

No 114

IN THE
CIRCUIT COURT
UNION COUNTY OREGON

EQUITY

Martha G Hoffman

Plaintiff

VS

G L Stover et al

Defendant

Doc't

Page

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W B Sargent
Attorney for Plaintiff

Attorney for Defendant

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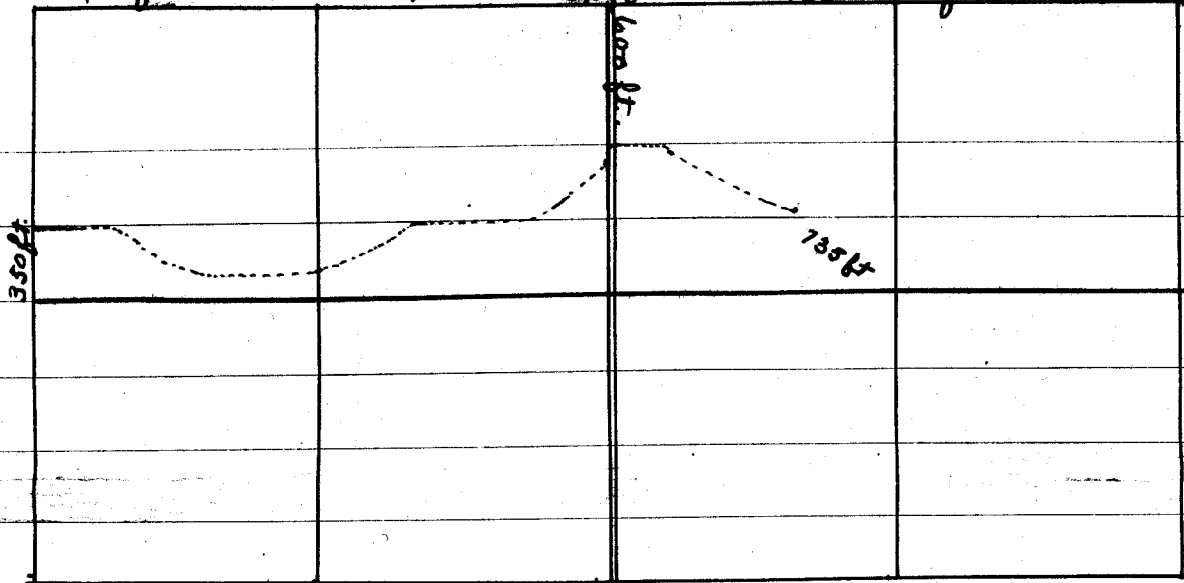
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643

Road petitioned
for by
J L Haller et al

S. E. $\frac{1}{4}$ of S. 13 T. 6 S. R. 40 E. W. M.

S. W. $\frac{1}{4}$ of S. 18 T. 6 S. R. 41



Starting from S. W. corner of the N. W. $\frac{1}{4}$ of the S. E. $\frac{1}{4}$ of Sec. 13, T. 6 S., R. 40 E. W. M. measuring 350 ft N. to county road. Then running in an easterly direction to township line, crossing the same 600 ft S. of ^{N. W.} corner of the S. W. $\frac{1}{4}$ of Sec. 18, T. 6 S. R. 41 E. W. M. Then in a southeasterly direction to county road, 735 ft N. W. of S. E. corner of the N. W. $\frac{1}{4}$ of the S. W. $\frac{1}{4}$ of Sec. 18 T. 6 S.

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

I, I. L. Haller, 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:

~~On the proposed road, one in the middle and one at each end, said road is:~~

Starting from S.W. corner of the N.W. 1/4 of the S.E. 1/4 of Sec. 13, T. 6 S. R. 40. E. W. M. measuring 350 ft N. to county road. Then running in an easterly direction to township line crossing the same 60 ft S. of N.W. corner of the S.W. 1/4 of Sec. 18, T. 6 S. R. 41. E. W. M. Then in a southeasterly direction to county road. 735 ft N.W. of S.E. corner of the N.W. 1/4 of the S.W. 1/4 of Sec. 18, T. 6 S.

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

~~23rd~~ day of May 1912, and that thereafter and thirty days

previous to the presentation of said road petition therein mentioned, to-wit: On the 23rd

day of May 1912, 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.

I. L. Haller

Subscribed and sworn to before me this 25th day of June 1912

W. A. Sewell
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 ~~#~~ 3 day of July A. D. 1912, 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:

Starting from S.W. corner of N.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Sec. 13, T. 6 S. R. 40 E. W. 11. Measuring 350 ft N. to county road. Then running in an easterly direction to township line, crossing the same 600 ft S. of N.W. corner of the S.W. $\frac{1}{4}$ of Sec. 18 T. 6 S. R. 41 E. W. 11, then in a southeasterly direction to county road, 735 ft S.W. $\frac{1}{4}$ of Sec. 18 T. 6 S. N.W. of S.E. corner of the N.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Sec. 18, T. 6 S.

Dated at Telocant Oregon, the 15 day of May A. D. 1912

1912

NAMES:

NAMES:

P L Galler
 E P Staples
 F F Hillonius
 L B Hyatt
 W. F. ...
 Carl A. Gray
 W. B. ...
 C A Hill
 W. F. ...
 S B Bell
 William Lewis
 J. F. Frisk
 S. J. Gile
 W. H. Low
 E. F. ...
 Ed. ...

BOND OF ROAD PETITIONERS

Know All Men by These Presents, That we, F. J. Holmes,
and E. P. Staples 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 13 day of May A. D., 1912.

Now, the conditions of the above obligation are such, that whereas, J. L. Haller and others have petitioned the County Court of said County of Union, at the _____ term, 191____, thereof for a County Road, described in the petition and notice hereto annexed, as follows:

Now, if the above named _____ 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.

Fred. J. Holmes (Seal)
E. P. Staples (Seal)

STATE OF OREGON, } ss.
County of Union

I, Fred. J. Holmes and E. P. Staples 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.

Fred. J. Holmes
E. P. Staples

Subscribed and sworn to before me this 13 day of May A. D., 1912

John S. Clark
Notary Public for Oregon

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:

Starting from S.W. corner of the N.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Sec. 13, T. 6 S. R. 40 E. W. M. measuring 330 ft. N. to county road. Then running in an easterly direction to township line crossing the same 600 ft. S. of N.W. corner of the S.W. $\frac{1}{4}$ of Sec. 18, T. 6 S. R. 40 E. W. M. then in a southeasterly direction to County road, 1735 ft. N.W. of S.E. corner of the N.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Sec. 18, T. 6 S.

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

NAMES:

NAMES:

J. L. Haller
 E. O. Staples
 J. F. Vittoria
 J. B. Hyatt
 W. F. Harris
 Karl C. Haag
 W. B. Burdick
 O. G. Hill
 W. F. Hendrick
 S. B. Bell
 William Law
 G. F. Frisk
 S. J. Lile
 W. J. Low
 G. F. Haller
 Ed. Huley

IN THE
COUNTY COURT

FOR THE
STATE OF OREGON
FOR
UNION COUNTY.

In the matter of the

Richard E. Ross

Subscribed by
W. J. Allen

John. Bond

FILED July 3 - 1914

W. J. Allen
Clerk

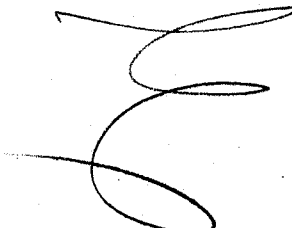
By _____
Deputy

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 3rd day of July, A. D., 1912, 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,
C. A. Galloway, Commissioner,
Ed Wright, Clerk,
F. P. Childers, Sheriff.

WHEN, on Friday, the 5th day of July, A. D. 1912, or the 2nd 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
I. L. Haller et al.



Comes now I. L. Haller, 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:

Starting from S.W. corner of the N.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Sec. 13, T. 6 S. R. 40 E.W.M. measuring 350 ft N. to county road, then running in an easterly direction to township line crossing the same 600 ft. S. of N.W. corner of the S.W. $\frac{1}{4}$ of Sec. 18, T. 6 S. R. 41 E.W.M. then in a southeasterly direction to county road, 735 ft. N.W. of S.E. corner of the N.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Sec. 18, T. 6 S.

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, Union County, Oregon, and also in three public places in the vicinity of said proposed road, to-wit: on the proposed road, one in the middle and one at each end of said road for more than thirty days immed-

ately 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.

It is therefore ORDERED that Arthur Curtis, County Surveyor, and Thomas Brasher and E. A. Wills, constituting the Board of County Road Viewers, be, and they are hereby directed to meet at Telocaset, on the 17th day of July, 1912, at the hour of 11 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.

C.A. Galloway, Commissioner.

ATTEST:

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 3rd day of July 1922, 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 J. L. Haller et al., beg leave to report that on the 17 day of July 1922, 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 the present County Road lying between the beginning and terminus be vacated, and that there will be no damages by the change of said road

Arthur Curtis
Thos. Brasler
E. G. Miller

Board of County
Road Viewers.

In the matter of the County Road Petitioned for by

I.L.Haller et.al.

State of Oregon:
County of Union.: s.s.

I Arthur Curtis County Surveyor of Union County Oregon do hereby certify 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

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 I. L. Haller et al. beg leave to report that on the 17 day of July 1912, in pursuance of said appointment and order, I surveyed said road for the whole distance thereof, the following being the field notes of said survey:

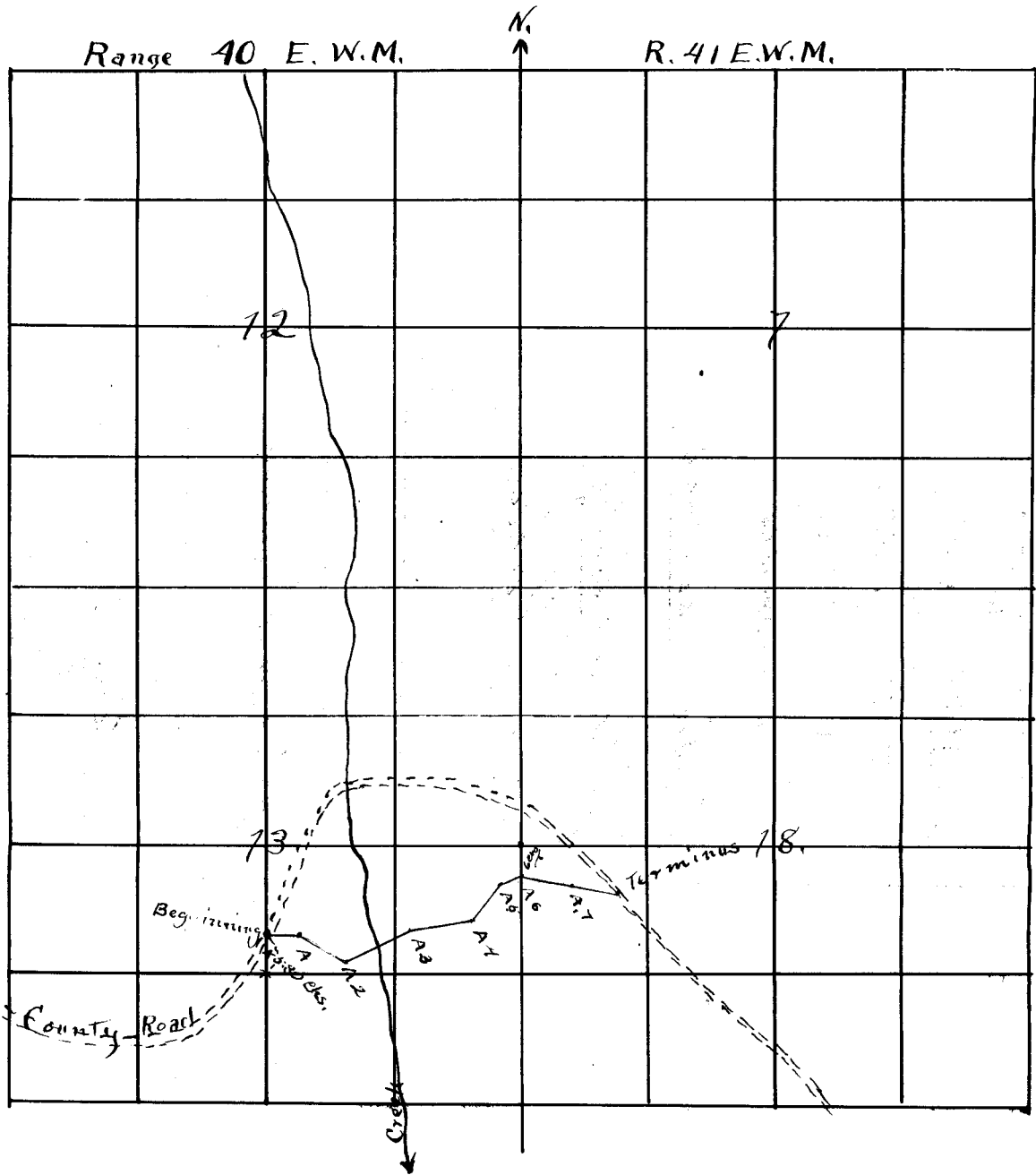
Commencing at a point 5.30 chs. North of the S.W. Cor. of the N.W $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ Sec. 13 Town. 6 South Range 40 East W M. Thence East 5.45 chs. to ~~Angle I~~ Angle I; thence South 62° East 8.82 chs. to angle 2; thence North 64 degrees East 11.50 chs. to angle 3; thence North 85° 30' East 8.44 chs. to angle 4; thence North 42 degrees East 8.80 chs. to angle 5 thence North 66 degrees East 2.20 chs. to angle 6; thence South 79° East 8.00 chs. to angle 7; thence South 83° East 8.50 chs. to Road Terminus a point situated in present County Road. all points are marked by stone with the proper marks upon



County Surveyor

Road Petitioned for by I.L.Haller et. al.

Town. 6 South



Arthur Curtis
County Surveyor

COUNTY COURT
FOR THE
STATE OF OREGON
UNION COUNTY

In the matter of the

Proposed Los Road
petitioned for by
J. L. Haller

Report of Viewers

FILED May 2 1927
Clerk
E. L. ...

Legal

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 7th day of August, A. D., 1912, 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,
C. A. Galloway, Commissioner,
J. F. Hutchinson, Commissioner,
Ed Wright, Clerk,
F. P. Childers, Sheriff.

WHEN, on Wednesday, the 7th day of August, A. D. 1912, or the 1st 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 I. L. Haller et al.

Now at this time this matter came on to be heard upon the Report of the Board of County Road Viewers for a first reading as provided by law. And the said report having now been read in open court, the same is laid over for a second reading upon another day of this term of court.

(Signed) J. C. Henry, County Judge.

C. A. Galloway, Commissioner.

J. F. Hutchinson, 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 Union, said County and State, on Wednesday, the 7th day of August A. D. 1902, 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. C. A. Galloway County Commissioner.
The Hon. J. F. Hutchinson County Commissioner.
Ed Wright Clerk.
F. P. Childers Sheriff.

When on Thursday day, the 8th day of August A. D. 1902, or 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 I. L. Haller 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 3rd day of July 1902, 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 I. L. Haller et al., beg leave to report that on the 17 day of July 1902, 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 the present county road laying between the beginning and terminus be vacated, and that there will be no damages by the change of said road.

(Signed) Arthur Curtis
Thos. Brasher
E. A. Wills } 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

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

Wm. Wiglesworth Road Supervisor of Road District No. 31, 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.

(Signed) J. C. Henry
County Judge.

C. A. Galloway
Commissioner.

J. F. Hutchinson
Commissioner.

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

I, _____, 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 _____ day of _____ A. D. 190_____.

Clerk.

By _____
Deputy.