

No

—IN—

Court

us

Plaintiff

Defendant

Action for

Docket

Page

Attorney for Plaintiff

Attorney for Defendant

489

Relation

1857

Commencing at the NW Corner
of Sec 37 Tp 7 S R 26 E N 4 M
and running N 89° 30' W 1/2 Sec 37
then 1/2 mile N 89° 30' W to
the County Road running N 89° 30' W

Baker Co

Platted

1857

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 northwest corner of Section 32, Tp. 7, S.R. 46, E. W. M. and running west on said section line, one mile to intersect the County Road running north and south through the valley, said road to be sixty feet wide. Said road being a continuance of the Smitcomb & Flory Road.

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

Dated at Pine, Oregon, this 3d day of Sept. 1897.

Names.

F. S. Fairhurst
A. C. Lyte,
G. R. Crege,
J. E. Steele,
Willis, Mitchell,
R. S. Mills,
R. B. Crege,
G. W. Brown,
Harvey Freman,
Harry Rebertson,

Names.

J. H^weitt,
T. Turner,
S. A. Hulse,
Geo. Mitchell,
R. S. Foreman,
E. F. Mills,
Jes. P. Ritter,
Freman & Steele,
Walter T. Allen

Endorsed:-

Filed Oct. 6⁹, 1897.

J. R. Oliver, County Clerk.

Camp

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 ~~regular~~ session of the County Court for Union County, Oregon, to-wit: On Wednesday, the _____ day of October, 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:

Commencing at the northwest corner of section 32, S.R. 46, E.W.M. and running west on said section line one mile to intersect the County Road running north and south through the valley, said road to be sixty feet wide. Said road being a continuance of the Smitcem & Flory Road.

Dated at Pine, Oregon, the 3rd day of Sept. A. D. 1897.

Names,
F. S. Fairhurst,
A. C. Lyte,
G. R. Crego,
J. E. Steele,
Willis Mitchell,
R. S. Mills,
R. B. Crego,
G. W. Brown,
Harvey Foreman,
Harry Robertson.

Names.
W. Hewitt,
T. Turner,
S. A. Hulse,
Geo Mitchell,
R. S. Foreman,
E. T. Mills,
Jes. P. Ritter,
Freeman Steele,
Walter T. Allen,

Endorsed:- Filed Oct. 9, 1897.

J. R. Oliver, County Clerk.

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

I, A. C. Lytte, 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 notice at the starting point on said road petitioned for, one on the terminus and one on the public highway (Flory Road) and one on the Court House ^{door} ~~Dorr~~, in Union, Union Co. Oregon, thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 1st day of October, 1897, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 3d day of November, 18__ , 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.

A. C. Lytte,

Subscribed and sworn to before me this 1st day of October, 1897.

Chas. B. Orai,

Notaryl public for Oregon.

Notarial seal.

Endorsed: Filed Oct. 5, 1897.

J. R. Oliver, County Clerk.

BOND OF ROAD PETITIONERS.

Knew all, men by these presents, that we, A. C. Lytle and James P. Ritter of the County of Union and State of Oregon, are held and firmly bound unto said County in the sum of fifty 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 1st day of October, A. D/ 1897.

Now, the condition of the above obligation is such, that, whereas the above named A. C. Lytle and James P. Ritter and others have petitioned the County Court of Union County, at the November Term, 1897, thereof, for a county road, described in the notice hereto attached.

Now, if the above named A. C. Lytle and James P. 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.

A. C. Lytle, (Seal)

J. P. Ritter, (Seal)

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

I, James P. Ritter, 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 household holder in said County and State.

J. P. Ritter.

Subscribed and sworn to before me this 1st day of October, 1897.

Chas. B. Orai,

Notary Public for Or.

Notarial Seal.

Endorsed:)

Endorsed:-

Bond of Road Petitioners.

Road Petitioned for by F. S. Fairhurst, et al.

Filed Oct. 6th, 1897.

J. R. Oliver,

County Clerk.
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Journal Entry.
Fairhurst Road.

BE IT REMEMBERED That at a regular Term of the Honorable 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 the 4th day of October, A. D. 1897, and from day to day thereafter during the continuance of said term; when on Wednesday the 6th day of October, 1897, 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,
- Hon. W. D. Arnold, Commissioner,
- Hon. R. T. Langrell, Commissioner,
- J. R. Oliver, Clerk,
- J. F. Phy, Sheriff.

When on Wednesday the 6th day of October, A. D. 1897, 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 F. S. Fairhurst, et al.)
-----)

Comes now F. S. Fairhurst, 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 N.W. Corner of sec. 32, Tp. 7, S.R. 46, E. W. M. and running west on said section line one mile to intersect the County road running north and south through the valley, said road to be 60 feet wide; said road being a continuation of the Smitcomb & Flery Road, 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 the said proposed road, to-wit: One notice at the starting point, on said road, petitioned for; one at the terminus and one on the public highway. (Flory 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 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 George Steele, C. B. Orai, and Fred Painter be appointed viewers of said road and that Arthur Curtis be appointed surveyor of said road and that they meet at Robert Mills' on the 28th day of Oct. 1897, at the hour of 9 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.

'I' at page 63 thereof.

REPORT OF VIEWERS.

To the Honorable County Court for Union County, Oregon:

The undersigned vieweres heretofore on the 4th day of October, 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 F. S. Fairhurst, et al, beg leave to report that on the 28th day of Oct. 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 read for the whole distance thereof, and that in our opinion said proposed read 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 thereforerecommend that said proposed road be laid out and declared a public highway of said County?

Geo. Steele,

Chas. B. Orai,

Fred E. Painter, viewers.

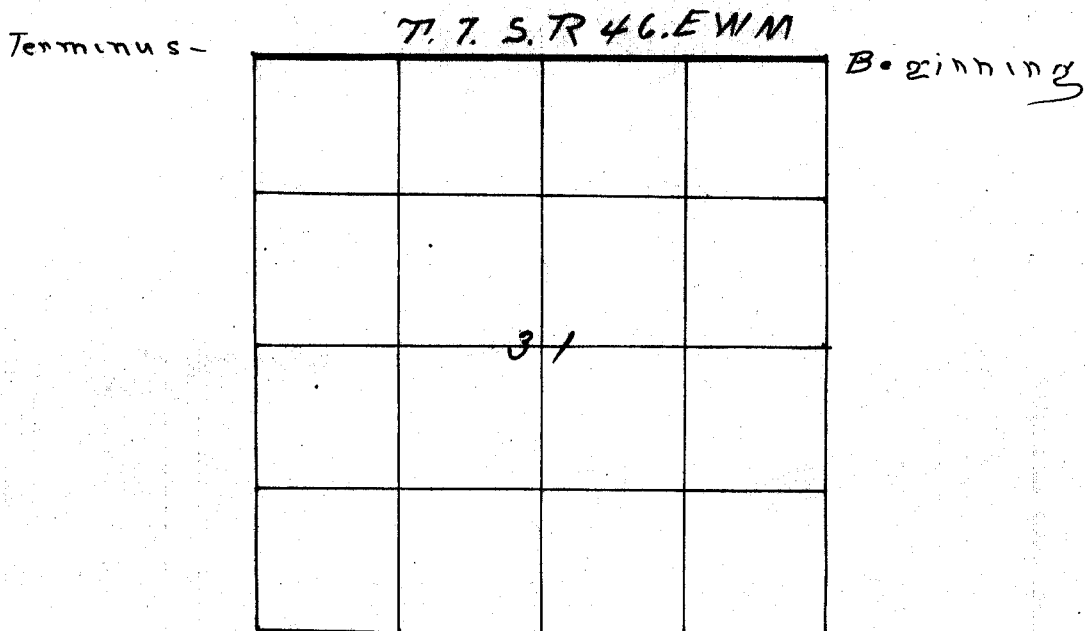
REPORT OF SURVEYOR.

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

I, the undersigned, County Surveyor, appointed to survey the County Road proposed by F. S. Fairhurst, et al, beg leave to report that on the 28 day of Oct. 1897, 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 Northwest Cor^a. Sec. 32, Tp. 7, S.R. 46, E. W. M. thence west 78.10 chains, to R. T. the N.W. Cor. of Sec. 31, T. 7, S.R. 46, E. W. M. all points are marked with rocks.

Arthur Curtis,
County Surveyor.



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 the 1st day of November, A. D. 1897, and from day to day thereafter during the continuance of said term; when on Wednesday the 3rd day of November, 1897, 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,
Hon. W. D. Arnold, Commissioner,
Hon. R. T. Langrell, Commisiener,
J. E. Oliver, Clerk,
J. F. Phy, Sheriff.

When on Wednesday the 3rd day of November, A. D. 1897, or the third judicial day of said term, among other proceedings the following was had, to-wit:-

In the matter of the County Road)
petitioned for by F. S. Fairhurst, et al.)
-----)

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

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

The foregoing order is entered in Comr's Jul.

'I' on page 83 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 city of Union, in said County and State on the 1st day of November A. D. 1897, and from day to day thereafter during the continuance of said term; when on Wednesday the 3rd day of November, 1897, 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,
Hon. W. D. Arnold, Commisniener,
Hon. R. T. Langrell, Commisniener,
J. R. Oliver, Clerk,
J. F. Phy, Sheriff.

When on Thursday the 4th day of November, A. D. 1897, 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 F. S. Fairhurst, et al.)
-----)

This matter came on to be heard at this time upon the report 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 of Union County, Oregon:-

The undersigned viewers heretofore on the 4th day of October, 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 F. S. Fairhurst, et al, beg leave to report that on the 28th day of October, 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 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.

Geo. Steele,

Chas. B. Orai,

Fred. E. Painter, 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 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 opened according to law. 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 Sutherland, Road Supervisor of Road District No. 26, 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.

'I' at page 95 thereof.

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

In the matter of the road
petitioned for by
J. L. Paichurst 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. 1902.

G. W. Benson Co. Clerk.

Justice

County Court

of the

State of Oregon

for

Wain County

Justice matter.

of the County and

returned forth

F. S. F. and

et al.

[Illegible signature]

Managers of

papers transferred

to Baker County.

Oregon

Filed July 5, 1902

Geo. Bennett

Deputy

Third Judicial Day.

Wednesday, Oct. 6, 1897.

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 Wm Sherman, E. Leep, and W. W. Floyd be appointed viewers and Arthur Curtis be appointed surveyor of said road, and that they meet at Pine, Oregon, on the 29 day of October, 1897, at the hour of 8 o'clock a.m., and after qualifying, to view, survey and lay out said road according to law.

In the matter of the proposed county road petitioned for by F. S. Fairhurst et al.

Come now F. S. Fairhurst, 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 NW corner of Sec. 32, T. 7 S. R. 46 E. W. 3 and running west on said section line one mile to intersect the county road running north and south through the valley, said road to be 60 feet wide; said road being a continuation of the Quincecomb + Flory road. 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 notice at the starting point on said road petitioned for; one at the terminus and one on the public highway, + Flory 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 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 George Stuelo, C. B. Orsi and Fred Painter be appointed viewers