890, in pursuance of said appointment and order, after being duly sworn, to faithfully and impartially discharge the duties of said appointment, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinion said proposed road should be laid out, and established as a public highway of Union County, Oregon. That the same is practicable and would add much to the convenience of the householders residing in the vicinity thereof, we therefore recommend that said proposed road be laid out and declared a public highway of said County.

L. L. Holcomb,

I. N. Young,

(No filing)

REPORT OF VIEWERS.

To the Honorable County Court for ^union County, Oregon:

The undersigned, viewers, heretofore on the 8th day of Jan. 1890, appointed to view and lay out the proposed County Road, of which the survey hereto attached is a true and correct description, as petitioned for by A. R. Stalker, No. 2, et al, beg leave to report, that on the 8 day of Feb. 1890, 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 out said proposed road for the whole distance thereof, and that in our opinion said proposed road should be laid out and established as a public highway of ^union County, Oregon: That the same is practicable, and would add much to the convenience of the householders, residing in the vicinity thereof, we therefore recommend that said proposed road be laaid out and declared a public highway of said County.

L. L. Holcomb,

I. N. Young, Viewers.

(no filing.)

FIELD NOTES OF SURVEY OF THE PROPOSED COUNTY

ROAD OF A. R. STALKER AND OTHERS? NO. 1.

I commenced by planting a stone 6 X 10 X 20 inches from which the 1/4 Sec. corner Bet. Sec. 10 & 15 in T. 8, S.R. 46, E.W.M.

bears S. 1-1/2° W. 485 lks. distant,
 thence N. 80° W. 72 rds, A. 1,
 " N. 74-1/4° W. 24 " A. 2,
 " West 112 " A. 3,
 " S. 52-1/2° W. 4 " A. 4,
 " N. 80° W. 11 " A. 5,
 " West, 97 " 1 mile a stone 8X16X20 in
 Marked 1 M.
 " West 72 " A. 6,
 " N. 63° W. 8 " A. 7,
 " S. 67-1/2° W. 11-1/2 A. 8,
 " West 157-1/2 A. stone 8X10X20 Inches,
 Marked R.T. and

situated 190 lks, west of the N.E. Corner of the N.W.1/4 of N.E.1/4 Sec. 17, in T. 8, S.R. 46, E.W.M.

M. Kimbrell,

Co Surveyor.

Endorsed:- Feb. 12, 1890.

A. T. Neill, Clerk,

By O. F. Bell, Deputy.

Field notes of the survey of the proposed County Road, of A.B. R.
Stalker & Others, No. 2,

I commenced by planting a stone 9 x 12 x 22 inches from which
the N.W. Corner of the N.E.1/4 N.E.1/4 Sec. 17, in T. 8, S.R. 46, e,
W. M. bears north 465 links distant, thence south 209-1/2 rods,
to a l,

Thence S.	28°	W.	33 rds,	A.	2,
"	S.	35°	W.	19 "	A. 3,
"	S.	7°	E.	36 "	A. 4,
"	S.	31-1/2°	W.	24 "	A. 5, a stone 8X10X20 inches Mkd. 1 M.
"	S.	29°	W.	24 "	A. 6,
"	S.	56°	W.	38 "	A. 7,
"	S.	81°	W.	15 "	A. 8,
"	S.	12-1/2°	W.	12 "	A. 9,
"	S.	50°	E.	9 "	A. 10,
"	S.	18°	W.	21 "	A. 11,
"	S.	33°	E.	14 "	A. 12,

(Paper is torn into and so badly worn, and also blotted by water,
until nothing of course and angle NO. 13, are decipherable.)

"	S.	1-1/2°	E.	68 "	A. 14,
"	S.	19-1/2°	E.	64 "	A. 15, a stone 20X20X22 Marked 2 M.
"	S.	35°	E.	24 "	A. 16,
"	S.	2°	E.	36 "	A. 17,
"	S.	14°	E.	30 "	A. 18,
"	S.	4°	W.	29 "	A post in mound of Stone marked R. T. and situated in the N.E.1/4 of Sec. 29, T. 8, S.R.46, E. W. M. and at the 2 Mile post of the CO/ Coad of J. A. Denny.

J. W. Kimbrell,

Co. Surveyor.

Endorsed; Filed Feb. 12, 1890. AY. Neill, By O.F. Bell, Deputy.

North

T 8 S R 46 E W. 2N.

Sec 8

Sec 9

Sec 10

West

East

Proposed Co Road of AR Stalker and others No 1

Sec 17

Sec 16

Sec 15

South

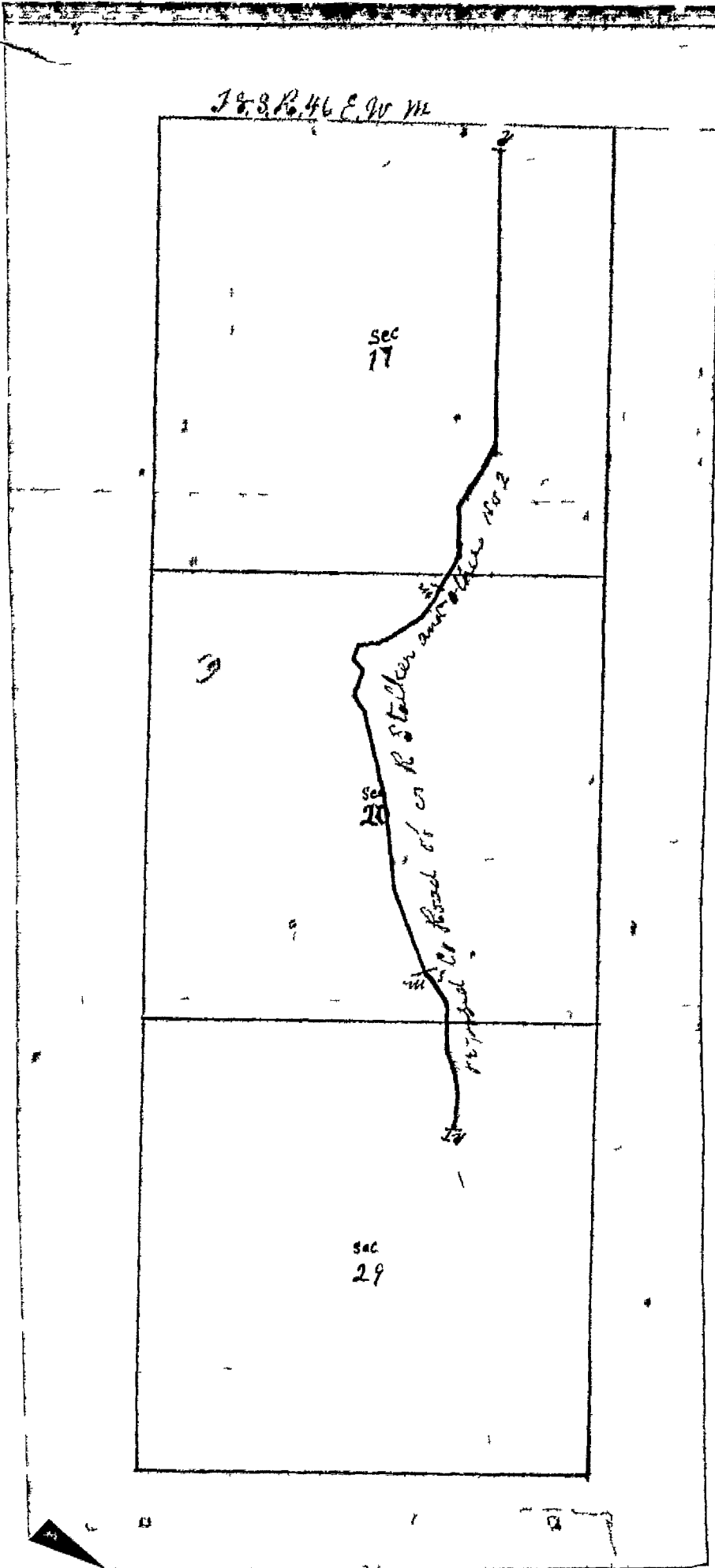
T 8 S. R. 46 E. W 12

sec
17

sec
20

sec
29

Proposed Co. Road of C. R. Stalker and others 1882



BE IT REMEMBERED That at a regular term of the County Court of the State of Oregon, for Union County, begun and held at the Court House in the City of Union, on Wednesday the 5th day of March, A. D. 1890, the same being the Wednesday after the first Monday in said month and the time fixed by law for holding a regular term of said Court, when were present -

The Hon O P Goodell, County Judge,
The Hon John McDonald, Commissioner,
The Hon G. W. Bernheoff, Commissioner,

When on Wednesday the 5th day of March, A. D. 1890, or the first judicial day of said term, among other proceedings the following was had, to-wit -

In the matter of the road petitioned for by A. R)
Stalker, et al)
-----)

This matter came on to be heard at this time on the reports of the viewers and surveyor heretofore filed herein, and said reports having been read in open Court for the first time are laid over for a second reading on some other day of this term

(Signed) O P Goodell,
County Judge,

The foregoing order is entered in
Court's Jul. 'D' at page 803 thereof

BE IT REMEMBERED That at a regular term of the County Court of the State of Oregon, for Union County, begun and held at the Court House in the City of Union, on Wednesday the 5th day of March, A. D. 1890, the same being the Wednesday after the first Monday in said month and the time fixed by law for holding a regular term of said Court, when were present:-

- The Hon. O. P. Goodall, County Judge,
- The Hon. John McDonald, Commissioner,
- The Hon. G. W. Bennehoff, Commissioner,

When on Thursday the 6th day of March, A. D. 1890, or the second judicial day of said ter, among other proceedings the following was had, to-wit:-

In the matter of the proposed County Road /)
petitioned for by A. R. Stalker, et al.)
-----)

This matter came on to be heard at this time on the reports of the viewers and surveyer heretofore appointed herein for a second reading as provided by law, and the report of viewers being in words following, to-wit:

REPORT OF VIEWERS.

To the Honorable County Court for Union County, Oregon:-

The undersigned viewers heretofore on the 8th day of January, 1890, appointed to view and lay out the proposed County road of which the survey hereto attached is as true and correct description as petitioned for by A. R. Stalker, et al, No. 1, beg leave to report that on the 8th day of February, 1890, 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 out said proposed road for the whole distance thereof, and that in our opinion said proposed road should be laid out and established as a public highway of Union County, Oregon. That the same is practicable and would add much to the convenience of the house holders residing in the vicinity thereof, we therefore

recommnd that said proposed road be laid out and declared a public highway of said County.

L. L. Holcomb,

I. N. Young,

REPORT OF VIEWERS No/2.

To The Honorable County Court for Union County, Oregon:-

The undersigned viewers heretofore on the 8th day of Jan. 1890, appointed to view and lay out and alter the proposed County Road of which the survey hereto attached is a true and correct description as petitioned for by A. R. Stalker, et al. No. 2, beg leave to report, that on the 8th day of Feby. 1890, 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 out said proposed road for the whole distance thereof, and that in our opinion said proposed road should be laid out and established as a public highway of Union County, Oregon. That the same is practicable and would add much to the convenience of the householders residing in the vicinity thereof, we therefore recommend that said proposed road be laid out and declared a public highway of said County.

L. L. Holcomb,

I. N. Young,

And said report of the viewers and the report of the surveyor having been now publicly read in open Court, on two several days of the present term of the Court, and it appearing to the Court that said viewers report favorably thereon, and recommend that said proposed road be established as a County Road and be declared a public highway of Union County, Oregon, and all the proceedings herein having been regular and according to law, and no remonstrance or claim for damages having been filed herein, and there having been no cause shown why this proposed road should not be declared a public highway and ordered opened according to law, and the Court being satisfied from the report of the viewers that such road will be of public utility, it is therefore considered and ordered by the Court

that said reports of the viewers and surveyor be approved and adopted by the Court, and that said proposed road be declared a public highway of Union Co. Oregon, and ordered opened up and placed in repair for travel according to law. It is further ordered that the report of the viewers be placed on record in this journal and that the surveyors plat of the proposed road and his field notes of the survey thereof be placed on record in the book of plats of County road of Union County, Oregon, and that ~~said~~ A. P. Greener, Road Supervisor of Road District No. 31, the same being the road district in which said road is located, be furnished with a copy of the petition herein, and a copy of this decree and ordered to open up said road and place the same in repair for travel.

(Signed) O. P. Goodall,
County Judge,

The foregoing order is entered in Comr's Jul.

'D' at page 807 thereof.

In the County Court of the State of Oregon,
For Union County.

In the matter of the *road*
petitioned for
.....
by A. R. Stalder
.....
vs.
.....

State of Oregon,)
County of Union,) ss.

I, G. W. Benson, County Clerk of Union
County, Oregon, do hereby certify that the foregoing is a true and
correct transcript of the original papers in the above entitled
matter, transferred to Baker County, Oregon, including a copy of
the orders of the Court in said matter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
the seal of the County Court, this 5th day of July, A. D. 1902.

G. W. Benson Clerk.

Butte

County Court

of the state of Oregon

for

Butte County

Butte master of

the road returned

to Jerry A. R. Atkinson

et al

Transcript of

papers transferred

to Butte County.

Given

Jules G. J. 5, 1902

Wm. B. Berman

DeLeon