

No 13 Law

IN

Court

Cordahy Packing Co
(a Corporation)

Plaintiff

vs

W A Mesner,

Defendant

Action for

Docket

Page

C E Cochran

Attorney for Plaintiff

Attorney for Defendant

MEMORANDA

View is appointed for No 398
Ordered upon
Platted 426

465

County Road
Expenses for day
near it

WITNESSES

View is appointed for No 398
Ordered upon
Platted 426

Ordered upon Journal
No. Page 423

DIRECTIONS: Fold page on TOP OF RUBBER
Fold and fit it in sides. Then the rubber will cover
the ends and package is complete.

Petition For County Road.

To the Honorable County Court, For Union County, Oregon:

The undersigned householders of Union County, Oregon, residing in the vicinity where the hereinafter described road is 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:

Commencing at the North east corner of the N. W. 1/4 of the N. W. 1/4 of Sec. 27 Twp two North R. 40 E. thence N. 1/4 mi. to the N. E. cor. of Lot 13 Sec. 22 thence West 1/2 mi. to N. W. cor. of the S. E. 1/4 of S. E. 1/4 of Sec. 21 - thence South about sixty rods to a certain tree marked "A" thence in a southerly direction about thirty rods to a certain tree marked "B" here connecting with the county road and thence terminating

Olgin Union Co. Oregon 22-1896 when Posted

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

NAMES:

NAMES:

Eugene R Barover

P. E. Carlton

L. W. Wittig

John B. Scott

O. W. Thompson

Joseph Scott

S. S. Thompson

Mrs D Blair

Walter Hill

A. G. Jones

William Pysdarn Oyers Rush

H. H. English

J. H. Meyer

J. W. English

Willie Carlton

Milton Wheeler

FILED

MAR 1896

J. R. Oliver
COUNTY CLERK.

Notice of Road Petition.

To all Persons Concerned: You, and each and all of you, will take notice that the undersigned, householders for Elgin Union County, Oregon, residing in the vicinity 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 4 day of March A. D. 1886, 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:

Commencing at the N. E. corner of the N. W. $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ of Sec 22 Twp two N. R. 40 E. N. M. thence N. $\frac{1}{4}$ mi to the N. E. cor of Lot 13 Sec 27 thence West $\frac{1}{2}$ mi to N. W. cor of the S. E. $\frac{1}{4}$ of S. E. $\frac{1}{4}$ of Sec 21 thence South about sixty rods to a certain tree marked A thence in a Southwesterly direction about thirty rods to a certain tree marked B thence connecting with the county road and thence terminating

~~Elgin Union Oregon 22 1886 when posted~~

NAMES:

NAMES:

Eugene R. Currier
 D. W. Kitchin
 O. W. Thompson
 S. S. Thompson
 Walter Hill
 William Rydman
 H. H. English
 J. W. English
 Willie Carleton
 Milton Wheeler

P. L. Carleton
 John B. Scott
 Wm. D. Blair
 Joseph Scott
 A. C. James
 Cyrus Rush
 J. W. Warner

~~February 24 1886~~
 24 96
 4113

Mr. Quinn
Sir. Please find
this for me at your
and office
Elliott Carson

FILED

MAR 9 1896

J. R. Quinn
COUNTY CLERK.

Notice of Road Petition.

—0—

To all Persons Concerned: You, and each and all of you, will take notice that the undersigned, householders for Elgin Union County, Oregon, residing in the vicinity 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 4 day of March A. D. 1886, 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:

Commencing at the N. E. corner of the N. N. 1/4 of the N. W. 1/4 of Sec 27 Twp two N. R 40 & 1/2 mi to the N. E. cor of S 13 Sec 12 & 1/2 mi West 1/2 mi to N. W. cor of the S E 1/4 of S E 1/4 of Sec 21 thence South about sixty rods to a certain tree marked A thence in a Southwesterly direction about thirty rods to a circling tree marked B thence connecting with the county road and thence terminating

Elgin Union Co Oregon 22-1886 when posted

NAMES:

NAMES:

Eugene R. Garver
 D. W. Witty
 W. J. Thompson
 S. S. Thompson
 Walter Hill
 William Rydman
 H. H. English
 W. C. English
 Willis Carleton
 Milton Whinn

P. L. Burlington
 John B. Scott
 Joseph Scott
 Wm D. Blair
 A. E. Jones
 Cyrus Rush
 J. Weaver

FILED

MAR 5 1896

J. R. Oliver
COURT CLERK.

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

I, *G. W. Benson*

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

~~Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the~~ day of ~~18~~, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 24 day of January 1896, I posted a true and correct copy ~~of said notice~~ ^{the hereto attached 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 Union, in said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

G. W. Benson

Subscribed and sworn to before me this 4 day of March 1896

J. R. Oliver
Clerk

F I L L E D

MAR 9 1893

J. R. O'Brien
COUNTY CLERK.

STATE OF OREGON, } ss.
County of Union.

I, P. L. Carleton 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 sent to the county clerk to be posted on court house door, one on a tree at the beginning of the proposed road, one on a tree marked A. near the terminus of the proposed road and one on a tree in front of millers dwelling house along the line of the county Road

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 22 day of January 1896, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the day of 18 , 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 Union, in said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

P. L. Carleton

Subscribed and sworn to before me this 27 day of Feb 1896.

J. White
Justice of the Peace

FILED

MAR 2 1896

J. R. [Signature]
COUNTY CLERK.

BOND OF ROAD PETITIONERS.

Know All Men by These Presents, That we, *x P. L. Carleton*

and *x*, of the County of Union and State of Oregon, are held and firmly bound unto said County of Union in the sum of *One Hundred* Dollars, the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents.

Signed this *14th* day of *March* A. D. 189*6*

Now, the condition of the above obligation is such, That, whereas the above named

x P. L. Carleton and *x*, and others, have petitioned the County Court of said County of Union, at the *March* Term, 189*6*, thereof for a

County Road, commencing *at the north east corner of the north west fourth of the north west fourth of section Twenty seven, Township two north of Range Fourth East of W.M.* Running thence north one fourth of a mile, to to the north east corner of Lat. Quarter section Twenty two thence west one half mile to the north west corner of the south east fourth of the ^{East} south fourth of section Twenty one, thence south about sixty rods to a certain tree marked A thence in a southwesterly direction about thirty rods to a certain tree marked B, here connecting with the county Road and there terminating

Now, if the above named *P. L. Carleton* and

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 said petitioners be not granted or allowed, then that this obligation shall be void, otherwise to remain in full force and virtue.

x P. L. Carleton (L.S.)
x L. V. Wilby (L.S.)

STATE OF OREGON, }
County of Union, }

I, *x P. L. Carleton* and *x L. V. Wilby*, each for himself, says, that I am worth the sum of *One Hundred* Dollars over and above all debts and liabilities and property exempt from execution; that I am a resident and householder in said County and State.

Subscribed and sworn to before me this *14th* day of *March* A. D. 189*6*

County Clerk

In the County Court of the State
of Oregon, Union County.

IN THE MATTER OF THE

Proposed County of
E. H. Carver

ROAD

BOND OF ROAD PETITIONERS.

Approved _____ 189

County Judge.

Filed *March 4* 1896

County Clerk.

J. P. Oliver

Deputy.

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 4 day of March, 1899, appointed to view and lay out and alter the proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by Cameron, et al, beg leave to report that on the 23 day of March, 1899, in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinion 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.

J. H. Morton
John Graham
E. C. Saylor
VIEWERS.

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 Garner et al., beg leave to report that on the 23 day of March 1894, 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:

Beginning at the North East-corner of the North West- $\frac{1}{4}$ of the North West- $\frac{1}{4}$ of Sec 27 T2 North R 40 E W 1

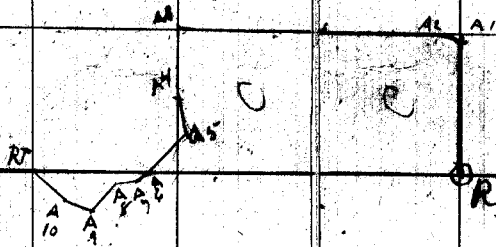
| Chain | Chains | Chains | Chains | Chains | Chains | Chains | Chains |
|-------|--------|--------|-----------|--------|--------|--------------------|--------|
| 19 | | North | | 4 | | West-20° North | |
| 5 | | West | 12° North | 7 | | " 50 " | |
| 3 1/2 | | West | | | | | |
| 8 | | South | | | | | |
| 6 | 25 | South | 10° East | | | to State Marked RT | |
| 7 | | " | | | | | |
| 2 | 50 | West | 50° South | | | | |
| 3 | | " | 20° " | | | | |
| 5 | | South | 40° West | | | | |

W.B. Blasius
County Surveyor.

T. 2 N R 40 E W M

21

22



28

27

33

34

FILED

APR 7 1896

J. R. Oliver
COUNTY CLERK.

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 Eugene K. Carver No. 465- et al., beg leave to report that on the 4-5 day of Dec 1917 188, in pursuance of said appointment and order, I Surveyed said proposed road for the whole distance ^{of the survey in dispute} thereof, the following being the field notes of said survey:

I commenced at the South West Cor. of Sec. 21, T. 2 N. R. 40 E. W. M. and ran North 20 chs set temp $\frac{1}{8}$ Sec Cor. then North 80.55 To Sec Cor. then Back on true line 60.40 chs set $\frac{1}{8}$ Sec Cor. Then East 60.40 chs set Temp Cor. 80.12 chs to $\frac{1}{8}$ Sec Cor. on East line of S. E. $\frac{1}{4}$ Sec 21, T. 2 N. R. 40 E. W. M. then West on true line 20.03 chs. set Stone for Center of S. E. $\frac{1}{4}$ of Sec 21, T. 1 S. R. 40 E. W. M. the same being angle 3 on Road Survey

Arthur Curtis
County Surveyor.

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 6th day of December, A. D., 1901, 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
~~Ben Brown~~, Commissioner,
~~Ed Wright~~,
ED WRIGHT, Clerk,
F. P. CHILDERS, Sheriff.

WHEN, on Thursday, the 7th day of December, A. D., 1901, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the relocation of the lines of Road No. 465.

It appearing to the Court at this time from the report of the County Surveyor, that land owners of land abutting road No. 465 in several instances, have established their lines of fence within the lines of road No. 465.

It is therefore CONSIDERED and ORDERED that O. W. Thompson, Supervisor of Road District No. 38, the road district wherein road No. 465 is located, be and he is hereby authorized and directed to notify all parties who have set their fences inside of said road to immediately remove the same, and upon failure of said fence owners to so remove their fences within a reasonable time, said O.W. Thompson, Road Supervisor, is further Ordered and directed to open up said County Road to its full width by removing said fences to their proper places.

(Sgd) J. C. Henry, County Judge.
C. A. Galloway, Commissioner.

Third Judicial Day

Thursday March 4th 1896.

described as follows, to wit: All of 2nd street north of blocks 13 and 19 and between them and lots 1, 2, 3, 4, 5, 6, 7 and 8 in block 20; all of 3rd street north of blocks 14 and 18 and between them and blocks 13 and 19; All of 4th street north of blocks 15 and 17 and between them and blocks 14 and 18; All of 5th street south of blocks 10 and 15 and 17 and between them and blocks 9 and 16; All of 6th street south of blocks 8, 9 and 16; all of C St. between blocks 8 and 9; also one half in width of D street lying east and along blocks 13, 14 and 15; also one half in width of 5th street north of and along block 8 of said Addition, be and the same is become and revert to said Petitioner J. L. Carver and no longer be held and considered as public easement or open to the benefit of the public in any way whatever, the same having been petitioned for by said J. L. Carver to be so vacated and particularly set out in his said petition and posted notice as aforesaid to be so vacated by this Court.

That further, the costs of this proceeding is hereby taxed at \$5 to be paid for by said Petitioner.

In the Matter of the proposed
County Road petitioned for
by Eugene R. Carver et al

Carver now Eugene R. Carver, 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, describing as follows, to wit: Commencing at the Northeast corner of the N¹/₄ of the N¹/₄ of the N¹/₄ of Sec 27 T² N² R. 40 E W¹ M. thence N. 1/4 mi to the NE cor. of Sec 13 T² N² R. 40 E W¹ M. thence West 1/2 mile to NW cor. of the S¹/₄ of S¹/₄ of Sec 21, thence south about sixty rods to a certain tree marked "A" thence in a southerly westerly direction about thirty rods to a certain tree marked "B" then connecting with the County Road and there terminating, And it appearing to the Court that said petition is signed by more than twelve householders of this County, residing in the vicinity of said proposed road, 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 advertisements posted at the place of holding Court to wit: At the Court house in the town of Union, County of Union, State of Oregon, and also in three public places in the vicinity of said proposed road. to wit: One on a tree at the beginning of

Third: Judicial Day Wednesday March 4th 1896.

the proposed County Road; On on a tree marked "A" near the terminus of the proposed road and on on a tree in front of Millers dwelling house along the line of the County 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 petitioner and that a bond for the cost of this proceeding has been duly given. It is Therefore Ordered that J. W. Morton, E. E. Taylor and John Graham be appointed Viewers of said road, and that W. B. Blasius be appointed Surveyor of said road, and that they meet at the beginning of the proposed road on the 23rd day of March 1896, at the hour of 4 O'clock P.M. and after qualifying, to view survey and lay out said road according to law.

In the matter of a right of way
for a Telephone Line

This matter came on to be heard at this time on application of McDonald Brothers for the right to construct a telephone line from line over various County roads connecting their several farms and the farm of John McDonald Sr, and is appearing to the Court that said proposed telephone line will not in any injure the county roads or the convenience of the same. It is Therefore considered and Ordered by the Court that said request be granted and that said McDonald Brothers be authorized to construct said proposed telephone line, using the right of way of the County road at the extreme edge thereof for such purpose.

In the matter of the application
of Edie Marks for County Aid

This matter came on at this time to be heard upon the affidavit of J. F. Maves, and is appearing from such affidavit that the said Edie Marks is sick and cannot work; that she has no relatives or friends living in the State of Oregon who are able and willing to help her; that she has been a resident of Union County, State of Oregon about six years; It is therefore considered and ordered that the said Edie Marks be allowed the sum of \$12.⁰⁰ for the month of March, and that the Clerk draw a warrant upon the Contingent fund of Union County for the same.

Third Judicial Day Wednesday April 8th 1896.

In the matter of the appointment
of Supervisors for Road
Districts No. 16 & 27.

Now at this time it appearing to the Court that the office of Road Supervisor for Road District No 16 & 27, is now vacant by the resignation of J. W. Martin, and a petition for the appointment of S. S. Thompson as Supervisor of Road Dist No. 16 being at this time presented to the Court, and it appearing to the Court that the said S. S. Thompson is a proper and fit person for said appointment, It is therefore considered and ordered that S. S. Thompson be and he is hereby appointed Supervisor of Road Dist No 16.

And it also appearing to the Court that John Graham has been recommended to this Court as a fit person for Road Supervisor It is further ordered that the said John Graham be and he is hereby appointed as Supervisor of Road Dist No 27.

In the matter of the proposed
County Road petitions for
by C. J. Duffey et al

This matter came on to be heard at this time upon the report of the viewers, heretofore appointed herein, for a first reading as by law required, and said report having been read in open Court It is Ordered that the same be laid over for a second reading upon another day of the present term of Court.

In the matter of the proposed
County Road petitions for
by E. R. Carver et al

This matter came on to be heard at this time upon the report of the viewers heretofore appointed herein, for a first reading as by law required, and the said report having been read in open Court, It is ordered that the same be laid over for a second reading upon another day of the present term of Court.

Fourth Judicial Day Thursday April 9th 1896.

said 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 monition 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 viewers that such road will be of public utility, It is therefore considered and ordered by the Court that said report of the Viewers and surveyor be approved and adopted by the Court, 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. It is further ordered that the report of the Viewers be placed on record in this Journal, and that the surveyors 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 J. W. Walker Road Supervisor of road Dist No 20 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.

In the matter of the proposed
County Road petitioned for by
E R Carver et al

This matter came on to be heard at this time on the report of the Viewers and Surveyor therefore appointed herein for a second reading as provided by law, and the report of the Viewers being in words following, to wit:

Report of Viewers.

To the Honorable County Court for Union County, Oregon:

The undersigned viewers heretofore on the 4th day of March 1896, appointed to view and lay out and alter the proposed county road, of which the survey plat attached is a true and correct description, as petitioned for by ^{E R} Carver et al, by leave to report that on the 23rd day of March 1896, in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view

Fourth Judicial Day Thursday April 9th 1896.

over said proposed road for the whole distance thereof, and that in our opinion 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.

J. H. Morrison.
John Graham.
E. E. Taylor.

And said report of the viewers and the report of the surveyor 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 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 viewers that such road will be of public utility, It is therefore considered and ordered by the Court that said report of the viewers and surveyor be approved and adopted by the Court 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. It is further ordered that the report of the viewers be placed on record in this journal, and that the surveyor's plat of the proposed road and his field notes of the survey thereof, be placed on record in the book of platted county roads of Union County, Oregon, and that John Graham, Road Supervisor of road District No 37 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.

The re Sheriff's return on }
Tax Roll of 1895 }

It appearing to the Court at this time that the Sheriff is unable to complete his return on the Tax Roll at this term of Court It is therefore ordered that the same be continued for the term