

EQUITY.

No

In CIRCUIT COURT

UNION COUNTY

Justus Wade
et al

Plaintiff

vs

Union County and
E. B. Long

Defendant

C. H. Snow and

C. E. Cochran

Attorney for Plaintiff

Attorney for Defendant

574
In the County Court of
the State of Oregon
this 11th day of January

K 337 3'6-331-111

In the matter of the
Vacation of County Road
Petitioned for by Anna
Cull et al

Deputy County
Petitioner etc

Annexed

Dismissed

PETITION TO VACATE ROAD

TO THE HONORABLE THE COUNTY COURT OF UNION COUNTY, OREGON

We, the undersigned, freeholder of the county of Union, State of Oregon, residing in the ROAD DISTRICT wherein is situated the road hereafter mentioned and described as sought to be vacated respectfully petition your Honorable Body to vacate upon road and especially the route described as follows -

Commencing at a point eight (8) chain west of the southeast corner of Section two (2) in Township one (1) south of Range thirty eight (38) E W M at a rock set in ground marked R-thence running north 21 degrees west 42 15 chains to a rock marked L-thence running north 31 degrees west 10 00 chains to a rock marked angle 2-thence running north 55 degree west 21 50 chain to a rock marked R T-which is set in the center of the County Road at a point on the subdivision line 13 54 chain south of the quarter section corner on the north side of section two (2) in Township one (1) south of Range thirty eight (38) E W M and there to terminate-and all being in Union County, Oregon

Mrs Annie Colt

Mrs Languehine Laramore

C A Myers

W M Park

E B Long

V E Long

W E White

G T Wilson

W H Glenn

Ida Moore

J E Weston

A M J. ...

J Slack

E T. Wharrior

J. ...

J H Siffney

W. Clegg

R. M. Needham

R. M. Needham

R. M. Needham

R. M. Needham

State of Oregon,
 County of Union, S-I-A.J. Colt being first duly sworn on oath, say,
 that I posted three notices (a copy of which is here annexed) of the
 proposed vacation of road as petitioned for herein, in the following
 places, to wit: one on the fence at the starting point of the road petition
 ed to be vacated, one on house of Anna Colt, on the road petitioned to
 be vacated about midway, and one on a tree in front of the house of E.
 Fisher, at terminus of the road petitioned to be vacated, all in plain
 view of the public, and in section 2 in twp. 1 south of range 38 E.W.M
 in Union County, Oregon, and that I so posted the said three notices on
 the 1st day of August, 1903, and thirty days prior to the presentation
 of petition herein, and further that all of said petitioners are free-
 holders residing in road district No. 10 of Union County, Oregon, and the
 only district in which said roads so petitioned to be vacated is situated
 and further, that said petitioners constitute nineteen of the resident
 freeholders out of out twenty-four within said district, there being but
 twenty-four resident freeholders in said district.

A.J. Colt

Subscribed and sworn to before me on this the 1st day of September, A.D.
 1903.

C. H. Pierce

Notary Public for Oregon.

In this County Court
 of the State of Oregon
 for Union County

In this matter of the
 vacation of the
 roadway roads petitioned
 for by Anna Colt
 et al

Petition

Filed Sept 2 1903

J. H. Murrain
 Clerk

State of Oregon,

County of Union, SS:-I J. R. Laramore being first duly sworn say that I am a resident of Road District No. 10 of Union County, Oregon; that I am acquainted with the persons signing the foregoing petition for the vacation of a County Road; that I knew the location of the road described in said petition and sought to be vacated, as well as the boundaries of said road district; that I know of my own personal knowledge that there are but twenty-four resident freeholders within said road district wherein said proposed road is sought to be vacated, and that the foregoing constitute nineteen of said resident freeholders, and that said foregoing signatures are bona fide.

J. R. Laramore

Subscribed and sworn to before me this the 28 day of July, A.D. 1903.

C. M. Dowell

Notary Public for Oregon.

In the County Court
of the State of Oregon
for Union County

In the matter of the
Petition of the
County Road & Turnpike
for my Union Court
it is

Ordered by J. R. Lora
more

Filed Sep 2, 1903

J. A. Minnigh
Co. Clerk

-NOTICE OF ROAD PETITION-

(VACATION)

TO ALL PERSONS CONCERNED -and each of you will take notice
1 that the undersigned freeholders of Union County, Oregon, residing
2 in the Road District where the hereinafter described road is pro-
3 posed to be vacated -will, on Wednesday, the 2nd day of September A. D.
4 1903 -being the next session of the County Court of Union County,
5 Oregon, after due posting of this notice, respectfully present to
6 said Court, praying said Court to vacate the county road, or road,
7 within said county, described and being on the following line of

8 route, to-wit - Commencing at a point eight (8) chains west of
9 the southeast corner of Section two (2) in
10 Township one (1) south of Range thirty eight (38)
11 L. W. M. -at a rock set in the ground marked R-
12 thence running north 21 degree west 42 15 chain
13 to a rock -angle 1 -thence running north 31 degree
14 west 10 06 chain, to a rock marked -angle 2 -thence
15 thence running north 55 degree west 21 50 chain
16 to a rock marked R T -which is set in the center
17 of the County Road at a point on the subdivision
18 line 12 51 chains south of the quarter section
19 corner on the north side of Section two (2) in
20 Township one (1) south of Range thirty eight (38)
21 L. W. M. -and thereto terminate -and all being in
22 Union County, Oregon.

23 Mrs Anna Colt
24 Mrs Sarah Maria Laramore
25 C. D. Myers
26 W. W. Park
27 E. B. Long
28 A. C. Long
29 see chart

30 J. J. Glenn
31 W. H. Glenn
32 Ida Meats
33 F. J. Westman

34 A. C. Glenn
35 J. Slack
36 J. J. Thornton
37 J. E. J. J. J.
38 J. J. J. J.
39 Wm. Clegg
40 John Clegg
41 R. M. Ketchum

42
43

In the County Court
of the State of Oregon
for the County of Marion

In the matter of the
Estate of _____
Deceased
Petitioner for
Letters Testamentary
for _____

Notice of Petition

This Day 2 1903

J. H. Mummaugh
Clerk

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

I, C. H. Fin being first duly sworn, say ^{That} ~~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~~

~~Thirty days previous to the presentation of the road petition therein mentioned to wit: On the~~
~~_____ day of _____ 190____, and that thereafter and thirty days previous~~

~~to the presentation of said road petition therein mentioned, to wit: On the _____ day of _____~~
July 3 ^{herein attached} 1903, I posted a true and correct copy of said notice at the place of hold-
ing 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 2nd day of Sept 1903
C. H. Fin
J. M. [unclear]
W. [unclear]

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

In the matter of the
Vacation of County road
returned for by Anne
Coit et al.

Proof of Posting

Filed Sep. 2, 1903
J. W. Munnough
Clerk

BOND OF ROAD PETITIONERS.

KNOW ALL MEN BY THESE PRESENTS, That we Mrs Anna Colb
(one of petitioners)
 and Justice Wade, of the County of Union and State of Oregon, are held and firmly bound unto said county of Union, in the full sum of ONE HUNDRED DOLLARS (\$100.00) 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 September, A. D., 1903

Now, the conditions of the above obligation is such, that whereas Mrs Anna Colb and others, have petitioned the County Court of said county of Union, at the September term, 1903, thereof, for, a County Road, described in the petition and notice hereto annexed, as follows:

Commencing at a point 8 chs west of the Southeast corner of Sec 2 in Twp 1 south of Range 38 E. W. 24 at a rock set in a ground marked R thence running north 21 deg west 42.15 chs to a rock angle 1 thence running north 31 deg west 10.06 chs to a rock marked angle 2 thence running north 35 deg west 21.50 chs to a rock marked R 3 which is set in the center of the Co Road at a point on the subdivision line 17.54 chs south of the quarter Sec 2 on the north side of section 2 in Twp 1 south of Range 38 E. W. 24 thence to Commence at all being in Union Co. Oregon

Now, if the above named Mrs Anna Colb and Justice Wade 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 the petitioners be not granted or allowed, then that this obligation shall be void, otherwise to remain in full force and virtue.

Mrs Anna Colb (Seal)
one of petitioners
Justice Wade (Seal)

STATE OF OREGON, } ss.
 COUNTY OF UNION, }

Justice Wade and _____, each for himself, say I am worth the sum of TWO HUNDRED DOLLARS (\$200.00) over and above all debts and liabilities and property exempt from execution; that I am a resident householder in said county and state,

Justice Wade
 Subscribed and sworn to before me this 2nd day of September, A. D., 1903,
Wm. C. Black

Approved Sept. 2nd 1903
M. S. Harrison
 County Judge
Robert Blumentritt
Jas. A. Pilcher

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

In the matter of the
Vacation of county road
partially for by Anna
Carr et al

Bond

Filed Sep. 2. 1903

J. H. [Signature]
Co. Clerk

IN THE COUNTY COURT OF THE STATE OF OREGON FOR UNION
COUNTY.

To the Honorable County Court of Union County, Oregon:

In the matter of the petition)

to vacate a portion of county (

road No. 200, as petitioned for)

by Anna Galt, et al. (

.....)

I find all papers regular and the court has jurisdiction of the subject matter. The said road runs through road district numbers 8 and 10, although ^{the} a portion of the road sought to be vacated is located entirely in road district No. 10, I am therefore of the opinion that a vacation of a part of said road would be an alteration of said road rather than a vacation thereof, under the language of our statutes; and it is my opinion that the freeholders residing in both of said road districts have a right to either petition or remonstrance. It is my opinion that the freeholders residing in the town of Summerville have no right to petition or remonstrate in this proceeding as such freeholders were taken out of road district No. 10 for all county road purposes by the ^{the} effect of the incorporation of the town of Summerville.



District Attorney of the

Eighth Judicial District.

to the Honorable County Court of Union County, Oregon:

In the matter of the estate of

deceased, a petition was filed by

and returned for

In the County Court
of the
State of Oregon
for
Union County

Filed for
1917

[Handwritten signature]

[Handwritten notes and signatures]
The petition of the
petitioner is hereby
granted and the
order is entered
accordingly.

The petition of the
petitioner is hereby
granted and the
order is entered
accordingly.

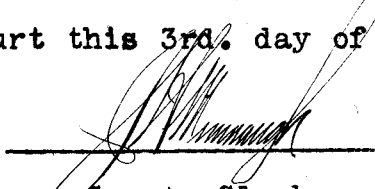
[Faint handwritten text]

State of Oregon:
County of Union: ss.

I, J. H. Mimnaugh, County Clerk and ex-officio clerk of the County Court of said county do hereby certify that the following is the correct boundaries of Road District Number ten of said county as shown by Commissioners Journal "J" page 29 thereof, and that I have compared the same with the original entry and it is a true and correct copy thereof, as follows:

Commencing on the base line at the N W cor. Sec. 2 Tp. 1 S R 38 E. W. M., thence south four miles to S. W. cor. Sec. 23 of said Tp. & range, thence East 3 miles to S E. cor. Sec. 19 Tp. 1 S R 39, thence north 4 miles to base line, thence west on base line 3 miles to place of beginning.

IN WITNESS WHEREOF I have hereunto set my hand and the seal of the County Court this 3rd. day of Sept. A. D. 1903


County Clerk.

in the County
Court of the State
of Oregon for
Linn County

In the County Court
petitioners for by
Anna Cook et al

Debitors of Debtor

Filed April 14, 1903

J. H. [unclear]
or clerk

REPORT OF SURVEYOR - Klamath Oregon Pub. Co. Union Co. Form No. 111

Report of Surveyor.

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

I, the undersigned, County Surveyor, appointed to survey the ^{sections of} county road proposed by Anna Colt et al., beg leave to report that on the 18 day of Sept. 1903 ~~189~~, 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 8 chains West of the southeast corner of Sec. 2 in Town 1 S. R 38 E. W. M. at a rock marked R. thence North 21° West 42.15 Chs to a rock. Angle 1; " " 31° " 10.06 Chs. " " " 2; " " 35° " 21.50 " " " " Marked R.T. set in center County road at a point 12.54 Chs. South of the 1/4 Sec. Cor. on the North line of Sec 2. T 1 S. R 38 E. W. M. and thence terminate

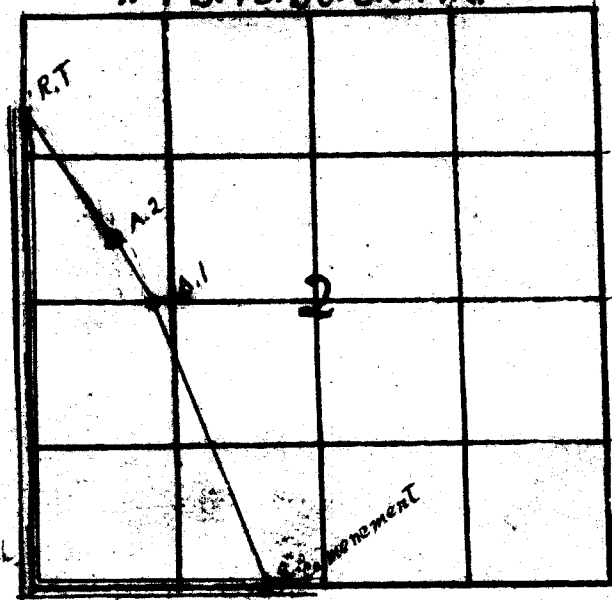
Arthur Curtis
County Surveyor.

State of Oregon
County of Union

I hereby verify in the matter of the
county road as petitioned for by Anna Holt
and others, that the field Notes made by me
are true and correct and that the Plat
accompanying the same is a true and correct
representation of said road both together in
angles and distances.

Arthur Curtis
County Surveyor

T. 1 S. R. 38. E. W. M.



REPORT OF VIEWERS.



To the Honorable County Court for Union County, Oregon:

The undersigned viewers heretofore on the 2nd day of September 1903, 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 Anna Colt, et. al., beg leave to report that on the 18 day of September, 1903, 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~~ closed, providing that property owners along line of said road will make established as a public highway of Union county, Oregon. Road on West line of place the full sixty feet wide That the same ~~practicable and would~~ add to the convenience of the householders residing in the vicinity thereof, we therefore recommend that said proposed road be closed ~~laid out~~ and not declared a public highway of said county.

Arthur Curtis

B. Logsdon

L. M. Kennon

Viewers.

Approved Oct. 7th 1903

M. A. Stearns, Esq.
School of Management
Jas. A. Parker

Recd Oct 5th 1903

J. A. Stearns
By E. J. Parker
J. A. Parker

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 Wednesday, the 5th day of August, A. D., 1903, the same being the first Wednesday in said month and the time fixed by law for holding a regular term of said court, When were present:

The Hon. M. A. Harrison, County Judge,
Robert Blumenstein, Commissioner,
Jas. A. Pilcher, Commissioner,
J. H. Mimnaugh, Clerk,
C. C. Penington, Sheriff.

When on Friday, the 7 day of Aug, A. D. 1903, or the 3rd Judicial Day of said term, among other proceedings the following was had, to-wit:

In the matter of the obstructions in a county road in section two T. one SR 38 East of the Willamette Meridian

Now at this time this matter came to be heard upon the affidavit of James Oliver, from which it appears that the county road at a point about fifty rods west of the South-east corner of section two T. one SR 38 E. N. M. and also at a point 12.54 chains south of the quarter section corner on the north side of section two, aforesaid, has been fenced and closed up and obstructed by Justus Wade, J. R. Laramore and Asahel Cobb, who have closed said road to public travel, to the great injury and inconvenience of the public and contrary to the statute of this State, and on the motion of Ramsey Oliver, attorney for E. Fisher for an order of this Court requiring the supervisor of the road district in which said road is located, to clear said road of the obstructions and open the same up for travel.

It is therefore considered and ordered that said motion of Ramsey Oliver, attorney for E. Fisher, be allowed, and that the supervisor of said road district No 10, be directed and ordered to remove all fences and obstructions in said road and to keep the same open and clear of all obstructions and in repair for travel.

(Signed) M. A. Harrison, County Judge

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

I, J. H. Mimnaugh, County Clerk of Union County, Oregon, and ex-officio Clerk of the County Court of said county and State, do hereby certify that the foregoing transcript of journal entry has been by me compared with the original entry in said matter, and that it is a true and correct copy of said original journal entry, and the whole thereof, as the same appears of record in my office and custody.

WITNESS my hand and the seal of said court this 4th day of November 1903
J. H. Mimnaugh County Clerk.
By _____ Deputy.

[Handwritten notes and scribbles at the bottom left corner]

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

In the Matter of the County Road

petitioned to be Vacated by T.R.Monk et al)

State of Oregon)
County of Union) ss.

I, J.T.Woodell, being first duly

sworn say that I reside about three miles north-west of the town of Summerville, in Union County, Oregon, and was one of the remonstrators against the vacation of the road as petitioned for by T.R.Monk, et al. That the public highway between my home and the town of Summerville, which is my nearest town and post office, runs through the old Childers place and the old Anderson place and that the petition of said Monk et al sought to vacate said road where the same passes through said places. That said road has been obstructed where the same passes through the above places for the past two years and is still unlawfully and wrongfully obstructed at said places. That heretofore on the 7 day of *Aug* 1903 this Court made an order directing E.B.Long the Road Supervisor of Road District No.1D in said Union County, to remove all the obstructions from said road and to place the same in repair for travel, a copy of which order is hereto attached and marked exhibit A, and made a part of this affidavit. That said order was duly served upon said Long by the Sheriff of Union County, as shown by the return of said sheriff. *Made on August 12th 1903* That said E.B.Long has not opened up said road or removed the obstructions therefrom, or placed the same in repair for travel as ordered by this Court, or otherwise, but has wholly failed neglected and refused to carry out said order of this Court and still refuses to carry out said order in utter contempt of this Court and its orders. That said road is still obstructed at the points above designated and the travel still turned therefrom and said E.B. Long has made no effort to open up said road as ordered by this Court or at all. That said obstructions in said road are wrongful and unlawful and that said Long is in contempt of this Court.

Subscribed and sworn to before me on this *12th* day of *Aug* 1903.

J. T. Woodell

James Oliver

Notary Public for Oregon.

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

I, _____, being first duly sworn, depose and say
that I am the _____ in the above entitled _____;
and that the foregoing _____ is true as I verily believe.

Subscribed and sworn to before me this _____ day of _____ 190_____

Notary Public for Oregon.

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

I, _____, do hereby certify that I am
_____ attorney herein; that the foregoing
copy of _____ has been by me carefully compared with
the original thereof and that it is a correct transcript therefrom and the whole of such original.

La Grande, Oregon, dated this _____ day of _____ 190_____

Due service of the within _____ is hereby accepted in
_____ County, Oregon, this _____ day of _____ 190_____, by receiving a
copy thereof, duly certified to be such by _____ attorney for _____

Attorney for the _____

No.

In the County Court
STATE OF OREGON,
FOR THE
COUNTY OF UNION.

In the Matter of the
Restoration in the
County of Union in Oregon
of J. H. Ross & M.

Defendant

Filed _____ 190 '3

[Signature]

Clerk.

By _____ Deputy.

FROM THE OFFICE OF
RAMSEY & OLIVER
LA GRANDE, OREGON

Attorneys for *E. Anderson*

100-550

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 Wednesday, the 2nd day of *September*, A. D., 1903, the same being the first Wednesday in said month and the time fixed by law for holding a regular term of said court, When were present:

- The Hon. M. A. Harrison, County Judge,
- Robert Blumenstein, Commissioner,
- Jas. A. Pilcher, Commissioner,
- J. H. Minnaugh, Clerk,
- C. C. Penington, Sheriff.

When on *Thursday*, the 3rd day of *September*, A. D. 1903, or the 2nd Judicial Day of said term, among other proceedings the following was had, to-wit:

In the Matter of the vacation of the County Road petitioned for by Anna Colt, et al.)
-----)

Comes now Anna Colt, one of the petitioners for the vacation of the County Road hereinafter described, and presents to the court the petition of herself and eighteen others praying for the vacation of a County Road described as follows, to-wit:

Commencing at a point 8 chains west of the southeast corner of section 2, in township 1 south, range 38, E. W. M., at a rock set in the ground marked A, thence running north 31 degrees west 42.15 chains to a rock angle 1, thence running north 31 degrees west 10.04 chains to a rock marked angle 2, thence running north 35 degrees west 21.50 chains to a rock marked B. F., which is set in the center of the county road at a point on the subdivision line 12.54 chains south of the quarter section corner on the north side of section 2, in township 1 south, range 38 E. W. M., and there to terminate, and all being in Union county, Oregon.

And it appearing to the court that said petition is signed by more than twelve free-holders of this county residing in the Road District where said road is proposed to be vacated, 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: on the front door of the Court House, in the town of Union, county of Union, State of Oregon, and also at three public places in the vicinity of said road so proposed to be vacated, to-wit: one at on the fence at the starting point of the road petitioned to be vacated, one on the house of Anna Colt on the road petitioned to be vacated and one on a tree in front of the house of E. Fisher at terminus of the road petitioned to be vacated, all in plain view of the public and the latter three in the vicinity of said 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 thereof 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, filed and approved by this court. And it further appearing to the court that said road so sought to be vacated is situate in Road District No. 10, Union county, Oregon, and that said petitioners each reside therein, **IT IS THEREFORE CONSIDERED AND ORDERED** that Arthur Curtis, County Surveyor, B. Legadon and L. L. McKennon, as the Board of County Road Viewers be and they are hereby directed to meet on the 18th day of September, A. D. 1903, at 10 o'clock A. M., or within five days thereafter, at the beginning of said road, and ~~to~~ proceed to survey, view, alter or vacate said road in the manner prescribed by law.

(54) M. A. Harrison, County Judge.
Robert Blumenstein, Commissioner.
Jas. A. Pilcher, Commissioner.

11/10

In the matter of the vacation of a portion of
a County Road as petitioned for by Anna Colt,
et al.

This matter came on to be heard at this time on the report of the viewers filed herein, and on the remonstrances against the vacation of the road and on the opinion of the District Attorney filed herein.

And it appearing to the Court that there are nineteen names on the petition for the vacation of the road described as follows:- Commencing at a point 8 chains west of the S.E. Corner of Section 2, Tp. 1, S.R. 38, E. W. M. at a rock set in the ground marked "R" thence running north 21° west 42.15 chains to a rock, Angle 1, thence running north 31° west 10.06 chains to a rock marked Angle 2, thence running north 35° west 21.50 chains to a rock marked R. T. which is set in the center of the County Road at a point on the subdivision line 12.54 Chains south of the quarter section corner on the north side of Section 2, Tp. 1, S.R. 38, E. W. M. which petition is signed by Mrs. Anna Colt and 18 others, and that remonstrances have been filed against said proposed vacation by E. Fisher and forty-seven others, purporting to be freeholders in District No. 10, and by J. T. Woodell, and seventeen others purporting to be freeholders residing in Road District No. 8, and the evidence herein having been taken by the Court and the Court having found that of the petitioners two are not freeholders residing in said Road District and that there are seventeen valid petitioners only, and the Court having found that there are eighteen legal remonstrators residing in District No. 8, all of whom are freeholders, of Union County, and that there are twenty-four freeholders residing in Road District No. 10, Outside of the Town of Summerville, and the District

Attorney having filed his opinion herein to the effect that all freeholders residing in Road District No. 8, and in Road District No.10, have a right either to petition or remonstrate in this proceeding, and the Court finding that the remonstrances filed herein have the names of 42 valid remonstrators and are largely in excess of the number of the petitioners it is therefore considered and ordered by the Court that said remonstrances be sustained and that this proceeding be dismissed, and that the prayer of the petitioners be denied.

And it further appearing to the Court that a bond was filed herein by Mrs. Anna Colt with Justus Wade as surety thereon, conditioned that in case the prayer of the petitioners for said proposed vacation be not granted, or allowed, then that said Anna Colt and Justus Wade would well and truly pay all costs and expenses incurred by reason of the view or review of said road, and that the bills which this County had to pay by reason of said view of said road amounted to \$22⁰⁰.....

It is therefore further considered, that said petitioners are indebted to Union County under the terms and conditions of said bond in said amount of \$22⁰⁰..... and that said bounden Anna Colt and Justus Wade be required to pay the same.

.....M. A. Harrison.....County Judge
.....County Comr.
.....County Comr.

Faint, mostly illegible text, possibly bleed-through from the reverse side of the page. The text appears to be organized into several paragraphs or sections, with some lines starting with a dash or a bullet point. The overall appearance is that of a typed document with very low contrast.

Anna Bell
Mar-1903

Entry

In the County Court of the State of Oregon for Union County

In the Matter of Obstructions)

in a County Road in Section)

One T. 1 S R. 38 E. W M.)

State of Oregon)

County of Union) ss.

I, Turner Oliver

being first duly sworn, say that the County road in Section 1, T. 1 S R. 38 E W M in Union County, Oregon, has been obstructed and fenced up by Justus Wade, J R. Laramore and Asahel Colt, wrongfully and unlawfully, and that said parties have fenced up the county road at a point about fifty rods west of the South-east corner of section 2 T 1 S R. 38 E W M and they have also fenced up said road at a point about 12 54 chains south of the quarter section corner on the North side of said section two, and have utterly closed said road to travel to the great injury and inconvenience of the public and contrary to the statute of this State.

Turner Oliver

Subscribed to and sworn to before me on this August 7th 1903.

J. W. H. H. H.

Notary Public for Oregon.

County Clerk

Based on the foregoing affidavit, comes now E. Fisher, the plaintiff in the case of E. Fisher vs. Union County, by Ramsey & Oliver his attorneys and moves the Court for an order to require the Supervisor of road district No 10, the same being the district in which said road is located, to remove said obstructions and open up said county road to the public.

Ramsey & Oliver

Attorneys for Fisher.

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

I, _____, being first duly sworn, depose and say
that I am the _____ in the above entitled _____;
and that the foregoing _____ is true as I verily believe.

Subscribed and sworn to before me this _____ day of _____ 190_____

Notary Public for Oregon.

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

I, _____, do hereby certify that I am
_____ attorney herein; that the foregoing
copy of _____ has been by me carefully compared with
the original thereof and that it is a correct transcript therefrom and the whole of such original.

La Grande, Oregon, dated this _____ day of _____ 190_____

Due service of the within _____ is hereby accepted in
_____ County, Oregon, this _____ day of _____ 190_____, by receiving a
copy thereof, duly certified to be such by _____ attorney for _____

Attorney for the _____

No.

In the County Court
STATE OF OREGON,
FOR THE
COUNTY OF UNION.

In the matter of the
will of the late
deceased of J.P.
Muntz et al.

vs.

Plaintiff

County of Union
Defendant

Filed

190 *3*

[Signature]

Clerk.

By

Deputy.

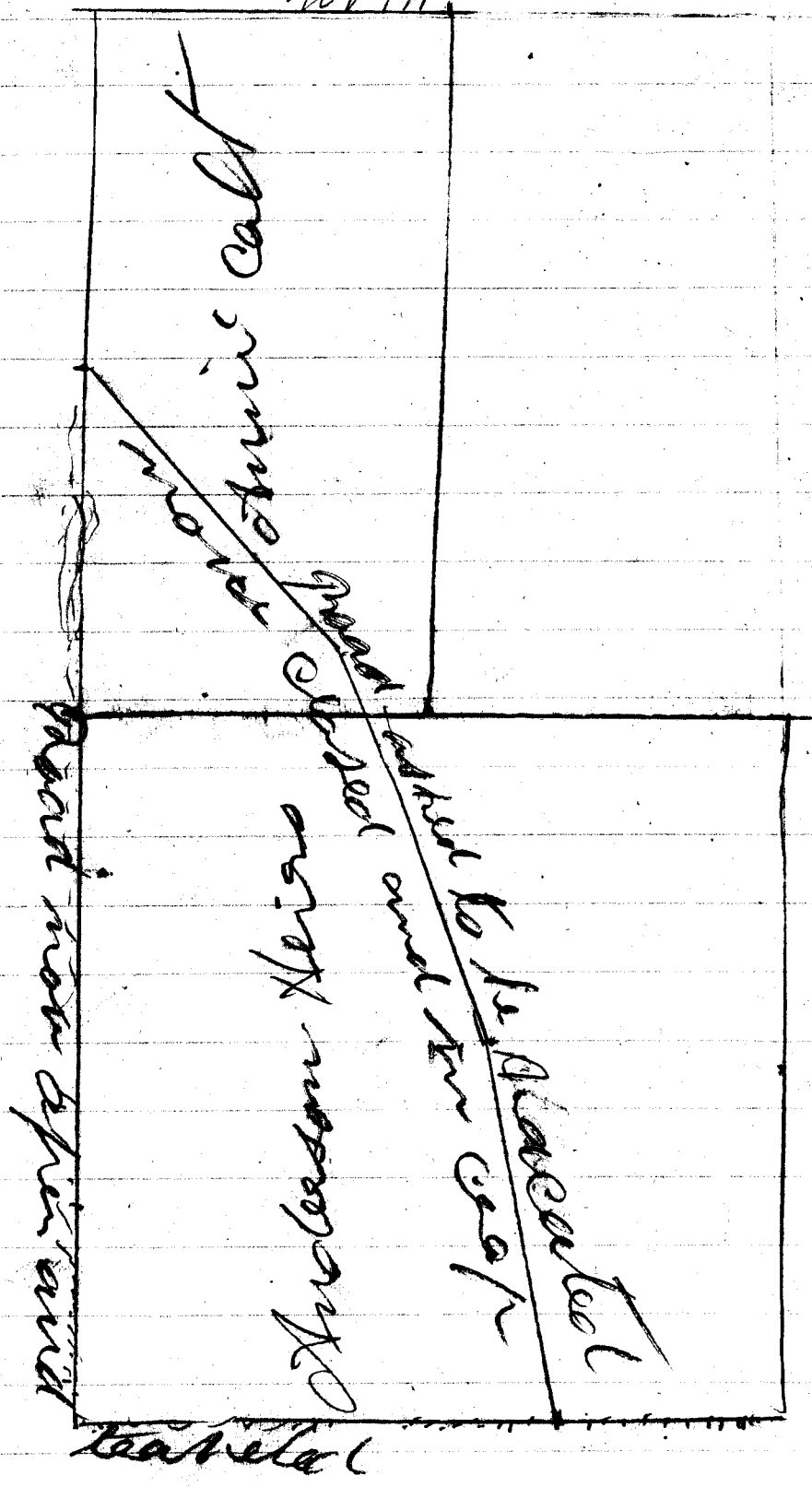
FROM THE OFFICE OF

RAMSEY & OLIVER
LA GRANDE, OREGON

Attorneys for *[Signature]*

July 28-1903, To The Hon. Co. Court
of Union Co. Ore. This is to certify
that I, E. B. Long am supervisor
of Road. Dist No 10 Union Co. Ore.
and am acquainted with the road
asked to be vacated in this dist.
am also acquainted with a county
road close to said road and now
used, as said road asked to be
vacated is closed and in crop.
The road now used has been graded and
partly gravelled and is in good condition
and in my opinion is just as good
a well for the public to travel as
the road asked to be vacated
being on the line and not
cutting these farms into
E. B. Long

North



Location of road
 sought to be protected and
 road accommodatory the
 public now traveling

Dr. C. G. L. Cant
Linn. Soc. N.Y.

Dr. M. Wood
Linn. Soc. N.Y.

Dr. L. H. M.
Linn. Soc. N.Y.

Field Aug 27th 1903

J. M. M.
Linn. Soc. N.Y.

IN THE COUNTY COURT OF THE STATE OF OREGON FOR THE COUNTY OF
UNION.

1 In the matter of the road, located)
2 across section 2, township 1, south)
3 of range 38 N.W.M., involving in the)
4 proceeding of E. Fisher vs Union County.)

5 State of Oregon,

6 County of Union, SS:-I—A.J.Celt, being first duly sworn, say:

7 That I am well acquainted with the proceedings by T.R.Menk and
8 others to vacate said road in the County Court in which the said
9 court made an order vacating said road.

10 That said road crossed the lands diagonally of the Anderson
11 heirs and Mrs Anna Celt, while there was a travelled highway in
12 close vicinity, leading from the same points which went, and is
13 still travelled along the south and west side of the land of the
14 Anderson heirs and on west side of land of Anna Celt; that upon
15 the vacation of the said road as aforesaid, which ran diagonally
16 across said lands, the owners thereof, not excepting any appeal
17 or review in any high court, and being given to understand that
18 the road had reverted to them, fenced up the same, planted their
19 fields in crops and made other improvements as to completely
20 obliterate such road and the same is now covered with a growing
21 crop, and to open the same would entail great loss and expense
22 to the owners of said lands;

23 That the public have a good, well established highway in good
24 repair, leading from the same points and no where over one quarter
25 of a mile off from the road so ordered vacated by the County Court,
26 and no person is inconvenienced by the closing of the road as
27 aforesaid—which closing has now been decided to be invalid by
28 the Supreme Court. That no person will be injured, nor will the
29 public interests suffer if said road is not ordered opened by the
30 County Court for the next thirty days and until said crops are
removed.

1 That I know a majority of the resident freeholders of the
2 District in which said road is located are opposed to the opening
3 of the same at this time.

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G. J. Coll

Subscribed and sworn to before me this 4th day of August, A.D.
1903.

L. M. Dowell
Notary Public for Oregon

1 In the County Court of the State of Oregon for Union County.

2 In the Matter of proposed
3 vacation of a portion of
4 the County Road in Section
5 2, T. 1 S. R. 38 E. W. M. as Pe-
6 titioned for by Anna Golt
7 et al. b

8
9 Comes now E. Fisher, a remonstrator against the petition in
10 the above entitled proceeding, by Ramsey & Oliver, his attorneys
11 and demurs to the petition in the above entitled proceeding for
12 the reason that said petition shows on its face that the County
13 Court has no jurisdiction to make any order thereon.
14

15 *Ramsey Oliver*
16 _____

17 Attorneys for Remonstrators.

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19 *Overruled*

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21 *M. A. Harrison*
22 *County Judge*
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In the county court of the State of Oregon for Union County.

to the matter of the

Vacation of a portion of

the County Road in Union

County, Oregon.

and the

of the

It was shown that the petition for vacation of the road

above entitled proceeded, by Emory W. Taylor, his attorney

and before the court in the above entitled proceeding and

the record that said petition shows on its face that the road

above has no jurisdiction to make any other person.

Attorneys for Respondent.

In the County Court
of the State of Oregon
for Union County

In the matter of the
Vacation of the county
road petitioned for by
Emory W. Taylor et al

Emory W. Taylor

This Sept 2nd 1903
Emory W. Taylor
Clerk

In the County Court of the state of Oregon,
for Union County.

Ed the matter of the road petitioned
to be vacated in Section 2, tp. 1 S. R.
38, N. W. K. petitioned for by
Anna Colt, et als.

Comes now the said petitioners and moves the court
and commissioners here, to strike out and disregard the re-
monstrance and the names of the remonstrators thereon who
allege that they are freeholders residing in Road District
#10 Union County, Oregon, to wit; John McRae, P. S. Robinson,
E. F. Tice, B. D. Hubers, W. S. Hamilton, W. R. Chattin, Mrs.
M. A. Mills, John Vanderpool, J. H. Wassow, Wm. Ashcraft,
A. Shaw, Isabelle Shaw, Belle Huggins, J. C. Bennette, S. M. Bennet
C. H. Bracco, S. A. Chattin, Geo. Ott, Nellie M. Eubanks,
W. Lawman, James T. Christian, for the reason that they and
each of them are residents of and in the town of Summerville
Union County, Oregon, and that the said Town of Summerville
by its charter is a separate and independent road district
and no part of Road District, #10 Union County, Oregon, in
which all of the road sought to be vacated is situated.

And that further, remonstrators, Anna A. Smith, Geo.
Sigler, Columbus Fisher, S. L. McKenzie, Isabelle McKenzie, etc.,
Ella A. McKenzie, A. E. Murchison, are not, nor either of
them, resident free holders of Road Dist. #10, Union County,
Oregon in which District, all of the road petitioned to be vacat-
ed, but that Geo. Sigler, resides in Tualum, Union County,
Oregon, which is in Road Districts #11, or 12; that Columbus
Fisher, resides near Elgin, Union County, Oregon; that S. L.
McKenzie, and ^{Ella A} Isabelle McKenzie, his wife reside in Lestine,
Wallowa County, Oregon; that Ella McKenzie and A. E. Murchison
are not resident free holders within road district #10

Union County, Oregon, and petitioners further move to Court and Commissioners here to strike ou remonstrance and the following remonstrators therepn towit, Edward Elmer, Mrs. H. H. Elmer, Millie Elmer, and T. A. Choate, for the reason that neither of them were freeholders residing in road dist. #10 at the time the petition was signed and notices of the presentation of said petition to this Court were posted. And

That further that one H. H. Elmer, now deceased was at the time of said petition and notices, was the owner of all the land in the name of Elmer in said Road District, #10, and

That further, at the time of the signing said petition and the posting of the notifes as aforesaid, S. Choate, was the owner of all the land and lands standing in the name of Choate, in said district #10, and

That further petitioner move to strike out the remonstrance and the following remonstrators thereof and to disregard them as follows; J. A McKenzie, Frank Woodell, and Jennie E. Rinehart, and Charles Woodell, and for the reason that the said J. A. McKenzie is not a freeholder residing in District #10, and that Charles Woodell and Frank Woodell, are both at this time infants and are incapable of signing any legal papers and who do business in the name of a legally appointed and acting Guardian.

And petitioners further move the court to disregard the following names and remonstrators, towit, Ida Meats, William H. Park, J. A. Murchison, and William Glenn, for the reason that they and each of them have signed the petition for vacation of said road herein, and petitioners further move the court to disregard the said remonstrance and statements therein that William Glenn, W. H. Glenn, A. C. Glenn, J. E. Westover and Anna Calt and Conselia Johnson are not resident Freeholders of said district #10 for that they and each of them were resident freeholders of road district, #10 at the

date of the signing and presentation to this court of the
petition for vacation of road in said section 2, tp. L S. R. 38
E. W. M. and all within Road district, #10. And

Petitioners make a part of this motion the affidavits resp
ecting the same, and base this application thereon.

Anna Celt and other petitioners

By *A. J. ...*

State of Oregon,
County of Union,

ss

I, E. B. Long, and I, Justus Wade, being first duly
sworn, each for himself and not for the other, depose and
say that the foregoing facts are true.

E. B. Long
Justus Wade

Subscribed and sworn to before me this the 7 h day of
October, A. D. 1903.

A. J. ...
Notary public for Oregon.

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

In the matter of the road petitioned for
to be vacated in section 2, tp. 1 S. R.
38, E. W. M. petitioned for by
Anna Colt, et als.

State of Oregon,
County of Union, SS.

I, Justus Wade, and I, E. B. Long, being each first
duly sworn, and for himself and not for the other say;

That I reside in Union County, Oregon, I, Justus Wade,
in Summerville, Union County, Oregon, and I E. B. Long, about
one mile northwest from Summerville, that I am acquainted with
the persons signing the petition and remonstrance herein and have
personal knowledge of the following facts;

That John Mc^rae, P. S. Robinson, E. F. Tice, Cassie E. Tic
B. D. Hubers, W. S. Hamilton, W. R. Chittin S. A. Chattin,
Mrs. M. A. Mills, Joh Vanderool J. H. Wadscow, Wm. Ashcraft,
A. Shaw, Isabell Shaw, Belle, Mc^rae, J. C. Bonnette, S. M.
Bonnette, C. M. Brasse, Geo. Ott, Nellie M. Eubanks, J. E. Ger
man, W. Lanman, James T. Christian, are all and each of them res
idents of and in the town of Summerville, Oregon, and that the
said town of Summerville is a separate and independent road
district by virtue of its charter and no part of Road District
#10 in Union County, Oregon, in which all the road sought to be
vacated under the petition of Anna Colt and others and situate
wholly in section 2 tp. 1 S. R. 38 E W. M. and that

Farther, the said Justis Wade was during the year of 1901
ever since has been and now is a member of the Legislature of
the state of Oregon, from Union County, Oregon and knows that
the charter of the town of Sujmervville as set out on pages 31 &
32 of the Special Laws of Oregon for the year 1901 does create

a separate and independent Road district of the said Town of Summerville, and that all of the foregoing remonstrators who do any road work or pay a road tax are considered and do pay or work their road tax within the said independent district of Summerville and not in road district number 10 and that the said E. B. Long is the now and has been for the past year the duly appointed, qualified and acting Road supervisor of said Road district Number 10 of the said County, and that they nor either of them have ever done or performed any road work or paid any road taxes in said road district number 10 and that further, the road list of those liable for work or tax in said road district number 10 which has been furnished him by the county clerk under the direction of the county Court of this county has never contained any one of the foregoing remonstrators. That further

Neither of the remonstrators Anna A. Smith, Geo. SIGLER, Columbus Fisher, S. L. McKenale or Isabella McKensie, Ella McKenzie or A. E. Murchison are now nor have either of them been ~~residents~~ ~~of~~ ~~the~~ ~~county~~ ~~of~~ ~~the~~ ~~state~~ ~~of~~ ~~Oregon~~ ~~and~~ ~~are~~ ~~not~~ ~~resident~~ ~~freeholders~~ of said road district #10, Union County, Oregon, that further, the remonstrator J. A. Murchison, and one of the affiants, to wit; Justus Wade, had a conversation at Summerville, day before yesterday, and therein the said Murchison stated to affiant Justus Wade that he did not sign the said remonstrance nor did he know his said name was thereon, and affiants allege on information and belief, and based on the said Murchison's statement, that the said J. A. Murchison did not in fact sign the said remonstrance; and affiants further say, that remonstrators Edward Elmer, Millie Elmer are the children of H. H. Elmer, dec. and Mrs. H. H. Elmer is his widow and that since the petition in said proceeding was signed and notices of the presentation thereof to the county court had been duly posted, the said H. H. Elmer, died, seized of all the lands in road district 10 now claimed by said heirs and widow and that the estate of si

said H. H. Elmer is now in process of probation.

That further, after the petition herein and the notices of the presentation thereof was duly made one S. Choate, one of the petitioners died; that he was duly qualified to act as such petitioner during his life time but that since the said time the said remonstrance was procured and on it is the name of one T. A. Choate; that said T. A. Choate at the time of the obtaining of the petition and the said notices of the presentation of the same to the county court was and is not a freeholder in said road district #10, in this county and state.

That Frank Woodell and Charles Weddel, whose names appear on said petition are infants and are incapable of signing said remonstrance; that J. A. Woodell ^{McKeyer} and Jennie E. Rinehart are not freeholders in said road district #10.

Further affiant saith not.

Justus Wood
O. B. Long

Subscribed and sworn to before me this the 5th day of
October, 1903.

O. B. Cochran
Notary public for Oregon.

In the County Court of the State of Oregon,
for Union County,
Sitting, with Commissioners, for the transaction of
County Business.

In the matter of the road

Petitioned for by

Anna Golt, et als.

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+
+
+
+

AFFIDAVITS.

State of Oregon,

ss.

County of Union,

I, *J J Glenn* being first duly
sworn, depose and say, that I am the Father
of *W H Glenn* and *A C Glenn* and
I know of my own knowledge that
W H Glenn owns Eighty Acres of
Land and *A C Glenn* owns Eighty
Acres of Land and that they ~~are~~
are freeholders within the County
of Union and State of Oregon and
that they reside within the present
boundaries of Road District No 10
in said County and State

And further deponent saith not.

J J Glenn

Subscribed and sworn to before me this the 6 day of September,

A. D. 1903.

B M Howell

Notary Public for Oregon

In the County Court of the state of Oregon,
for Union County.

Sitting as a Board of Commissioners for the transaction
of County Business.

In the matter of the County Road *
petitioned for By *
Anna Colt, et als. *

State of Oregon,
County of UNION, ss.

I, J. E. Westover being first duly
sworn, depose and say, that I am the owner of the following
described lands and tenements, to wit;

*A 8 1/4 and the E 1/2 of the S W 1/4
Section Eleven Township One South
R 38 E W M*

and am a freholder within the County of Union and state of
Oregon, and that I reside within the present boundaries of
Road District, #10. in said county and state.

J. E. Westover

Subscribed and sworn to before me this the 5th day of Septem-
ber, A. D. 1903.

E. D. M. Dowell

Notary Public for Oregon.

In the County Court of the State of Oregon,
for Union County.
Sitting, with Commissioners, for the transaction of
County Business.

In the matter of the road +
+
Petitioned for by + AFFIDAVITS.
+
Anna Colt, et als. +
+
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State of Oregon,
County of Union, ss.

I, *Langadia Laramore.* being first duly
sworn, depose and say, *That I am owner of*
a undivided one third (1/3) interest of the
South East quarter of Section two (2) in
Township one South of Range thirty
eight (38) East and that I came in posses
ion of said land by will from my
Father

And further deponent saith not.

Langadia Laramore.

Subscribed and sworn to before me this the 6 day of September,
A. D. 1903.

Ed M. Dowell

Notary Public for Oregon.

County
In the ~~Circuit~~ Court of the state of Oregon,
for Union County.

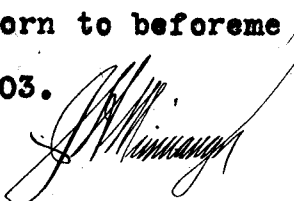
In the matter of the road
petitioned to be vacated by
Anna Colt et alsZ.

State of Oregon
County of Union, ss.

I, C H. Finn, being first duly sworn deposes
and say that I am acquainted with the petitioner Anna Colt, a
and with her property and place of residence; that she is
owner of the west half of the northeast quarter of section
2, township 1, S. R. 38 E. W. M. in Union County,
Oregon and in possession of the same; that I have seen her
deed and have also searched the records of Union County,
Oregon and that said land stands in her name; further that
when she signed the petition she was residing on said
land and that her residence is upon said land:



Subscribed and sworn to before me this the 7th day of
October, A. D. 1903.


County Clerk.

STATE OF OREGON,
COUNTY OF UNION. } ss.

I, _____, being first duly sworn, depose and say
that I am the _____ in the above entitled _____;
and that the foregoing _____ is true as I verily believe.

Subscribed and sworn to before me this _____ day of _____ 190_____

Notary Public for Oregon.

=====

STATE OF OREGON,
COUNTY OF UNION. } ss.

I, _____, do hereby certify that I am
_____ attorney herein; that the foregoing
copy of _____ has been by me carefully compared with
the original thereof and that it is a correct transcript therefrom and the whole of such original.

Union, Oregon, dated this _____ day of _____ 190_____

=====

Due service of the within _____ is hereby accepted in
_____ County, Oregon, this _____ day of _____ 190_____, by receiving a
copy thereof, duly certified to be such by _____ attorney for _____

Attorney for the _____

No.

In the *Commons* Court,
State of Oregon,
for the County of Union.

Dennis J. Foster,
Plaintiff
vs. *Wm. E. Cochran,*
Defendant

Wm. E. Cochran

Filed *Wm. E. Cochran* 190*3*

Wm. E. Cochran
Clerk.

By *Wm. E. Cochran*
Deputy.

FROM THE OFFICE OF
C. E. COCHRAN,

Attorney for

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

In the matter of the petition of Anna
Colt, and others, to vacate a portion of the
County road, in Sec.2, T. 17S.R.38, E.W.M.

Comes now the undersigned E. Fisher, and represents to the Court that he is a freeholder, of Union County, Oregon, residing in road District No. 10, and he respectfully remonstrates against the vacation of a portion of the County road described as follows:- Commencing at a point 8 chains west of the S.E. Corner of Sec.2, in T. 1, S.R. 38, E. W. M. at a rock set in the ground and marked "R" thence running north 21° west 42-15/100 Chains to a rack marked "Angle 1", thence running north 31° west 10-6/100 Chains to a rock marked Angle 2, thence running N.35° West, 21-50/100 chains, to a rock marked R.T. And the undersigned respectfully remonstrates against the granting of said petition or the vacation of said portion of the County road.

Dated this 3rd day of Sept. A.D. 1903.

E. Fisher, Remonstrator
.....
By Ramsey Oliver
his atty.

THE STATE OF CALIFORNIA

County of ...

Know all men by these presents, that I, the undersigned, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the files of the County Clerk of the County of ... State of California.

Witness my hand and seal of office this ... day of ... 1903.

In the County Court of the State of Oregon for ...

See the matter of the ... of ...

... of the County ...

... of the County ...

... of the County ...

... of the County ...

... of the County ...

... of the County ...

Jackson County Court of
the State of Oregon
of Union County

In the matter
of the petition
of Anna Colk et al
for vacation of
Co. road in Sec 2
Tp 1 - SR 38 E. 1/4

Come now the petitioners
and object to, and move
the court to strike out
and not consider the
remonstrances or any
of the demonstrators
therein and say that
none of them are
competent to sign any
remonstrances or to
remonstrate in the
matter

Anna Colk et al
by C. H. Finney & Co
Cochran attys

Dr Lemont
Essex & Co

Dr the matter
of purchase
of a pair
of shoes
at the

Great
to be made
in the

Filed Oct 27th. 1903

J. M. W. W. W.
Lemont & Co

1 In the County Court of the State of Oregon for Union County.

2 In the Matter of the Proposed

3 Vacation of a Portion of the

4 County Road in Section 2, T. 22.

5 R. 20 N. E. 1. as Petitioned for

6 by Wm. Pitt et al.

7
8 **Comes now E. Fisher, a Demonstrator against the requesting**
9 **to vacate the portion of the County Road above referred to, and**
10 **moves the Court to dismiss the the petition in the above enti-**
11 **itled proceeding, for the reason that the petition does not state**
12 **facts sufficient to give the Court jurisdiction, and for the fur-**
13 **ther reason that Freeholders have no legal right to petition the**
14 **County Court to vacate a County Road.**

15 *Ramsay Oliver*
16 Attorneys for Demonstrators.

17
18 *Overruled & denied*
19 *M. A. Harrison*
20 *County Judge*
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In the County Court of the State of Oregon for Union County.

In the Matter of the Proposed
Vacation of a Portion of the
County Road in Section 2, T. 2 S.
R. 20 E. W. M. as petitioned for
by Anna Colt et al.

Comes now E. Fisher, a Remonstrator against the proceeding
to vacate the portion of the County Road above referred to, and
moves the Court to dismiss the petition in the above enti-
tled proceeding, for the reason that the petition does not state
facts sufficient to give the Court jurisdiction, and for the fur-
ther reason that Petitioners have no legal right to petition the
County Court to vacate a County Road.

Attorneys for remonstrators

In the County Court
of the State of Oregon
for Union County

On this meeting of the
Vacation of the County road
petitioned for by Anna Colt
et al.

Witness to Service Returns

Wm. McPherson 1903
J. M. McPherson
Book

In the County Court of the State of Oregon,

For the County of Union,

In the matter of the vacation of)
the County road as petitioned for)
by Anna Colt, etal.)
-----)

Comes now E. Fisher, a remonstrator, against the vacation of the above entitled road, and moves the Court to strike from the petition the following names: for the reason that they are not freeholders of Union County, residing in the road District where said portion of the County road is proposed to be vacated:-

Mrs. Anna Colt, Mrs. Canzadia Laramore, Sabze Choate,
W. H. Glenn, A. C. Glenn, - E. Westover, J. E. Gurdell,

E. Fisher
.....
Remonstrator,
By *Ramsey Choate*
.....
his attorneys.

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

In the matter of the vacation of
the County road as petitioned for

by Anna Cole, et al.

*See the County Court of
the State of Oregon for records*

*See the matter of the
vacation of the County Road*

See petition for the same

Anna Cole

James Cole

John Cole

John Cole

John Cole

James Cole

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

I, J. P. Olwin 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

~~Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the~~ day of ~~_____~~, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: ^{about} On the 3 day of March 1900, I posted a true and correct copy of ^{the notice for vacation of country roads as described in the petition herewith} 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 4 day of April 1900
J. P. Olwin
E. W. Benson

NOTICE OF ROAD PETITION

TO ALL PERSONS CONCERNED: You, and each of you, will take notice that the undersigned, householders of Union County State of Oregon, residing in the vicinity of the hereinafter described road, will at the next session of the County Court for Union County State of Oregon, to-wit: on Wednesday, the 4th day of April 1909, respectfully present to said Court a petition praying said Court to VACATE that portion of a certain county Road situated in said County, described as follows, to-wit

NAMES

NAMES

To vacate all that part of a certain well road as follows - Commencing at a point about 10 rods west of the S E cor. of section 38, T. 38 N. R. 35 W. in a northerly direction and terminating at a point which is about 60 rods south of the N E cor. of the E 1/4 of section 38, T. 38 N. R. 35 W.

John Lewis	J. C. Smith
E. S. Knapp	J. C. Smith
C. Walker	J. C. Smith
J. Walker	J. C. Smith

John Lewis	J. C. Smith
E. S. Knapp	J. C. Smith
C. Walker	J. C. Smith
J. Walker	J. C. Smith

John Lewis	J. C. Smith
E. S. Knapp	J. C. Smith
C. Walker	J. C. Smith
J. Walker	J. C. Smith

John Lewis	J. C. Smith
E. S. Knapp	J. C. Smith
C. Walker	J. C. Smith
J. Walker	J. C. Smith

John Lewis	J. C. Smith
E. S. Knapp	J. C. Smith
C. Walker	J. C. Smith
J. Walker	J. C. Smith

John Lewis	J. C. Smith
E. S. Knapp	J. C. Smith
C. Walker	J. C. Smith
J. Walker	J. C. Smith

John Lewis	J. C. Smith
E. S. Knapp	J. C. Smith
C. Walker	J. C. Smith
J. Walker	J. C. Smith

John Lewis	J. C. Smith
E. S. Knapp	J. C. Smith
C. Walker	J. C. Smith
J. Walker	J. C. Smith

John Lewis	J. C. Smith
E. S. Knapp	J. C. Smith
C. Walker	J. C. Smith
J. Walker	J. C. Smith

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

I, A. J. Colt being first duly sworn, say that I posted three several notices, ~~of~~
~~for vacating of county road as described in the petition herewith~~
~~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 on the corner of fence at the beginning
of the road sought to be vacated, one on a tree near the
center of said road and one at the south
end of terminus of said road on a board nailed to
the fence

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the 1st day
of March 1900, and ~~that thereafter and thirty days previous to the presentation of said road~~
~~petition therein mentioned, to-wit: On the~~ day of ~~_____~~, 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 4 day of April 1900.

A. J. Colt
G. W. Benson Co. Clerk
By J. P. Oliver Deputy

S T A T E O F O R E G O N .)

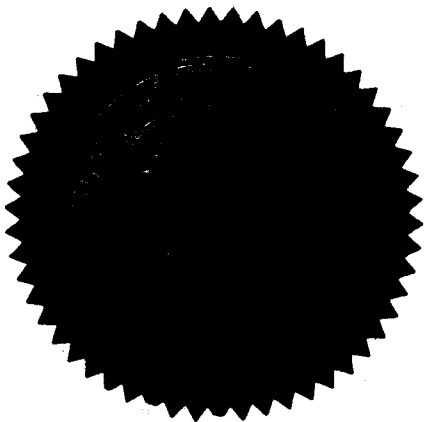
County of Union.

(ss.
}

I, J. H. Mimnaugh, County Clerk of Union County, Oregon, and ex-officio Clerk of the Circuit and County Court of said County and State, do hereby certify that the here-to attached "Petition" and "Notice of Road Petition" in the matter of the vacation of a certain road petitioned for by T. R. Monk, et al, and involved in the case of E. Fisher, Appellant, vs. Union County, Respondent, is the original petition and notice together with the affidavits of posting of said notices, on file in my office as Clerk of said County Court.

WITNESS my hand and seal of the Circuit Court of the State of Oregon, *for Union County* this 8th, day of May, A. D. 1903.


County Clerk.



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

I, _____ County Clerk in and for Union
County, Oregon, and ex-officio Clerk of the _____ Court of said County, do hereby
certify that the foregoing Transcript of _____
_____ has been by me compared with the origi-
nal _____, and that it is a correct Transcript therefrom
and the whole of such original, as the same appears _____ in my
office and in my custody

WITNESS my hand and seal of office, this _____ day
of _____ A. D. 190

Clerk.
By _____ Deputy.

Fisher

vs.

Munin Co,

~~Register~~ 271

Filed May 9, 1903

J. D. Murphy Clerk.

By *K. M. Murphy* Deputy.

Summerville has never been made a separate road district, either by the Legislature of the State of Oregon or by the County Court of said Union County. And that Anna A. Smith, George Sigler, Columbus Fisher, ~~S. L. McKenzie~~, Isabel McKenzie, Ella A. McKenzie, and A. E. Murchison, remonstrators, were and to the best of my knowledge are free holders of Union County, State of Oregon, residing within said Road District No. 10, and that Anna A. Smith owns land situated in both Districts No. 8 and No. 10, and that the line between said Districts runs through her said land, and that the house in which she resides is built on said line, and that a part of said house is in each of said Districts. That Isabella McKenzie does not reside in Lostine, Wallowa County, but resides in Road District No. 10, That Ella A. McKenzie, a remonstrator, since she signed said remonstrance has gone to Lostine, Wallowa County, Oregon, but whether she intends to remain there or not affiant does not know/ and that she still owns her home and real property in said District No. 10. That S. L. McKenzie did not sign either of said remonstrances. That Columbus Fisher, remonstrator, does not reside near Elgin, Union County, Oregon, but that he resides with his father, E. Fisher in said Road District No. 10. and that he owns real property in said Union County, and is a freeholder therein. That A. E. Murchison is a freeholder of Union County, Oregon and resides in said Road District No. 10. And resided there when she signed said remonstrance. That George Sigler, a remonstrator, does not reside at Imbler, Union County, Oregon, but does reside in said Road District No. 10, and resided there when he signed said remonstrance, and was and is a freeholder of said County. That H. H. Elmer died recently owning real property in Union County, Oregon, in fee, and that said property descended to his heirs, Edward Elmer, and Millie Elmer, his children, and that his wife, Mrs. H. H. ELMER has an

estate of dowry in said real property, for and during her natural life, and that said Edward Elmer and Millie Elmer as the heirs of said H. H. Elmer, deceased, and said Mrs. H.H. Elmer, as his widow were at the time they signed said remonstrance and now are freeholders of said Union County, residing in said road district No.10. That T. A. Cheate a remonstrator, is an heir at law of S. Cheate deceased and that at the time he signed said remonstrance he was and now is a freeholder of said Union County, Oregon, residing in said Road District No.10. That J. A. McKenzie a remonstrator, was at the time he signed said remonstrance and now is the owner in fee of a large farm in Union County, Oregon and a free holder of said County, residing in said Road District No.10, and that he has resided in said road district continuously for the last year. That Charles Woodell, and Frank Woodell, remonstrators, were each at the time they signed said remonstrance owners of real property in said Union County, Oregon, and freeholders thereof, residing in said Road District No.10. and that they are now such freeholders and reside in said district, and that each of them was fully capable of signing said remonstrance and that each did sign it and understood fully the intent and meaning of said remonstrance. That Frank Woodell is about 16 years of age, and Charles Woodell is 12 or 13 years of age, and that they are well educated and understood fully what they were doing.

That Ida Moats, Wm. H. Clark, J. A. Murchison and Wm. Clegg, each signed the remonstrance and that they each reside in Road No.10, and were at the time they signed said remonstrance and are now freeholders of said County, and had a good right to sign said remonstrance. That this affiant positively knows that J. A. Murchison one of said remonstrators did sign his name to said remonstrance, as affiant saw him do so.

That S. Cheate, whose name appears upon the petition

died prior to the 2nd day of September, 1903, and that T. A. Cheate who signed the remonstrance was and is his heir at law.

That Jennie E. Rinehart, one of the remonstrators, did at the time she signed said remonstrance and does now own in her own right real property in said District No. 10, and that she was and is a freeholder of Union County, Oregon, residing in said Road District No. 10, and that she has resided there for years prior to this date.

And affiant further states that he has made all reasonable inquiry in regard thereto and that he does not believe that W. H. Glenn or A. C. Glenn was or is a freeholder of said Union County, Oregon, or that either of them owns any real property whatever in said County.

That J. E. Zuehl was not at the time he signed the petition and is not now a freeholder of Union County, Oregon, and that he informed this affiant since he signed said petition that he did not own any real property in Union County. And that affiant is informed and believes that Anna Celt, one of the petitioners since she signed said petition has removed from Union County to the Southern part of this State, and is not a resident of Union County, Oregon, and that she did, as affiant is informed and believes, prior to the signing of said petition sell all her real property situate in said Union County.

J. T. Woodell
.....

SUBSCRIBED AND SWORN TO before me this 8th day of Sept. 1903.

J. P. Oliver
.....
Notary Public for Oregon.

Filed Oct 8, 1903

J. H. Munnick

Dist

Dr. S. S. Church

W. H. Munnick

In the county court of the state of Oregon for Union County.

In the matter of the vacation)
of county Road petitioned for)
by Anna Colt, et.al. now pending.)

Come now E. Fisher, A. Shan, et.al. who are free holders of Union county, Oregon, and reside in road district No.10 in Union county, Oregon, which road district is the one in which is located the portion of the county road sought to be vacated by Anna Colt et.al., and who are remonstrators against the vacation of said road, and object to the consideration of the following names which appear on said petition and move that the same be stricken from the said petition, for the following reasons, to wit:

Mrs. Anna Colt, W.H. Glenn, J.E. Westover, A.G. Glenn, J.E. Zundel, and William Clegg for the reason that none of said petitioners are freeholders of Union county, Oregon, residing in said road district, and none of them at the time of signing said petition or now own lands in said county, and that neither of said persons either at the time he or she signed said petition or at the time said petition was presented to the county court for its action was a free holder of said county or owned any lands therein and for the further reason that neither of them is a freeholder at the present time; and said remonstrators object to the name of Mrs. Anna Colt and ask that the same be stricken from the said petition for the further reason that she sold all real property owned by her in said county long before she signed said petition and at the time said petition was presented to the court she was not a resident of said road districe No.10 or of Union county, Oregon.

And said remonstrators object to the name of Sabe Cheate on said petition and ask to have it stricken therefrom for the reason that said Sabe Cheate died prior to the time that said

petition was presented to the county court for its action and because he was not at that time and is not now a free holder of Union county, Oregon, and said remonstrators ask the court to strike all of said names from the said petition and not to consider them in passing upon the question of vacating or not vacating said county road.

Ramsey Oliver
Attys for Remonstrators

See the County Court
of the State of Oregon
for the Union County

Book 111111 of the
County Court
of the County of Union
for the County of Union

Objections to the
Return of the
and Western Service
and

See the County Court

of the State of Oregon

County of Union
for the County of Union

In the County Court of the State of Oregon,
for Union County,
Sitting as a board of Commissioners for the transaction
of County business.

In the matter of the County Road *
petitioned for by Anna Colt, et als *

Comes now the petitioners for the vacation of the
County Road , which said petition is herein filed, and moves
the Court for an order striking from the files, the pretended
demurrer and motion filed herein by one E. E. Fisher, and
alleges as ground therefor, that the said E. E. Fisher is
not a remonstrator against the said petition, and has no interest
in the said above entitled proceeding, and petitioners
base this motion upon the record of this proceeding in this
Court.

A. J. Kim + C. Cochran

Attorneys for Petitioners.

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

In the matter of the
vacation of the County
patrolman for the
Union Deer state

Motion

Filed April 30th 1903

at 1:00 o'clock P.M.

J. W. [Signature]

County Clerk

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

In the Matter of the Proposed)
Vacation of the County Road as)
petitioned for by Anna Golt et al.)
-----)

State of Oregon)
County of Union) ss.

I, J.T. Woodell, being first duly sworn say that I circulated the remonstrances against the closing of the above entitled road and know every person who signed either remonstrance and where that person resides, and that every person on each remonstrance signed his or her name thereto in my presence, and that the following named persons who reside in Road District No. 10, and who signed their names to the remonstrance for said district actually reside outside of the corporate limits of the town of Summerville in said road district: E. Fisher, J.A. Murchison, Isabelle Mc.Kenzie, W. N. Park, Wm. Eubanks, T. A. Choate, J. L. Mc.Kenzie, Ella A. Mc.Kenzie, George Sigler, Columbus Fisher, I. N. Moats, Charles Woodell, Mamie Woodell, Frank Woodell, J. A. Mc.Kenzie, Edward Elmer, Mrs. H.H. Elmer, Millie Elmer, J.H. Rinehart, Sarah C. Rinehart, William Clegg, Jennie E. Rinehart, H.C. Rinehart, and Anna A. Smith, all other names on said remonstrance ~~names in~~ are of freeholders who reside within the corporate limits of the town of Summerville in said Road District No. 10, in said Union County, Oregon.

J. T. Woodell

Subscribed and sworn to before me on this October 8th. 1903.

M. A. Harrison

County Clerk.

24

Filed Oct. 8, 1903

J. H. Manning, Clerk

By C. B. [Signature]

[Signature]

REMONSTRANCE

To the Honorable County Court of Union County, Oregon:
 we, the undersigned Freeholders of Union County (Oregon), residing
 in Road District No 10, in said County, the same being the Road
 District in which is located the portion of the County Road
 sought to be vacated by Mrs Anna Colt et al, and more particul-
 ly described in the petition of said Anna Colt et al, do mo t
 respectfully and earnestly remonstrate against the vacation of
 said portion of road and against the closing of the same

NAMES

NAMES

X 7	E. J. Fisher	X	Ellen A. McKenzie
X 14	J. A. Murchison	X	George Sigler
1	A. Shaw		John McRae
16	Isabella Shaw		W. S. Robinson
7	Belle McRae	X	Columbus Fisher
15	J. G. Bonnette		E. J. J. J.
1	S. M. Bonnette	X	J. A. Murchison
2	C. H. Bruce	X	Emilie Woodell
1	S. A. Chatter	X	Wm. C. Clark
	George Ott	X	Frank Woodell
	Ned M. Embank	X	J. A. Murchison
4	A. E. Murchison		J. E. Murchison
2	M. J. Murchison	X	Wm. C. Clark
6	J. L. Murchison	X	Wm. C. Clark
7	B. H. Murchison	X	Miller Elmer
X	E. L. McKenzie	X	J. M. Murchison
X	Isabella McKenzie	X	Darah C. Murchison
0	M. Murchison	X	Wm. C. Clark
1	W. R. C. Patton		George C. Cline
30	Mrs. M. A. Mills	X	Jessie E. Rinsback
31	John Vanderpool	X	J. A. Murchison
	L. H. Murchison	X	Amia A. Smith
	Wm. Ashcraft		
X	Wm. Ashcraft		
X	Wm. Ashcraft		
X	J. A. Chatter		

REMONSTRANCE.

1 To the Honorable County Court of Union County Oregon:
 2 We, the undersigned freeholders of Union County, Oregon, residing
 3 in Road District No. 8 would most respectfully represent to your
 4 honorable body that County Road No. 250 in Union County was many
 5 years ago laid out regularly and established as a public highway
 6 of said Union County; that it commences near the center of sec-
 7 tion 12 in T. 1 S. R. 30 E. W. M. and ends at the N. W. corner of N. E.
 8 quarter of section 26 in T. 1 N. R. 30 E. W. M. and is partly in Road
 9 District No. 10 and partly in Road District No. 8 in said Union
 10 County and is the only County road which the undersigned remon-
 11 strators have to travel between their places of residence and
 12 the town of Summerville, which is their post office and nearest
 13 town; that one Anna Golt and 18 others have given notice that
 14 they will at the September term of the County Court for said
 15 Union County present a petition to said Court asking to have a
 16 portion of said road vacated; That if such proceeding is had that
 17 said petition would be granted it would leave us without a County
 18 Road to get to our post office and town and would be of irrepara-
 19 ble damage to us and we do most respectfully remonstrate and pro-
 20 test against the granting of said petition:
 21

NAMES.	NAMES.
J. T. Woodell	Mess E Sanderson
Henry Gressman	Wm D Sanderson
Thomas McKinnis	Mr John Hunter
C. J. McKinnis	
Ben See	John J. Lee
D. C. Craig	Peter Plaums
G. M. See	John G. Kade
Birt E Slack	George Am Lee
Joseph W Garhart	
H. H. Williamson	
J. W. Pentecost	

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

In the matter of the

personal

residence of the County,
as set forth in the
order of the Court
by Anna C. C. C.

Remuneration

July 6 of 7. 1903

J. H. M. M.

Wm. J. C.

Anna C. C. C.
County of Union

In the County Court of the state of Oregon,
for Union County.

in the matter of the road
petitioned for to be vacated
in Section 2, T₂ S. R. 38,
E. W. N., petitioned for by Anna
Colt, et als.

Comes now the said petitioners and moves the court and
commissioners here, to strike out and disregard the remonstrance
and the names of the remonstrators thereon who allege that
they are freeholders residing in Road District Number 10, of
Union County, Oregon, to wit; J. T. Weckell, Henry Grossman,
Tom McKinzie, C. L. McKinzie, Dan See, D. C. Craig, G. M. See,
Bert Black, Jos Goughart, H. E. Williamson, E. W. Dentonest,
Mrs. E. Sanderson, H. D. Sanderson, John Parker, Jeff See,
Peter Eflom, John L. Eason, George See, for the reason that
the petition, notice of petition, report of the Board of Viewers
and surveyors notes show that the road to be vacated is all
situated in Section 2, T₂ S. R. 38 E. W. N. and that the
road district records of this court and of Union County show
that the entire section 2, and the road sought to be vacated
is wholly in Road District Number 10, of said County and
state and that only resident freeholders residing in said
Road district 10 can either petition or remonstrate against
the same, in this matter.

Anna Colt and other petitioners for

A. J. Finis & C. E. Cahrer

State of Oregon,

County of Union, ss.

I, H. E. Lang, J. Justus Wade, being each duly sworn, each
for himself and not for the other, depose and say, that the state-
ments in the foregoing petition and application are true, as we
verily believe.

H. E. Lang

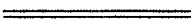
Justus Wade

STATE OF OREGON,
COUNTY OF UNION. } ss.

I, _____, being first duly sworn, depose and say
that I am the _____ in the above entitled _____;
and that the foregoing _____ is true as I verily believe.

Subscribed and sworn to before me this _____ day of _____ 190_____

Notary Public for Oregon.



STATE OF OREGON,
COUNTY OF UNION. } ss.

I, _____, do hereby certify that I am
_____ attorney herein; that the foregoing
copy of _____ has been by me carefully compared with
the original thereof and that it is a correct transcript therefrom and the whole of such original.

Union, Oregon, dated this _____ day of _____ 190_____



Due service of the within _____ is hereby accepted in
_____ County, Oregon, this _____ day of _____ 190_____, by receiving a
copy thereof, duly certified to be such by _____ attorney for _____

Attorney for the _____

No.

In the *Sevier* Court,
State of Oregon,
for the County of Union.

James C. Reed
Plaintiff vs
William L. Van Horn
Defendant

vs.
Plaintiff
Defendant

Defendant

W. L. Van Horn
Defendant

Filed *Sept 11* 190*3*

[Signature]
Clerk.

By *[Signature]* Deputy.

FROM THE OFFICE OF
C. E. COCHRAN,

Attorney for

C. ped

Precinct of *Summerdale*
UNION COUNTY OREGON

ASSESSMENT

—01—

A. C. Glenn

Filed *June 15* 190*3*

J. H. Morton

Assessor

By *T. A. Ruchart*

Deputy

State of Oregon
County of Union
I, *J. H. Morton*, the
assessor of *Union County Oregon*
do hereby certify that the within
is a correct copy of the accounts
of *A. C. Glenn* for the year *1903* as
the same appear on file in my
office and as given me by the
A. C. Glenn
dated this *Oct 8th 1903*
J. H. Morton assessor

Dr R

Call Road

Filed Oct 8, 1903

W. W. Minnigh
Clerk

By *Offshore*

J. H. Morton

Dune
Calk Road

Copied

District of Summerville
UNION COUNTY OREGON

ASSESSMENT

—OR—

W. A. Glenn

Filed April 18 1903

J. A. Morton

Assessor

J. A. Penehart

Deputy

Filed Oct 8, 1903

J. H. Mummaugh
Clerk
By E. P. Schow

State of Oregon
County of Union
I, J. A. Morton, Assessor
for Union County do hereby certify that
the within is a true and correct
copy of the assessment of W. A. Glenn
as given me by him for the year 1903
as shown by the assessment books
of the said W. A. Glenn in my office
as per my care and keeping
Dated this Oct 8 1903
J. A. Morton Assessor

Copied

Precinct of *Summerville*
UNION COUNTY OREGON

ASSESSMENT

J. R. Karamore

Filed *June 17* 1903

J. H. Morton
ASSESSOR

by *T. A. R. R. R. R.*
Deputy

I, J. H. Morton, Assessor of Union County, Oregon, do hereby certify that I have compared the within copy of assessment by J. R. Karamore with the original assessment blank on file in my office and in my cell and entirely satisfied that same is a true and correct copy of the whole sheet and that J. R. Karamore did not give me any property for the year 1903 and is not assessed on any amount as shown by the records in my office. Dated this 17th day of June 1903. J. H. Morton Assessor

In re
Call Road

Filed Oct 8, 1903
J. H. Munnough
By E. Schow

FIRST JUDICIAL DAY.

WEDNESDAY, SEPTEMBER 2, 1903.

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 Wednesday, the 2d day of September, A. D. 1903, the same being the first Wednesday in said month and the time fixed by law for holding a regular term of said court, when were present:

The Hon. M. A. Harrison, County Judge.

Robert Blumenstain, Commissioner.

Jas. A. Pilcher, Commissioner.

J. H. Minnaugh, Clerk.

C. C. Penington, Sheriff.

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

In the matter of the application of J. L. Linebarger for transportation for his son Oscar from La Grande to the Oregon School for Deaf mutes at Salem, Oregon.

This matter came on to be heard at this time on the verified affidavit of Joseph Linebarger, from which it appears that the affiant is the father of Oscar Linebarger, a pupil of the school for Deaf Mutes at Salem, Oregon, and who is at present spending his vacation in this county; that the said affiant is desirous of returning his said son to the said school but that he has not the means with which to pay for the necessary transportation. Therefore in accordance with the provisions of an act of the Legislative Assembly of the State of Oregon, approved February 21, 1891, It is hereby ordered that the Clerk of this court be and he is hereby authorized to issue a warrant on the contingent fund in favor of E. C. Moore, agent of the O. R. & N. Co., at La Grande, Oregon, for \$ 5.00 for transportation of said Oscar Linebarger from La Grande to Salem, Oregon.

In the matter of the vacation of the County Road petitioned for by Anna Colt, et al.

At this time it is ordered by the Court that this matter be and the same is hereby continued until tomorrow morning at 9 o'clock.

In the matter of the County Road petitioned for by W. W. Randall, et al.

At this time it is ordered by the Court that this matter be and the same here now is continued until October 8, 1903, at 1:30 o'clock, P. M.

SECOND JUDICIAL DAY.

THURSDAY, SEPTEMBER 3, 1903.

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 here now signed:

M. A. Harrison County Judge.
Robert Blumentritt Commissioner.
Jas. A. Pilcher Commissioner.

Thereupon the following proceedings were had, to-wit:

In the matter of the vacation of the County Road petitioned for by Anna Colt, et al.
--

This matter came on for decision on this date on the remonstrance, demurrer and motion to strike certain names from the petition, the same having been heretofore argued by counsel and submitted to and taken under advisement by the Court, and the Court being now fully advised in the premises, IT IS CONSIDERED AND ORDERED BY the Court that said remonstrance, motion and demurrer be and they hereby are and each of them is hereby denied.

In the matter of the vacation of the County Road petitioned for by Anna Colt, et al.
--

Comes now Anna Colt, one of the petitioners for the vacation of the County Road hereinafter described, and presents to the Court the petition of herself and eighteen others praying for the vacation of a county road described as follows, to-wit:

Commencing at a point 8 chains west of the southeast corner of section 2, in township 1 South, Range 38 E. W. M., at a rock set in the ground marked R, thence running north 21 degrees west 42.15 chains to a rock angle 1, thence running north 31 degrees west 10.06 chains to a rock marked angle 2, thence running north 35 degrees west 21.50 chains to a rock marked R. T. which is set in the center of the county road at a point on the subdivision line 12.54 chains south of the quarter section corner on the north side of section 2, in township 1 South, Range 38 E. W. M. and there to terminate, and all being in Union county, Oregon.

And it appearing to the Court that said petition is signed by more than twelve free-holders of this county residing in the road district where said road is proposed to be vacated, 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: on the front door of the Court House in the town of Union, County of Union, State of Oregon, and also at three public

SECOND JUDICIAL DAY.

THURSDAY, SEPTEMBER 3, 1903.

places in the vicinity of said road so proposed to be vacated, to-wit: one on the fence at the starting point of the road petitioned to be vacated, one on the house of Anna Colt on the road petitioned to be vacated and one on a tree in front of the house of E. Fisher at terminus of the road petitioned to be vacated, all in plain view of the public and the latter three in the vicinity of said 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 thereof 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, filed and approved by this Court. And it further appearing to the Court that said road so sought to be vacated is situate in Road District No. 10, Union county, Oregon, and that said petitioners each reside therein. IT IS THEREFORE CONSIDERED AND ORDERED that Arthur Curtis, County Surveyor, B. Logsdon and L. L. McKennon, as the Board of County Road Viewers, be and they are hereby directed to meet on the 18th day of September, A. D. 1903, at 9 O'clock A. M., or within five days thereafter, at the beginning of said road, and proceed to survey, view, alter or vacate the said road in the manner prescribed by law.

In the matter of the application
of Thomas McConnell for refunding
of over paid taxes for the year 1902.

This matter came on to be heard at this time on the application of Thomas McConnell for the refunding of over paid taxes for the year 1902, and it appearing from the affidavit of the applicant filed herein that for the year 1902, he was erroneously assessed and paid taxes on the NW 1/4 of the NE 1/4 Sec. 31, Tp. 3 S. R. 38 E. W. M., amounting to the sum of \$2.09, and it further appearing to the Court at this time that the applicant did on the 9th day of March, 1903, pay to the sheriff of Union county, his taxes in full on all property charged against him in this county, including the tax on said forty acre tract so erroneously assessed and charged against him, and that he is entitled to a rebate of \$2.09 for over-paid taxes for the said year 1902; IT IS THEREFORE CONSIDERED AND ORDERED by the Court that the prayer of the petition be granted and that the Clerk of this Court issue a warrant on the contingent fund of the county for \$2.09 in favor of Thomas McConnell, in refundment of said over-paid taxes for the year 1902.

In the matter of the application of
S. C. Eads, for county aid.

At this time it is ordered by the Court that this application be and the same is hereby denied.

FIRST JUDICIAL DAY.

WEDNESDAY, OCTOBER 7, 1903.

In the matter of the vacation of
a county road, petitioned for by
Anna Colt, et al.

This matter came on to be heard at this time on the report of the Board of
County Road Viewers for a first reading as provided by law. IT IS THEREFORE ORDERED that
said report be lain on the table for a second reading on some other day of this term.

In the matter of the County Road
petitioned for by W. D. Grandy, et al.

At this time it is ordered by the Court that this matter be and the same is here-
by dismissed.

In the matter of the County Road
petitioned for by W.W.Randall, et al.

At this time it is ordered by the Court that this matter be and the same is here
hereby dismissed.

Thereupon it was ordered that Court be now adjourned until tomorrow morning at nine
o'clock.

SECOND JUDICIAL DAY.

THURSDAY, OCTOBER 8, 1903.

In the matter of the Vacation of
of County road petitioned for by
Anna Colt, et al.

This matter came for a second reading as provided for by law on the report of the Board of County Road Viewers and on the remonstrance of certain residents within said district and the Court not being fully advised in the premises, It is ordered that all of said proceedings be referred to Hon. Samuel White, District Attorney for the 8th, Judicial District as to the legality of said proceedings.

In the matter of the application of
Anna Garren for County aid.

At this time it is ordered by the Court that this matter be and the same is hereby denied.

In the matter of the application of
C. L. Fox, for the cancellation of taxes
against certain lands in Riverside Add to
La Grande, for the year 1898.

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

Thereupon it was ordered that Court be now adjourned until tomorrow morning at 9 o'clock.

THIRD JUDICIAL DAY.

FRIDAY, NOVEMBER 6, 1903.

In the matter of the proposed County road petitioned for by Nellie L. Johnson . .

This matter came on to be heard at this time on an order of the Circuit Court of the State of Oregon, for Union County, remanding this matter to the Court below with direction to appoint new viewers or the same ones and cause them to examine view out and report on said right way in accordance with the law; Therefore based upon the order of our Circuit Court, IT IS HEREBY CONSIDDERED ORDERED AND ADJUDGED, That A. J. Goodbrod, S. A. Pursel and Alex Slater be and they are hereby appointed viewers and that the said viewers meet on Saturday, the 21st day of November, A. D. 1903, at 10 O'clock A. M. of said day at the County poor Farm of Union County, Oregon, situated near the hereinafter described property and there view out and locate a County road not exceeding thirty feet in width from the residence of said petitioner Nellie L. Johnson, east to the nearest County Road according to the terms of the petition thereof by the said Nellie M. Johnson? now on file in this Court and to them and there to assess the damages sustained thereby by the owner or owners of the land over which the same may be located.

The Description of the right of way, public easement of county road as claimed, requested and petitioned for by Nellie L. Johnson, is as follows: Commencing at a point 128 3/4 feet south of the northeast corner of the NW 1/4 of the SW 1/4 of sec. 19 Tp 4 S. R. 40 E. W. M., in Union county, Oregon, and running thence west 4 62 feet thence south 30 feet, thence east 462 feet, thence 30 feet to the place of beginning.

In the matter of the vacation of a portion of a county road, as petitioned for by Anna Colt, etal.

This matter came on to be heard at this time on the report of the viewers filed herein, and on the remonstrances against the vacation of the road, and on the opinion of the District Attorney filed herein. And it appearing to the court that there are nineteen names on the petition for the vacation of the road described as follows: Commencing at a point 8 chains west of the SE corner of section 2, Tp 1 S. R. 38 E. W. M., at a rock set in the ground marked R. thence running north 21° west 45.15 chains to a rock angle 1, thence running north 31° west 10.06 chains to a rock marked angle 2, thence running north 35° west 21.50 chains to a rock marked RT which is set in the centre of the county road on a point on the subdivision line 12.54 chains south of the quarter section corner on the north side of section 2, Tp 1 S. R. 38 E. W. M, which petition is signed by Mrs. Anna Colt and eighteen others, and that remonstrances have been filed against said proposed vacations by E. Fisher and forty-seven others, purporting to be freeholders in District No. 10, and by J. T. Woodell and seventeen others purporting to be freeholders residing in road district No. 8, and the evidence herein had and taken by the court, And the court having found that of the

This entry was entered on this date through error, see Records 10, 11, 12.

THIRD JUDICIAL DAY.

FRIDAY NOVEMBER 6, 1903.

petitioners two are not freeholders residing in said road district, and that there are seventeen valid petitioners only, and the court having found that there are eighteen legal remonstrators residing in district No. 8 all of whom are freeholders of Union county, and that there are twenty-four free holders residing in road district No. 10 outside of the town of Summerville, and the District Attorney having filed his opinion herein to the effect that all freeholders residing in road district No. 8 and in road district No. 10 have a right to either petition or remonstrate in this proceeding, and the court having found that the remonstrances filed herein have the names of forty-two valid remonstrators and are largely in excess of the numbers of the petitioners, IT IS THEREFORE CONSIDERED AND ORDERED BY THE COURT that said remonstrances be sustained and that this proceeding be dismissed and that the prayer of the petitioners be denied. And it further appearing to the court that a bond was filed herein by Mrs. Anna Colt, and Justus Wade as surety thereon, conditioned that in case the prayer of the petitioners for said proposed vacation be not granted or allowed, then that said Anna Colt and Justus Wade would well and truly pay all costs and expenses incurred by reason of the view or re-view of said road and that the bills which this county had to pay by reason of said view of said road amounted to \$22.00, It is therefore further considered that said petitioners are indebted to Union county, under the terms and conditions of said bond in said amount of \$22.00 and that said bounden Anna Colt and Justus Wade be required to pay the same.

In the matter of the application of various persons citizens and residents of Union county, Oregon, for county aid.

At this time is presented to the court applications of various persons residents of Union county, Oregon, asking that an allowance be made them out of the general fund of the county for their support. And it appearing to the court that each of said persons are unable to perform manual labor sufficient to earn a livelihood; that they have no relatives or friends who are able or willint to render them assistance; that they are in destitute circumstances and in need of assistance, and it further appearing to the court that it would be just and equitable to make an allowance out of the general fund to each of the applicants for their immediate relief, IT IS THEREFORE CONSIDERED AND ORDERED by The court that the Clerk of this court issue a warrant upon the general fund of the county in favor of each of the following applicants, and for the amount set opposite each of their respective names, as follows, to-wit:

George May, \$10.00, Inez Guild, \$12.00, John Hildebrand, \$8.00, Anna Holman, \$10.00, Ella Neason, \$15 and Mrs. T. E. Lee, \$8.00.

FOURTH JUDICIAL DAY.

TUESDAY, NOVEMBER 10, 1903.

Court met pursuant to adjournment.

Present: Same officials as on last judicial day.

Due proclamation of the opening of Court having been made, the journal of last judicial days proceedings was read, approved and is here now signed.

M. A. Harrison County Judge.
Robert Blumenthal Commissioner.
James A. Pelcher Commissioner.

Thereupon the following proceedings were had, to-wit.

In the matter of the vacation of a portion of a County road petitioned for by Anna Colt, et al.

This matter came on to be heard at this time on the report of the viewers filed herein, and on the remonstrances against the vacation of the road and on the opinion of the District Attorney filed herein.

And it appearing to the Court that there are nineteen names on the petition for the vacation of the road described as follows:- Commencing at a point 8 chains west of the S.E. corner of Section 2, Tp 1 S. R. 38, E., W. M. at a rock set in the ground marked "R" thence running north 21° west 42.15 chains to a rock, Angle 1, thence running North 31° west 10.06 chains to a rock marked Angle 2, thence running north 35° west 21.50 chains to a rock marked R. T. which is set in the center of the County Road at a point on the subdivision line 12.54 chains south of the quarter section corner on the north side of section 2, Tp 1. S.R. 38, E. W. M., which petition is signed by Mrs Anna Colt and 18 others, and that remonstrances have been filed against said proposed vacation by E. Fisher and forty seven others, purporting to be freeholders in District No. 10 and by J. T. Woodell and seventeen others purporting to be freeholders residing in Road District No. 8, and the evidence herein having been taken by the Court and the Court having found that of the petitioners two are not freeholders residing in said Road District and that there are seventeen valid petitioners only, and the Court having found that there are eighteen legal remonstrators residing in District No 8, all of whom are freeholders of Union County, and that there are twenty-four freeholders residing in Road District No, 10, outside of the town of Summerville, and the district attorney having filed his opinion herein to the effect that all freeholders residing in Road District No. 8, and in Road District no. 10, have a right to either petition or remonstrate in this proceeding, and the Court finding that the remonstrances filed herein have the names of 42 valid remonstrators and are largely in excess of the number of the petitioners .

IT IS THEREFORE CONSIDERED AND ORDERED by the Court that said remonstrances be sustained and that this proceeding be dismissed and that the prayer of the petitioners be denied. And it further appearing to the Court that a bond was filed herein by Mrs. Anna Colt with Justus Wade as surety thereon, conditioned that in case the prayer of the pe-

FOURTH JUDICIAL DAY.

TUESDAY, NOVEMBER 10, 1903.

tioners For said proposed vacation be not granted, or allowed, then that the said Anna Colt and Justus Wade would well and truly pay all costs and expenses incurred by reason of the view or review of said road, and that the bills which this County had to pay by reason of said view of said road amounted to \$22.00. It is therefore further considered, that said petitioners are indebted to Union County under the terms and conditions of said bond in said amount of \$22.00 and that said bounden Anna Colt and Justus Wade be required to pay the same.

In the matter of the settlement with the Sheriff on the Tax Roll for The year 1902.

Comes now C. C. Penington, Sheriff of Union County, Oregon, and Presents to the Court for settlement the Tax Roll for the year 1902, from which and the return thereon it appears that the said Sheriff was charged on said Tax Roll with the sum of \$129,331.82, tht he has made Sheriff's assessment on said roll to the amount of \$328.21 and collected penalty and interest amounting to \$750.92, aggregating the sum of \$130,409.93; that he has collected and turned over to the Treasurer as shown by the receipts filed by him, the sum of \$121,917.20; that he has collected penalty and interest on said roll amounting to \$750.92; that he has collected on Sheriffs assessments the sum of \$322.90; that he has rebated on said roll the sum of \$3518.93 and returns as delinquent and uncollected the sum of \$3900.20.

IT IS THEREFORE CONSIDERED AND ORDERED by the Court that the sheriffs return on a roll be and the same is hereby in all things approved. It is further ordered that the Sheriff be charged on his account with the amount of said assessments and the amount of penalty and interest.

In the matter of the County Road petitioned for by Nellie L. Johnson.

Now at this time this matter came on for hearing upon the application of C. E. Cochran, attorney for petitioner, in open Court made for leave to withdraw the report of viewers. And it appearing to the Court that the request should be granted. It is therefore considered and ordered that the said attorney be and he is hereby permitted to withdraw the said reports from the files of the Clerk's office.

In the matter of the proposed County Road petitioned for by Thomas Walsh, et al.

This matter came on to be heard at this time on an order of the Circuit Court of the State of Oregon, for Union County, directing this Court to proceed to approve or disapprove the report of the Viewers on claim for damages filed by T. H. Crawford and C. H. Finn in the above e titled matter and to allow or disallow said claim, which report of viewers is in words and figures as follows, to-wit: