

No 212

IN THE
CIRCUIT COURT,
UNION COUNTY, OREGON

LAW

Hall Samon Co

Plaintiff

vs

Quah Jones

Defendant

Docket

Page

Edrankal

Attorney for Plaintiff

B. J. Wilson

Attorney for Defendant

611

Ezell Road

611

VAC Vol 12

Pg 476

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 a point about 80 rods North-east of the Middle of Section 10. I. S. 40. E. W. M. thence around the point of the hill in a South-easterly direction to Chumus's fence, thence in a South-easterly direction through the Watkins place to the Creek situated on the Section line between Sections 14 & 15 I. S. 40 E. W. M. Thence to a point 60 rods North of the 1/2 Section line between sections 14 & 15, thence following road as cleared to a point parallel with W. Abbitts ~~line~~ South line, thence East to W. Hardys East line, thence North to the old road, and thence following the old road to a point about 12 rods South of the Chumus House, Thence North-West to the gate South of School House to the old road.

Elgin. Ore. *April 15<sup>th</sup> 1908*

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

~~~~~

NAMES:

Wiles & Winamore
W. S. Esell
Ira Stewart
J. E. Tibbels
L. A. Tibbets
J. M. Allen
C. C. Wathman
G. Daffin
Pearl Swamy
W. H. Hardy
S. Swamy
C. B. Swamy
about Swamy
J. Masten
J. Means
Brown
G. M. Gentry
B. W. Garrett
John M. Garrett

NAMES:

G. L. Barrett
W. B. Abbit
G. C. Kellogg
G. E. Garrett
Fred Ballin
Ben Bray
Ed. Bridger
Wm Bridger

STATE OF OREGON,)

SS.

County of Union,

I, W. H. Hardy

, 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

nailed on a Board fastened on a post at the beginning of the proposed road, & one about the middle of the said road nailed to a tree, & one fastened to Board & nailed to a tree at the end of said road, all the said notices being in plain sight.

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 18th day of April 1908, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 21st day of April 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.

W H Hardy

Subscribed and sworn to before me this 29th day of May 1908.

Lee Bell

BOND OF ROAD PETITIONERS.

Know All Men By These Presents, That we, W. H. Hardy
and Robert Blumentstein 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 29th day of May A. D. 1908.

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

in the petition and notice hereto annexed, as follows: ~~Beginning at a point about 80 rods N.E. of the middle of Sec. 10. I. S. 40. E. W. M. thence around the point of the Hill in a South-easterly Direction to Chumus fence, thence in a South-easterly direction through the Watkins place to the Creek situated on the Section line between Sec. 14 & 15 I. S. 40. E. W. M. Thence to a point 80 rods North of the half section line between Sec. 14 & 15, thence following the road as cleared to a point parallel with W. Abbitts South line, thence East to W. H. Hardy's East line, thence North to the old road thence following the old road to a point about 12 rods South of the Chumus House, thence North-west to the gate of School-house to the old road.~~

Now, if the above named T. Devaney and others 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. H. Hardy (Seal.)
Robert Blumentstein (Seal.)

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

I, W. H. Hardy and Robert Blumentstein 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. H. Hardy
Robert Blumentstein

Subscribed and sworn to before me this 29th day of May A. D. 1908.

L. E. Bell
Notary Public for Oregon

..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 4th day of June A. D., 1908, 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 a point about 80 rods North-east of the middle of Sec. 10, T. 34 N., R. 12 E., thence around the point of hill in a South-easterly direction to Chumus's fence, thence in a South-easterly course through the Watkins place to the Creek situated on the section line between Sections 14 & 15, T. 34 N., R. 12 E., thence to a point 80 rods North of the section line between Secs. 14 & 15 thence following road as cleared to a point parallel with W. Abbits South line, thence East to W. Hardys' East line, thence North to the old road, and following old road to a point about 12 rods South of the Chumus House Thence North to the ~~gate~~ ^{West} gate, South of School House to the old road.~~

Dated at Elgin, Oregon, the 15th day of April A. D., 1908.

NAMES:

Wm. A. Dinamore
W. L. Egell
Ira Stewart
J. E. Nettels
L. A. Tibbets
J. W. Allen
H. C. Matthews
E. A. Claffin
Pearl Swanson
W. H. Hardy
E. A. Swanson
C. R. Swanson
Wm. A. Young
J. W. Martin
J. R. Mann
E. Brown
A. W. Melton
B. W. Garrett
L. M. M. Garrett

NAMES:

L. J. Barrett
W. J. Abbot
J. C. Kellogg
H. F. Garrett
Frank Ballin
Ben. Briggs
Eed. Briggs
Wm. Briggs

George Neal

County Court

Main Ca

Oregon

One thousand Ca

Road Nutrition

for by W S Groll
Sta D

Filed June 28 1908

J. H. Dickinson
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 3rd day of June 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. S. Egell et al., beg leave to report that on the 13 day of June 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

Recd.
 from
 July 1. 1908
 Sec'd. 2. 1908

Arthur Curtis
John E. Parent
S. Stenard

Board of County
 Road Viewers.

REPORT OF SURVEYOR - Form No. 2 - Union Co. - 1911

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. S. Egell et al., beg leave to report that
on the 13 day of June 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:

attached

Arthur Curtis
County Surveyor.

Field Notes of Road as Pet. for by W. S. Egzell et al.

Commencing at a point 80 rods West and 58 Rods North of $\frac{1}{4}$ Sec. Corn on east line of Sec. 10, T. 1 S., R. 40 E., N. 7 m. at Angle 3 on Road as petitioned for by Miles H. Dinamore at a rock marked R. Then South 28° West

Ch.						
346	6.00	To Angle 1 a Rock;	"	"	26° 30' East	
2507	4.25	" " 2 " tree;	"	"	4° 00' East	
3531	5.30	" " 3 " Rock;	"	"	8° 00' West	
422	6.25	" " 4 " tree;	"	"	5° 00' East	
320	6.00	" " 5 " Rock;	"	"	30° 00' "	
188	3.00	" " 6 " " ;	"	"	35° 00' "	
2620	4.00	" " 7 " " ;	"	"	27° 00' West	
	3.00	" " 8 " tree;	"	"	4° 00' "	
	5.35	" " 9 " Rock;	"	"	36° 00' East	
228	8.00	" " 10 " " ;	"	"	37° 00'	
132	2.00	" " 11 " " ;	"	"	42° 00' "	
	4.00	" " 12 " " ;	"	"	13° 00' West	
20	4.35	" " 13 " " ;	"	"	5° 30' East	
200	3.50	" " 14 " " ;	"	"	7° 30' West	
495	7.50	" " 15 " tree;	"	"	9° 30' East	
2407	3.70	" " 16 " " ;	"	"	39° 00' "	
1815	2.75	" 1 Mile tree	"	"	" " "	
2145	3.25	" Angle 17 a tree;	"	"	69° 00' East	
	6.00	" " 18 " " ;	"	"	37° 00' "	
137	2.00	" " 19 " " ;	"	"	9° 00' West	
175	2.50	" " 20 " " ;	"	"	70° 00' "	
	5.00	" " 21 " " ;	"	"	7° 30' "	
	3.00	" " 22 " " ;	"	"	20° 00' East	
	5.00	" " 23 " " ;	"	"	29° 00' "	

Over

Cha.

$\frac{7}{2}$	308.5	4.60	To Angle 24 a Rock ;	Then	South	—
$\frac{3}{4}$	1524	24.00	" " 25 " Tree ;	"	"	44°00' East
$\frac{7}{2}$		5.00	" " 26 " " ;	"	"	53°00' "
$\frac{4}{4}$		3.00	" " 27 " " ;	"	"	18°00' "
$\frac{7}{2}$	200.5	7.55	" " 28 " " ;	"	"	25°00' "
$\frac{9}{4}$		6.00	" " 29 " " ;	"	"	47°30' "
$\frac{7}{4}$		5.00	" " 30 " " ;	"	"	31°30' "
$\frac{16}{4}$	77	1.10	" 2 Mile Tree ;	"	"
$\frac{5}{4}$	220.5	3.90	" Angle 31 a Tree ;	"	"	47°00' "
$\frac{5}{4}$		5.00	" " 32 " " ;	"	"	34°00' "
$\frac{5}{4}$	237	3.60	" " 33 " " ;	"	"	2°00' West
$\frac{3}{4}$		18.00	" " 34 " " ;	"	"	36°30' East
$\frac{8}{4}$		5.50	" " 35 " " ;	"	"	50°00' "
$\frac{7}{2}$		5.00	" " 36 " " ;	"	"	88°30' "
$\frac{4}{2}$	184.8	28.00	" " 37 " " ;	"	"	North 12°30' "
$\frac{9}{4}$		6.00	" " 38 " " ;	"	"	30°00' "
$\frac{7}{2}$	316.8	4.80	" " 39 " " ;	"	"	—
$\frac{15}{4}$	462	0.70	" 3 Mile " " ;	"	"	North
$\frac{5}{2}$	2603.5	39.75	" Angle 40 " " ;	"	"	East
$\frac{9}{4}$		6.00	" " 41 " " ;	"	"	North 30° East
$\frac{6}{4}$	297	4.50	" " 42 " " ;	"	"	South 77° "
$\frac{11}{6}$	511.5	7.75	" " 43 " " ;	"	"	North 50° "
$\frac{13}{4}$	231.0	3.50	" " 44 " Rock. ;	"	"	6° "
$\frac{17}{4}$	757.2	11.60	" " 45 " Tree ;	"	"	13° "
$\frac{15}{4}$	462	7.00	" 4 Mile Tree	"	"	" "
$\frac{3}{2}$	156	2.50	" Angle 46 " " ;	"	"	25° West
$\frac{16}{4}$	726	11.00	" " 47 " " ;	"	"	North
$\frac{2}{1}$		18.00	" " 48 " " ;	"	"	33° "

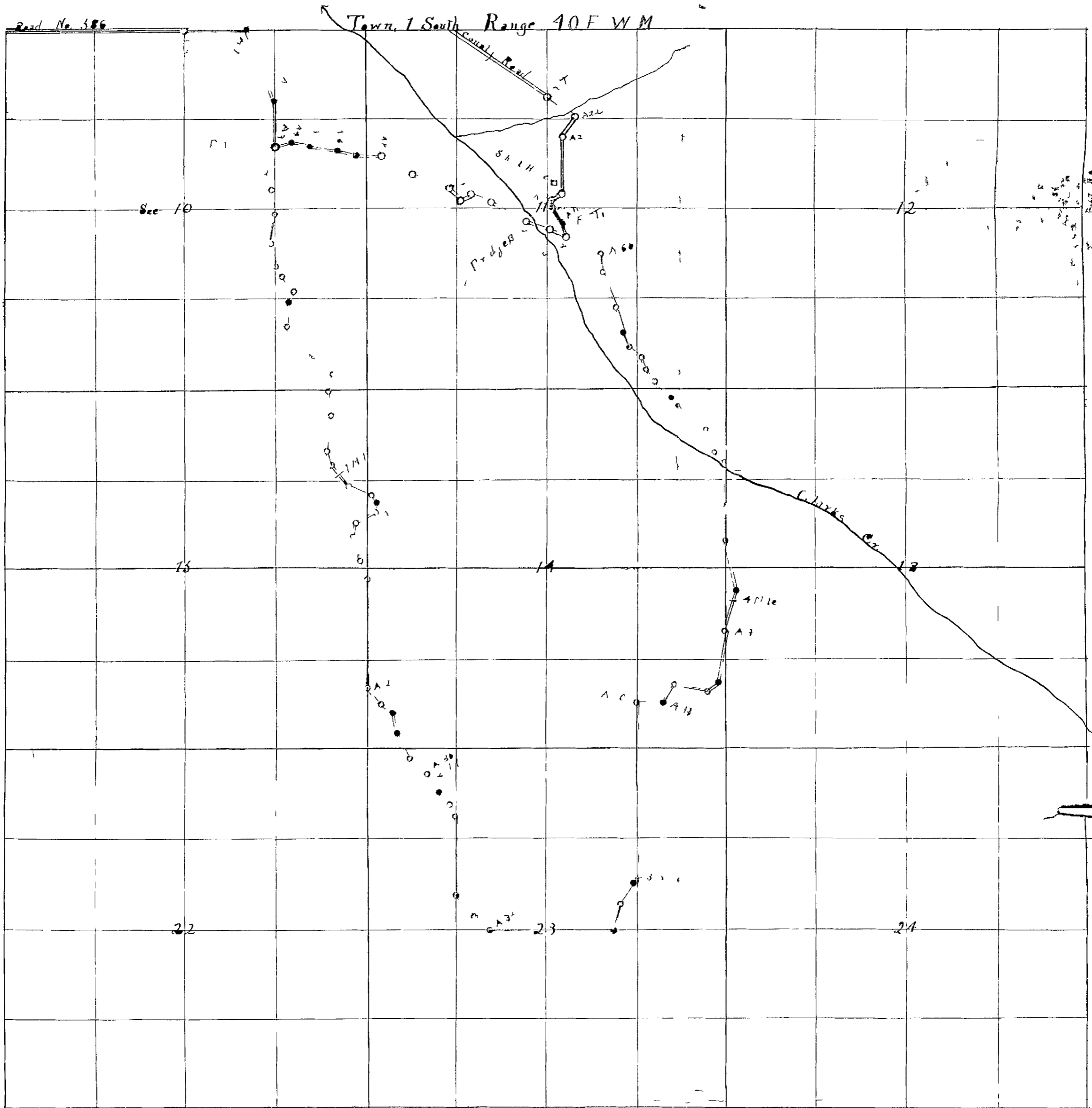
<u>6.0</u>	4.00	To Angle 49 a Tree ;	Then North	18°	West
<u>13.5</u>	<u>37.5</u> 5.75	" " 50 " "	" "	50°	"
<u>4.5</u>	9.00	" " 51 " "	" "	37°	"
<u>6.7</u>	3.00	" " 52 " "	" "	50°	"
<u>6.0</u>	4.50	" " 53 " "	" "	39°	"
<u>4.5</u>	4.00	" " 54 " Rock ;	" "	7°	"
<u>7.5</u>	3.00	" " 55 " Tree ;	" "	50°	"
<u>4.5</u>	5.00	" " 56 " "	" "	30°	"
<u>9.0</u>	3.00	" " 57 " "	" "	12° 30'	"
<u>12.0</u>	6.00	" " 58 " "	" "	25°	"
<u>2.0</u>	9.00	" " 59 " Rock ;	" "	2°	"
<u>1.0</u>	4.00	" " 60 " Tree ;	" "	60°	"
<u>10.50</u>	10.50	" Road Terminates a rock marked R. at Angle 17	on Road as petitioned for by Miles & Dinamore		

State of Oregon
 County of Union / ss

I hereby certify in the matter of the County Road as petitioned for by Miles & ~~Dinamore~~ W. S. Egzell, 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 in angles and distances

Arthur Curtis
 County Surveyor

Roads Petitioned to by
Miles H Dinsmore in Yell
W S Ezell & Red



County Court

OF THE

State of Oregon

For the County of Union

Done and passed
County Road

Attest and for my
W. J. Boyle et al

Shanks & Weaver

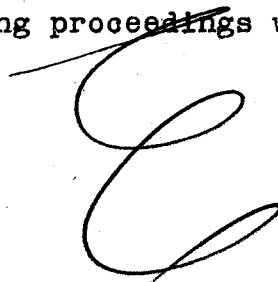
Dated July 1908
J. H. Stephens
Clerk

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 Wednesday, the 3rd day of June A. D., 1908, the same being the first Wednesday of said month and 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 Thursday, the 4th day of June, A. D., 1908, on the second 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 *
W. S. Ezell, et al. *



Comes now W. S. Ezell, 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: Beginning at a point about 80 rods northeast of the middle of Section 10, Tp. 1 S. R. 40 E.W.M., thence around the point of the hill in a southeasterly direction to Chumus's fence, thence in a southeasterly direction through the Watkins place to the creek situated on the section line between Sections 14 and 15, Tp. 1 S. R. 40 E.W.M., thence to a point 60 rods north of the 1/2 section line between sections 14 and 15, thence following road as cleared to a point parallel with W. Abbitts south line, thence east to W. Harveys east line, thence north to the old road, and thence following the old road to a point about 12 rods south of the Chumus house, thence northwest to the gate south of School House to the old road.

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 city 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 nailed on a board fastened on a post at the beginning of the proposed road, and one about the middle of the said road nailed to a tree, and one fastened to board and nailed to a tree at the end 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 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 W. H. Hardy and R^obert Blumenstein as sureties thereon, which bond is here now approved and ordered placed on file.


It is therefore ORDERED that Arthur Curtis, County Surveyor, and
and constituting the Board
of County Road Viewers, be, and they are hereby directed to meet at Elgin,
Oregon, on the 11th day of June, 1908, 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.

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

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 Wednesday, the _____ day of _____ A. D., 190____, the same being the first Wednesday of said month and 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 3rd day of June, A. D., 1908, 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 W. S. Ezell, et al.,

Now at this time it is ORDERED by the Court that this matter be and the same is hereby continued until tomorrow morning at nine o'clock.

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