

No

IN THE
CIRCUIT COURT,
UNION COUNTY, OREGON

LAW

Cove Mercantile Co

Plaintiff

vs

Douglas Reidner

Defendant

Docket

Page

Ramsay and Oliver
Attorney for Plaintiff

Attorney for Defendant

THE IRWIN HOBSON CO MANUFACTURING STATIONER

PO AND REGON

N 7512

133 M²

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609

A. R. Jasper

(Lead)

609

PETITION FOR COUNTY ROAD.

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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, **forty feet wide**

alter and establish a County Road within said county, on the following line or route, to-wit: Commencing at the center of section 22 in T.2 S.R.39 E.W.M. at a point in the middle of the present county road, thence south one mile to a point at the middle of the present county road at the center of section 27 in said township and range, and there terminate; Also to lay out and establish a County Road forty feet wide within said county, on the following line or route, to-wit: Commencing at a point in the middle of the present county road at the S.E. corner of the S.W.  $\frac{1}{4}$  Sec. 23 in said township and range, thence south  $\frac{1}{4}$  mile to the middle of the present county road at the center of section 26 in said township and range, and there terminate;

We also petition your honorable body to vacate that certain portion of the present county road of Union County, within said county and described as follows:- Commencing at a point in the county road 19 rods north of the north east corner of the S.E.  $\frac{1}{4}$  of the S.W.  $\frac{1}{4}$  Sec. 22, T.2 S.R.39 E.W.M., thence in a general southeasterly direction to the S.E. corner of said section 22, thence south  $\frac{1}{4}$  mile to the north side of the present county road at a point 30 feet north of the north-east corner of the south-east quarter of section 27 in said township and range, and there terminate.

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

~~~~~

NAMES:

NAMES:

W R Jasper

George Miller

E. W. Oliver

Garrett Wallbinger

Thor Wallbinger

James Moss

J. W. Gutter

B. O. Johnson

J. N. Smith

J. J. Perin

Oliver Perin

M. L. Carter

J. J. Conley

A. P. Coley

NOTICE OF ROAD PETITION..

To All Persons Concerned:-

You, and each 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 term of the County Court of Union County, Oregon, to-wit: on Wednesday, the 4th day of February, A.D. 1908, respectfully present to said court a petition praying said court to lay out and establish a county road forty feet wide, within said County, on the following line or route, to-wit:

Commencing at the center of section 22 in township 2 south, of range 39 E.W.M. in the middle of the present county road, thence south one mile to the middle of the county road at the center of section 27 in said township and range, and there terminate;

Also to lay out and establish a county road forty feet wide within said county, on the following line or route, to-wit: Commencing at a point in the middle of the present county road at the south-east corner of the south-west quarter of section 23 in said township and range, thence south 1/2 mile to the middle of the county road at the center of section 26 in said township and range and there terminate;

Also to vacate that portion of the present county road within said county described as follows, to-wit:

Commencing at a point in the county road 19 rods north of the north-east corner of the south-east quarter of the south-west quarter of section 22 in said township and range, thence in a general south-easterly course to the south-east corner of said section 22, thence south 1/2 mile to the north edge of the present county road 30 feet north of the north-east corner of the south-east quarter of section 27 in said township and range and there terminate.

Dated at Cove Precinct in Union County, Oregon, on this 18th day of January, A.D. 1908.

Names.

Names.

WR Jasper
George Miller
E. W. Oliver
Ewert Wallinger
Thos Wallinger
James Moss
P. W. Lytle
B. C. Johnson
G. W. Smith
D. L. Perin
Oliver Perin
W. L. Carter
G. G. Corley
A. P. Conley

Posted Feb. 1st 1908.

STATE OF OREGON,

SS.

County of Union,

I, Geo Miller

cancel the

, being first duly sworn, say that I, ⁿ 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 cross roads at "Red Pepper" school house on a post by the side of the public county road; one on a post by the road side where the proposed road leaves the present road at the N.W. end of the road sought to be vacated at the E.M. Oliver place and one on a post at the S.E. corner of 1/4 Sec 23 T. 2 R. 39 E. 11 N. by the side of the present county road

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the

3rd day of February

1908, and that there~~at~~^{to be} and thirty days

previous to the presentation of said road petition therein mentioned, to-wit: On the

day of February 1908, 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.

Geo Miller

Subscribed and sworn to before me this

4th day of March 1908

JAMES OLIVER
Notary Public for Oregon

BOND OF ROAD PETITIONERS.

Know All Men By These Presents, That we, George Miller and W.R. Jasper 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 18th day of December A. D. 1907.

Now, the conditions of the above obligation are such, that whereas,

_____ and others have petitioned the County Court of said County of Union, at the March term, 1908, thereof, for a County Road, described in the petition and notice hereto annexed, as follows:

Commencing at the center of section 22 T.2.S.R.39 E.W.M. at the middle of the present county road, thence south one mile to the middle of the county road at the center of section 27 in said township and range, and there terminate; Also to lay out and establish a county road forty feet wide within said county, on the following line or route, to-wit: Commencing at a point in the middle of the county road at the south-east corner of the south-west quarter of section 23 in said township and range, thence south $\frac{1}{4}$ mile to the middle of the county road at the center of section 26 in said township and range and there terminate.

Also to vacate that portion of the present county road within said county described as follows, to-wit:-

Commencing at a point in the county road 19 rods north of the north-east corner of the south-east quarter of the south-west quarter of section 22 in said township and range, thence in a general southeasterly direction to the southeast corner of said section 22, thence south $\frac{1}{4}$ mile to the north side of the present county road 20 feet north of the north-east corner of the south-east quarter of section 27 in said township and range and there terminate.

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.

Geo Miller (Seal.)
W.R. Jasper (Seal.)

STATE OF OREGON, } ss.
COUNTY OF UNION,

I, Geo Miller and W.R. Jasper 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.

Geo Miller
W.R. Jasper

Subscribed and sworn to before me this 18th day of March A. D. 1908.

James Oliver
Notary Public for Oregon

IN THE

OF THE

State of Oregon

for the County of Union

*Three hundred
and no parts
for my wife's share*

*Witness my hand
this 4th day of*

*John H. Gilman
Clerk*



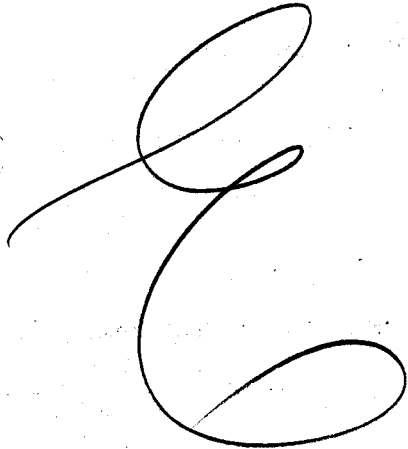
Be it Remembered, That at a term of the Honorable County Court of Union County, State of Oregon, begun and held at the Court House, in the town of Union, in said County, on the 4th day of March A. D. 1908, and from day to day thereafter during the continuance of said term.

Present:

- Hon. ~~M. A. Harrison~~ ^{J. C. Henry}, County Judge.
- Hon. ~~Robt. Blumenstein~~ ^{J. W. Selder}, Commissioner.
- Hon. ~~Jac. A. Pilcher~~ ^{Ben Brown}, Commissioner.
- ~~J. H. Minnaugh~~ ^{J. B. Gilham}, Clerk.
- ~~C. C. Penington~~ ^{F. P. Childers}, Sheriff.

The following, among other proceedings, was had, to-wit:

In the Matter of the proposed
 _____ County
 Road petitioned for by W.R.Jasper et al



Comes now W.R.Jasper, one of the petitioners for the above named proposed County Road, and presents to the Court the petition of himself and others, praying for the location and establishment of a county road, described as follows, to-wit:

Commencing at the center of Sec. 22, in Tp. 2 S. R. 39, E.V.M. at a point in the middle of the present County Road, thence south one mile to a point in the middle of the present County Road at the center of Sec. 27 in said township and range and there terminate. Also to lay out and establish a County Road 40 feet wide within said County on the following line, to-wit: Commencing at a point in the middle of the present County Road at the S.E. corner of the S.W. 1/4 Sec. 23, in said township and range, thence south 1/2 mile to the middle of the present County Road at the center of Sec. 26 in said township and range and there to terminate. And also for the vacation of that certain portion of the present County Road within said County and described as follows: Commencing at a point in the County Road 19 rods north of the N.E. corner of the S.E. 1/4 of the S.W. 1/4 Sec. 22, T/ 2 S. R. 39, E.V.M., thence in a general south-easterly direction to the S.E. corner of said Sec. 22, thence south 1/2 mile to the north side of the present County Road at a point 30 feet north of the N.E. corner of the S.E. 1/4 of Sec. 27 in said township and range and there to terminate.

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 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 La Grande 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 cross-roads at Red Pepper School House on a post by the side of the Public County Road; one on a post by the roadside where the proposed County Road leaves the present road at the N.W. end of the road sought to be vacated at the H.W. Oliver place; and one on a post at the S.E. corner of the S.W. 1/4 Sec. 23, Tp. 2 S. R. 39 E.W.M.; and one on the front door of the Court House in the City of La Grande in said County and State~~

for more than thirty days immediately prior to the presentation of said petition to this court, notifying all persons concerned that application would be made to this court, at the present session of this court, and that the notices so posted were in due form and duly signed by the petitioners, and that a bond for the cost of this proceeding has been duly given. with George Miller as surety thereon, which said bond has been approved by this Court

It is Therefore Ordered, That Arthur Curtis County Surveyor, and B. Logsdon and Thos. Brasher constituting the Board of County Road Viewers, be, and they are hereby directed to meet at the beginning of said proposed County Road

on the 13th day of March 1908, at the hour of 10 o'clock A M., 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.

Attest: Ben Brown Commissioner.

_____ County Clerk.

By _____ Deputy.

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 4th day of March 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 W. R. Jasper et al., beg leave to report that on the 18 day of March 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 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 that they vacate the old road as petitioned for, and there is no claim for damages upon the change of said road

Arthur Curtis
Thos. Rousher
B. Logsdon

Board of County Road Viewers.

State of Oregon
County of Clatsop

I hereby certify in the matter of the
Road Petitioned for by W. R. Jager 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.

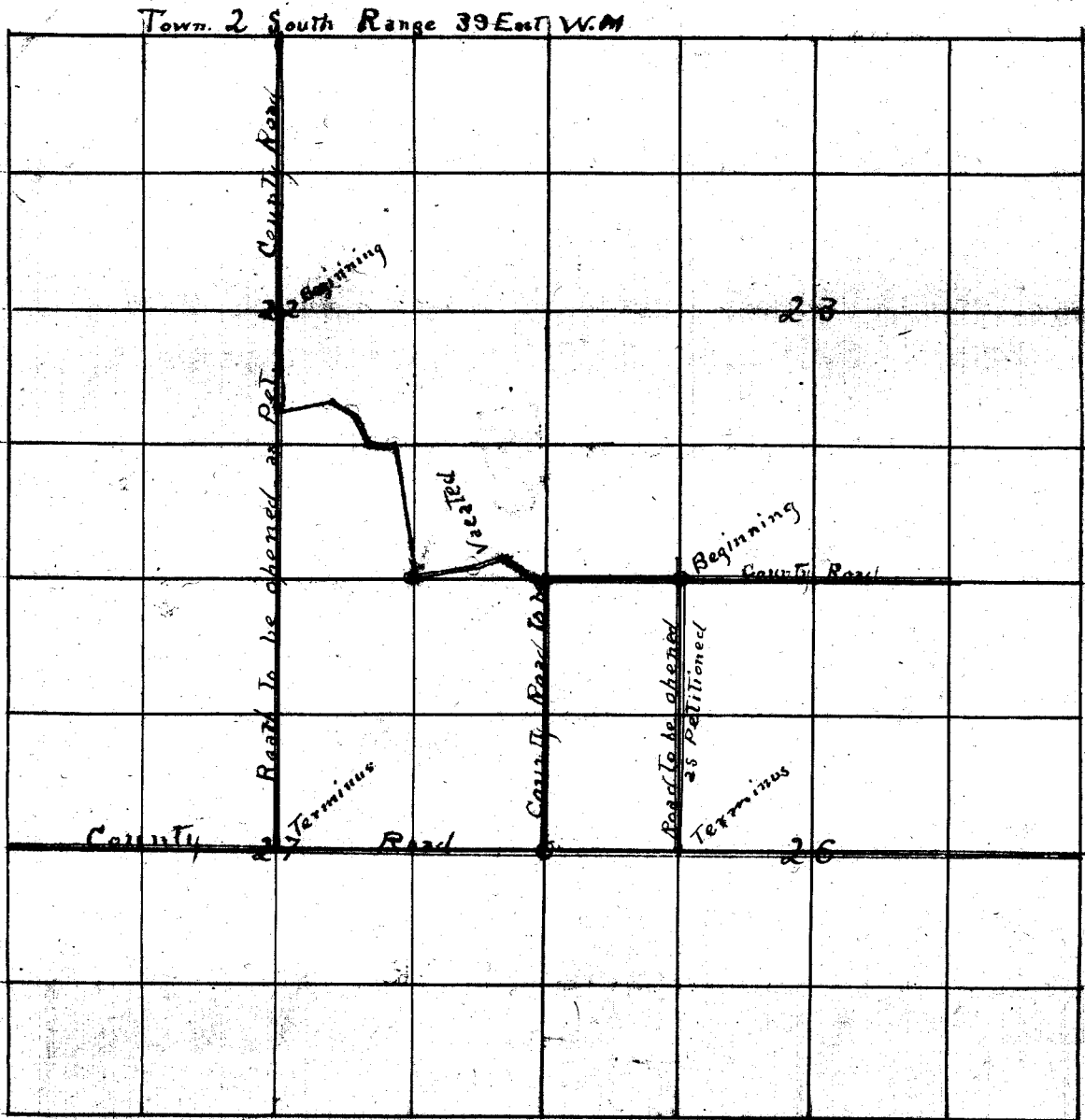
To the Hon. County Court of Union County, Oregon:

I, the undersigned, County Surveyor, appointed to survey the county road proposed by W. R. Jasper et al., beg leave to report that on the 18th day of March 1908 ~~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 the center of Sec. 22 T. 2 S. R. 39 E. W. M. Then South 80 Chains to center Sec. 27 said Town and Range and their terminus marked post on side of present County Road E-W. also (Commencing at a point in middle of County Road at the S.E. Cor. of the S.W. 1/4 Sec. 23 T. 2 S. R. 39 E. W. M. Then South 40 Chs. to Center of Sec. 26 in said Town and Range and their terminus in present County Road E-W; said road to be 40 ft. wide) and the course of Road described as follows Commencing at a point 19 Rods North of the N.E. Cor. of the S.E. 1/4 of the S.W. 1/4 Sec. 22 T. 2 S. R. 39 E. W. M. Thence North $83^{\circ} 30' E$ 200 chs. Then South $21^{\circ} E$ 500 chs. Then East $21^{\circ} E$ 500 chs. Then North $82^{\circ} East$ 9.00 chs. Then North $75^{\circ} 30' East$ 7.00 chs. Then South $54^{\circ} East$ 6.00 chains. Then East 225 chs. to N.E. Cor. Sec. 27. Then South 40 chs. to a point 20 feet North of the N.E. Cor. of the S.E. 1/4 Sec. 27 said Town and Range

Arthur Curtis
County Surveyor.

Road as Petitioned for by W. R. Jasper, et. al.



Done prepared
Car Read petitions
for by W R Jasper
et al

Report of Viewing

Filed Apr 11 1908
J B Graham
Clerk

FIRST JUDICIAL DAY.

WEDNESDAY, MARCH 4th, 1908.

In the Matter of the Proposed County Road
petitioned for by W. R. Jasper, et al.

Comes now W. R. Jasper, one of the petitioners for the above named proposed County Road, and presents to the Court the petition of himself and others, praying for the location and establishment of a county road, described as follows, to-wit:

Commencing at the center of Sec. 22, in Tp. 2 S. R. 39 E.W.M.; at a point in the middle of the present county road, thence south one mile to a point in the middle of the present County Road at the center of Sec. 27 in said Township and Range and there terminate.

Also to lay out and establish a County Road 40 feet wide within said County on the following line, to-wit: Commencing at a point in the middle of the present County Road at the S.E. corner of the S.W. $\frac{1}{4}$ Sec. 23, in said Township and Range, thence south $\frac{1}{2}$ mile to the middle of the present County Road at the center of Sec. 26 in said Township and Range, and there to terminate.

And also for the vacation of that certain portion of the present County Road within said County and described as follows: Commencing at a point in the County Road 19 rods north of the N.E. corner of the S.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ Sec. 22, T. 2 S. R. 39, E.W.M., thence in a general southeasterly direction to the S.E. corner of said Sec. 22, thence south $\frac{1}{2}$ mile to the north side of the present County Road at a point 30 feet north of the N.E. corner of the S.E. $\frac{1}{4}$ of Sec. 27 in said Township and Range and there to terminate.

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 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 La Grande, County of Union, State of Oregon, and also in three public places in the vicinity of said Proposed road, to-wit: One at the cross-roads at Red Pepper School House on a post by the side of the public County Road; one on a post by the roadside where the proposed County Road leaves the present road at the N.W. end of the road sought to be vacated at the E.W. Oliver place; and one on a post at the S.E. corner of the S.W. $\frac{1}{4}$ Sec. 23, Tp. 2 S. R. 39 E.W.M.; and one on the front door of the Court House in the City of La Grande in said County and State, for more than thirty days immediately prior to the presentation of said petition to this court, notifying all persons concerned that application would be made to this Court, at the present session of this court, and that the notices so posted were in due form and duly signed by the petitioners, and that a bond for the cost of this proceeding has been duly given with George Miller as surety thereon, which said bond has been approved by this Court.

It is therefore ORDERED, that Arthur Curtis, County Surveyor, and B. Logsdon and Thos. Brasher, constituting the Board of County Road Viewers, be, and they are hereby directed to meet at the beginning of said proposed County Road on the 13th day of March, 1908, at the hour of 10 o'clock A.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 County
 Road Petitioned for by W.R.Jasper etal.

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 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 4th day of March 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 W.R.Jasper et al., beg leave to report that on the 18th day of March, 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 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 that they vacate the old road as petitioned for and there is no claim for damages upon the change of said road.

(Signed) Arthur Curtis) Board of County
 Thos. Brasher) Road Viewers
 B. Logsdon)

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 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 surveyors 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 E.E.Conley, Road Supervisor of Road District No. 22, 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.

Thereupon it was ORDERED that Court be now adjourned for the term, and the Journal of today's proceedings was read, approved and is here now signed;

J. B. Henry County Judge.
J. M. Selder Commissioner.
Ben Brown Commissioner.