

No 35-L

in

Circuit Court

Geo. Stossepel

Plaintiff

vs
Elizabeth P. Clark
and J. P. Clark

Defendant

A. C. Williams

Attorney for Plaintiff

Attorney for Defendant

Petition filed March 9th 1908

Dismissed Inl F P 190

408

Petitioned for by
Samuel Morris et al

Beginning at SW Cor of E²
SW⁴ Sec 20 T 15 R 39 E
and terminating at NE
Cor SW⁴ Sec 20 T 15 R 39 E

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 9th day of ~~March~~

A. D. 1892, 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: To alter and ~~clear~~ the present County Road as follows - To lay out and establish a County road: from and commencing, at a point in the present County road, at the Southwest corner of the East half of the South West quarter of Section 20 S. 18. of R 39 E. W.M. and running thence East 80 rods to the S.E. Cor. of said S.W. 1/4 Sec 20. Thence North half a mile to the North East Cor. of said S.W. 1/4 Sec 20. to a point in said County road. And to vacate so much of said county road as is described as follows: Commencing at the S.W. Cor. of E 1/2 of S.W. 1/4 Sec 20 running thence North half a mile to the North West Cor. of E 1/2 of S.W. 1/4 Sec 20, being the present old road between said points. And all of said points being in Union Co. Ore

NAMES:

Samuel Morris
Miss Hull +
M. B. Mitchell. +
J. N. Pitzer +
Chas. M. Kuckman +
Henry Stricker
G. B. McComb
W. E. Woodell
S. L. Brooks
A. A. Crawford
Samuel Cochran +
O. P. Johnson +
S. E. Walker +
Ollie C. Imbler
Thomas Clarke

NAMES:

Thomas H. Gilham
Jesse Imbler
A. E. Imbler
William Stoop
W. J. Hatfield
J. C. Stanley
W. G. Neville
R. D. Kuckman
M. H. Hill, +
H. B. Adams
E. F. Stewart
S. H. Neville

FILLED.

MAR 9 1892

James Davis
County Clerk

STATE OF OREGON,
County of Union, } ss.

I, Samuel Morris

being first duly sworn, say that I posted three several notices, of which the notice hereunto 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 tacked on a board nailed to an ^{advantage} ~~post~~ ^{at the camp of J. M. & Co. Dec 20 of 1898} post near the beginning of the road; One tacked on a board nailed to a gate post near the house of Ellis Imbler and the third on the wall in the Post Office in the town of Imbler.

thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the - 5th - day of Feb-
ruary 18 97, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the - 5th - day of February 18 97, 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 City of Union, in said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

Samuel Morris

Subscribed and sworn to before me this - 9th - day of March 18 97.
James Oliver
Clerk

FILLED.

MAR 9 1892

James Davis
County Clerk.

PETITION FOR A COUNTY ROAD.

TO THE HONORABLE COUNTY COUNCIL 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 route, to-wit:

To alter and change the present County Road on the following route, viz: Come to lay out and establish a County Road here and now, commencing at a point in the ... of the East half of the ... 39 E. W. M. And running ... S. W. 1/4 of Sec. 20 ... all of said ...

Names.

Samuel Morris
 Wm Hull
 M. B. Mitchell.
 J. N. Birchert
 Thos. M. Ruckman
 Henry Stricker
 G. B. McCourt
 W. E. Woodell
 S. E. Brooks
 A. C. Crawford
 Samuel Cochran
 J. B. Johnson

Names.

Thomas Gilham
 Jesse Imbler
 W. E. Imbler
 William G. Gooch
 W. J. Hatfield
 J. C. Stanley
 W. G. Neville
 R. O. Ruckman
 W. H. Hill
 H. A. Bodmer
 E. J. Stewart
 S. M. Neville

S. E. Walker,
Ellia A. Ambler
Thomas Clarke

County Court,

Road Petition

FILED.

MAR 9 1892

James Davis
County Clerk.

BOND OF ROAD PETITIONERS.

Know All Men by These Presents, That we, Samuel Morris and Jesse Imbler, of the County of Union and State of Oregon, are held and firmly bound unto 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 - 9 - day of March A. D. 1892.

Now, the condition of the above obligation is such, That, whereas the above named Samuel Morris and Jesse Imbler, and others, have petitioned the County Court of said County of Union, at the March Term, 1892, thereof for a

County Road, commencing to wit: To alter and change the present County Road as follows: To lay out and establish a county road from and commencing at a point in the present County Road at the South west corner of the east half of the South west quarter of Section 20 T1 SR 34 E. W. 1/4 and running thence east 80 rods to the SW corner of said SW 1/4 Sec 20; thence north half a mile to the northeast cor of said SW 1/4 Sec 20 to a point in said County Road, and to vacate so much of said County Road as is described as follows; Commencing at the SW cor. of E 1/2 of SW 1/4 said Sec 20; running thence north half a mile to the North West Cor of E 1/2 of SW 1/4 Sec 20 being the present old road between said points and all of said points being in Union Co. Or.

Now, if the above named Samuel Morris and Jesse Imbler shall well and truly pay, or cause to be paid, all costs and expenses that may be incurred by reason of the view or review of said Road, in case the prayer of said petitioners be not granted or allowed, then that this obligation shall be void, otherwise to remain in full force and virtue.

Samuel Morris (L. S.)
Jesse Imbler (L. S.)

STATE OF OREGON,
County of Union.

I, Samuel Morris and Jesse Imbler, 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; that I am a resident and householder in said County and State.

Samuel Morris
Jesse Imbler
March A. D. 1892

Subscribed and sworn to before me this 9 day of

Turner Oliver
County Clerk.
By J. H. Oliver
Deputy

In the County Court of the State
of Oregon, Clatsop County.

IN THE MATTER OF THE

Samuel Morris
ROAD.

BOND OF ROAD PETITIONERS.

Approved *March 9th* 1892

County Judge.

Filed *March 9th* 1892
Samuel Oliver

County Clerk.

By _____
Deputy.

In the County Court of the state of Oregon:

For Union County:

In the matter of the County

Road prayed for By Samuel Morris et al.

State of Oregon:

County of Union SS.

I, Samuel Morris, being first duly

sworn say that I am one of the Petitioners herein for the location of a county Road as prayed for in the above entitled matter, that the following named remonstrators who have signed the remonstrance against the location of the said road are not qualified remonstrators in this that they do not reside within the vicinity of the said proposed road that the most of them reside north and west of the town of Summerville, and do not travel the said road nor have they any occasion to do so, that ~~sum~~ the principal town in the north end of the County lies principally between them and the said road, and the said road cannot be traveled by them or any of them to reach any town or rail road Depot, and they are not in the vicinity of the said proposed change. viz:

- | | | | |
|------------------|-----------------|-----------------|------------------|
| Henry L. Lyons. | John Ross. | L. P. Logere. | Jacob Hugg. |
| Frayk Barney. | James H. Riggs. | Rudolph Hugg. | Frederick Sten. |
| William Sten. | Wm. Eubanks. | R. T. Childers. | T. B. Nesket. |
| Oliver McDowell. | J. W. Childers. | W. N. Park. | Angus Shaw. |
| J. W. Hancock. | Henry German. | Wm. Choate. | J. M. Carnation. |
| M. N. Hathron. | R. McKinzie. | I. W. Miller. | E. B. Morelock. |
| M. C. McLeod. | J. R. Larabors. | D. Zweifel. | G. Vesity. |
| A. G. Vesity. | C. A. Myers. | Enos Fisher. | J. L. McKinnis. |

Subscribed and Sworn } Samuel Morris
to before me this 9th day
of Nov. 1892.

Robert Earle

Notary Public for Ore

union to
the State of Texas
of said Union, et al.

Affidavit of
Qualification of
Commissioner of

FITZGERALD.
MAR 9 1892

James Oliver
County Clerk

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

In the Matter of the County Road petitioned for by
Samuel Morris et. als.

Now Comes Samuel Morris, one of the petitioners herein, and moves the Court to strike out of the Remonstrance filed in the above entitled matter, by Joseph Oliver et. als, remonstrating against the laying out or locating the Road petitioned for in the above entitled matter the following names to said remonstrance, for the reason that the said remonstrators are not residents within the vicinity of the said proposed road, viz:

Henry T. Lyons,	M. C. Lyons,	John Ross,	L. P. Legore,
Jacob Hugg,	Frank Earney,	James H. Riggs,	Rudolph Hugg,
Frederick Ston,	William Ston,	Wm. Exbanks,	R. T. Childers,
T. B. Heskett,	Oliver L. McQuinn,	McDowell,	J. W. Childers,
W. N. Park,	Angus Shaw,	J. S. Hancock,	Wm. E. Choate,
J. M. Carnation,	M. H. Matheon,	R. McKinzie,	I. W. Miller,
E. B. Warelock,	N. C. McLeod,	J. R. Larasore,	D. Zweifel,
G. Waelty,	A. G. Waelty,	C. A. Myers,	Enos Fisher,
J. L. McKinnis,			

And Petitioner here now offers proof that said above named remonstrators are not residents in the vicinity of the said proposed road.

Samuel Morris -
Petitioner

1 To the Hon County Court of
2 the State of Oregon for Union
3 County.

4 The undersigned household-
5 ers of the State of Oregon
6 residing in the vicinity of
7 the County Road extending
8 north from the N.W. cor. of the
9 E 1/2 of S.W. 1/4 of Sec 20 T. 1 S. R
10 39 S. W. M one half mile to the
11 N.W. cor. of E 1/2 of S.W. 1/4 of said
12 Sec 20 in Union County Oregon
13 would most respectfully re-
14 monstrate against your Hon.
15 Court opening said road
16 or any part thereof upon the
17 petition of Sam Morris et
18 al or any one else for the
19 reason:

20 1st That said road is of
21 great public convenience
22 and utility.

23 2nd That the residence Joseph
24 Oliver is not reached by any
25 other convenient public road
26 and that said road ^{is} necessary
27 for the public and said
28 Joseph Oliver to have ingress
29 to and egress from his said
30 residence

31 Name } Name
32 Joseph Oliver } J. M. Brown

Henry J. Lyon
W. C. Spots

L. Berland

J. W. Brown

Jerry Tuttle

John Ross

L. P. Green

Jacob Steig

Frank Barney

James H. Briggs

Rudolf Heng

Fredrick Lion

William Lion

W. E. Eubank

J. J. Lam

Wm. German

L. C. Welch

R. J. Childers

T. B. Bessett

Oliver L. M. Howell

J. W. Childers

W. N. Bark

Angus Shaw

J. W. Hammond

Henry Greenman

Wm. Choate

J. M. Corvazier

W. H. Patterson

R. McKenzie

S. McMiller

E. B. Morlock

N. C. M. Lud

J. R. Saramone

D. Zweifel

G. Wally

Al Wally

G. B. M'Coist

C. A. Myers

Esqrs. Fisher
J. L. McKinnis

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FILLED.

MAR 9 1892

James Davis
County Clerk

Third Judicial Day

Wednesday March 7th 1892

In the matter of the
proposed road petitioned for
by John Allen et al }

This matter came on to be heard at this time on the remonstrance of J. D. Corban et al, heretofore filed herein and it appearing to the Court that said remonstrance is signed by 23 names and apart of these are not legal householders residing in the vicinity of said road and that the petition is signed by 62 names who are legal householders residing in the vicinity of the said road It is therefore considered and ordered that said remonstrance be overruled and denied

In the Matter of settlement
with J. D. Hunter Supervisor
of Road Dist No 32 }

Comes now J. D. Hunter and presents to the Court his report as Supervisor of Road Dist No 32 for the year ending Dec 31st 1891 and the same being regular It is considered and ordered that said report be approved and his bill for \$79⁰⁰ allowed

In the Matter of the proposed
Road petitioned for by Samuel Morris et al }

This matter came on to be heard at this time on the petition of Samuel Morris et al and on the Remonstrance of Joseph Oliver et al. And it appearing to the Court that the remonstrance against the laying out and establishing of the said proposed road is signed by a larger number of residents and legal householders living in the vicinity of the proposed road It is considered and ordered that said petition be overruled and dismissed.

In the Matter of proposed
road petitioned for by A.
Derwilliger et al }

Comes now A. Derwilliger 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:

Beginning at the SE corner of T4th of SE⁴ Sec 31 Tp 2 N R 40