

No

—IN—

Count

vs

Plaintiff

Defendant

Action for

Docket

Page

Attorney for Plaintiff

Attorney for Defendant

— D —
THE IRWIN HOBSON CO MANUFACTURING STATIONERS

PORTLAND OREGON

No 169

782

Petitioned for by
L B Stearns
et al

Presented June 10 1897. I 91515

Ordered Opened July 8, 1897.

Commencing at SW Corner of
NW⁴ SW⁴ Sec 10 T³ S¹ R⁴
and terminating at a point
40 rods S of NE Cor of
NW⁴ Sec 13 said
T³ & Range

Pittler

|||

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 7 day of June, 1897, 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 I B Stearns, et al, beg leave to report that on the 19 day of June, 1897, 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 greatly 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.

Otho Schenkley
E Fuller
A. R. Robinson
VIEWERS.

REPORT OF SURVEYOR, County of Union, Ore. Form No. 111

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
L. B. Stearns et al., beg leave to report that
on the *19* day of *June* 189*7*, 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 a point 20 feet North
of the S. W. Cor. of the N. W. $\frac{1}{4}$ of the
S. W. $\frac{1}{4}$ of Sec. 10, T₃ S. R. 40 E. W. M.

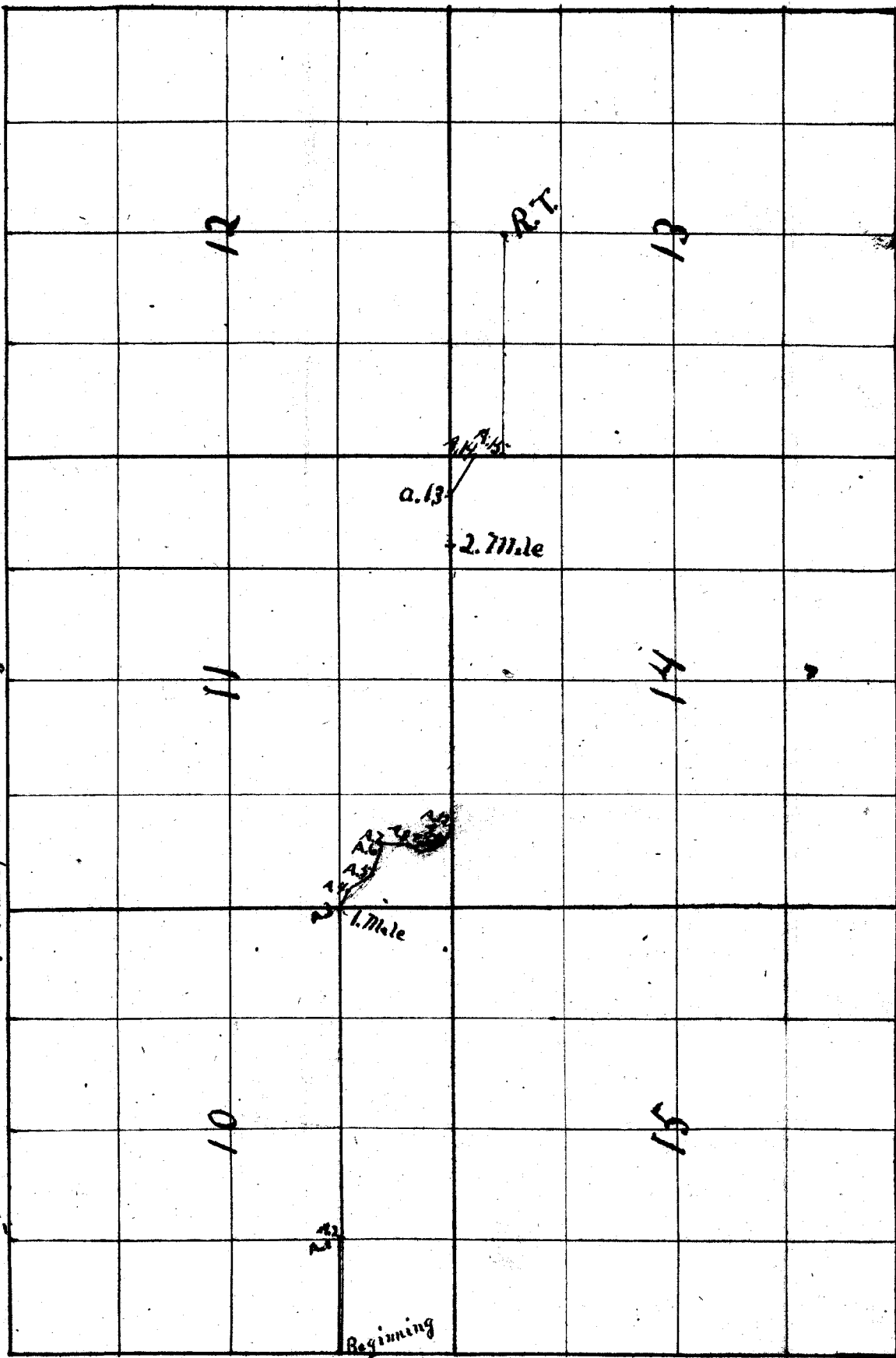
| | | |
|--------|-----------------------|-------------------------|
| Chains | A Rock marked R. | Then East Var 21° E |
| 20.20 | Set rock for A. 1 | Then South |
| .30 | " " " A. 2 | " East |
| 60.00 | " " " A. 3 and 1 Mile | |
| 3.06 | | Then South 61° East |
| 3.06 | " " " A. 4 | " South 32° East |
| 5.75 | " " " A. 5 | " " 68° " |
| 4.30 | " " " A. 6 | " North 88° " |
| 1.00 | " " " A. 7 | " South 2° West |
| 4.70 | " " " A. 8 | " South 30° " |
| 2.15 | " " " A. 9 | " " 2° East |
| 2.38 | " " " A. 10 | " " 23° " |
| 1.40 | " " " A. 11 | " " 44° 30' " |
| 3.56 | " " " A. 12 | " East |
| 51.70 | " " for 2 Miles | Same Course |
| 10.50 | " " " A. 13 | Then South 59° 30' East |
| 8.80 | A Tree " A. 14 | " South |
| 5.60 | " " " A. 15 | " East |

40.00 To Road Terminus a Rock marked
R. T. 40 rods South of the N. E. Cor
of the N. W. $\frac{1}{4}$ Sec. 13 said T₃ and Range
road to be 40 feet wide.

COUNTY COURT
H. SANDERS
ALLOWED
JUL 7 1897
H. Sanders
County Judge.

Arthur Curtis
County Surveyor

Township 3 South Range 40 E. W. 7N.



Scale 3 inches to the mile

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:

Beginning at the Southwest corner of the Northwest quarter of the Southwest quarter of Sec 10, Tp 3, South of Range 40 E.W.M. thence running in an easterly direction 1 mile to the S.W. Corner of the N.W. quarter of the S.W. quarter of Sec 11 said Tp and Range, thence running South of South-easterly with a gradual ascent following a line near now staked out to a point 50 rods east of the Southwest corner of the S.W. quarter of Sec 11 of said Tp and Range, thence running easterly along the Sec line between Secs 11 and 14 two hundred and fifty rods, thence running in a east South easterly direction over the most practical route to a point 10 rods South of the N.W. corner of Sec 13, thence Southerly on the Sec line to a point 40 rods South of said last said corner; thence running easterly one half mile, there terminating, at a point 40 rods South of the N.E. corner of the N.W. quarter of Sec 13 said Tp and Range. Said road to be 40 feet wide, and for the first 80 rods of the distance to be entirely on the North side of said line, the line running east and west through the center of the S.W. 1/4 of Sec 10 of said Township & Range.

And in duty bound your petitioners will ever pray, &c.

Dated at Corvallis this 5th day of May 1897

NAMES:

NAMES:

L. B. Stearns
Chas. J. Stacklands
J. B. Payne
Mrs. Cora Payne
Pearl Payne
Edna Payne
John Wilkinson
S. M. Blom
A. Anderson
J. M. Blom
A. G. Cowher
H. A. Mitchell
Geo. W. Thompson
Annel Bonstock

A. E. Eaton
Chas. Brasher
J. J. Kelly
Will. Reynolds
J. E. Stearns
D. H. Payne
S. L. Goffe
B. M. Benton
H. S. Galloway Not among names
D. B. May
J. W. Ross
B. Morrison
J. E. Kail
M. J. Duffey

FILED

JUN 9 1897

J. R. Oliver

COUNTY CLERK.

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 2nd day of June A. D. 1897, 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 at the Southwest corner of the Northwest quarter of the Southwest quarter of Section 10 Township 3 South of Range 40 E.W.M. thence running in an easterly direction 1 mile to the S.W. corner of the N.W. quarter of the S.W. quarter of Section 11, said Tp and Range; thence running South of Southeasterly with a gradual ascent following a line now staked out to a point 50 rods east of the Southwest corner of the S.W. quarter of Sec 11 of said Tp and Range; thence running easterly along the Sec line between Secs 11 and 14 two hundred and fifty rods, thence running in an East Southeasterly direction over the most practical route to a point 10 rods South of the N.W. corner of Sec 13, thence Southerly on the Sec. line to a point 40 rods South of the last said corner; thence running easterly one half mile there terminating, at a point 40 rods South of the N.E. corner of the N.W. quarter of Sec 13 said Tp and Range, said road to be 40 feet wide and for the first 30 rods of the distance to be entirely on the North side of said line running east and west through the center of the SW⁴ of Sec 10 of said Township & Range

NAMES:

NAMES:

R B Stearns
 L A Kennedy
 Hart J. Stackland
 J. V. Payne
 Mrs. Vire Payne
 Pearl Payne
 Edna Payne
 John Wilkinson
 S M Bloom
 A Anderson
 J M Bloom
 A G. Lonsler
 H A Mitchell
 Geo H. Thomas
 Amel Lonsstock

A. E. Eaton
 A. H. Brasher
 J. A. Hally
 Chas. Reynolds
 J. V. Stearns
 W. H. Payne
 S. L. Lopez
 B. M. Benton
 H. J. Galloway
 W. B. May
 J. H. Ross
 B. G. Morrison
 J. E. H. H. H.
 M. J. Duffly

FILED

JUN 2 1897

J. R. Oliver

COUNTY CLERK.

STATE OF OREGON,
County of Union. } ss.

I, *L B Stearns*

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 commencement of the proposed road*

One on Mrs Whites Barn 1/2 mile north of the Cove and one at the Post office in Cove Oregon

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the *5th* day of *May* 1897, and that thereafter and thirty days previous to the presentation of said road petition

therein mentioned, to-wit: On the *8* day of *May* 1897, 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.

Subscribed and sworn to before me this

9 day of *June* 1897

L B Stearns

J R Oliver
Clerk

FILED

JUN 9 1897

J. R. Oliver
COUNTY CLERK.

Bond of Road Petitioners.

Know All Men by These Presents, That we, L B Stearns
and M J Duffey of the County of Union and State of Oregon,
are held and firmly bound unto said County 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 June A. D., 1897

Now, the condition of the above obligation is such, that, **Whereas,** the above-named
L B Stearns and _____ and others
have petitioned the County Court of Union County, at the June term, 1897,
thereof, for a County road, described in the notice hereto attached.

Now, if the above-named L B Stearns and _____
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.

L B Stearns (Seal.)
M J Duffey (Seal.)

STATE OF OREGON, }
County of Union. } ss.

I, M J Duffey, say 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

Subscribed and sworn to before me this 9 day of June 1897
M J Duffey
J R Oliver County Clerk.
By _____ Deputy.

Bond of Road Petitioners.

Road Petitioned for by

L. B. Hearnes et al.

Approved *June 9th 1897*

E. J. Sanders

County Judge.

Filed *June 9* 1897

J. P. Oliver

County Clerk.

By _____ Deputy.

Secord Judicial Day.

Thursday, June 10, 1897.

that at the January term of this Court an order was made cancelling the tax lien charged against Mrs Anna B. Lewis, for the year 1894; that at the time the said order was made it was represented to the Court that Anna B. Lewis was the owner of lots one and two in Block Eighty-nine, Chaplins addition to La Grande, and that she was unable to pay the taxes charged against said property without leaving herself destitute and that if she was compelled to pay the said taxes the County would probably have to grant her aid as she would be unable to support herself and family and it now appearing to the Court that there is a mortgage against the said property which is liable to be foreclosed and the property taken away from the said Mrs Anna B. Lewis, and that it would be an injustice to the taxpayers of the County to cancel the lien against the said property and that if the said lien is cancelled it would not be a benefit to Mrs Anna B. Lewis but would be benefiting the mortgagee of the premises. It is therefore considered and ordered that the order heretofore made at the January term of this Court cancelling the said tax lien and admitting the latter for the year 1894 be and the same is hereby set aside, cancelled and held for naught.

In the matter of the proposed County road petitions for by L. B. Adams, et al.

Came now L. B. Adams, 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, six feet wide, to wit, beginning at the Southwest corner of the Northwest quarter of the Southwest quarter of Sec 10, T. 3, South of Range 40 E. W. M. thence running in an easterly direction 1 mile to the SW corner of the NW quarter of the SW quarter of Sec 11, said T. 3 and Range thence running South of Southwesterly with a gradual ascent following a line now staked out to a point 50 rods east of the Southwest corner of the SW quarter of Sec 11, of said T. 3 and Range, thence running easterly along the old line between Sec 11 and 14 two hundred and fifty

Second Judicial Day.

Thursday, June 10/97.

road, thence running in east southeasterly direction over the most practical route to a point 10 rods South of the NW corner of Sec 13, thence southerly with one line to a point 40 rods South of last said corner, thence running easterly one half mile thence terminating at a point 40 rods South of the NE corner of the NW quarter of Sec 13, said 40 rod Range. said road to be 40 feet wide, and for the first 80 rods of the distance to be entirely on the North side of the line running east and west through the center of the SW 1/4 of Sec 10 of said Township and Range. And it appearing to the Court that said petition is signed by more than three 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 commencement of the proposed road, one on Mrs White's farm 1/2 mile North of the Cove, and one at the Post office in Cove, Oregon, 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 petition reported were in due form and duly signed by the petitioners, and that a bond for the cost of their proceeding has been duly given. It is therefore ordered that C. Fuller, A. R. Robinson and Otto Eckersley be appointed Viewers of said road, and that Arthur Curtis be appointed Surveyor of said road, and that they meet at Cove, on the 14th day of June 1897, at the hour of 9 o'clock A.M. and after qualifying to view, survey and lay out said road according to law.

Whereupon the Journal of today's proceedings was read, approved and a hicron signed. And it was ordered that Court be now adjourned for the term.

J. W. Sanders

County Judge.

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 Monday the 5th day of July 1897, and from day to day thereafter during the continuance of said term, when on Wednesday the 7th day of July A.D. 1897, at the said 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. Sanders County Judge.

W. D. Arnold Commissioner

R. E. Langrel. Commissioner

J. R. Olwin Clerk

J. F. Phy. Sheriff

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

In the matter of the
read petitioned for
by L. B. Shanno et al.

This matter came on to be heard at this time on the report of the Viewers and Surveyors heretofore appointed herein for the 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 repair-
ing bridges over Grande
Ronde River on what is
known as the Mercedes
Bridge, Jay Bridge and
the Bull Bridge.

At this time it is ordered by the Court that this matter be and the same hereby is continued for the term on the former order.

In the matter of grant-
ing the Road Right of the
Olgin Bridge.

At this time it is ordered by the

1897
Fourth Judicial Day.Thursday, July 8th 1897.

Court met pursuant to adjournment.

The same officers were present as on yesterday.

Due proclamation of the opening of Court having been made, the Journal of yesterday's proceedings was read, approved and is herewith signed.

W. Sandus

County Judge.

Thereupon the following proceedings were had, to-wit:

In the matter of the
 proposed County Road
 petitioned for by L. B.
 Shanno, et al.

This matter came on to be heard at this time on the report of the Viewers and Surveyor heretofore appointed, hereinafter second reading as provided by law, and the Report of the Viewers being in words following to-wit:

Report of Viewers

To-wit: Honorable County Court for Union County, Oregon; The undersigned viewers heretofore on the 7th day of June 1897, appointed to view and lay out and alter the proposed County road, of which the survey, heretofore attached is a true and correct description, as petitioned for by L. B. Shanno, et al, by a report that on the 19th day of June, 1897, 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 said proposed road for the whole distance thereof and that in our opinion said proposed road showed, below cut and established as a public highway of Union County, Oregon; that the same is impracticable and would greatly add to the inconvenience of the householders residing in the vicinity thereof, we therefore recommended that said proposed road be laid out and declared a public highway of said County.

O. C. Cleaveland, E. Fuller, A. P. Robinson, Viewers.

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 recommended that said proposed road be established as a County road, and be de-

Fourth Judicial Day.

Thurs. July 5th 1897.

That 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 James Hille, Road Supervisor of road District No 6 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.

In the matter of allowing bills and issuing warrants on the same.

This matter came on to be heard at this time for the allowance of various bills against the County and the bills having been submitted to the Court and the Court having taken action on the same, as evidenced on the respective bills. It is therefore considered and ordered by the Court that the said bills be allowed and warrants be issued on the County Treasurer on the same, as follows, to wit:

| No. | To whom issued | For what issued | Amount paid \$ |
|-----|----------------|------------------------------|----------------|
| 874 | J. Harris | Witness fees Grand Jury | 5 00 |
| 875 | M. Sanders | Salary County Judge for June | 100 00 |
| 876 | W. D. Dancel | Commissioners fees | 18 00 |
| 877 | R. S. Laugher | do do | 24 00 |
| 878 | J. A. Oliver | Salary County Clerk for June | 150 00 |
| | | | 297 00 |