

EQUITY.

No.

In CIRCUIT COURT

UNION COUNTY

Esse Crandall

Plaintiff

vs

William L. Crandall

Defendant

Rauscy & Sons

Attorney for Plaintiff

J. H. Finn

Attorney for Defendant

410-497-317
Order of the Court
Road No. 579

Petitions for
U.S. Pass, et al

Commencing at

~~162-23~~ To N.R. & B. Co.

815-04

PETITION FOR COUNTY ROAD.



TO THE HONORABLE COUNTY COURT, FOR UNION COUNTY, OREGON:

The undersigned freeholders, of Union county, Oregon, residing in the road district where the hereinafter described road is proposed to be, respectfully petition your Honorable body to lay out, alter and establish a County Road within said county, on the following line, or route, to-wit:

Commencing at a point on the county road at the N.E. corner of the S.E. ~~corner~~ quarter of sec. 22 Township 2 N. Range 40 E.W.M. running thence in a westerly direction on the north line of said quarter section to the N.W. corner of said quarter section. Thence running south 2 1/2 rods more or less on the west line of said quarter section to a stake marked (A) thence running in a south westerly direction along the most practicable route down the canyon to a point intersecting the county road at a stake marked (B) and thence terminating. Said road to be 40 feet wide.

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

Dated at Elmore Oregon April 15th 1904

NAMES:

U. F. Weiss
 Frank Harriman
 O. W. Thompson
 J. J. Gregory
 J. J. [unclear]
 J. M. Perry
 J. Witty
 E. H. [unclear]
 D. A. Barnes
 E. P. [unclear]
 J. H. Miller
 O. H. Barnes
 J. [unclear]
 A. C. Thompson
 W. English
 W. J. [unclear]
 James [unclear]
 David Scott
 Thomas Scott

NAMES:

Jac. Becht
 Danne Brashear
 E. Rush
 Edshell
 R. L. Gesterman
 J. Wark
 W. E. Birchfield
 J. W. Jones
 J. W. [unclear]
 George Hills
 J. A. Hill



J. M. [Signature]
COUNTY CLERK

FILED
JUN 1 1904

[Faint handwritten notes]

[Faint handwritten notes]

Notice of Road Petition.

TO ALL PERSONS CONCERNED: You and each and all of you, will take notice that the undersigned freeholders, of Union county, Oregon, residing in the road district where the hereinafter described road is proposed to be, will at the next session of the County Court for Union county, Oregon, to-wit: on Wednesday, the 1st day of June A. D. 1904 respectfully present to said court a petition praying said court to lay out, alter and establish a County Road within said county, on the following line, or route, to-wit:

Commencing at a point on the county road at the N.E. corner of the South East quarter of sec. 22 Township ~~40 N.~~ Range 40 E. W. M., Running thence in a westerly direction on the north line of said quarter section, to the N.W. corner of said quarter section thence running south 53 rods more or less, on the west line of said quarter section to a stake marked (A), thence running in a south westerly direction along the most practicable route down the canyon to a point intersecting the county road at a stake marked (B) and there terminating said road to be 40 ft wide

Dated at Elgin Oregon, the 15 day of April A. D. 1904

NAMES:

U. F. Weiss
 Frank Harriman
 C. W. Thompson
 J. J. Gregory
 J. W. Perry
 J. D. Witty
 E. J. [unclear]
 R. A. [unclear]
 F. R. Shear
 W. K. Miller
 J. H. Barnum
 S. [unclear]
 C. O. Thompson
 W. English
 Wm. J. [unclear]
 James Hamer
 David Scott
 Thomas Scott

NAMES:

Joe Becht
 Daniel Boush
 E. J. Rush
 Ed Shell
 R. L. Yesterman
 J. Ward
 W. E. Birchfield
 J. W. [unclear]
 Willis [unclear]
 George [unclear]
 J. A. [unclear]

[Handwritten signature]

J. W. Cunningham
COUNTY CLERK

FILED
JUN 1 1904

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

I, E. P. Schow 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 _____, 190____, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: ^{say that} On the 26th day of April, 1904, I posted a true and ^{the hereto attached} correct copy of said notice at the place of holding Court for Union County, Oregon, to-wit: On the ^{front door} ~~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 1st day of June, 1904.

E. P. Schow
L. M. Harrison
County Judge

ETT, HD
JUN 1 1904

J. H. Pennington
COUNTY CLERK

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

I, Joseph Scott 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 one at the beginning and one at the terminus of said proposed road and one ^{at} one half mile of the beginning of said proposed road at the section corner mentioned in said petition

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 16th day of April 1904, 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 21 day of May 1904.
Joseph Scott
B. B. Morlock
Notary public for Oregon

FILED
JUN 1 1904

J. M. ...
COUNTY CLERK.

BOND OF ROAD PETITIONERS.

Know all Men by These Presents, That we, Joseph Scott and J. W. Perry, of the County of Union and State of Oregon, are held and firmly bound unto said County of Union in the sum of two hundred Dollars, the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents.

Signed this 31st day of May 1904 A. D. 1904

Now, the condition of the above obligation is such, That, whereas the above named Joseph Scott and J. W. Perry, and others, have petitioned the County Court of said County of Union, at the June Term, 1904 thereof for a County Road, Commencing at a point on the County Road at the N. E. corner of the E. E. quarter of Sec 22, Township 2 North Range 40 E. 7-32 running thence in a westerly direction on the South line of said quarter section to the N. W. corner of said quarter section thence running South East 53 rods more or less on the west line of said quarter section to a stake marked (A) thence running in a South westerly direction a long turnout for a possible front down the canyon to a point intersecting the County Road at a stake marked (B) and thence terminating said Road to be 40 feet wide

NOW, if the above named Joseph Scott and J. W. Perry shall well and truly pay, or cause to be paid, all costs and expenses that may be incurred by reason of the view or review of said Road, in case the prayer of said petitioners be not granted or allowed, then that this obligation shall be void, otherwise to remain in full force and virtue.

Joseph Scott (L. S.) J. W. Perry (L. S.)

STATE OF OREGON, County of Union. } ss.

I, Joseph Scott and J. W. Perry, each for himself, says, that I am worth the sum of two Hundred Dollars over and above all debts and liabilities and property exempt from execution, that I am a resident and householder in said County and State.

Joseph Scott J. W. Perry E. P. Morelock Notary Public for Oregon County Clerk

Subscribed and sworn to before me this 31st day of May 1904 Approved 6/1/1904 M. A. Harrison, County Judge Robert Blumenthal, Jas. A. Pitcher

The County Court of the State of Oregon for Union County

Read petitions

for by
W. Weiss, et al

June 23- 9, a. m.

FILED
JUN 1 1904

J. H. ...
COUNTY CLERK

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

To the Honorable County Court for Union County, Oregon :

The undersigned Board of County Road Viewers, heretofore on the 1st day of June 1904, instructed 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 U. F. Weiss et al., beg leave to report that on the 28 day of June 1904, in pursuance with said order, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinions said proposed road should be laid out and established as a public highway of Union County, Oregon; that the same is practicable and would add greatly to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be laid out and declared a public highway of said county.

(No Claims for damages)

L. LeMcKenon
B. Logsdon
Arthur Curtis

Board of County
 Road Viewers.

State of Oregon
County of Union } s.s.

I hereby certify in the matter
of the county road petitioned for by U. F.
Weiss 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

Report of Surveyor.

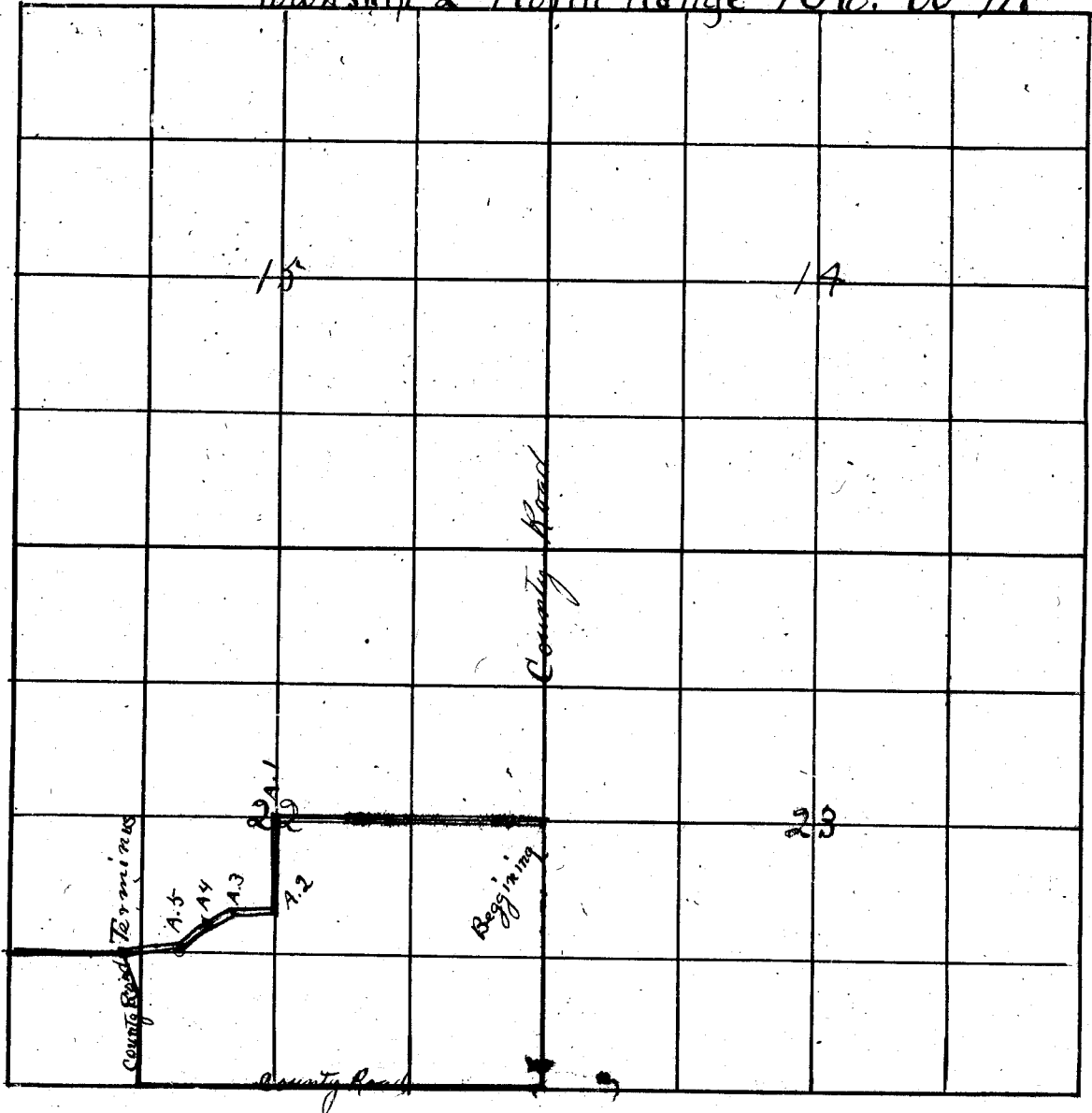
To the Hon. County Court of Union County, Oregon:

I, the undersigned, County Surveyor, appointed to survey the county road proposed by U. F. Weiss et al., beg leave to report that on the 28 day of June 1904, in pursuance of said appointment and order, I Surveyed said proposed road for the whole distance thereof, the following being the field notes of said survey:

Commencing at the North East Cor. of S.E. $\frac{1}{4}$ of Sec 22 T. 27 N. R. 40 E. W. M. at Stake Marked R. Then West Var $20^{\circ} E$ 38.60 Chs. to Angle 1 a rock in mound; " South
13.90 " " " 2 " and stake A; " S. $86^{\circ} W$
6.00 " " " 3 " " " " ; " S $57^{\circ} 30' West$
4.00 " " " 4 " " " " ; " S 51° "
5.00 " " " 5 " " " " ; " S 89° "
8.15 " " Road Terminus Rock Marked R. at stake B. in County Road

Arthur Curtis
County Surveyor.

Road Petitioned for by U. F. Weiss et al
Township 2 North Range 40 E. W. M.



In the County
County of the
State of Oregon
for recording &c.

In the matter of
Oregon County
Past Certificates
for land

W. J. Lewis
Deputy of Recorder

Witness my hand
this 13th day of
October 1904
W. J. Lewis

SECOND JUDICIAL DAY.

THURSDAY, JUNE 2, 1904.

thence east about 175 feet to "D" running thence in a northerly and slightly westerly direction a quarter of a mile, more or less, and intersecting the section line near the center of the west line of sec. 2, and continuing north along said line to the SE. corner of the SE quarter of the NE quarter of sec. 34, Tp. 3 N. R. 40 E. W. M., thence running along edge of bluff in a northwesterly direction, or nearly so, to a point on the line between sections 28 and 34 about 220 yards east of the SW. corner of the SW quarter of the SE quarter of sec. 28, thence running west to said corner, and from thence north along the line 1/4 of a mile and there terminating, said road to be 40 feet wide. And it appearing to the court that said petition is signed by more than twelve freeholders of this county, residing within the road district where the hereinbefore described road is proposed to be and that said petition properly specified the place of beginning, intermediate points and place of termination of said road, and it satisfactorily appearing to the court that notice has been given by advertisement posted at the place of holding county court, to-wit: at the court house in the town of Union, county of Union, State of Oregon, and also in three public places in the vicinity of said proposed road; to-wit: one at beginning and one at the terminus of said proposed road and one at the middle of said proposed road for more than thirty days immediately prior to the presentation of said petition to this court, notifying all persons concerned that application would be made to this court at the present session of this court and that the notices so posted were in due form and duly signed by the petitioners and that a bond for the costs of this proceedings has been duly given, IT IS THEREFORE ORDERED that Arthur Curtis, County Surveyor, and B. Logsdon and L. L. McKemmon, constituting the board of county road viewers, be, and they are hereby directed to meet at the beginning of said proposed road, Thursday, the 23d day of June, 1904, at the hour of 2 o'clock P. M., or within five days thereafter, and proceed to survey, view and lay out said road according to law.

In the matter of the proposed road
petitioned for by U. F. Weiss, et al.

Comes now U. F. Weiss, one of the petitioners for the above named proposed county road and presents to the court the petition of himself and others praying for the location and establishment of the county road described as follows, to-wit: Commencing at a point on the county road at the northeast corner of the SE. quarter of sec. 22, Tp. 2 N. R. 40 E. W. M., running thence in a westerly direction on the north line of said quarter section, to the NW. corner of said quarter section, thence running south 53 rods more or less, on the west line of said quarter section to a stake marked "A," thence running in a southwesterly direction along the most practicable route, down the canyon to a point intersecting the county road at a stake marked "B" and there terminating. Said road to be 40 feet wide. And it appearing to the court that said petition is signed by more than twelve freeholders of this county, residing within the road district where the hereinbefore described road is proposed to be, and that said petition properly specified the place of beginning, intermediate points and place of termination of said road, and

SECOND JUDICIAL DAY.

THURSDAY, JUNE 2, 1904.

it satisfactorily appearing to the court that notice has been given by advertisement posted at the place of holding county court, to-wit: at the Court House in the town of Union, County of Union, State of Oregon, and also in three public places in the vicinity of said proposed road to-wit: One at the beginning and one at the terminus of said proposed road and one at one half mile of the beginning of said proposed road at the section corner mentioned in said petition, for more than thirty days immediately prior to the presentation of said petition to this court, notifying all persons concerned that application would be made to this court at the present session of this court, and that the notices so posted were in due form and duly signed by the petitioner and that a bond for the costs of this proceeding has been duly given. IT IS THEREFORE ORDERED that Arthur Curtis, County Surveyor, and B. Logsdon and L. L. McKennon, constituting the Board of County Road Viewers, be and they are hereby directed to meet at the beginning of said proposed road on Thursday, the 23d day of June, 1904, at the hour of 9 o'clock A. M., or within five days thereafter, and proceed to survey, view and lay out said road according to law.

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

FIRST JUDICIAL DAY

WEDNESDAY, JULY 6, 1904.

In the matter of the appointment of a Supervisor
for Road Dist. No. 6

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

In the matter of the application of W. M. Pierce
for the redemption of certain lands

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

In the matter of the proposed County Road Petitioned
for by G.W. English, et al.

This matter came on to be heard at this time upon the report of the Board of Road Viewers for a first reading, and said report having been read in open court as provided by law, the same is laid on the table for a second reading on some other day of this term of Court.

In the matter of the proposed County Road petitioned
for by U.F. Weiss, et al.

This matter came on at this time to be heard upon the report of the Board of Road Viewers for a first reading, and the said report having been read in open Court as provided by law, the same is laid on the table for a second reading on some other day of this term of Court.

In the matter of the resignation of S. M. Goff
as Supervisor of Road District No. 3.

This matter came on to be heard at this time on the resignation of S. M. Goff as Supervisor of Road District No. 3. It appears that the said Supervisor has removed from said district and cannot give the duties pertaining to the office the care and attention necessary. And the Court having fully considered said resignation, it is hereby considered and ordered that said resignation be accepted and the office of supervisor of Road District No. 3 be, and the same is hereby declared vacant.

SECOND JUDICIAL DAY.

THURSDAY JULY 7, 1904.

Court met pursuant to adjournment.

PRESENT: Same officers 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. Harrison County Judge

Robert Blumenthal Commissioner

J. M. Selder Commissioner

Thereupon the following proceedings were had, to-wit:

In the matter of the
proposed County road
petitioned for by
E. W. English et al

This matter came on for a second reading of the Report of the Board of County Road Viewers, and said Report having been read in open Court, as provided by law, and the Court having fully considered said Report,

IT IS ORDERED that all papers and reports be submitted to the District Attorney as to the legality of the proceedings had.

In the matter of the
proposed County Road
petitioned for by
U. F. Weiss et al

This matter came on for a second reading of the Report of the Board of County Road Viewers, and said Report having been read in open Court, as provided by law, and the Court having fully considered said Report,

IT IS ORDERED that all papers and reports be submitted to the District Attorney as to the legality of the proceedings had.

In the matter of the proposed County Road
petitioned for by D. Mc Donald, et al

This matter came on to be heard at this time on the Report of the Board of County Road Viewers for a second reading, as provided by law, said report being in

THIRD JUDICIAL DAY.

FRIDAY, AUGUST 5, 1904.

In the matter of the proposed
County Road petitioned for by
W. F. Weiss, et al.

This matter came regularly on to be heard at this time for the report of the Board of County Road Viewers as provided by law, said report being in the following words, to-wit:

REPORT OF THE BOARD OF COUNTY ROAD VIEWERS.

TO the Honorable County Court for Union County, Oregon:

The undersigned Board of County Road Viewers, heretofore on the 1st day of June, 1904, instructed 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 W. F. Weiss, et al., beg leave to report that on the 28th day of June, 1904, in pursuance with said order, we proceeded to view out the said proposed road for the whole distance thereof, and that in our opinions said proposed road should be laid out, established as a public highway of Union County, Oregon; that the same is practicable and would add greatly to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be laid out, established, and declared a public highway of said County. No claim for damages.

(Signed) L.L. Kennon,

B. Logsdon,

Arthur Curtis, Board of County
Road Viewers.

And the said report of the Board of County Road Viewers, having been now publicly read in open Court for two successive days of the July term of said Court, and it appearing to the Court that said Board of County Road Viewers report favorably thereon and recommend that said proposed road be established as a public highway of said Union County, Oregon, and all the proceedings herein having been regular and according to law, and no remonstrance or claim for damages having been filed herein, and there having been no cause shown why said proposed road should not be declared a public highway and opened according to law, and the Court being satisfied from the report of the Board of County Road Viewers that said road will be of public utility, and the report of the viewers being favorable thereto, and all the files and records of said proceedings having been submitted to the District Attorney who has advised this Court as to the legality of said proceedings; IT IS THEREFORE CONSIDERED AND ORDERED BY THE COURT that the Report of the Board of County Road Viewers be placed on record in this Journal, and the surveyor's profile and plat of the said proposed road be recorded in the Book of Plats of County Roads of Union County, Oregon, and that said road be declared a public highway of Union County, Oregon, and be opened up and placed in repair for travel according to law, and that S. C. Goff, Supervisor of Road District No. 3, the

THIRD JUDICIAL DAY.

FRIDAY, AUGUST 5, 1904.

same being the road district in which said proposed road is to be located, be furnished with a copy of this decree and be ordered to open up said road and place the same in repair for travel.

In the matter of the proposed road petitioned for by H. L. Buell et al.

Comes now H. L. Buell, one of the petitioners for the above proposed road, and petitions for himself and others, praying that the following described road may be established and opened up as a public highway of Union County, Oregon: to-wit:

Commencing at the S.W. corner of the S.E. quarter of the S.E. quarter of Sec. 19 T. 3 S., R. 39 E.W.M., and running north to the N.E. corner of the S.W. quarter of the S.E. quarter of Sec. 19, T. 3 S., R. 39 E.W.M.; thence west to the N.E. corner of the S.E. quarter of the S.W. quarter of Sec. 19, T. 3 S., R. 39 E.W.M.; thence north one and three-fourths miles to the N.E. corner of the N.W. quarter of Sec. 18, T. 3 S., R. 39 E.W.M., and there terminate.

And it appearing to the Court that the said petition is signed by more than twelve householders of this County residing in the road district where the proposed road is to be established, and that said petition properly specifies the place of beginning, intermediate points, and the 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 the County Court, to-wit, in the Courthouse in the town of Union, Union County, Oregon, and also at three public places in the vicinity of said proposed road, to-wit, one at the beginning of the proposed road on a post by the side of the County Road, and one at the terminus of the proposed road on a post by the side of the county road, and one on a post at the side of the County Road at the N. E. corner of the N. W. quarter of section 19 T. 3 S., R. 39 E. W. M., all in conspicuous places and in plain view of the travelling public for more than thirty days immediately prior to the presentation of the 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 petitioners, and that a bond for the cost of this proceeding had been duly given.

It IS THEREFORE ORDERED that the Board of County Road Viewers meet at the beginning of said proposed road, at ten o'clock A. M., on Aug. 22, 1904, and proceed to view and lay out said road and assess the damages according to law.