

EQUITY } NO
LAW }

In Circuit Court,

Union County

vs

Plaintiff

Defendant

Attorney for Plaintiff

Attorney for Defendant

Bates Co

332

Relinquished for by
H. Jeldnes
et al

Commencing at the NE Cor.
of Sec 1 Tp 8 SR 40 E N m
and terminating at a point
61 rods in a SN direction from
the NE Cor SE 4 NW 4 Sec 2, Tp
8 SR 46 E N m

Bates Co

233

J 141
186
189

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 North East Corner of Sec 1 T. 8 S. R. 45 E.W.M. Thence South to the South West Corner of N.W. 4 of Sec. 7 T8'S.R.46 E.W.M. Thence in a southeasterly direction. Following the travelled Road to a point about 34 Rods West of the Southeast Corner of the N.E. 4 of N.E. 4 of SEC. 18 T.8 S.R.46 E.W.M. Leaving the present traveled Road at this point Running in a Southeasterly direction intersecting said Road at a point 37 Rods Northwesterly, from the Southeast Corner of the ~~Sec. 17~~ of Sec. 17 T.8 S.R.46 E.W.M. Asking the Co. Court To declare the old Road between the last two points mentioned. Be a abandoned. Thence in a Southeasterly direction, Following the traveled Road to where said Road intersectsthe Co. Road running from Pine to Eagle Valley at a point about 61 Rods in a Southwesterly direction from the North East Corner of S.E. 4 N.W. 4 of Sec. 21 T. 8 S.R.46 E.W.M. The same to be a 50^{foot} Road.

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

Dated at Halfway this 31st day of March 1900.

NAMES.
 H. Feldnes.
 J.H. Chandler.
 H.H.Grubb.
 A.W.Motley.
 R.W.Boyles.
 Samuel Painter.
 Isaac England.
 W.E.Leep.
 J.W.McFadden.
 Wilkinson Bros.
 J.R.Faulp.

NAMES.
 J.W.Bloom.
 Joseph Bloom.
 W.A.Moore.
 W.W.Lloyd.
 George Rexroth.
 El Leep.
 F.A.Dawson.
 C.W.Haynie.
 H.R.Leep.

Filed May 9 1900.

G.W.Benson, County Clerk.

STATE OF OREGON,)
 (ss.
County of Union, ((

I, ~~H.~~ **Jeldnes** being first duly sworn, say that I, posted three several notices, of which the notice hereⁱⁿ 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 North East corner of Sec. 1 T. 8 S. R. 45 E. W. M. One about 20 rods South from South West corner of N. E. 1/4 of S. W. 1/4 of S. 17 T. 8 S. R. 46 E. W. M. and about middle road petitioned for. One at the end of road petitioned for and about 61 rods in a South Westerly direction from North East corner of S. E. 1/4 of N. W. 1/4 Sec. 21 T. 8 S. R. 46 E. W. M.

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the day of 1900, and that thereafter and thirty days previous to the presentation of said road petition therein, mentioned, to-wit: On the day of 1900, 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.

H. Jeldnes.

Subscribed and sworn to before me this 5 day of May 1900.

A. W. Compton.

Justice of the Peace.

Filed May 9 1900.

G. W. Benson,
Co. Clerk.

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

I, F. M. Slocum, being first duly sworn say that on the 3rd day of April, 1900, I posted the hereto attached notice at the place of holding Court for Union County, Oregon, to-wit: On the bulletin Board at the front door of the Court House 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. M. Slocum,

Subscribed and sworn to before me this 9th day of May, 1900.

G. W. Benson,

Co. Clerk.

Endorsed:-

Filed May 9, 1900.

G. W. Benson, Co. Clerk.

NOTICE OF ROAD PETITION.

TO ALL PERSONS CONCERNED: You, ^{and all} each 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 May A.D. 1900, 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 North East Corner of Sec. 1 T. 8 S. 45 E. W. M. Thence South to the South West Corner of N. W. 4 Sec. 7 T. 8 S. R. 46 E. W. M. Thence in a South Easterly direction following the traveled Road to a point about 34 rods West of the South East Corner of N. E. 4 of N. E. 4 Sec. 18 T. 8 S. R. 46 E. W. M. Leaving present traveled Road at this point Running in a Southeasterly direction intersecting said road at a point 37 Rods NorthWesterly from the Southeast Corner of N. E. 4 S. W. 4 of Sec. 17 T. 8 S. R. 46 E. W. M. Asking the Co. Court to declare the old Road between the ^{two} last two points mentioned, Be abandoned. Thence in a Southeasterly ~~direction~~ ^{following} leaving the traveled Road to where the said Road intersects the Co. Road running from Pine to Eagle Valley at a point ^{about} 61 Rods in a Southwesterly direction from the Northeast Corner of S. E. 4 of N. W. 4 of Sec. 21 T. 8 S. R. 46 E. W. M. The same to be a 50 foot Road.

Dated at Halfway Oregon, the 31st day of March A.D. 1900.

NAMES.

H. Jeldnes.
J. H. Chandler.
H. H. Grubb.
A. W. Motley.
R. H. Boyles.
Samuel Painter.
Isaac England.
W. E. Leep. J. W. McFadden.

NAMES.

W. W. Lloyd.
George Rexroth.
El Leep.
F. A. Dawson.
C. W. Haynie.
W. R. Leep.
Wilkinson Bros.
J. R. Feulp.

NAMES.

J.W.Bloom.

Joseph Baird.

W.A.Moore.

Posted Apr. 3 1900. F.M.S.

Filed May 9 1900.

G.W.Benson,

Co. Clerk.

BOND OF ROAD PETITIONERS.

KNOW ALL MEN BY THESE PRESENTS, That we, H. Jeldnes and Alexander Hopkins, of the County of Union and State of Oregon, are held and firmly bound unto said County of Union in the sum of (\$100) 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 5 day of May A.D. 1900.

Now, the condition of the above obligation is such, That, whereas the above named H. Jeldnes and Alexander Hopkins, and others, have petitioned the County Court of said County of Union, at the May Term, 1900 thereof for a County Road.

NOW, if the above named H. Jeldnes and Alexander Hopkins 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.

H. Jeldnes

Seal.

A. Hopkins

Seal.

STATE OF OREGON,) ss.
(
(
COUNTY OF UNION,)
(

I, Alexander Hopkins and H. Jeldnes, each for himself, says, that I am worth the sum of 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.

A. Hopkins.

H. Jeldnes

Subscribed and sworn to before me this 5th day of May A.D. 1900.

A. W. Compton,

Justice of the Peace.

Endorsed:--

INRE H.Jeldnes Road.

Filed May 9 1900.

G.W.Benson,

County Clerk.

Wed. May 23 1900, 8o'clock A.M.

R.O.Langrells.

Geo.Chandler.

S.D.Fay. ,

J.E.Underwood.Halfway.

Journal Entry.
Jeldnes Road.

BE IT REMEMBERED That at a regular term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court house in the city of Union in said County and State on Monday the 7th day of May, A. D. 1900, and from day to day thereafter during the continuance of said term, when on Wednesday the 9th day of May, 1900, 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. B. F. Wilson, County Judge,
- " R. T. Langrell, Commissioner,
- " Henry Hug, Commissioner,
- G. W. Benson, Clerk,
- D. Y. K. Deering, Sheriff,

When on Wednesday the 9th day of May, A. D. 1900, 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 H. Jeldnes, et al.)
 -----)

Comes now H. Jeldnes, 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 northeast corner of Sec. 1, Tp. 8, S.R. 45, E. Thence south to the southwest corner of N.W.4 of Sec. 7, tp. 8, S.R. 46, E. W. M. thence in a southeasterly direction ^{following} ~~along~~ the traveled road to a point about 34 rods west of the southeast corner of the N.E.4 of N.E.4 of Sec . 18, Tp. 8, S.R. 46, E. W. M. leaving the present traveled road at this point running in a southeasterly direction intersecting said road at a point 37 rods northwesterly from the southeast corner of the N.E.4 of S.W.4 of Sec. 17, T. 8, S.R. 46, E. W. M. asking the Co. Court to declare the old road between the last two points mentioned be abandoned, thence in a south-

easterly direction following the traveled road to where said road intersects the Co. Road running from Pine to Eagle Valley, at a point about 61 rods, in a southwesterly direction from the northeast corner of S.E.4 N.W.4 of Sec. 21, Tp. 8, S.R. 46, E. W. M. the same to be a 50 foot 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 at the northeast corner of Sec. 1, Tp. 8, S.R. 45, E. W. M. one about 20 rods south of from Southwest corner of N.E.1/4 of S.W.1/4 of Sec. 17, Tp. 8, S.R. 46, E. W. M. and about middle of road petitioned for, one at the end of road petitioned for and about 61 rods in a southwesterly direction from northeast corner of S.E.1/4 of N.W.1/4 Sec. 21, Tp. 8, S.R. 46, E. W. M/ 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 Geo. Chandler, S. D. Fay, and J. E. Underwood, be appointed viewers and that Arthur Curtis be appointed surveyor of said road and that they meet at R. T. Langrell's on the 23 day of May, 1900, at the hour of eight o'clock, A. M. and after qualifying to view, survey and lay out said road according to law.

(Signed) B. F. Wilson,

County Judge,

the foregoing order is entered in Comr's Jul.

'J' at page 141 thereof.

REPORT OF VIEWERS.

To the Honorable County Court for Union County, Oregon:

The undersigned viewers heretofore on the 7 day of May 1900, 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 H. Jeldnes, et. al., beg leave to report that on the 23 day of May, 1900, 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. Chandler.)
S.D. Phay.) Viewers.
J.E. Underwood)

Filed June 9 1900,

G.W. Benson,
Co. Clerk.

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 H Jeldness et al, beg leave to report that on the 23rd day of May, 1900, 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:

Arthur Curtis,
County Surveyor,
By J. L. Curtis, depty.

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

I hereby certify that in the matter of the County Road petitioned for by H. Jeldness et al, that the viewers and each of them heretofore appointed by the Court, to view and lay out said Road, were duly sworn by me to faithfully and impartially perform the duties pertaining to the viewing, laying out and establishing of said road before entering upon the discharge of their said duties in that behalf.

Arthur Curtis,
County Surveyor,
By J. L. Curtis, deputy.

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

I hereby certify that the foregoing Field Notes made by me in the survey of the County Road Petitioned for by H. Jeldness et al, are true and correct and that the plat accompanying the same is true and correct representation of the course of said road together with the angles and distances.

Arthur Curtis,
County Surveyor,
BY J. L. Curtis, deputy.

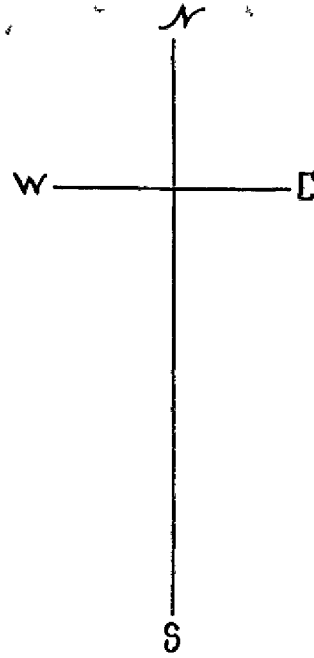
Endorsed:) Filed June 9, 1900, G.W.Benson, Co.Clerk.

T. 3 S. R. 45 E. W. M. T. 4 S. Range 46 E. W. M.

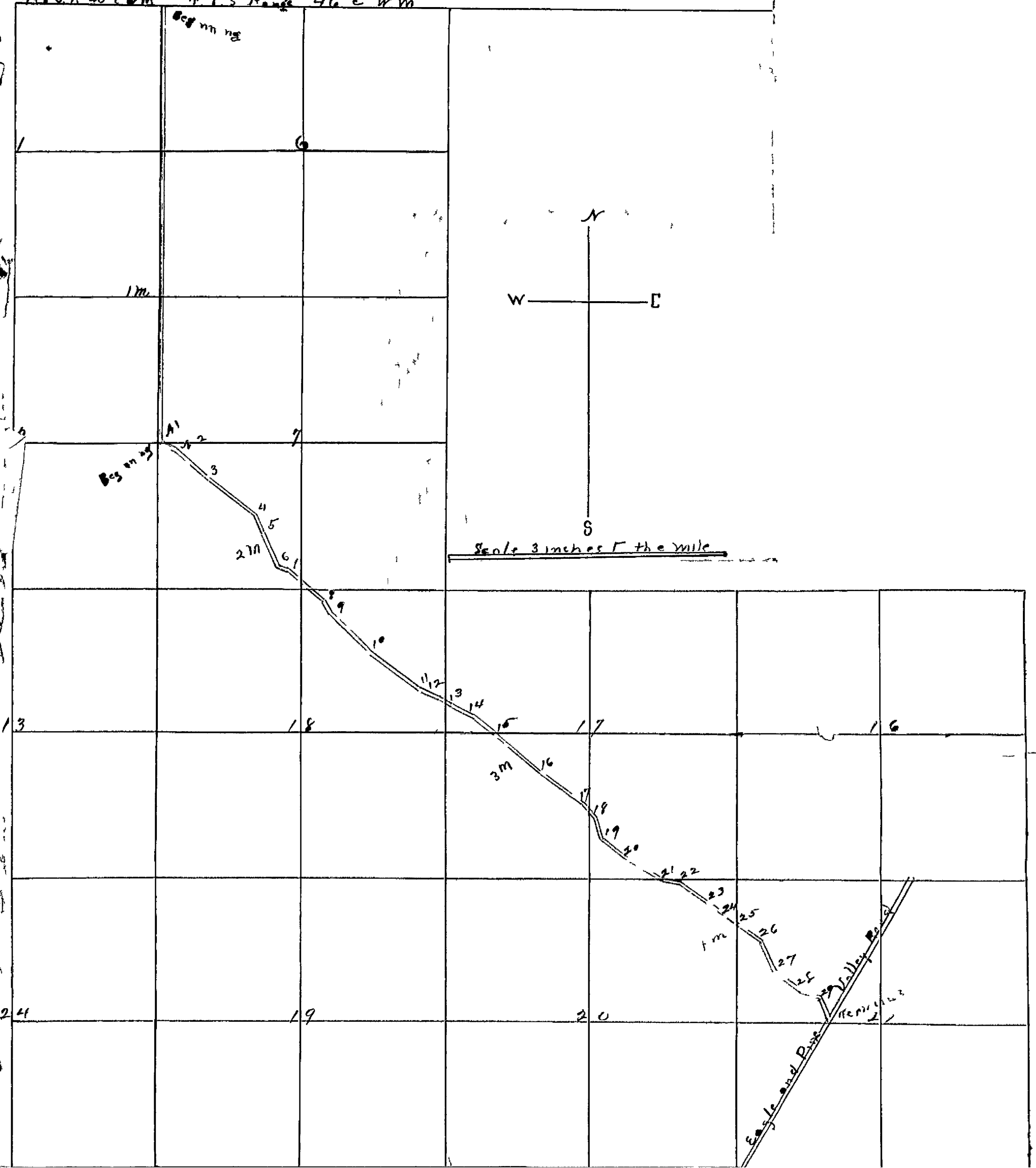
Beginning

Beginning

1 m.



Scale 3 inches = the mile



Field Notes.

Commencing at the N.E. Corner of Sec. 1, T. 8, S. range 45, E. W. M.
and running thence south

120.00 Chs.	to	a	1	thence S.	78°	E.
			2,	" "	45°	"
4.00	"	"				
12.00	"	"	3,	" "	50°	"
17.00	"	"	4,	" "	23°	"
4.00	"	"	5	" "	48	"
10.00	"	"	6,	" "	62°	"
2.00	"	"	7	" "	48°	"
13.00	"	"	8	" "	24°	"
4.00	"	"	9	" "	45°	"
14.00	"	"	10	" "	57°	"
13.00	"	"	11	" "	47°	"
3.00	"	"	12	" "	67°	"
6.00	"	"	13	" "	50°	"
2.00	"	"	14	" "	63°	"
8.00	"	"	15	" "	50	"
14.00	"	"	16	" "	53°	"
15.00	"	"	17	" "	41°	"
5.00	"	"	18	" "	26°	"
7.00	"	"	19	" "	49°	"
9.00	"	"	20	" "	61°	"
12.00	"	"	21	" "	79°	"
3.00	"	"	22,	" "	53.	"
9.00	"	"	23,	" "	48°	"
4.00	"	"	24	" "	39	"
8.00	"	"	25	" "	55°	"
16.00	"	"	26	" "	29°	"
10.00	"	"	27	" "	54°	"

7.00 " " " 28 " " 68° "

6.00 " " " 29 " " 24° "

5.00 " to the Terminus of the road intersecting the County road from Pine to Eagle Valley about 61 rods in a southeasterly ^{western} direction from the N. E. Corner of S.E.1/4 of N.W.1/4 of Sec.21, T. 8, South Range 46, East Will. Mer.

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BE IT REMEMBERED That at a regular Term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of Union in ^{said} county and State on Monday the 2d day of July, A. D. 1900, and from day to day thereafter during the continuance of said term, when on Thursday the 5th day of July, A. D. 1900, or the third judicial day of said term the said County Court opened for the transaction of County business with the following officers present, to-wit:

- The Hon. B. F. Wilson, Judge, Presiding.
- The Hon. Henry Hug, County Commissioner,
- The Hon. Geo. W. Brown, County Commissioner,
- G. W. Benson, Clerk,
- D. Y. K. Deering, Sheriff,

When on Thursday the 5th day of July, A. D. 1900, 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 H. Jeldnes 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 first reading and the said report having now been publicly read in open Court for the first time, it is considered and ordered that said report be laid over for a second reading on some other day of the present term of this Court.

(Signed) B. F. Wilson,
County Judge,

The foregoing order is entered in Comr's Jul.
'J' at page 186 thereof.

BE IT REMEMBERED That at a regular Term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of Union, in said County and State on Monday the 2d day of July, A. D. 1900, and from day to day thereafter during the continuance of said term, when on Thursday the 5th day of July, A. D/ 1900, or the third judicial day of said term the said County Court opened for the transaction of County Business with the following officers present, te-wit:-

- The Hon. B. F. Wilson, Judge, Presiding.
- The Hon. Henry Hug, County Commisssiener,
- The Hon. Geo. W. Brown, County Commissioner,
- G. W. Benson, Clerk,
- D. Y. K. Deering, Sheriff.

When on Friday the 6th day of July, A. D. 1900, or the Fourth Judicial day of said term, among other proceedings the following was had, te-wit:-

In the matter of the proposed County Road)
petitioned for by H. Jeldnes 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 second reading as provided by law, and the report of viewers being in words following, te-wit: **REPORT OF VIEWERS.**

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

The undersigned viewers heretofore on the 7 day of May, 1900, 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 H. Jeldnes, et al, beg leave to report that on the 23 day of May, 1900, 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. Chandler,

S. D. Fay,

J. E. Underwood, 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, 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. W. Bloom, Road Supervisor of Road District No. 41, 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) B. F. Wilson,
County Judge,

The foregoing order is entered
In Comr's Jul. 'J' at page 189 thereof.

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

In the matter of the road
petitioned for
by H. J. Jones
et al

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

I, G. W. Benson County Clerk of the County of Union, State of 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} December, A.D. 1902.

G. W. Benson Clerk.

Butte
County Court
of the
State of Oregon for
Newn County

Butte water
of the road pe-
titions for by

W. DeLore, et al

Transcript of
papers transferred
to Baker County.

Oregon

This July 5, 1902
J. W. Benson
Co. Clerk