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CIRCUIT COURT,
UNION COUNTY, OREGON

EQUITY

A Sommer

Plaintiff

vs

*Union County
Oregon*

Defendant

Docket

Page

C. H. Finn

Attorney for Plaintiff

Attorney for Defendant

THE IRWIN HOBSON CO. MANUFACTURING STATIONERS

601-611
Presented January 1 1904
Ordered by ed Feb 12 1904

606
New Road
606

County Road
Petitioned for
by E. E. Hall
et al

Sec 471 SR. 38E. 1314

606

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:

Beginning at the South-east corner of the South-west quarter (1/4) of the South-east quarter (1/4) of Sec. Four (4) Township One (1) South of Range Thirty-eight (38) East, Willamette Meridian; thence West one-fourth (1/4) mile; thence South one-fourth (1/4) mile; thence West three-fourths (3/4) of a mile to the South-east corner of the North-west quarter (1/4) of the North-east quarter (1/4) of Sec. Eight (8) Township One (1) South of Range Thirty-eight (38) East, Willamette Meridian.

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

NAMES:

NAMES:

Mrs Clara Wardike
T. A. Jones
S. B. Cantrell
E. S. Hill
L. W. Gannon
W. A. Baker
G. L. Baker
G. S. Bayou
J. J. Jurel
J. P. Hill
C. H. Arnoldus
C. H. Stevenson
Joseph Hill
W. B. Bull
Avery Draper
J. M. Lindsay
E. N. Smith
W. R. Frizzell
Mrs Lizzie Robbs

BOND OF ROAD PETITIONERS.

Know All Men By These Presents, That we, W. A. Baker
and S. N. Smith 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 6 day of January A. D. 1908.

Now, the conditions of the above obligation are such, that whereas, E. E. Hale
and others have petitioned the County Court of said County of Union, at the January term, 1908, thereof, for a County Road, described

in the petition and notice hereto annexed, as follows: Beginning at the South-east corner of the Southwest quarter (1/4) of the South-east quarter (1/4) of Sec. Four (4), Township One (1) South of Range Thirty-eight (38) East, Willamette Meridian; Thence West one-fourth (1/4) mile; Thence South one-fourth (1/4) mile; Thence West three-fourths (3/4) of a mile to South-east corner of the South-west quarter (1/4) of the North-east quarter (1/4) of Sec. Six (6) East, Township One (1) South of Range Thirty-eight (38) East, Willamette Meridian.

Now, if the above named E. E. Hale 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.

W. A. Baker (Seal.)
S. N. Smith (Seal.)

STATE OF OREGON, } ss.
COUNTY OF UNION,

I, W. A. Baker and S. N. Smith 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.

W. A. Baker
S. N. Smith

Subscribed and sworn to before me this 6 day of January A. D. 1908.

E. N. Rogers
Notary Public

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

I, S. N. Smith, 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: On the 11th
day of November 1907, 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 La Grande, in the said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

S. N. Smith

Subscribed and sworn to before me this 7th day of January, 1908

J. B. Gilham
County Clerk

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

I, E. E. Hale, being first duly sworn, say that I posted three several notices, of which the notice hereunto attached is a true and correct copy, in three public places in said county in the vicinity of the proposed road therein described, to-wit: One at the beginning of said proposed County Road, one at the intermediate point, and one at the terminis of said proposed County Road, all notices being posted in plain view of the traveling public.

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 11th day of November, 1907, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the day of 190 , 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 La Grande, in the said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.~~

E E Hale

Subscribed and sworn to before me this 7th day of January 1908

J. B. Shelton
County Clerk.

..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 8th day of November A D 1907 respectfully present to said court a petition praying said court to lay out alter and establish a County Road within said county on the following line, or route, to wit

Beginning at the South-east corner of the South west quarter (1/4) of the South-east quarter (1/4) of Sec. 11, Twp. 14 S., R. 38 E., Willamette Meridian. Thence south (1/4) mile, thence South one fourth (1/4) mile, thence west three fourths (3/4) of a mile to the South-east corner of the North-west quarter (1/4) of the North-east quarter (1/4) of Sec. 8, Twp. 14 S., R. 38 E., Willamette Meridian.

Dated at Sumnerville Oregon the 11th day of November

A D 1907

NAMES

NAMES

Mrs L. J. Warden

F. A. Cannon

S. L. S. Cook

E. S. Miller

W. L. S. S. S. S.

E. S. S. S. S.

J. S. S. S. S.

L. S. S. S. S.

J. S. S. S. S.

L. S. S. S. S.

L. H. Stevenson

Joseph Hill

W. G. Bull

Amey Draper

J. M. S. S. S.

Mrs L. J. Warden

S. L. S. S. S.

W. L. S. S. S.

W. L. S. S. S.

County Court
Union Co

or

I am prepared
to certify to
any of the
above

Filed Jan 7 1908

J. B. G. G. G.
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 2nd day of January 1908, 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 E. E. Hale et al., beg leave to report that on the 14 day of January 1908, 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 and they would be no damages accruing by the location of the same

Arthur Curtis
Thos. Brasher
E. W. Dence

Board of County
Road Viewers.

State of Oregon
County of Union ss

I hereby certify that in the matter of the County road as petitioned for by E. E. Hale and others, that the Field Notes made by me are true and correct and that the Plat accompanying 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
E. E. Hale et al., beg leave to report that
on the 14th day of Jan. 1908, 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 S. E. Cor. of the S. W. 1/4 of the S. E. 1/4 Sec. 4 T. 1 S. R. 38 E. W. M.
at a rock marked R; Thence West 20.00 chs. to Angle 1, a rock
Thence South 20.00 chs. to Angle 2, a rock; Thence West
40.00 to 1 Mile tree. Same Course 20.00 to the Road Terminus
marked a tree at the S. E. Cor. of the N. W. 1/4 of the N. E. 1/4 Sec. 8
T. 1 S. R. 38 E. W. M., all points named on petitioned was
met on the survey

Arthur Curtis
County Surveyor.

Road Petitioned for by E. E. Hale et. al.

Town. 1 South Range 38 E. W. M.

			Terminus	1 Mile		A. 1	Beginning
						A. 2	
		8				9	

Arthur Curtis
County Surveyor

IN THE

County Court

OF THE

State of Oregon

For the County of Union

*Have purchased
as per attachment
to for by E. E.
Hale et al*

Report of Viewers

*Viewers of
J. B. Hickman
Clerk*

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of La Grande, in said County and State, on ~~Thursday~~, the _____ day of ~~Wednesday~~ ~~having been a non-judicial day~~ the first ~~Thursday~~ of said month and ~~January~~ the time fixed by law for holding a regular term of said Court, when were present:

The Honorable J. C. HENRY, County Judge,
J. M. SELDER, COMMISSIONER,
Ben Brown, Commissioner,
J. B. Gilham, Clerk,
F. P. CHILDERS, Sheriff.

WHEN, on _____, the _____ day of _____, A. D., 190____, or the _____ Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed County Road
petitioned for by E. H. Hale, et al.,.

Now at this time comes E. H. Hale, one of the petitioners for the above named County Road, and presents to the Court the petition of himself and others, praying for the location and establishment of a County Road, described as follows, to-wit:-

Beginning at the ~~SW~~ corner of the SW 1/4 of the SE 1/4, Sec 4, Tp 1, S. R. 38, E. W. N., thence west 1/4 mile, thence South 1/4 mile, thence West 3/4 mile to the SE corner of the NW 1/4 of the NE 1/4, Sec 8, Tp. 1, S. R. 38, E. W. N.,

And it appearing to the Court that said petition is signed by more than twelve freeholders of this County, residing in the Road District where the hereinbefore described road is proposed to be, and that said petition properly specifies the place of beginning, intermediate points, and place of termination of said road, and it more 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 City of La Grande, Union County, Oregon, and also in three public places in the vicinity of said proposed road, for more than thirty days immediately prior to the presentation of said petition to the Court, notifying all persons concerned that application would be made to this Court, at the present term thereof,

and that the jettices so posted were in due form and duly signed by the petitioners, and that a bond for the Cost of this proceeding has been given by the petitioners with S. N. Smith as surety, which said bond is now approved.

IT IS THEREFORE ORDERED by the Court, that Arthur Curtis, County Surveyor, and Thos Braasher and B. Legden, constituting the Board of County Road Viewers, be, and they are hereby directed to meet at the house of S. N. Smith, one of the petitioners herein, on the Fourteenth day of January, at the hour of ten o'clock in the forenoon of said day, or within five days thereafter and proceed to survey, view and lay out said road according to law.

(Signed) J. C. Henry, County Judge,
J. M. Selder, Commissioner,
Ben Brown, Commissioner.

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IN THE COUNTY COURT OF UNION COUNTY OREGON;
IN THE MATTER OF THE HIGHWAY PETITIONED
FOR BY CLARA VANDIKE et al

Comes now Phebe Hale and shows to the Court that she is the owner and in possession of the S.E.1/4 of S.W.1/4 of Section Four in Township One South of Range 38.E.W.M.in Union County Oregon.

That the highway petitioned for by Clara Van Dike et al if established will occupy and take a portion of the said land; that said tract of land above described will if said public road be laid out and established be rendered less valuable in the sum of \$50.00

Wherefore the undersigned claims damages to her said land for the location of said road over her said land in the sum of \$50.00

Mrs Phebe Hale

In Council Court
Pleasant County

By your

John W. [unclear]
of the [unclear]

Attorney for
James [unclear]

of the [unclear]

of the [unclear]



Given under my hand
and seal of office
this 20th day of
April 1908

J. [unclear]
Clerk

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IN THE COUNTY COURT OF UNION COUNTY OREGON.
IN THE MATTER OF THE HIGHWAY PETITIONED)
FOR BY CLARA VAN DIKE et al.)

Comes now W'L.Hale and shows to the Hon County Court of Union County Oregon that he is the owner and in possession of the S1/2 of N.W.1/4 of Sec 9 Township One South of Range 38 E.W.M; that the highway petitioned to be laid out by Clara Van Dike and others will if located as petitioned for pass along the north side of said land and a portion thereof be taken for said highway; that by the location of said highway the above named tract of land will be rendered less valuable in the sum of \$100.00.

Wherefore the undersigned claims damages for the location of said highway over his land in the sum of \$100.00.

W L Hale

[Faint, illegible handwritten text]

Es County Court
Miami County

Order

In the Matter
of the Application
of the County of
Miami for
an Order

to
appoint
a Receiver
for the
County of
Miami

Filed Jan 20, 1908

J. B. [Signature]
Clerk

Be it Remembered, That at a regular term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House, in the City of Union, said County and State, on Wednesday, the 5th day of February A. D. 1908, 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 to-wit:

The Hon. J. C. Henry, Judge, Presiding.

The Hon. J. M. Selder, County Commissioner.

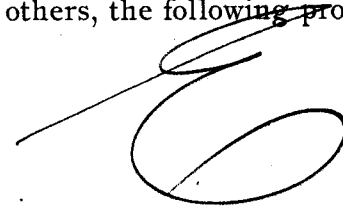
The Hon. Ben Brown, County Commissioner.

J. B. Gilham, Clerk.

F. P. Childers, Sheriff.

When on Wednesday day, the 12th day of February A. D. 1908, or the Fourth Judicial day of said term, among others, the following proceedings were had, to-wit:

In the Matter of the Proposed County Road Petitioned
for by E. E. Hale et al.



This matter came 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 words following to-wit:

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

To the Honorable County Court of Union County, Oregon:

The undersigned Board of County Road Viewers heretofore on the 2nd day of January 1908, 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 E. E. Hale et al., beg leave to report that on the 14 day of January, 1908, 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 and they would be no damages accruing by the location of the same.

(Signed) Arthur Curtis

Thos. Brasher

E. W. Devine

} Board of County
Road Viewers.

And said report of the Board of County Road Viewers having been now publicly read in open court on two several days of the present term of the court, and it appearing to the court that said Board of County Road Viewers report favorably thereon, and recommend that said proposed road be established as a county road and be declared a public highway of Union County, Oregon, and all the

proceedings herein having been regular and according to law, and no remonstrance or claim for damages having been filed herein ~~except the claim of W.L.Hale for \$100.00 damages caused by the location of said highway passing over his said lands, which claim is here now overruled and denied by the Court.~~

and there having been no cause shown why this proposed road should not be declared a public highway and ordered open according to law, and the court being satisfied from the report of the Board of County Road Viewers that such road will be of public utility; 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 that the surveyor's profile and plat of the proposed road, and his field-notes of the survey thereof be placed on record in the Book of Plats of County Roads of Union County, Oregon, and that said proposed road be declared a public highway of Union County, Oregon, and ordered opened up and placed in repair for travel according to law, and that

F. A. Eames Road Supervisor of Road District No. 9, the same being the road district in which said road is located, be furnished with a copy of the petition herein, and a copy of this decree and ordered to open up said road and place the same in repair for travel.

This order was actually made on the 6th day of February, 1908, and is here now entered nunc pro tunc as of that date.

(Signed) J. C. Henry
County Judge.

J. M. Selder,
Commissioner.

Ben Brown.
Commissioner.

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

I, J. B. Gilham, Clerk of the County Court of the State of Oregon for the County of Union, do hereby certify that the foregoing copy of Journal Entry has been by me compared with the original entry made in the above entitled proceedings, now remaining of record in my office; that it is a correct transcript therefrom, and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said court this First day of March A. D. 1908.

Clerk.

By _____
Deputy.