

No

— IN —

Court

UNION COUNTY
OREGON

Plaintiff

vs

Defendant

Action for

Doct et

Page

Attorney for Plaintiff

Attorney for Defendant

Viewer's Appointed Jnl G 219 ✓
Report Read time 253 ✓
Ordered Opened - 210
Platted

439 ✓

W N Young
et al

Commencing at SW Cor SE⁴ NE⁴
Sec 10 T⁹ R 45 E 10 m &
~~beginning~~ at intersection with
County Road leading from Eagle
to Pine Valley between the
forks of Emigrant Gulch

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: Beginning 15 rods east of the S.W. Corner of S.E.1/4 of N.E.1/4 of section^T T. 9, S. of range 45, E. of W.M. thence running east on said line to what is known as Jo Ritter Grade, thence in an easterly direction following said grade to Jo Ritters dwelling, thence in a southeasterly direction to within 20 rods of Emmigrant Gulch, then in a northeasterly direction on a practical grade to the nearest place to intersect the present County Road leading from Eagle to Pine Valley, between the forks of Emmigrant Gulch, said road to terminate at the point of the road. Said Road to be 30 feet in width.

And in duty bound your petitioners will ever pray, etc.

Names:-

W. N. Young,
Frank P. Lee,
A. J. Ritter,
F. H. Connall,
W. H. Tobin,
W. A. Ewing,
C. T. Wise,
I. L. Butterfield,
Wm. Chandler,
W. R. Wise,
W. E. Summers,

Names:-

J. R. Ritter,
A. N. Young,
Geo. O. Holstine,
Geo. Havelly,
J. N. Holcomb,

Endorsed:- No filing.

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

I, W. N. Young, 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 at the beginning, one at center, and one at terminus of the road petitioned for by W. N. Young & others, thirty days previous to the presentation of the road petition therein mentioned to-wit: On the middle day of October, 1893, and th at said notices remained posted thirty days previous to the presentation of said petition, as I verily believe.

W. N. Young,

Subscribed and sworn to before me this 4th day of Dec. 1893.

Frank P. Lee, J.P.

Endorsed:- no filing.

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

I, G. W. Benson, being first duly sworn, say that On the 2nd day of November, 1893, I posted the hereto attached 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 notice remained posted thirty days previous to the presentation of the petition of W. N. Young, et al. for a County Road, as I verily believe.

G. W. Benson,

Subscribed and sworn to before me this 6th day of December, 1893.

Turner Oliver, Clerk.

Endorsed:- 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 6 day of December, A.D. 1893, 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: Beginning 15 rods east of the S.W. Corner of S.E.1/4 of N.E.1/4 of Section 10, T. 9, S. of range 45, E of W.M. thence running east on said line to what is known as Jo. Ritter Grade, thence in an easterly direction following said grade to Jo Ritter's dwelling, thence in a southeasterly direction to within 20 rods of Emmigrant Gulch, thence in a northeasterly direction on a practical grade to the nearest place to intersect the present County Road leading from Eagle to Pine Valley between the forks of Emmigrant Gulch, said road to terminate at this point of the road. Said road to be 30 ft. in width.

Names:-

W. N. Yeung,
Frank P. Lee,
A. J. Ritter,
T. H. Connell,
W. H. Tobin,
W. H. Ewing,
J. H. Butterfield,
Wm. Chandler,
W. R. Wise,
W. E. Summers,

Names:-

J. R. Ritter,
A. N. Yeung,
Geo. Helstine,
Geo. Haveley,
J. N. Holcomb,
C. T. Wise,

Endorsed:- Pested Nov. 2", 1893,

G. W. Benson.

No filing.

BOND OF ROAD PETITIONERS.

Knew all men by these presents, that we, W. N. Young and A.J. Ritter, 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 4th day of Dec. A.D. 1893.

Now, the condition of the above obligation is such, that, whereas the above named W. N. Young & A. J. Ritter and ----- and others, have petitioned the County Court of said County of Union at the Nov. Term, 1893, thereof, for a County Road, commencing 15 rods east of the E.W. Corner of the S.E.1/4 of N.E.1/4 of Section 10, T. 9, S. of R. 45, E of W. M. running thence east of said ^{line} to what is known as Joe Ritter Grade, thence in an easterly direction following said grade to Joe Ritter's dwelling, thence in a south easterly direction to 20 rods of Emmigrant Gulch, thence in a north easterly direction to the nearest place to intersect the present County Road leading from Eagle to Pine Valley between the forks of Emmigrant Gulch, said road to terminate at the point of the road. Said road to be 30 feet wide,

Now, if the above named W. N. Young, and A. J. Ritter, 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.

W. N. Young, (Seal)

A. J. Ritter, (Seal)

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

I, W. N. Young, and A. J. Ritter, each for himself says, that I am worth the sum of \$100 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.

W. N. Young,

A. J. Ritter,

Subscribed and sworn to before me this 4th day of Dec. A.D. 1893.

Frank P. Lee, J. P.

Endorsed:- In the County Court of the State of Oregon,
Union County.

In the matter of the W. N. Young County Road.

Ben of Road petitioners.

Filed Dec. 6th, 1893.

Turner Oliver, County Clerk.

✓

I, Jas. R. Gilkisen, County Road Master of Union County, Oregon, do hereby certify that I have examined into the road petitioned for by W. N. Young, et al. and beg leave to report that the said proposed road is practicable and would add materially to the convenience of the traveling public and would advise that the said petition be granted.

Respectfully submitted.

J. R. Gilkisen,
Road Master.

REPORT OF VIEWERS,

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

The undersigned, viewers heretofore on the 3rd day of December 1893, 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 W. N. Young, et al, beg leave to report that on the 22nd day of December, 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 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 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.

R. B. Gibson,
John Fraser,
-----, viewers.

To the Hon. County Court and viewers in the matter of a proposed County Road as petitioned for W. N. Young, et al:-

The following plat and notes of the survey are respectfully submitted. Done Dec. 22nd and 23rd, 1893.

Commenced at a point about 15 rods east of the S.W. Corner of the S.E.4 of N.E.4 Sec. 10, T. 9, South Range 45, East W.M. and run from thence,

Chs.	to	A.	No.	Thence	East	
			1,		S.	54° E.
46.00	"	"	2,	"	N.	65° E.
10.00	"	"	3,	"	S.	20° "
11.55	"	"	4,	"	N.	85° "
9.67	"	"		1 Mile sta.	N.	85° " 1 Mile Sta.
2.00	"	"	5,	thence	N.	53° "
7.46	"	"	6,	"	N.	39° "
4.00	"	"	7,	"	S.	57° "
12.00	"	"	8,	"	S.	64°30'
						E.
5.00	"	"	9,	"	S.	75° E.
7.00	"	"	10,	"	N.	75°30'E.
4.00	"	"	11,	"	S.	55°50'E.
12.40	"	"	12,	"	S.	69° E.
11.00	"	"	13,	"	S.	23° E.
8.00	"	"	14,	"	S.	49°30'E.
7.14	"	"		15 and 2 mile sta.	S.	6° E.
13.59	"	"	16,	"	S.	44°30'E.
3.00	"	"	17,	"	N.	86°30'E.
3.55	"	"	18,	"	N.	51° E.
7.50	"	"	19,	"	S.	14° E.
4.00	"	"	20,	"	S.	59° E.
4.65	"	"	21,	"	S.	35°30'W.
3.00	"	"	22,	"	S.	18°30'E.
3.53	"	"	23,	"	S.	36°30'E.
3.47	"	"	24,	"	S.	58°30'E.

9.77	"	"	"	25,	"	N.	79°30'	E.
5.76	"	"	"	26	"	N.	40°30'	E.
3.00	"	"	"	27,	"	N.	30°	E.
10.35	"	"	"	28	"	S	55°	E.
6.00	"	"	"	29	"	N.	70°30'	E.
5.72	"	"	"	30,	"	S.	57°	E.
3.16	"	"	"	31 and 3 Mile sta.	N.	N.	79°	E.
7.00	"	"	"	32,	"	N.	36°30'	E.
14.46	"	"	"	33,	"	N.	3°	W.
3.85	"	"	"	34,	"	S.	67°	E.
7.00	"	"	"	35,	"	N.	89°	E.
2.43	"	"	"	36	"	N.	51°	E.

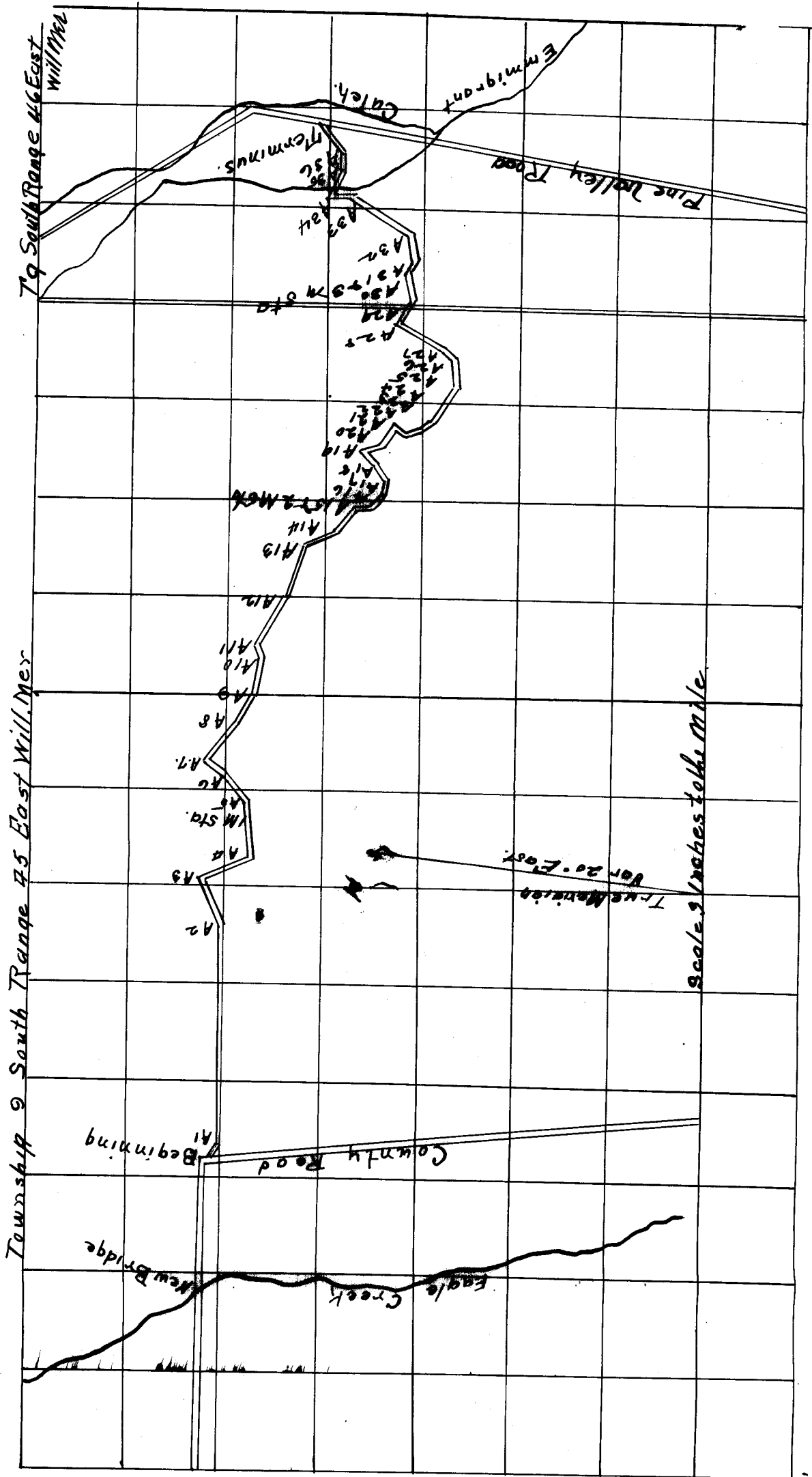
7.00 " the terminus of the road at its intersection with
 41.74 the Pine Valley Road between the forks of Emigrant Gulch.

Whole distance 3 miles 4 furlongs, & 7 rods.

J. L. Curtis,

County Surveyor.

No filing.



Filed Dec 30th
 1893
 Turner Oliver
 County Clerk

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, in said County and State on Monday the 4th day of December, A.D. 1893, and from day to day thereafter during the continuance of said term, when on Wednesday the 6th day of December, A.D. 1893, or the 3rd judicial day of said Term, the said County Court opened for the transaction of business with the following officers present, to-wit:

The Hon. I. N. Sanders, County Judge,
Hon. W. D. Arnold, Commissioner,
Hon. P. J. Brown, do.
Turner Oliver, Clerk,
J. T. Bolles, Sheriff.

When on Wednesday the 6th day of December, A.D. 1893, 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 W. N. Young, et al.)
-----)

Comes now W. N. Young, 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 15 rods east of the S.W. Corner of S.E.1/4 of N.E.1/4 of Sec. 10, Tp. 9, S.R. 45, E. W. M. thence running east on said line to what is known as Joe Ritter's grade, thence in an easterly direction following said grade to Jo. Ritter's dwelling, thence in a southeasterly direction to within 20 rods of Emmigrant Gulch, thence in a northeasterly direction on a practicable grade to the nearest place to intersect the present County Road leading from Eagle to Pine Valley between the forks of Emmigrant Gulch. Said road to terminate at this point of the road. Said road to be 30 feet in width.

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 the Court House in the town of 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 beginning, one at center, and one at terminus of the road, petitioned for by W. N. Young, and others for more than thirty days immediately prior to the presentation of the 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 proceeding has been duly given. It is therefore ordered that R. B. Gibson, John Fraser, and A. T. Neill be appointed viewers of said road, and that J. L. Curtis be appointed surveyor of said road, and that they meet at W. E. Summers on the 22 day of Dec. 1893, at the hour of 10 O'Clock, A. M. and after qualifying, to view, survey and lay out said road according to law.

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

The foregoing order is entered in Comr's Jnl. G. page 219 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, in said County and State on Monday the 1st day of January, A. D. 1894, and from day to day thereafter during the continuance of said term, when on Wednesday the 3rd day of January, A. D. 1894, or the third judicial day of said term, the said County Court opened for the transaction of business with the following officers present, to-wit:

- Hon. I. N. Sanders, County Judge,
- * W. D. Arnold, Commissioner,
- * P. J. Brown, Commissioner,
- Turner Oliver, Clerk,
- J. T. Bellers, Sheriff.

When on Wednesday the 3rd day of January, A.D. 1894, 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 W. N. Young, et al.)
- - - - -)

This matter came on to be heard at this time on the report of the viewers and surveyor for a first reading, and the said report having been read in open Court for the first time, it is considered and ordered that the same be laid over for a second reading on some other day of this term.

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

The foregoing order is entered in Comr's Jnl. G. page 253 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, in said County and State on Monday the 1st day of January, A. D. 1894, and from day to day thereafter during the continuance of said term, when on Wednesday the 3rd day of January, A.D. 1894, or the third judicial day of said Term, the said County Court opened for the transaction of business with the following officers present to-wit:

- Hen. I. N. Sanders, County Judge,
- " W. D. Arnold, Commissioner,
- " P. J. Brown, Commissioner,
- Turner Oliver, Clerk,
- J. T. Belles, Sheriff,

When on Thursday the 4th day of January, A.D. 1894, or the fourth judicial day of said term, among other proceedings, the following was had, to-wit:

In the matter of the road
petitioned for by W. N. Yeung, et al.
- - - - -

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

REPORT OF VIEWERS.

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

The undersigned viewers heretofore on the 3 day of December, 1893, 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 W. N. Yeung, et al, beg leave to report that on the 22 day of December, 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 out said proposed road for the whole distance thereof, and

that in our opinions 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 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.

R. B. Gibson,

John Fraser, viewers.

And said report of the viewers and the report of the surveyors 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 open according to law, and the Court being satisfied from the report of the viewers that such road will be of public utility, and Jas. R. Gilkisen, County Road Master having examined the said proposed road, and reported favorably thereon, as by law required, it is therefore considered and ordered by the Court that said report of the viewers and surveyor be approved and adopted by the Court, and that said proposed road be declared a public highway of Union County, 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 surveyor's 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 John Bennehoff, Road Supervisor of Road Dist. No. 30, the same being the road district in which said road is located be furnished with a

copy of this decree and ordered to open up said road and place the same in repair for travel.

(Signed) I. N. Sanders,

County Judge,

The foregoing order is entered in Comr's Jnl. G. page 270 thereof.

X (6729)

710.439

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

.....
In the matter of the County
Road petitioned for by
.....
W. N. Young et al
.....

STATE OF OREGON.
County of Union.

} ss.

I, J. E. Minnigh, County Clerk
of Union County, Oregon, do hereby certify that the foregoing are the
original papers on file in my office in the above entitled matter
and that the orders of the Court hereto attached are true and correct
copies of all of the orders of the Court in said matter of record
in my office and in my care and custody.

IN WITNESS WHEREOF, I have hereunto set my hand and the
seal of the Court, this 31st, day of March, A. D. 1903.

J. E. Minnigh
..... CLERK.

Second Judicial Day

Wednesday July 5th 1893

this time on the petition of C. H. Finn asking for the removal of J. H. K. Nowles as Justice of the Peace of La Grande Justice of the Peace District and the Court not being fully advised in the matter it is considered and ordered by the Court that W. D. Arnold be and he is hereby appointed to examine into the premises and report to this Court at the next regular term thereof and it is further ordered that this matter be continued for the term.

In the matter of the
Petition of W. N. Young
for County Road

This matter came on to be heard at this time on the petition of W. N. Young praying for the location of a County Road and on the Remonstrance filed herein and the Court not being fully advised in the premises it is considered and ordered that this matter be continued for the term

In the matter of the
Petition for Reduction
of Salary of Stock
Inspector

This matter came on to be heard at this time on the petition of numerous citizens of Union County praying for the reduction of the salary of County Stock Inspector and said petition having been read in open Court and the Court being now fully advised in the matter and it also appearing to the Court from said petition that the compensation allowed the Stock Inspector is in excess of the work done by him it is therefore considered and ordered that said petition be granted and that the salary of Stock Inspector be reduced to \$400 per annum dating from July 1st 1893 the Statute having provided that said salary may be regulated by the County Court

Third Judicial Day

Wednesday Aug 9th 1893

In the Matter of the Road }
 petitioned for by Henry Proctor }
 et al

This matter came on to be heard at this time on the Report of the Viewers and Surveyor heretofore appointed herein for a first reading and the said report having been read in open Court for the first time It is ordered that the same be laid over for a second reading on some other day of this term of Court

In the Matter of the Road }
 petitioned for by Henry Striker }
 et al

This matter came on to be heard at this time on the Report of the Viewers and Surveyor heretofore appointed herein for a first reading and the said report having been read in open Court for the first time It is ordered that the same be laid over for a second reading on some other day of this term of Court

In the Matter of the Road }
 petitioned for by W.N. Young }
 et al

At this time it is considered and ordered that this matter be continued for the term

In the Matter of the Road }
 petitioned for by J. T. Wickens }
 et al

This matter came on to be heard at this time on the Report of the Viewers and Surveyor heretofore appointed herein for a first reading and said report having been read in open Court for the first time It is considered and ordered that the same be laid over for a second reading on some other day of the present term of Court

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 in said County and State on Monday the 4th day of September 1893 and from day to day thereafter during the continuance of said Term when on Wednesday the 6th day of Sept or the 3rd judicial day of said Term the said County Court opened for the transaction of business with the following officers present, to-wit:

- The Hon J. N. Saunders County Judge
- " P. J. Brown Commissioner
- " Turner Oliver Clerk
- J. T. Balles Sheriff

Due proclamation of the opening of Court having been made the following proceedings were had, to-wit:

In the matter of the Road }
 petitioned for by W. N. Youngval }

At this time it is ordered that this matter be continued for the term

In the Matter of the Bridge }
 across Powder River on Keating Road }

It appearing to the Court at this time that this matter was referred to the Baker County Court at the last term of this Court and that the said Baker Co Court have not yet reported herein It is considered and ordered that this matter be continued for the term and in case the Baker County Court authorize the bridge built the Judge of this Court is instructed to advertise for bids

In the Matter of the Road }
 petitioned for by J. T. Wickenstal }

This matter came on to be heard at this time on the report of the Viewers and Surveyor heretofore appointed herein for a first reading and said report having been read in open Court It is ordered that the same be laid over for a second reading on some other day of this term as by law required