

No

IN

Court

Plaintiff

vs

Defendant

Action for

Docket

Page

Attorney for Plaintiff

Attorney for Defendant

H 395 + 418

Ordered amended - No 422
Platted

464

Relinquished for by
G J Driffey
et al

Commencing at the County
road at the NE Corner of SE Sec
14 Tp 9-S R 45 E and
terminating at NW Corner of
SW Sec 24 said Tp & Range

Baker County -

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} read is proposed to be, will at the next session of the County Court for Union County, Oregon, to-wit: On Wednesday the 4 day of March, A. D. 1896, respectfully present to said Court a petition praying said Court to lay out, alter and establish a County read within said County on the following line or route, to-wit: Commencing at the County Read at the N. E. Corner of the S.E.1/4 of Section 14, Township 9, S. of Range 45, E. W. M. running thence south 14 rods, more or less, to where the land of G. W. Benneheff crosses the section line, thence west 2 rods, thence south 66 rods, more or less to the line of Eleanor Duffey's land, thence east 2 rods to the section line, thence south on the section line 3/4 of a mile, to intersect the county read at the N. W. Corner of the S.W.1/4 of Sec. 24, said township and range and there to terminate. Said read to be 1 mile long and 40 feet wide. This read is not to interfere with the established ditch on the west side of G. W. Benneheff's place.

Names.

C. J. Duffey,
E. A. Benneheff,
J. D. Benneheff,
G. W. Benneheff,
O. R. Hindman,
W. Knoblauch,
W. E. Barber
W. C. Candiff,
J. W. Gever,
Sam. Gever,
I. N. Young,
E. Chandler,

Names.

Thomas Bashaw,
D. J. Sanders,
A. O. Sanders,
W. T. Benneheff,
W. R. Wise,
G. B. Sanders,
D. E. McClements,
Williard Meedy,
H. H. Meedy,
John Fraser,
W. L. Gever,
C. H. Craig,

Camp

Endorsed:-

Filed Mar. 5, 1898.

J. R. Oliver, County Clerk.

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 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 at the County Road at the N. E. Corner of the S.E.1/4 of Section 14, Township 9, S of Range 45, E. W. M. running thence south 14 rods more or less to where the land of G. W. Bennehoff crosses the section line, thence west 2 rods, thence south 66 rods more or less to the line of Eleanor Duffey's land, thence east 2 rods to the section line, thence south on the section line 3/4 of a mile to intersect the County road at the N. W. Corner of the S.W. 1/4 of Section 24. Said township and range, and there to terminate said road to be 1 mile long and forty feet wide. This road is not to interfere with the established ditch on the west side of G. W. Bennehoff's place, and in duty bound, your petitioners will ever pray. etc.

Names.

C. J. Duffey,
E. A. Bennehoff,
J. D. Bennehoff,
G. W. Bennehoff,
O. R. Hindman,
W. Kneblough,
W. E. Barber,
H. C. Candiff,
J. W. Gever,
Sam. Gever,
John Fraser,
C. H. Craig,

Names.

Thomas Bashaw.
D. J. Sanders,
A. O. Sanders,
W. T. Bennehoff,
W. R. Wise,
G. B. Sanders,
D. E. M. Clements,
Williard Moody,
H. H. Moody,
I. N. Young,
F. E. Chandler,

(No filing)

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

I, F. S. Slater, being first duly sworn, say that on the 3 day of Febry. 1896, I posted the hereunto 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 notices remained posted thirty days previous to the presentation of said petition as I verily believe.

F. S. Slater,

Subscribed and sworn to before me this 5 day of March, 1896.

J. R. Oliver,

Clerk.

†

Endorsed: Filed Mar. 5, 1896.

J. R. Oliver,

County Clerk.

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

I, W. L. Gever, 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 north end of the road applied for, one at the south end of same road, and one about the center of said road applied for, that they were posted thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 3 day of Feb. 1896, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the ^{8th} day of March, 1896, 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.

W. L. Gever,

Subscribed and sworn to before me this 2 day of March, 1896.

Oscar Kendall,

Justice of the Peace.

Endorsed:-

Filed Mar 5, 1896.

J. R. Oliver, County Clerk.

BOND OF ROAD PETITIONERS.

Knew all men by these presents, that we, O. R. Hindman, C. J. Duffey and W. L. Gever, 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 2nd day of March, A. D. 1896.

Now, the condition of the above obligation is such, that whereas, the above named O. R. Hindman, and C. J. Duffey, and W. L. Gever, and others, have petitioned the County Court of said County of Union, at the March Term, 1896, thereof, for a county road, commencing at the County Road at the N. E. Corner of the S. E. 1/4 of Section 14, Township 9, S. of Range 45 E. W. M. running thence south 14 rods, more or less, to where the land of G. W. Benneheff crosses the section line, thence west 2 rods, thence south 66 rods, more or less to the line of Eleanor Duffey's land thence east 2 rods to the section line, thence south on the section line 3/4 of a mile to intersect the County Road at the N. W. corner of S. W. 1/4 of Section 24, said township and range, and there to terminate. Said road to be 1 mile long and forty feet wide.

Now, if the above named O. R. Hindman and W. L. Gever 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.

O. R. Hindman,

(Seal)

W. L. Gever,

(Seal)

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

I, W. L. Gever, and O. R. Hindman, 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.

W. L. Gever,

O. R. Hindman.

Subscribed and sworn to before me this 2 day of March, A. D. 1896,

Oscar Kendall,

Justice of the peace.

Endorsed:-

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

Bond of Read Petitioners.

Filed March 5, 1896.

J. R. Oliver, County Clerk.

Journal Entry
C. J. Duffey, et al.

BE IT REMEMBERED That at a regular term of the County Court of Union County, State of Oregon, begun and held at the Court House in the City of Union, in said County and State on Monday the 2nd day of March, 1896, and from day to day thereafter during the continuance of said term, when on Wednesday the 4th day of March, 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:

The Hon. I. N. Sanders, County Judge,
Hon. W. D. Arnold, Commissioner,
Hon. P. J. Brown, Commissioner,
J. R. Oliver, Clerk,
J. F. Phy, Sheriff,

When on Wednesday the 4th day of March, A. D. 1896, 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 C. J. Duffey, et al.)
-----)

Comes now C. J. Duffey, 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 at the County Road at the N.E. Corner of S.E.1/4 Sec 14, Tp. _____ S .R. 45, E. W. M. running thence south 14 rods more or less to where the land of G. W. Bennehoff, crosses the section thence west 2 rods, thence south 66 rods, more or less to the line of Eleanor Duffey's land, thence east 2 rods to the section line thence south on section line 3/4 of a mile to intersect the County road at the N.W. Corner of S.W.1/4 Sec. 24, said Tp. and range and there terminate. Said road to be 40 ft. wide.

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

Cd.

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 north end of the road applied for; one at the south end of same road; and one about the center of said road applied for, 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 proceeding has been duly given.

It is therefore ordered that S. L. Saunders, J. H. Holcomb, and F. P. Lee, be appointed viewers of said road, and that W. B. Blake be appointed surveyor of said road, and that they meet at beginning of proposed road on the 13th day of March, 1896, at the hour of nine 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 Jul.

'H' at page 395 thereof.

REPORT OF SURVEYOR.

To the Hon. County Court of Union County, Oregon:

I, the undersigned, County Surveyor, appointed to survey the County Road proposed by C. J. Duffey, et al, beg leave to report that on the 13 day of March, 1896, in pursuance of said appointment and order, I surveyed said proposed road for the whole distance thereof, the following being the field notes of said survey: Commencing at the northeast corner of the southeast 1/4 Sec. 14, Tp. 9, South of Range 45 E. W. M.

Thence south 4 Chains 50 lks.
" West 50 "
" South 16 " 50 "
" East, 50 "
" South 6 " to Reck marked R.T.

W. B. Blakeslee,
County Surveyor.

Endorsed:-

Filed Apr. 7, 1896.

J. R. Oliver,
County Clerk.

REPORT OF VIEWERS.

To the Honorable County Court for Union County, Oregon:

The undersigned viewers heretofore on the 4th day of March 1896, 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 C. J. Duffey, et al, beg leave to report that on the 13th day of March, 1896, in pursuance with said appointment and order, after being 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.

S. Sanders,

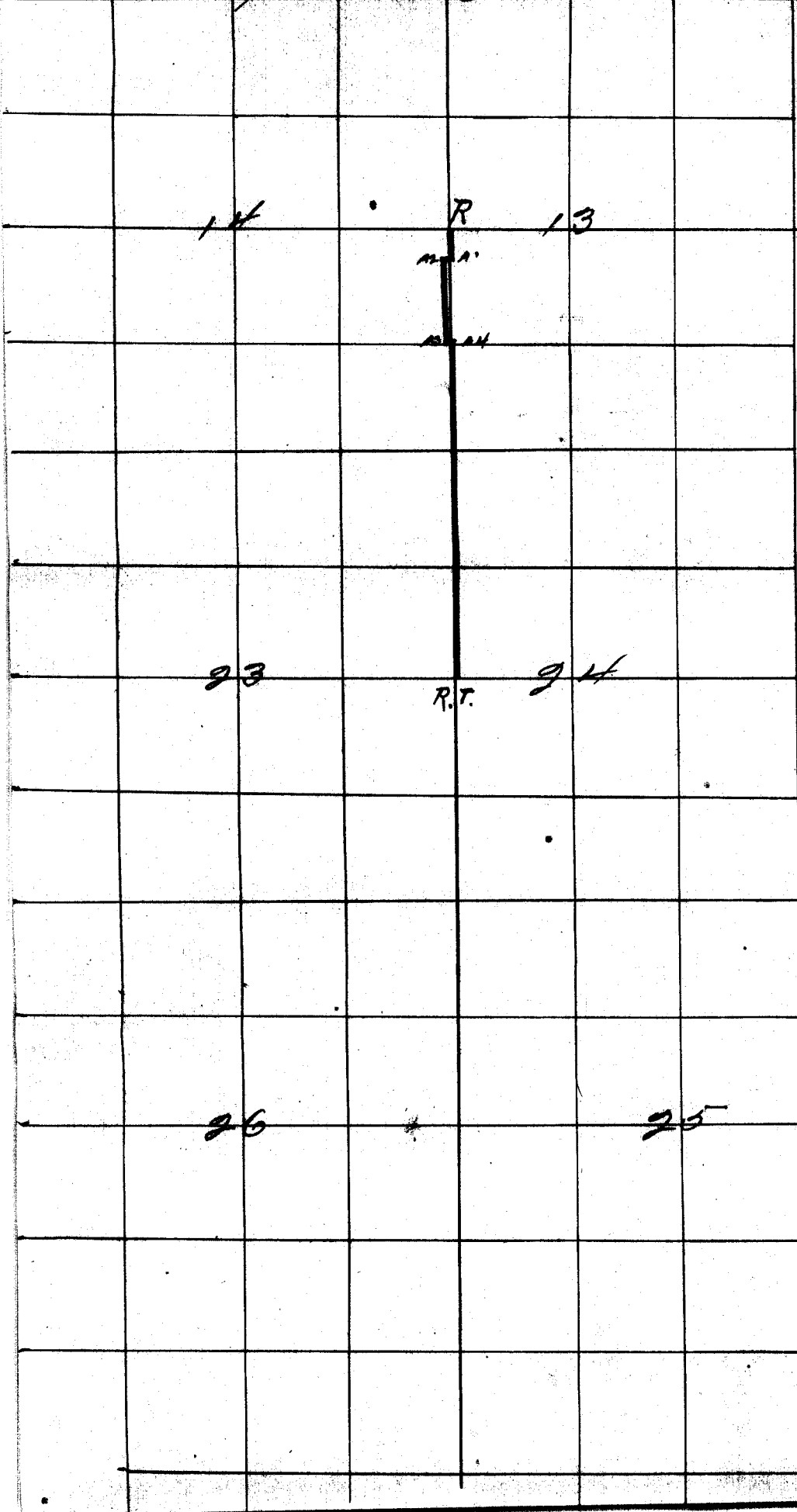
D. A. Helcomb

Frank P. Lee, viewers.

~~Entered - Filed Apr. 7, 1896.~~

~~J. R. Oliver, County Clerk.~~

T. 9 S. R. 45 E. 24 7th



Endorsed: Filed Apr. 7th 1896
J. P. Oliver
County Clerk.

BE IT REMEMBERED THAT at a regular term of the County Court of Union County, State of Oregon, begun and held at the Court House in the town of Union, in said County, on the 6th day of April, A. D. 1896, and from day to day thereafter during the continuance of said term, when on Wednesday the 8th day of April, or the third judicial day of said term, the said Court opened for the transaction of business with the following officers present, to-wit:-

- Hon. I. N. Sanders, County Judge,
- Hon. W. D. Arnold, Commissioner,
- Hon. P. J. Brown, Commissioner,
- J. R. Oliver, Clerk,
- J. F. Phy, Sheriff.

When on Wednesday the 8th day of April, A. D. 1896, 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 C. J. Duffey, et al.)
-----)

This matter came on to be heard at this time upon the report of the viewers heretofore appointed herein, for a first reading as by law required, and said report having been read in open Court it is ordered that the same be laid over for a second reading upon another day of this present term of Court.

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

The foregoing order is entered in Comr's Jul.
'H' at page 418 thereof.

BE IT REMEMBERED That at a regular term of the County Court of Union County, State of Oregon, begun and held at the Court House in the town of Union, in said County, on the 6th day of April, A. D. 1896, and from day to day thereafter during the continuance of said term when on Wednesday the 8th day of April, or the third judicial day of said term, the said Court opened for the transaction of business with the following officers present, to-wit:-

Hon. I. N. Sanders, County Judge,
Hon. W. D. Arnold, Commissioner,
Hon. P. J. Brown, Commissioner,
J. R. Oliver, Clerk,
J. F. Phy, Sheriff.

When on Thursday, the 9th day of April, A. D. 1896, or the Fourth 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 C. J. Duffey, et al.)
-----)

This matter coming on to be heard at this time upon the report of the viewers heretofore appointed herein for a second reading as by law required and the report of viewers being as follows, to-wit:-

REPORT OF VIEWERS.

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

The undersigned viewers heretofore on the 4th day of March, 1896, appointed to view, lay out and alter the proposed County road of which the survey hereto attached is a true and correct description, as petitioned for by C. J. Duffey, et al, beg leave to report that on the 13th day of March, 1896, 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.

S. L. Saunders,

J. A. Holcomb,

Frank P. Lee,

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 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, 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 J. H. Arthur, 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 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) I. N. Sanders,

County Judge,

The foregoing order is entered in Comr's Jul.

'H' at page 422 thereof.

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

In the matter of the road
petitioned for by
C. J. Duffley
vs. 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. 1902.

G. W. Benson Clerk.

Snake
County Court
Winn County, Oregon

Snake water
of the road pe-
titions for by
eg. Hubley, et al

Transcript of
papers transferred
to Porter County,
Oregon

Filed July 5, 1902
Wm. Rowan
Clerk