

No 674

IN THE MATTER OF A
COUNTY ROAD

PETITION OF
C. L. Scott

et al

Beginning at

Petition filed *Nov 8 1917*
 Affidavit of Posting filed *Nov 8 1917*
 Bond filed *Nov 8 1917*

Order Appointing Viewers and Surveyor

made

Item 1

Page

Vol

Commissioners Journal

Oaths filed

1

Viewer Reports filed

1

Viewers Reports filed

1

Order of Court made

Nov 9 1917

Petition denied

Printed by
 J. I. I. f b l p l d f t f l l t b l u g t
 t i e t

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 herein after 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 in the county road leading from Ladd Canyon to North Powder, at the Northeast corner of the Southeast Quarter of Section 7, in Township 5 South, Range 39 East, W M and running thence in a South-westerly direction across the North Half of the Southeast Quarter of said Section 7, to a point about 30 rods North of the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 7 thence in a Westerly direction across the North Half of the Southwest Quarter of said Section 7 to the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 7, and there ending and terminating said proposed road following as nearly as practicable the line or route of that certain well defined private road which has been established and used across said lands for many years and which is commonly known as the Old Saw-mill Road That said proposed road be made forty feet in width, or such other width as the court may deem proper.

And in duty bound your petitioners will ever pray &c

E. L. Scott
NAMES

B. H. Scott
NAMES

James D. ...
J. B. ...
Robert ...
Edna ...
Geo. Pearson
John ...
W. C. ...
W. C. ...
R. R. ...
D. B. ...
John ...
John ...
John ...
John ...
John ...

21

STATE OF OREGON, }
County of Union: } ss.

I, C. L. Scott 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 on a tree at the Northeast corner of the Southeast quarter of Sec. 7, Tp. 5 S.R.39 E.W.M.

One on the gate going into the premises of Alonzo Ludgate near the line of the proposed road in Sec. 7, Tp. 5 S.R.39 E.W.M.

and one on the gate post at the Southwest corner of the Northwest quarter of the Southwest quarter of said Section 7.

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the 4th day of October 1917, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 4th day of October 1917, 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.

Witness to mark
Ab. Schubert
C. L. Scott
his
mark

Subscribed and sworn to before me this 6th day of November 1917.

A. Schubert
Notary Public for Oregon.

My Commission expires May 8, 1921

BOND OF ROAD PETITIONERS

Know All Men by These Presents That we C S Moore

and J. T. Hobbs 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~~ ^{TWO} HUNDRED DOLLARS (\$200 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 November A D 1917

Now the conditions of the above obligation are such that whereas

C. L. Scott and others have petitioned the County Court of said County of Union at the November term 1917 thereof for a County Road described

in the petition and notice hereto annexed as follows Beginning at a point in the County Road leading from Ladd Canyon to North Powder at the Northeast corner of the Southeast quarter of Section 7, in Township 5 south, Range 39 L W M and running thence in a southwesterly direction across the North half of the Southeast quarter of said Section 7 to a point about 30 rods north of the Southwest corner of the Northwest quarter of the Southeast quarter of said Section 7, thence in a westerly direction across the North half of the Northwest quarter of the Southwest quarter of said Section 7 and there ending and terminating, said proposed road following a nearly practicable the line or route of that certain well defined private road which has been established and used across said lands for many years and which is commonly known as the "Old Saw-mill Road" that said proposed road be made forty feet in width, or such other width as the court may deem

proper

Now if the above named C. L. Scott

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

C. S. Moore (Seal)
J. T. Hobbs (Seal)

STATE OF OREGON }
County of Union } ss

I C. S. Moore and J. T. Hobbs 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

C. S. Moore
J. T. Hobbs

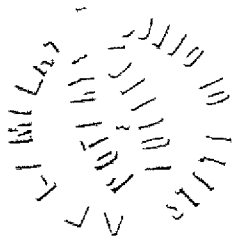
Subscribed and sworn to before me this 6th day

of November A D 1917

[Signature]

Notary Public for Oregon

My Commission expires May 8th, 1921



TO THE HONORABLE COUNTY COURT OF UNION COUNTY, OREGON

We, the undersigned residents and taxpayers of Union County, hereby respectfully show to the court that heretofore we signed that certain Road Petition, asking for a road over the following described lands, to-wit -

Beginning at a point in the county road leading from Ladd Canyon to North Powder at the Northeast corner of the Southeast Quarter of Section 7, Township 5 South, Range 39 East, N. M., running thence in a Southwesterly direction across the North Half of the Southeast Quarter of said Section 7, to a point about 30 rods North of the Southwest corner of the Northwest Quarter of the Southeast Quarter of said Section 7, thence in a Westerly direction across the North Half of the Southwest Quarter of said Section 7, to the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 7, and there ending and terminating. Said proposed road following as nearly as practicable the line or rout of that certain well defined private road which has been established and used across said lands for many years and which is commonly known as the "Old Saw-Mill Road"

We further show to the court that after signing such Petition, due to a misunderstanding of the facts, we were induced to and in fact did sign a remonstrance against such road

Being now fully advised in the matter, we ask and petition that our said names be withdrawn from such remonstrance and be not counted thereon, but that our said names be counted on the petition for such road.

O. T. D. [unclear] _____
E. Knapp _____
A. H. [unclear] _____
[unclear] _____

Petition of H. H. Scott
et al for County Road

Filed March 8, 1917
at St. Louis, Missouri
C. H. McConnill
County Clerk

Remonstrance

To the Hon. County Court of Union County, Oregon -
La Grande, Oregon

Sir :- We, the undersigned, freeholders of Union County, Oregon
residing in the road district where the hereinafter proposed
road is to be established-viz -

Beginning at a point in the county road leading from
Ladd Canyon to North Powder, Union County, Oregon at the NE corner
of SE qr of Sec, 7 in Tp 5 S, Rge 39 E W M and running thence across
the N hf of SE qr of said Sec, 7 etc positioned for by C. S Moore et
al.-do hereby REMONSTRATE against the establishment of said pro-
posed county road because it would not benefit the public, because
it is a private enterprise for the benefit of one man, because it
would come off of two men's lands to their injury and does not end
on any public road, would be simply a road of private easement at
cost and expense of the public.

North Powder, Oregon October 6th 1917

Names,

Names

<i>Edw. Laughlin</i>	<i>John W. ...</i>
<i>Brooks Campbell</i>	<i>...</i>
<i>Mrs S. M. Campbell</i>	<i>Albert Olson</i>
<i>E. P. Wilson</i>	
<i>H. W. Laughlin</i>	
<i>A. C. Spain</i>	
<i>J. W. ...</i>	
<i>Roy Hall</i>	
<i>John ...</i>	
<i>Geo J. Anderson</i>	
<i>Geo Darwin</i>	
<i>Robt. G. Couch</i>	
<i>R. W. ...</i>	
<i>Sir ...</i>	
<i>H. White</i>	

Remondement

ROAD PETITION NOTICE.

To All Whom IT MAY CONCERN:-

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 session of the County Court for Union County, Oregon to-wit:- On Wednesday the 7th day of November A.D. 1917 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:

Beginning at a point in the county road leading from Lead Canyon to North Powder at the northeast corner of the southeast qr of Sec. 7 in Twp 5 S. Rge 39 E.W.M. running thence in a southeasterly direction across the north half of the southeast qr of Sec. 7 to a point about 30 rods north of the southwest corner of the NW qr SE qr Sec. 7 - thence in a westerly direction across the N hf SW qr Sec 7 - and there ending and terminating, Said proposed road following as nearly as practicable the line or route of that certain well defined private road which has been established and used across said lands for many years which is commonly known as OLD SAW MILL ROAD - to be 40 feet wide, Dated at North Powder, Oregon this the 29th day of September 1917.

Names.

Names.

C.S. Moore
Jerome Darling
Chas E. Harris
L.B. Moore
C.E. Lambert
Chas Knautz
Gus Pearson
Jno Dalstrom
G.A. Aughey
E.A. Merritt

F.A. Hutchinson
C.R. Hutchinson
D.B. Brothers
Thos Sumpter
Jno Hunt
Chas Smith
E. Knautz
W.E. Watkins
J.L. Jones,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

North Powder, Ore.

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

Sirs:- We the undersigned who signed petition for the establishment of a county road beginning at a point in the county road leading from Ladd Canyon to North Powder at the northeast corner of the S.E.qr of Sec, 7 in Twp 5 S. Rge 39 E.W.M. and running thence across the N hf S.E.qr of said Sec, 7-said petition headed by C.S. Moore-do hereby request that our names be taken off of said petition as we signed same without being properly advised and it is now against our will, Please disregard our signatures on said petition.

Names:-

Albert Hutchinson
D. B. Brothers
E. C. Ferritt
D. A. Aughey
W. L. Wetmore
E. Knautz
E. W. Adams

RECORDED
INDEXED
MAY 10 1900
COUNTY CLERK

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

IN THE
COUNTY COURT
FOR THE
STATE OF OREGON
FOR
UNION COUNTY

In this matter of the

*Road petitioned
for by C. L. Scattolon*

*Remonstrance of
Leon Lydgate et al*

FILED Nov 8th 1917

C. K. McCormick
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 7th day of November, A. D., 1917, 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,
C.K.McCormick, Clerk,
Lee Warnick, Sheriff.

WHEN, on Friday, the 9th day of November, A. D. 1917, or the 3rd 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 C. L. Scott et al.

0165

Now at this time this matter came on to be heard upon the petition of C.L.Scott et al for the opening of a county road along the following route, to-wit:

Beginning at a point in the county road leading from Ladd Canyon to North Powder, at the northeast corner of the southeast quarter of Section 7, in Township 5 South, Range 39 E.W.M. and running thence in a southwesterly direction across the north half of the southeast quarter of said Section 7, to a point about 30 rods north of the southwest corner of the northwest quarter of the southeast quarter of said Section 7; thence in a westerly direction across the north half of the southwest quarter of said Section 7 to the southwest corner of the northwest quarter of the southwest quarter of said Section 7, and there ending and terminating. Said proposed road following as nearly as practicable the line or route of that certain well defined private road which has been established and used across said lands for many years and which is commonly known as the Old Saw-mill road. That said proposed road be made forty feet in width, or such other width as the court may deem proper.

And it appearing to the court that a remonstrance has been filed against said petition and that said remonstrance has a greater number of signers than the petition for said proposed road, and the court after considering said petition, as well as the remonstrance, and being fully advised in the premises, finds that said proposed road is not of sufficient public benefit to warrant the granting of said petition

It is therefore CONSIDERED and ORDERED that said petition be and the same is hereby denied.

J.F.Phy, County Judge
C.A.Galloway, Commissioner
W.J.Townley, Commissioner