

No 47 L

IN

Circuit Court

Court

James W Smith

Plaintiff

vs

J B Kealey

Defendant

Action for

Docket

Page

J M Jones

Attorney for Plaintiff

Attorney for Defendant

Presented Feb 21, 1897 # 5836. 614621
Ordered Opened Apr 9 1897 # 614621

480
Petitioned for by
J. Eric Cowan
et al

Beginning at the County
Road at the NE corner of SW 1/4 SW 1/4
Sec 31 T 27 N R 40 and termin-
ating at the NE corner NW 1/4
Sec 19 T 27 N R 40 E

Platted

WITNESSES

MEMORANDA

DIRECTIONS FOR THE TOP OF THE SHEET
IN A LIST MADE BY THE U.S. GEOLOGICAL SURVEY
THE SHEET 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 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 County Road
at the N. E. corner of the S. W. 1/4 of the S. W. 1/4 of section (31)
T. 2. N. R. 40 E. of the W. M. Thence North 1/4 Mile Thence West
1/4 Mile to the Range line between 39 and 40 Thence
North 1 Mile to the N. W. corner of the S. W. 1/4 of section 30
Thence East 1/4 Mile Thence North 1/2 Mile Thence West 1/4 Mile
to the S. W. corner of section (19) Thence North about 304
Rods Thence North East about 25 Rods Thence East to
the North East corner of N. W. 1/4 of section (19)
Township. 2. N. R. 40 East of the W. M. and there
Terminating

The above Road is to be forty feet wide
And in duty bound your petitioners will ever pray, &c.

NAMES:
 Gerie Loman
 Chas Hall
 Baden Crawford
 A. Carlton
 A Phillips
 C. S. Thompson
 J. A. Hunsaker
 F. J. Williams
 James Bohy
 J. H. Cunningham
 G. W. Patterson
 E. S. Yeller
 John Miller
 R. Breshers

NAMES:
 Jonathan Green
 D. H. Wickens
 J. J. Wickens
 J. M. Sloan
 J. W. Sloan
 John B. [unclear]
 James Green
 S. Polzy
 W. M. Poulet
 James [unclear]

Notice of Road Petition.



To all Persons Concerned: You, and each and all of you, will take notice that the undersigned, householders for 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 3 day of February

A. D. 1897, 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 County Road at the N.E. corner of the S.W. 1/4 of the S.W. 1/4 of section 31 T. 2 N. R. 40 E of the W.M. Thence North 1/4 Mile Thence West 1/4 Mile to the Range line between Range 39 and 40 Thence North 1 Mile to the N.W. corner of the S.W. 1/4 of section 30 Thence East 1/4 Mile Thence North 1/2 Mile Thence West 1/4 Mile to the S.W. corner of section 19 Thence North about 304 Rods Thence North East about 25 Rods Thence East to the North East corner of N.W. 1/4 of section 19 Township 2 N. R. 40 East of the W.M. and there Terminating

The above Road is to be forty feet wide



Hereunder NAMES:

NAMES:

Chas Hall

Edwin Crawford,

A. Carlton

W. Phillips

C. S. Thompson.

H. A. Hunsaker

F. J. Williams

James Boggs

J. H. Cunningham.

G. W. Patterson

E. S. Geiseler

J. John Miller

R. Breshears

Jonathan Green

D. H. Wickens

J. T. Wickens

J. M. Sloan

D. W. Sloan

John Boly

James Green

S. Boly

W. M. Rowlet

John Nass

Protest Jan 2nd 97
C. W. O.

I Eric Cowen being first duly
sworn asert that I posted Three
Notices of the Within Proposed County
Road Thirty Days Prior to the
Presentation of this Petition and the
Same Remained Posted for Thirty Days
of which the annexed is a True
Copy I posted one Notice at the
Beginning of the Road and one at
the ~~Cunningham~~ ^{school house} and one at the
Terminus of said road ~~Erie~~
The above was acknowledged and
sworn to before me This 1st Day
of Feb: 1897

J. W. White
J. P.

STATE OF OREGON,
County of Union. } ss.

I, Oliver

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 2 day of January 1897, 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.~~

Subscribed and sworn to before me this 3 day of February 1897

J. R. Oliver
Clerk

BOND OF ROAD PETITIONERS.

Know All Men by These Presents, That we, J. Eric Cowen and J. H. Morton, of the County of Union and State of Oregon, are held and firmly bound unto said County of Union in the sum of Two 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 1st day of Feb A. D. 1897

Now, the condition of the above obligation is such, That, whereas the above named J. Eric Cowen and J. H. Morton, and others, have petitioned the County Court of said County of Union, at the Feb Term, 1897, thereof for a County Road, commencing at a county Road at the N.E. cor. of the S.W. 1/4 of S.W. 1/4 of sec 31, T. 2 N. R. 40 E of W.M., thence N. 1/4 mile thence west 1/4 mile to the Range line between 37 & 40 thence north one mile to the N.W. cor. of the S.W. 1/4 of sec 30 thence E. 1/4 mile thence N. 1/2 mile thence W. 1/4 mile to the S.W. cor. of sec 19, thence N. about 304 Rods thence N.E. about 25 Rods thence East to the N.E. cor. of the N.W. 1/4 of sec 19 T. 2 N. Range 40, E. W.M., thence terminating the above Road is to be 40 feet wide

Now, if the above named J. Eric Cowen and J. H. Morton 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.

J. Eric Cowen (L. S.)

J. H. Morton (L. S.)

STATE OF OREGON, } County of Union. }

I, J. Eric Cowen and J. H. Morton, each for himself, says, that I am worth the sum of Two 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.

J. Eric Cowen

J. H. Morton

Subscribed and sworn to before me this 1st day of Feb A. D. 1897

J. White County Clerk

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

IN THE MATTER OF THE

Eric Carson

ROAD.

BOND OF ROAD PETITIONERS.

Approved _____ 1897

County Judge.

Filed

February 2 1897

County Clerk.

By

Deputy.

*John Buchanan
Jas Bledsoe
H. G. Brown*

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
..... J. E. Cowan et al., beg leave to report that
on the 27 day of March 1897, 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:

Commencing at the N. E. Cor. of the S. W. $\frac{1}{4}$ of S. W. $\frac{1}{4}$ of
Sec. 31, T. 2 N., R. 40 E. W. M. thence North 20. chs. to A. 1
Thence West 20. chs. to A. 2 Thence North 40 chs. to 1 Mile
post Same Course 40. Chs. A. 3. " East 20 " " A. 4
Thence North 20. Chs. 2. Mile post " Same Course 20 " " A. 5
" West 20 " to A. 6 " North 40 " " 3 Mile post
" Same Course 36 " " A. 7 " North 50° East 6.75 chs. to A. 8
" East 3440 to Road Terminus the $\frac{1}{4}$ Sec Cor. between
Sec. 18-19 T. 2 N. R. 40 E. W. M.

..... Arthur Curtis
County Surveyor.

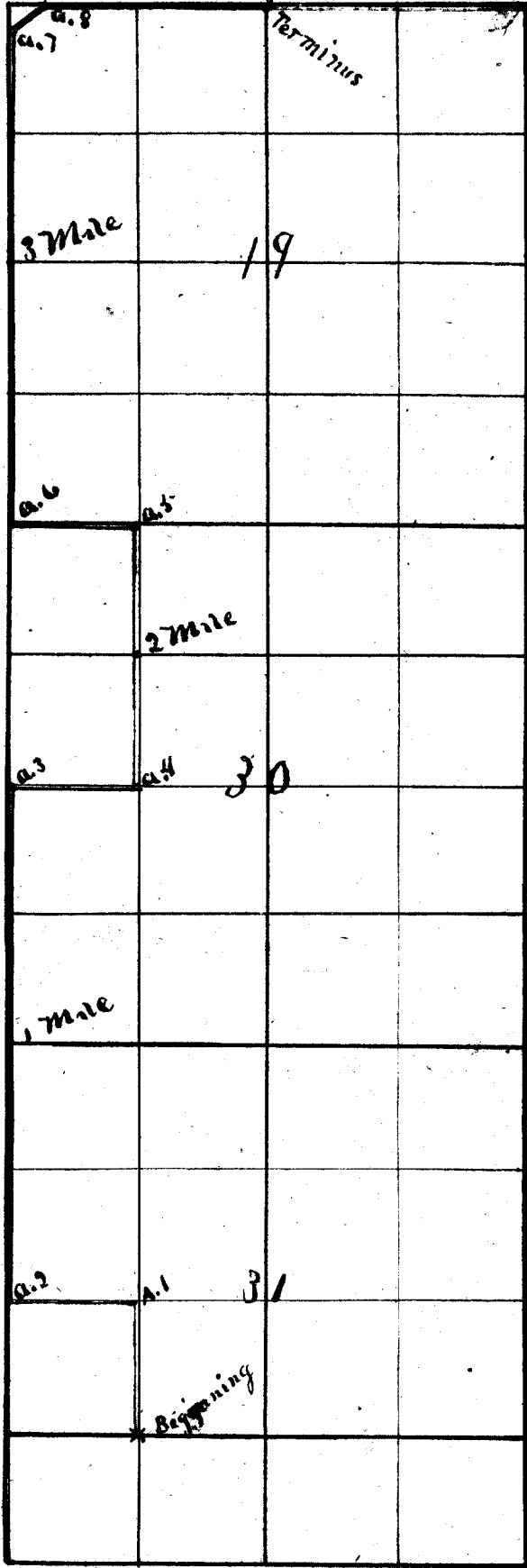
REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 1 day of February, 1897, 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 J. Eric Cowan, et al, beg leave to report that on the 27 day of March, 1897, 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.

John Graham
H. Turner
J. W. Blackworth
VIEWERS.

T. 2. North Range 40 East W. M



True Meridian
 Var 21° 30' East

Scale 2 inches for 7 Mile

FILED

APR 1 1897

J. R. Oliver
COUNTY CLERK.

Be it remembered that at a Regular Term of the County Court begun and held at the Court House in the City of Union, in said County and State on Monday the 1st day of February A.D. 1897, and from day to day thereafter during the continuance of said term, when on Wednesday the 3rd day of February, 1897, was the third Judicial Day of said term, the said County Court opened for the transaction of business, with the following officers present, to-wit:

- The Hon. J. N. Sanders, Judge Presiding.
- W. H. Arnold, County Commissioner.
- R. J. Langmuir, " " "
- J. A. Oliver, Clerk
- J. S. Okey, Sheriff.

Due proclamation of the opening of Court having been made, the following proceedings, were had, to-wit:

In the matter of the
County Road Application
made for by J.
Eric Romau, et al

Came now J. Eric Romau, one of the petitioners for the above named proposed County Road, and presented 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 County road at the N.E. corner of the S.W. 1/4 of the S.W. 1/4 of Sec 31, T. 2. N. R. 40. E. W. M. thence North 1/4 mile thence west 1/4 mile to the range line between 39 + 40. thence North 1 mile to the N.W. corner of S.W. 1/4 Sec 30, thence East 1/4 mile, thence North 1/2 mile, thence west 1/4 mile to the S.W. corner of Sec 19. thence North about 3. or 4 rods, thence Northward about 25 rods, thence east to the Northeast corner of N.W. 1/4 Sec. 19, T. 2. N. R. 40 E. W. M. and there terminate. The above road to be 40 feet wide. 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 advertisement posted at the place of holding County 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 at the beginning of the road, and

Third Judicial Day.

Wednesday, Feby 3rd 1897.

at the Quinnyhany school house and one at the terminus of the 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 at 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 John Graham, J. W. Bloodworth, and H. Somner be appointed Viewers of said road, and that Arthur Carter be appointed Surveyor of said road, and that they meet at the beginning of the road on the 27th day of Feby. 1897 at the hour of 9 o'clock A.M. and after qualifying, to view, survey and lay out said road according to law.

In the matter of the Sheriff
Bond as tax collector.

Now at this time it appearing to the Court that the roll of Union County for 1896 will be ready to be placed in the hands of the Sheriff for collection before the next term of this Court, and it further appearing to the Court that the Sheriff has not filed his bond as such tax collector for the collection of said tax roll of 1896, and the bond which was accepted and approved for the tax roll of 1895, not being sufficient to cover more than the amount of said roll, therefore it is hereby ordered that the said Sheriff, J. S. Pugh, be, and he is hereby required to make a good and sufficient bond as tax collector for the said roll of 1896, in the sum of \$10,000 with two or more sureties to be approved by the County Court, and the same to be filed with the County Clerk on or before the 15th day of Feby 1897 and it is further ordered that the Clerk place said tax roll in the hands of the Sheriff with a warrant attached thereto under seal of this Court as required by law as soon as said bond is filed and approved by the County Court or Judge thereof, and not otherwise.

In the matter of the
appointment of Road
Supervisors for various
Road Districts.

This matter came on to be heard at this time for the appointment of Road Supervisors for the year 1897, and it appearing that the Court appointed Supervisors

This Judicial Day.

Wednesday Mch 3rd 1897.

day of March 1897, at the hour of 9 o'clock a.m. and after qualifying, to view, survey and lay out said road according to law.

In the matter of the
road petitioned for by
J. Ericsonau, et al.

It appearing to the Court at this time that the report of the Viewers and surveyor heretofore appointed has not yet been filed, this therefore considered and ordered that this matter be continued for the term.

In the matter of letting
Contract to furnish the
County with wood.

This matter came on to be heard at this time on the opening of bids to furnish the County with wood for the ensuing year, which bids were opened as follows, to wit:

Alfred Morrison

\$7.50 each.

P. Sjogren.

\$7.50 each.

And it appearing to the Court that the bid of Sjogren is as low and reasonable as any bid filed herein. It is therefore considered and ordered that the contract be awarded to Sjogren for 60 cords of good blue wood four feet in length.

In the matter of the
application of Geo. E.
James, to be admitted
at the County Home.

This matter came on to be heard at this time upon the application and affidavit of Geo. E. James for County aid. And it appearing to the Court from the affidavit of the said George E. James is destitute, that he is sick and unable to work, that he has no friends or relatives in this state who are able or willing to keep him. It is therefore considered and ordered that the said Geo. E. James be admitted to the County Home and cared for until such time as he may be able to care for himself, or until further ordered by this Court.

Towards Judicial Day.

Thursday April 8 1892

Court met pursuant to adjournment.

The same officers present as on yesterday.

Since proclamation of the opening of Court having been made the Journal of yesterday's proceedings was read, approved and so heretofore required

W. Sanders

County Judge.

Thereupon the following proceedings were had, to wit:

In the matter of the read petitioned for by E. E. Jauer et al.

This matter came on to be heard at this term on the report of the Viewers and Surveyor heretofore appointed herein for a first reading and the said report having been read in open Court for the first time, it is ordered that the cause be laid over for a second reading on some other day of this term of Court.

In the matter of the read petitioned for by Eric Omas et al.

This matter came on to be heard at this term on the report of the Viewers and Surveyor heretofore appointed herein for a first reading and the said report having been read in open Court for the first time. It is ordered that the cause be laid over for a second reading on some other day of this term of Court.

In the matter of granting the read View of Elgin Bridge

At this time it is ordered that this matter be ^{and} the cause hereby is continued for the term on the former order of this Court.

In the matter of the application of Chas Miller for Liquor License.

This matter came on to be heard at this term on the petition of Chas Miller for license to sell spirituous, malt and various Liquors in less quantities than one gallon in this Valley Precinct. And it ap-

First Judicial Day.

Friday, April 9, 1897

Court met pursuant to adjournment.

The same officers were present ^{as} yesterday.

Due proclamation of the opening of Court having been made, the Journal of yesterday's proceedings was read, approved and is herewith signed.

J. S. Sanders
County Judge.

Thereupon the following proceedings were had, to wit:

In the matter of the proposed
County road petitions for
by J. Eric Comau, et al.

This matter came on to be heard at this
time on the report of the Viewers and Surveyors heretofore appointed here-
in for a second reading as provided by law, and the report of 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 1 day of February
1897, 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 J. Eric Comau, et al., has
leave to report that on the 27 day of March, 1897, in pursuance
with said appointment and order, and after being duly sworn
to faithfully and impartially discharge the duties of said appoint-
ment, we proceeded to view and 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 heretofore residing in the vicinity thereof, we therefore re-
commend that said proposed road be laid out and declared a
public highway of said County.

John Graham, the Viewers, J. W. Black, Clerk.
Viewers.

And said report of the viewers and the report of the surveyors 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 viewed 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 circumstances

Fifth Judicial Day.

Tuesday April 9 1897.

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, and

County road Master having examined the said proposed road and reported favorably thereon as by law required 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 Road Supervisor of said District, to 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. C. Jauer, et al.

This matter came on to be heard at this time on the report of the Viewers and Surveyor heretofore appointed herein for a record, reading as provided by law, and the Report of 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 1st day of March, 1897, 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 E. C. Jauer, et al, by law to report that on the 29th day of March, 1897, 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 greatly add to the convenience of the home holders residing in the vicinity thereof, we therefore recommend that said proposed road be laid out and declared a public highway of said County.

J. A. Mackison, J. W. Hodder, J. H. Payne
Viewers.