

No 663

IN THE MATTER OF A
COUNTY ROAD

PETITION OF
J. H. Bidwell
et al

Beginning at

Petition filed	1	
Affidavit of Posting filed	1	
Bond filed	1	
Order Appointing Viewers and Surveyor made	1	
Page	Vol	Commissioners Journal
Oaths filed		1
Viewers Reports filed		1
Viewer Report filed		1
Order of Court made		1

Final Order Aug 3-1916

11 11 f pl 11 f ll pl 11 g gt
14 11 f 11 p d f t t t 11

M
BUSHONG & CO
OFFICE BANK AND COUNTY SUPPLIES
PORTLAND ORE

Telocast Oregon

Sept 30. '14

To the Honorable County Court

Union Co. Ore.

Sirs find statement below for land
and damage for County road
petitioned for from Rail Road
coming to Government Gulch
running through my land.

Land and damages as follows.

Land fees as fences, damages

Two hundred dollars. This road
does not benefit me any, and
takes some of my best land

Yours Truly.

Karl A. Haag

No. of Claim and Warrant

From *Jose A. Wang*

Address *St. Louis, Mo*

Account of *Manager of*

Real

Amount, \$ *2500 00*

Filed *October 6th 1911*

Carroll

CLERK.

Wm. O. Connelley

DEPUTY.

It is hereby ordered that a Warrant on the

Fund be issued

for \$

IN PAYMENT OF THIS ACCOUNT.

Dated this day of , 191

COUNTY JUDGE.

COUNTY COMMISSIONER.

COUNTY COMMISSIONER.

Telocareh, Ore. Sept. 25, 14.

To the Honorable County Court-

Union Co., Oreg.

Sirs: Enclosed

finds Statement for land and
damages for road petitioned for
from R. Road crossing to Government Gulch
running through my land for a

distance of 350 ft. and 40 ft wide
3 2/3 acres. Valuation of land, bottom land
\$50 per acre = \$150 for land

Damages consisting of fence posts
staples Wire Labor and ect. \$91.60

Total

\$150.00
\$241.60 total

Yours Truly,

E. H. Shaw

Telocareh, Ore.

North Powder Ore

Feb 28-1915

To The Honorable County Court
Dear Sirs

In the Matter of the Road
Petition to open a road from R.R. Crossing
South of Telocast to Gov. Gulch, paralleling
the R.R. right of way, I have consulted
Mr Ed Shaw and he agreed to take
the amount of damage offered by the
court. Mr. Carl Stagg did not agree
to that but said he would be governed
by what ever Mr. Shaw settled for.
As I was requested to look this matter
up this is my report

Very Respect

J.H. Bidwell

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 Easterly end of SECOND street, town of North Powder, thence in a direct line in an Easterly direction to a point where the east and west section line between sections fourteen and twenty-three, T. 6, S. R. 39, E. W. M. crosses the present County road along the O-W-R and N. Railroad right-of-way.

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

NAMES:

NAMES:

S. H. Bidwell
J. Ed. Peterson
J. W. Barber
W. F. Wittichie
Olof T. Dahlstrom
Albert Hutcherson sr
Louis Simpson
J. W. Hart
A. T. Jewett
Albert Olsen
J. E. Lindley
Pearl Gorham
A. H. Graham
A. T. Bowman
J. B. Nelson
Thomas Burns
A. C. Spahn

Filed June 8, 1916
Edwards
Kent

BOND OF ROAD PETITIONERS

Know All Men by These Presents, That we, J. O. Pilcher
and A. A. Monday 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 6th day of June A. D., 1916

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

A. C. Bidwell and others have petitioned the County Court of said County of Union, at the June term, 1916, thereof for a County Road, described

in the petition and notice hereto annexed, as follows: Beginning at the Eastern end of Second street, town of North Powder, thence in a direct line in an Eastern direction to a point where the East and West section line between sections fourteen and twenty three, T. 6. S. R. 39, E. W. 14, crosses the present County road along the O. W. R. & N. railroad right-of-way.

Now, if the above named A. C. Bidwell et al 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.

J. O. Pilcher (Seal)
A. A. Monday (Seal)

STATE OF OREGON, } ss.
County of Union

J. O. Pilcher and A. A. Monday 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.

J. O. Pilcher
A. A. Monday

Subscribed and sworn to before me this 6th day

of June A. D., 1916
W. Lambert
Notary Public for Ore.
My Com. expires May 7, 1917

Filed June 8, 1916

Edw. Wright

Wright

STATE OF OREGON,

SS.

County of Union,

I, C. N. Law

, 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, one at about the middle and one at the end of the proposed road petitioned for

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

First day of May

1906

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.

C. N. Law

Subscribed and sworn to before me this

6"

day of

January

1906

A. Lambert

Notary Public for Ore

My Com. expires May 7, 1917

Filed June 8. 1916
Ed. M. M. M.
L. M. M.

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 7 day of June A. D. 1916 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 easterly end of Second Street town of North Powder thence in a direct line in an easterly direction to a point where the east and west section line between sections fourteen and twenty three T. 6. S. R. 39 E. W. 2^d crosses the present county road along the G. W. R. and N. railroad right of way.

Dated at North Powder, Oregon, the 1st day of May 1916

NAMES:

H. P. Bidwell
H. C. Gilman
J. Wiltshire
Clay S. Walston
Albert Hutchinson Sr
Louis Simonis
J. W. Davis
W. P. Smith
Albert Wilson
Oscar Graham
W. K. Graham
A. F. Bowman
J. B. Wilson
Thomas Burns
A. C. Spain

NAMES:

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 June, A. D., 1916, 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. F. Phy, County Judge,
C. A. Galloway, Commissioner,
W. J. Townley, Commissioner,
Ed Wright, Clerk,
August Hug, Sheriff.

WHEN, on Thursday, the 8th day of June, A. D. 1916, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:
In the latter of the proposed County road petitioned for by H. C. Bidwell et al.

017
Comes now H. C. Bidwell 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 the easterly end of Second street, town of North Powder, thence in a direct line in an easterly direction to a point where the east and west section line between sections fourteen and twenty-three T. 6 S.R. 39 E.W.M. crosses the present county road along the O-W-R and N Railroad right-of-way.

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: one at the beginning, one at about the middle and one at the end of the proposed road petitioned for

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.

It is therefore ORDERED that L. D. Howland County Surveyor, and J. A. Pilcher and C. B. Mays constituting the Board of County Road Viewers, be, and they are hereby directed to meet at North Powder on the 20 day of June 1916, 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.

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

To the Honorable County Court for Union County, Oregon:

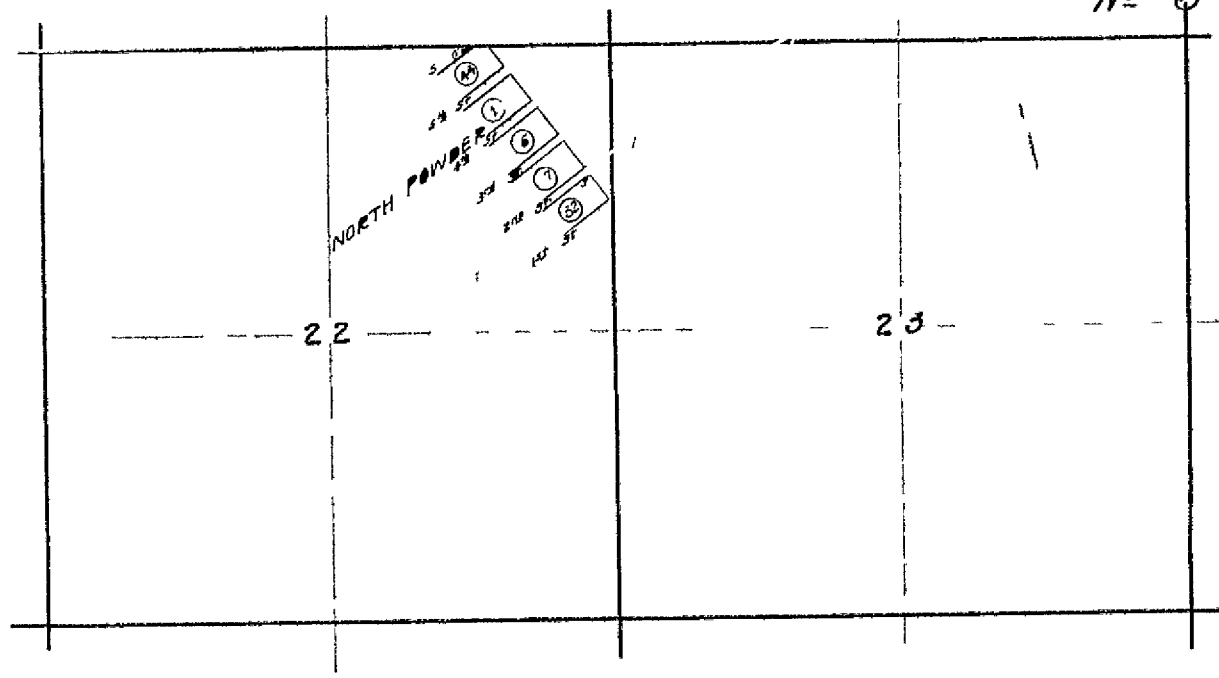
The undersigned Board of County Road Viewers, heretofore on the 8th day of June 1916, instructed to view, lay out and alter the proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by H.C. Bidwell et al., beg leave to report that on the 20th day of June 1916, 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.

J. S. Hubbard
C. B. Mays
R. W. Parker

Board of County
Road Viewers.

TOWNSHIP 6 SOUTH, RANGE 30 EAST 11N
 ← T Le Grande County Road →

FILE $\frac{R}{N}$
 No. $\frac{3}{3}$



Note —

Beginning at a rock marked "R" at the easterly end of 2nd St town of North Powder, Union, Co, Oregon running thence N 52° 30' E along the extended E of 2nd St 1046.6 Ft to A1 Thence 8° to the right 1020.2 Ft to a wagon hub marked RT in the County road

PLAT

Showing road petitioned for by
 H C Bidwell et al
 Co Engrs Office July 5 1916
 SCALE 3 IN = ONE MILE

Legend —

Proposed road

Filed Aug 2-1916
Edmund
Lums

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~~ ^{La Grande}, said County and State, on Wednesday, the 2nd day of August A. D. 1906, 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. G. F. Phy Judge, Presiding.
The Hon. C. A. Galloway County Commissioner.
The Hon. W. J. Townley County Commissioner.
Ed Wright Clerk.
August Hug Sheriff.

When on ~~3rd~~ Thursday, the 3rd day of August A. D. 1906, 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 H. C. Bidwell et al.

834

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 8th day of June 1906, 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 H. C. Bidwell et al., beg leave to report that on the 20th day of June 1906, 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

L. D. Howland

C. B. Mays

R. W. Parker

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

L.C. Grant Road Supervisor of Road District No. 10, 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.F. Phy
County Judge.

C.A. Galloway
Commissioner.

W.J. Townley
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.

SECOND JUDICIAL DAY

THURSDAY, JUNE 8th, 1916.

General Road Fund of the County in the sum of \$275.00, in favor of said Nessley Ditch Company, and to deliver said warrant to said ditch company upon said company's signing a written agreement, agreeing to accept said sum in full settlement for all damages incurred by reason of the removal of said dam.

In the matter of the proposed County road petitioned for by H. C. Bidwell, et al.

Comes now H.C.Bidwell, 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 the easterly end of Second Street, town of North Powder, thence in a direct line in an easterly direction to a point where the east and west section line between Sections fourteen and twenty three, Tp. 6, S.R. 39, E.W.M., crosses the present county road along the O.W.R. & N. Railroad right of way.

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:

One at the beginning, one at about the middle, and one at the end of the proposed road petitioned for, 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.

It is therefore ORDERED that L. D. Howland, County Surveyor, and J. A. Pilcher and C. B. Mays, constituting the Board of County Road Viewers, be, and they are hereby directed to meet at North Powder, on the 20 day of June, 1916, 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.

In the matter of the proposed County road petitioned for by Albert Olson, et al.

Comes now Albert Olson, 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:

THIRD JUDICIAL DAY.

FRIDAY, JULY 7th, 1916.

In the matter of the proposed
County Road petitioned for by
Albert Olson et al.

Now at this time, it is ORDERED that this matter be, and the same is hereby continued
for the term.

In the matter of the proposed
County Road petitioned for by
R. S. Shaw et al.

Now at this time, it is ORDERED that this matter be, and the same is hereby continued
for the term.

In the matter of the proposed
County Road petitioned for by
E. C. Bidwell et al.

Now at this time, it is ORDERED that this matter be, and the same is hereby con-
tinued for the term.

In the matter of the proposed
County Road petitioned for by
Isaac P. Bumgardner et al.

Now at this time, it is ORDERED that this matter be, and the same is hereby continued
for the term.

In the matter of the proposed
County Road petitioned for by
J. B. Scott et al.

Now at this time, it is ORDERED that this matter be, and the same is hereby continued
for the term.

In the matter of the proposed
vacation of County road petitioned
for by W.J. Case et al.

Now at this time, it is ORDERED that this matter be, and the same is hereby continued
for the term.

SECOND JUDICIAL DAY

THURSDAY, AUGUST 3rd, 1916.

In the matter of the proposed vacation of county road petitioned for by W.J. Case et al.

Now at this time it is ORDERED that this matter be and the same is hereby continued for the term, and the files referred to the District Attorney as to the legality of all the proceedings.

In the matter of the proposed county road petitioned for by R. S. Shaw et al.

It appearing to the court at this time from the report of the Road Viewers that the route of the road petitioned for in the above entitled proceeding is not the most feasible or practicable route for said road,

It is therefore ORDERED that said matter be re-referred to the Surveyor and viewers who heretofore viewed said road for further and fuller report, and that said Board be and is hereby directed to meet at North Powder on Friday, August 18, 1916, at 10 o'clock A.M. and proceed to view out and report a full and complete route for said proposed road.

In the matter of the proposed county road petitioned for by H. C. Bidwell 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 8th day of June, 1916, 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 H.C.Bidwell et al., beg leave to report that on the 20th day of June, 1916, 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.

L.D.Howland)
C.B.Mays) BOARD OF COUNTY
R.W.Parker) 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

665

SECOND JUDICIAL DAY.

THURSDAY, AUGUST 3rd, 1916.

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 L.C.Grout, Road Supervisor of Road District No. 10, 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.

979

In the matter of the proposed county road petitioned for by John B. Scott, 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 May, 1916, 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.B.Scott et al., beg leave to report that on the 20th day of May, 1916, 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 Length 2770-feet, one culvert required. \$100.00 should put the road in fairly good condition for travel.

L. D. Howland)
 Wm. Fine) Board of County
 A. H. Parsons) 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,