

104 331 W.F.I.
JAN 11 1910
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FEBRUARY 11 1910
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No 43 Eq
in

Convent

Court

Nora Scott

Plaintiff

vs

6 J Scott

Defendant

Action for Divorce

Docket

Page

Baker & Baker

Attorney for Plaintiff

Attorney for Defendant

Record of the Case

Nov 1/90 Viewers Survey
app'd Jul D p 823
July 9/90 Viewers Rept
1st Reading
Jul 8 P 71-80
July 10/90 Ordered opened
Jul 6 p 71-80

No 348

WITNESSES.

Road
petitioned for by J B Dolbey et al
Commencing at center of NE 4
Sec 11 T 77 R 41 E N 7 M to the
Union and Circumfered road
near the Wagner Cabin

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

PETITION FOR COUNTY ROAD.

To the Honorable County Court for Union County, Oregon:

The undersigned, householders of 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:

Commencing in the center of the N.E. 1/4 Sec. 11, in T. 7, S. R. 41, E.W.M. thence east 1/2 mile, thence south 1/4 mile, thence in a southeasterly direction and east of Ridley Davis house, thence following in an easterly and southeasterly direction to or near the S.E. Corner of Sec. 12 in said township thence in an easterly direction on as gradual a grade as possible to a point northeast of the S.E. Corner Sec. 7, in T. 7, S.R. 42, E.W.M. thence northeasterly following the present travelled road as near as an easy grade will permit, to and intersecting the Union and Cornucopia County Road at or near what is known as the Wagner Cabin, west of the 19 mile post or tree, on the aforesaid Co. Road, and in duty bound your petitioners will ever pray, etc.

Names.

J. B. Delby,
J. W. Bowman,
T. B. Martin,
Jared Shaw
W. H. Goble,
Wright, A.
C. Barnes,
J. B. Harsin,
Nathaniel Parker,
W. D. Emely,
J. J. Turner,
Elaten Harris,
Justus Wright,

Names.

A. C. Bowman,
Wm. Wilson,
I. Goble,
Wm. Barnes,
S. A. Spears,
George E. Corpe,
Frank Eyse,
~~G. W. Foreman,~~
Fred Corpe,
W. D. Goodman,
J. W. Strickland,
G. Q. Harsin,
Frank Arenck,

Comp.

~~Wm. Rydberg~~ ✓

Wm. Meyers,

Wm. Favorite,

H. H. Briggs,

John Bowman,

J. L. Bowman

H. N. Meyer,

W. H. Poppy,

D. R. Fruit,

J. B. Sams,

No filing.)

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 5th day of March, 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:

Commencing in the center of the N.E. 1/4 Sec. 11, in T. 7, S. R. 41, East W. M. thence east 1/2 mile thence south 1/4 mile thence in a southeasterly direction and east of Ridley Davis' house thence following in an easterly and southeasterly direction to or near the S.E. Corner of Sec. 12, in said Township, thence in an easterly direction on as gradual a grade as possible to a point N. E. of the S.E. Corner of Sec. 7, in T. 7, S.R. 42, E.W.M. thence northeasterly following the present traveled road as near as an easy grade will permit to and intersecting the Union and Cornucopia County Road at or near what is known as the Wagner Cabin, west of the 19 mile post or tree on the aforesaid Co. Road,

Names.

J. B. Delby,
J. W. Bowman,
T. B. Martin,
Jared, Shaw,
W. K. Goble,
A. Wright,
C. Barnes,
J. B. Harsin,
Nathaniel Parker,
W. D. Emely,
J. J. Turner,
Clayton Harsin,

Names.

A. C. Bowman,
Wm. Wilson,
P. Goble,
Wm. Barnes,
S. A. Spears,
Geo. E. Corpe,
Frank Iyse,
G. L. Bowman,
Fred Corpe,
W. H. Goodman,
I. W. Strickland,
G. Q. Harsin,

J. Wright,
Wm. L. Myers,
Wm. Favorite,
W. H. Briggs,
John Bowman,

Frank Arenck,
H. A. Meyer,
W. H. Poppy,
D. R. Fruit,
J. B. Sams,

No Filing.)

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

I, J. B. Sams, being first duly sworn, say that I posted three several notices, of which the notice here to 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 the point of beginning, of the proposed road, on the side of Mr. Ayers new house, one on a fence post by the road side near the house of R. B. Davis, and the third at the terminus of the road on a tree by the roadside, all being by the side of the public road, thirty days previous to the presentation of the road petition therein mentioned, to-wit: On or about the 8th day of January, 1890, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

J. B. Sams,

Subscribed and sworn to before me this 5 day of March, 1890.

A. T. Neill, Co. Clerk,

By Turner Oliver, Deputy.

(No filing.)

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

I, Turner Oliver, being first duly sworn, say that on the 8th day of January, 1890, I posted a true and correct copy of the notice hereto attached at the place of holding Court for Union County, Oregon, to-wit: On the front of the Court house door, in the city of Union in said County and State, and that said notice remained posted thirty days previous to the presentation of said petition as I verily believe.

Turner Oliver,

Subscribed and sworn to before me this 5th day of March, 189.

A. T. Neill, Clerk,

By O. F. Bell, deputy.

(No filing.)

Knew all men by these presents, that I, J. B. Sams, of the County of Union and State of Oregon, am 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 I bind myself, my heirs and executors and administrators firmly by these presents.

Signed this 5th day of March, 1890.

Now, the condition of the above obligation is such that, whereas, if the County Road petitioned for by J. B. Delby and others and presented at the March term, 1890, of the County Court of said Union County, commencing at center of N.E. 1/4 Sec. 11, T. 7, S.R. 41, E.W.M. thence to intersect the Union and Cornucopia Road and more fully described in the petition and notice hereto attached by located and established, then this obligation to be void, otherwise to remain in full force and virtue in law.

J. B. Sams,

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

I, J. B. Sams, say 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.

J. B. Sams,

Subscribed and sworn to before me this 5th day of March, A.D. 1890

A. T. Neill, Co. Clerk,

By Turner Oliver, deputy.

Endorsed:- Bond of Road Petitioners,

J. B. Delby Petitioner.

Filed March 5th, 1890. A. T. Neill, County Clerk,

By Turner Oliver, deputy.

*Journal Entry
Dolby Road.*

BE IT REMEMBERED That at a regular term of the County Court of the State of Oregon, for the County of Union, 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 there were present:-

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

When on Friday the 7th day of March, A. D. 1890; or the Third 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 J. B. Dolby et al.)
 -----)

Comes now J. B. Dolby 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:

Commencing in the center of the N.E. 1/4 of Sec. 11, T. 7, S.R. 41, E. W. M. thence east 1/2 mile, thence south 1/4 mile, thence in a southerly direction and easy of Ridley Davis House thence following in an easterly and southeasterly direction to or near the S.E. Corner of sec. 12, in said township, thence in an easterly direction on as gradual a grade as possible to a point northeast of the S.E. Corner of sec. 7, in T. 7, S.R. 42, E. W. M. thence northeasterly following the present traveled road as near as an easy grade will permit, to and intersecting the Union and Cornucopia County Road at or near what is known as the Wagner Cabin west of the 19 mile post or tree on the aforesaid County Road.

And it appearing to the Court that more than twelve of said petitioners are 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

the place of beginning, intermediate points and place of termination of said proposed 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 the point of beginning of the proposed road, on the side of Mrs. Ayre's new house, one on a fence post by the road side, near the house of R. B. Davis, and the third at the terminus of the road on a tree by the road side, all being by the side of the public road, 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 term 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 proceeding has been duly given.

It is therefore ordered that P. H. Miles, Geo. W. Wright, and H. W. Lee, be appointed viewers of said road and J. W. Kimbrell be appointed surveyor of said road, and that they meet at the house of J. B. Sams, on March 21st, 1890, at 10 o'clock, A. M. and after qualifying to view, lay out and survey said road according to law.

(Signed) O. P. Goodall,

County Judge,

the foregoing order is entered in Court's Jul.

'D' at page 823 thereof.

REPORT OF VIEWERS.

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

The undersigned viewers heretofore on the 5 day of March, 1890, appointed to view and lay out and later the proposed County Road, of which the survey hereto attached is a true and correct description as petitioned for by J. B. Dolby, et al, beg leave to report that on the 21 day of March, 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.

HG W. Lee,

Geo. W. Wright,

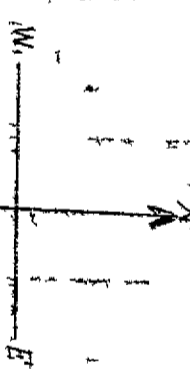
A. R. Miles, viewers/.

No filing.

75841 200m

8225 100

Scale 1:100 feet to the inch



See page 10

See page 10

See page 10

See page 10

See page 10

Field notes of the proposed County road of J. B. Delby and others.

I commenced in the center N.E. 1/4 Sec. 11, in T. 7, S.R. 41,
E.W.M. a stone 8X10X23 inches marked R.

Thence	East		160 rds,	A.	1,
"	South		80-1/2 "	A.	2,
"	East		30)1/2	A.	3,
"	S.	7°	22 "	A.	4,
"	S.	42-3/4°	E. 22 "	A.	5,
"	S.	63-1/4°	E. 5 "	A.	6,

a stone 9 x 11 X 22 inches marked 1 M.

"	S.	64-1/4°	E. 30 "	A.	7,
"	S.	1°	W. 8 "	A.	8,
"	S.	35-1/2°	W. 14 "	A.	9,
"	S.	4°	E. 10 "	A.	10,
"	S.	48-1/4°	E. 26 "	A.	11,
"	S.	1°	E. 20 "	A.	12,
"	S.	44°	E. 44 "	A.	13/
"	S.	70°	E. 36 "	A.	14,
"	S.	72°	E. 16 "	A.	15,
"	S.	87-1/2°	E. 16 "	A.	16,
"	N.	78°	E. 20 "	A.	17 ¹⁷ ,
"	N.	82°	E. 34-1/2	A.	18,

the N.E. Corner Sec. 13, T. 7, S.R. 41, E.

Thence N. 88-1/2° E. 45-1/2 Rds a stone 8x 8 x ²³~~22~~ inches
marked 2 M.

Thence N 88-1/2° E. 113 rds. A. 19,

The 1/4 Sec. Corner bet. Sec. 7 & 18, in T. 7, S.R. 42, East,

Thence	N.	60-1/2°	E. 20 Rds	A.	20,
"	S.	56°	E. 22 "	A.	21,
"	S.	53°	E. 35 "	A.	22,
"	S.	41 °	E. 29 "	A.	23,
"	S.	80°	E. 13, "	A.	24,
"	N.	34°	E. 27 "	A.	25,

" East 40 " A. 26,
 " N. 39-1/2° E. 14 " A. 27,
 " N. 8-1/4° E. 6 " a stone 10x12x20 in. ^{marked} Mkd. 3 m.
 " N. 8-1/4° E. 11 Rds A. 28,

1 rod N.E. of S.W. Corner Sec. 7, T. 7, S.R 42, E.

thence N. 6° W. 28 Rds A. 29,
 " N. 28° E. 32 " A. 30,
 " N. 76-3/4 ° E. 44 " A. 31,
 " N. 59-1/2° E. 128 " A. 32,
 " N. 81° E. 37 " A. 33,
 " N. 51-1/4° E. 31 " A stone 8 x 14 X 22 inches

in stone mound, marked 4 M.

Thence N. 51-1/4° E. 12 " A. 34,
 " N. 78° E. 16 " A. 35,
 " S. 47-1/2° E. 22 " A. 36,
 " S. 34° E. 34 " A. 37,
 " S. 22° E. 36 " A. 38,
 " N. 61° E. 37 " A. 39,
 " N. 44 ° E. 34 " A. 40,
 " N. 49-1/2° E. 38 " A. 41,
 " S. 74-1/2° E. 24 " A. 42,
 " S. 89° E. 28 " A. 43,
 " S. 42-1/2° E. 20 " A. 44,
 " N. 60° E. 20 " A. 45, a stone

6 x 11 x 25 inches marked 5 M.

thence N. 20-1/2° E. 36 Rds, A. 46,
 " N. 9-1/2° E. 36 " A. 47,
 " N. 34 1/2° E. 32 " A. 48,
 " N. 60° E. 28 " A. 49,
 " N. 34° E. 22 " A. 50,
 " N. 73° E. 10 " A. 51,
 " N. 76° E. 48 " A. 52,

"	N.	41°	E.	27 "	A.	53,
"	N.	60°	E.	16 "	A.	54,
"	S.	72-1/2°	E.	27 rds.	A.	55,
"	N.	89°	E.	12 "	A.	56,
"	N.	52a	E.	12 "R. T. a pine tree 20 inches		

diameter, marked R. T. on the union and Cornucepia CO. Road near the Wagner Cabin, and S. 80° E. 30 rds distant from the corner to Sec. 3, = 4 = 9 & 10, in T. S.R. 42, East W. M.

J. W. Kimbrell,
Co Surveyor.

Endorsed:- County road of J. B. Dolby,

Filed April 2nd, 1890/

A. T. Neill, Clerk,
By Turner Oliver, Deputy?

BE IT REMEMBERED That at a regular Term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of Union in said County and State on Wednesday the 9th day of July, A. D. 1890, and from day to day thereafter during the continuance of said term, when were present:-

The Hon. I. N. Sanders, Judge,
Hon John McDonald, Commissioner,
Hon. W. D. Arnold, Commissioner,
Turner Oliver, Clerk,
J. T. Bolles, Sheriff.

When on Wednesday the 9th day of July, A. D. 1890, or the First Judicial Day of said Term, among othe proceedings the followong was had, to-wit:

In the matter of the road)
petitioned for by J. B. Dolby, et al.)
- - - - -)

This matter came on to be heard at this time upon the first reading of the reports of viewers and surveyor and said reports having been publicly read in open Court for the first time are laid over for a further consideration on some other day of this term of the Court.

(Signed) I. N. Sanders,
County judge.

The foregoing order is entered in Comr's Jul.

'E' at page 71 thereof.

BE IT REMEMBERED THAT at a regular term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of Union in said County and State on Wednesday the 9th day of July, A. D. 1890, and from day to day thereafter during the continuance of said term, when were present:-

The Hon. I. N. Sanders, Judge,
Hon. John McDonald, Commissioner,
Hon. W. D. Arnold, Commissioner,
Turner Oliver, Clerk,
J. T. Bolles, Sheriff.

When on Thursday the 10th day of July, 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 J. B. Dolby, 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 5th day of March, 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 J. B. Dolby, et al. Beg leave to report that on the 21st. Day of March, 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.

H. W. Lee,
Geo. W. Wright,
P. H. Miles,

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 of 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 Roads of Union County, Oregon, and that W. T. Martin, Road Supervisor of Road District No. 22, and Warren Fraser, Supervisor of Road Dist. No. 23, and John A. Tucker, Supervisor of Road Dist. No. 26, the same being the road districts in which said road is located, be each 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.

Jul. 'E' page 80.

(Signed) I. N. Sanders, County
Judge,

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

In the matter of the road
petitioned for by
J. B. Dolly
et al.

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 TESTIMONY WHEREOF I have hereunto set my hand and affixed
the seal of the County Court, this 5th day of July, A. D. 19 08.

G. W. Benson Clerk.

In the
County Court of the
State of Oregon for
Wash County

In the matter of
the road petition
by J. B. Holly et al

1
Damon's of papers
transferred to Baker
County. Oregon

Filed July 5, 1902
J. M. Penning
Clerk