

EQUITY } No
LAW }

In Circuit Court,

Union County

Plaintiff

VS

Defendant

Attorney for Plaintiff

Attorney for Defendant

2941, 145-171

Presented March 7, 1900

Entered in June 6, 1900

5-29

Petitioned for by

A. L. Linn in his
own right

Cross at a point on County
road No 396 on section
between Secs 27 & 28 T₆S
R 39 E N in at a point
where said road crosses said
sec line and terminating at
a point about 30 rods SW of
South end of section straddling
line of North Powder

To the Honorable County Court of Union county, state of Oregon, sitting for the transaction of county business:

Gentlemen:

I, the undersigned petitioner, do hereby represent that I am the owner and in the possession of the following described lands, situated in Union county, state of Oregon, to-wit: the northwest quarter of the northwest quarter, and the north half of the northeast quarter of the northwest quarter of section 27; the southwest quarter of the southwest quarter; the southeast quarter of the southwest quarter, and the southeast quarter of the ^{north} ~~south~~ east quarter of the southwest quarter section 22, all in township 6 south, range 39 E. W. M. That there is at present a county road laid out and established upon said lands; that the said road runs diagonally through the southeast quarter of the ^{north} ~~south~~ east quarter of the southwest quarter and the south half of the southwest quarter of said section 22, and the northwest quarter of the northwest quarter of said section 27. That I am desirous of changing said county road from a point on the section line between sections 27 and 28 to a point about 30 rods southwest of the south end of second street in the town of North Powder, Union county, Oregon, and have the same located as follows, to-wit:

Commencing at a point on county road No. 396 petitioned for by L. S. Kelsey, et al., on the section line between sections 27 and 28, township 6 south, range 39 E. W. M., at a point where said road crosses said section line; thence ~~thence~~ north on the east side of the section line between sections 27 and 28 and 21 and 22 in said township and range to the northwest corner of the southwest quarter of the southwest quarter section 22 township 6 south, range 39 E. W. M; thence due east on the south side of the quarter section line about 110 rods crossing said road No. 396 to a point about 50 rods west from

the northeast # corner of the southeast quarter of the south west quarter of said section 22, township 6 south, range 39 E. W. M; thence in a northeasterly direction about 20 rods to and intersecting said road No. 346 at a point about 30 rods southwest of the south end of second # street in the town of North Powder, Union county, Oregon, and I hereby respectfully make application to be allowed to make said change in said county road.

Andrew Lun

Petitioner.

STATE OF OREGON,

ss:

County of Union.

I, Andrew Lun, being first duly sworn, say; that I am the petitioner who signed the foregoing petition; and that the facts set forth in said petition are true.

Andrew Lun

Subscribed and sworn to before me this 6th day of March A. D. 1900.

G. W. Benson

County Clerk.

County Court

Wagon County Oregon

Under matter of

petition of Andrew

James for a change in

the County seat in

Wagon County

J. Peterson

This was 6.1900

J. W. Benson
Clerk

BOND OF ROAD PETITIONERS.

Know all Men by These Presents, That Andrew Lum and
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 ^{myself and} ourselves, our heirs, executors and administrators firmly by these presents.
Signed this 6th day of March A. D. 1891900

Now, the condition of the above obligation is such, That, whereas the above named Andrew Lum
Lum and his and others, have petitioned
the County Court of said County of Union, at the March Term, 1891900 thereof for a County Road,
for a change in the county over his own lands, described
in the petition hereto attached.

NOW, if the above named Andrew Lum 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.

Andrew Lum (L. S.)
(L. S.)

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

I, Andrew Lum being first duly sworn
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.

Andrew Lum

Subscribed and sworn to before me this 6th day of March A. D. 1891900

G. W. Benson
County Clerk.

Board
of

Post Offices

Filed Mar. 6. 1908

Geo. W. Brown
Clerk

Witness

Grant Dalton
J. A. Smith
W. H. Gordon

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 Andrew Luman et al., beg leave to report that on the 24 day of March ¹⁹⁰⁰~~189~~, 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 a point 1.60 chs South and 18.08 chs South 29° West from the Sec. Cor to Sec. 21-22-27-28 T. 6 S. R. 39 E. W. 7th at Rock marked Riv present County Road Thence North 29° East 14.00 chs to Angle 1 a stake Thence North 20.38 chs to Angle 2 a stake, Thence East 27.00 chs to Angle 3 a stake, Thence North 38° 30' East 4.00 chs to Angle 4 a stake. Thence North 19° East 5.00 chs to Road Terminus a stake in present trodden road

Arthur Luman
County Surveyor.

FILED

APR 5 1900

W. H. Johnson
County Clerk

REPORT OF VIEWERS.



To the Honorable County Court for Union County, Oregon:

The undersigned viewers heretofore on the 5 day of March 1900,
 appointed to view, lay out and alter the proposed county road, of which the survey hereto at-
 tached is a true and correct description, as petitioned for by Andrew Lum,
 et. al., beg leave to report that on the 24 day of March, 1900, 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 opinions said proposed road should ^{change} be laid out ^{made} and established as a pub-
 lic highway of Union county, Oregon. That the same is practicable and would
 add ^{convenience of the land owners that it runs through} to the ~~convenience of the householders residing in the vicinity thereof~~, we
 therefore recommend that said proposed road be ^{change} made laid out and
 declared a public highway of said county.

P. L. Smith

W. H. Dalton
H. O. Gorham

Viewers.

FILED

APR 5 1900

W. H. Johnson
County Clerk

State of Oregon

County of Union S.S.

I hereby certify that the foregoing field notes made by me in the survey of the county road as petitioned for by Andrew Luna and others, are true and correct, and that the plat accompanying the same is a true and correct representation of the course of said road together with the angles and distances

Arthur Curtis

County Surveyor

State of Oregon

County of Union. S.S.

I hereby certify that in the matter of the county road petitioned for by Andrew Lun and others, that the viewers and each of them heretofore appointed by the court to view and lay out said road, were duly sworn by me to faithfully and impartially perform the duties pertaining to the viewing laying out and establishing of said road before entering upon the discharge of their said duties in that behalf.

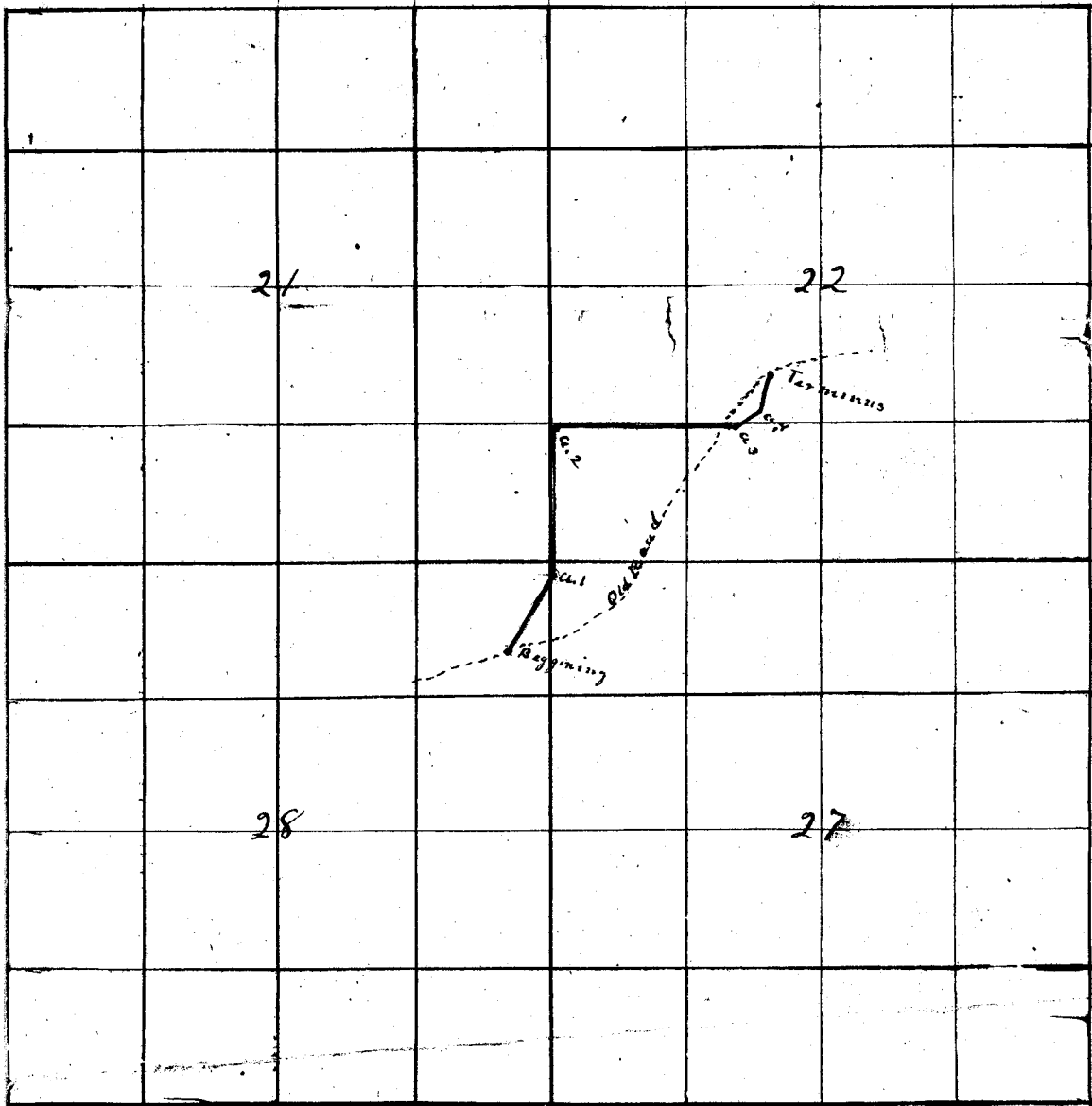
Arthur Curtis
County Surveyor

F I L E D

APR 5 1900

W. H. Brown
County Clerk

Town. 6. South Range 39 E. W. M.



FILED

APR 5 1900

E. W. Benson

County Clerk

Amended Report of Viewers:-

To the Honorable County Court for Union County, Oregon:-

The undersigned viewers heretofore and in the 5th day of March 1900, appointed to view and review the proposed change petitioned for by ^{Andrew} M. Lund in the road through his place come now and make this their amended report, that on March 24th 1900, in pursuance with said appointment and order, being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view out said proposed change in said road the whole distance thereof and beg leave to say:-That we reviewed the ground over which the road is proposed to be turned, and ascertained the distance such road will be increased by the proposed alteration, and find the distance to be as set out severally in the report of the County Surveyor and ~~plan~~ plat and notes attached hereto-and that said distance will be increased about *907^{or 55} Rods* feet by said change; that in our opinion the proposed road will be as useful as the present-and that the said alteration will be as good a road, over as good ground and route as the established road and that the public convenience generally will not be injured by the proposed change-and that in our opinion the prayer of the petitioner is reasonable.

J. L. Smith

J. W. Dalton

H. O. Gorham

Viewers-

To the Honorable Justice Court for Union County, Oregon:

The undersigned viewor is before you in the 5th day of 1900,

1900, appointed to view and review the proposed change in the

road from the place of the proposed change to the place of the

proposed change, and to report to you the result of my view and

review, and to advise you of my opinion as to whether or not the

proposed change is in the public interest, and to advise you of

my opinion as to whether or not the proposed change is in the

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Shirley Swanson
County Clerk

FILED
APR 5 1900

TO THE HON. COUNTY COURT OF UNION COUNTY, UNION.

We the Undersigned Citizens and Householders, of Road - District No. 30 of Union County, hereby remonstrate against any change in the County Road, as contemplated in a Petition by A. Lun in the above named Road District, but would most urgently request, that said Road be made open travel as originally laid out, and temporarily vacated during the time that the O. R. & N. Co. took Gravel out in that Vicinity.

Assuring you that the contemplated Change not only will lengthen this Road, but will also make it harder to haul Loads over, we Petitioners pray.

Thos Tanner
 Henry Pearson
 Ed. Kniefetter
 Ed. Blitcher
 J. B. Wilson
 Wm. A. Carver
 E. F. May
 Jas. A. Pitcher
 Clarence Miller
 Ed. Evans
 James J. Miller
 J. S. Davis

For the County Court
of the

State of Oregon for Union Co.

Permanence against

The proposed change in

County and petitioned for

by Andrew Linn, in

his own right

Filed March 27, 1900.

E. W. Bowen

C. Clerk

Third Judicial Day

Wednesday March 7th 1900

been filed herein, that the petitioners have paid to the County Treasurer the sum of \$200⁰⁰ and filed the receipts therefor with the Clerk of this Court, that they have given a good and sufficient bond herein in the sum of \$1000⁰⁰ and there having been no remonstrance filed herein or cause shown why said petition should not be granted It is therefore considered and ordered that the said petition herein be granted and that license issue to the said Porter and Gallagher for the sale of spirituous malt and vinous liquors in less quantities than one gallon in Cornucopia precinct for a period of six months from this date

In the matter of the application
of Nils Skolvorren for a license to
sell spirituous, malt and vinous liquors

This matter came on to be heard at this time on the petition of Nils Skolvorren for a license to sell spirituous malt and vinous liquors in less quantities than one gallon in Hilgard precinct for a period of six months and it appearing to the court that the petition herein is signed by an actual majority of all the legal votes residing in said precinct, that due and legal notice of the presentation of said petition has been given herein proof of which has been filed that the petitioner has paid to the County Treasurer the sum of \$200⁰⁰ and filed his receipt therefor with the Clerk of this Court, that he has given a good and sufficient bond herein in the sum of \$1000⁰⁰ and there having been no remonstrance filed herein or cause shown why said petition should not be granted It is therefore considered and ordered that the said petition herein be granted and that license issue to the said Nils Skolvorren for the sale of spirituous malt and vinous liquors in less quantities than one gallon in Hilgard precinct for a period of six months from March 10th 1900

In the matter of the proposed
change in a County road pet-
itioned for by Andrew Lum
in his own right

Comes now Andrew Lum the petitioner for
the above named proposed change in a county road and pet-

Third Judicial Day

Wednesday March 7th 1900

sents to the County Court the petition of himself from which it appears that the said petitioner Andrew Linn is the owner of the following described lands in Union County State of Oregon to-wit: the north west $\frac{1}{4}$ of the north west $\frac{1}{4}$ and the north $\frac{1}{2}$ of the north east $\frac{1}{4}$ of the north west $\frac{1}{2}$ section 27, and the south west $\frac{1}{4}$ of the south west $\frac{1}{4}$ and the south east $\frac{1}{4}$ of the south west $\frac{1}{4}$ and the south east $\frac{1}{4}$ of the north east $\frac{1}{4}$ of the south west $\frac{1}{4}$ of section 22 all in townships 6 south, range 39 E.W.M.

That there is at present a County road laid out and established upon said lands that said road runs diagonally through the south east $\frac{1}{4}$ of the north east $\frac{1}{4}$ of the south west $\frac{1}{4}$ and the south $\frac{1}{2}$ of the south west $\frac{1}{4}$ of said section 22, and the north west $\frac{1}{4}$ of the north west $\frac{1}{4}$ of said section 27. That the petitioner is desirous of changing said county road from a point on the section line between sections 27 and 28 to a point about 50 rods south west of the south end of second street in the town of North Powder, Union County, Oregon and have the same located as follows, to-wit: Commencing at a point on county road no 396 petitioned for by L.S. Kelsey et al on the section line between sections 27 and 28 townships 6 south range 39 E.W.M. at a point where said road crosses said section line: thence north on the east side of the section line between sections 27 and 28 and 21 and 22 in said township and range to the northwest corner of the southwest quarter of the southwest quarter section 22 townships 6 south range 39 E.W.M. thence due east on the south side of the quarter section line about 110 rods crossing said road no 396 to a point about 50 rods west from the northeast corner of the south east quarter of the southwest quarter of said section 22 townships 6 south range 39 E.W.M. thence in a north easterly direction about 20 rods to and intersecting said road no 396 at a point about 30 rods south west of the south end of second street in the town of North Powder Union County Oregon

It is therefore ordered that Grant Dalton P.L. Smith and H.O. Gorham be appointed viewers and Arthur Curtis surveyor of said road and that they meet at Andrew Linn's place on the 24th day of March A.D. 1900 at the hour of 1 o'clock P.M. and after qualifying to view survey and lay out said road according to law

Be it remembered that as a Regular term of the County Court of the State of Oregon for the County of Union began and held at the Court House in the City of Union in said County and State on Monday the 2nd day of April A.D. 1900 and from day to day thereafter during the continuance of said term when on Wednesday the 4th day of April 1900 or the third judicial day of said term the said County Court opened for the transaction of business with the following officers present, to-wit:

Hon. B. F. Wilson County Judge
 Hon. R. T. Langrell Commissioner
 Hon. Henry Cong Commissioner
 H. W. Benson County Clerk
 D. Y. & Deering Sheriff

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

In the matter of the
 Road petitioned for by Andrew
 Lum in his own right }

This matter came on to be heard at this time on the petition of Andrew Lum for a change of a certain piece of County road on his own premises at his own expense and also on the remonstrance against the said petition and the Court not being fully advised in the premises it is ordered that said petition be continued for the term

In the matter of the
 petition of C. C. Steele
 for a Liquor License }

at this time it is considered and ordered that this matter be continued for the term

In the matter of the appointment
 of a Justice of the Peace for Sanger
 J. P. and Constable District }

It appearing to the Court at this time that there is no Justice of the Peace in Sanger precinct and that it is necessary to have one appointed by this Court, that W. S. Long is a suitable and proper person to be appointed and that he will accept said appointment It is therefore considered and ordered that the said W. S. Long be and he is hereby appointed Justice of the Peace for the said Sanger Justice of the Peace and Constable District to serve until his successor

Second Judicial Day

Wednesday June 6th 1900

In the matter of the Road
petitioned for by A Luns }
in his own right

As this time it is ordered that this
matter be continued for the term

In the matter of the application
of G.M. Bartmess to be appointed }
to geld stallions in Hilgard and
La Grande No 3 precincts

This matter came on to be heard at this time
on the application of G.M. Bartmess to be appointed to geld stallions
stud colts and jackasses running at large in Hilgard and La
Grande No 3 precincts in accordance with an Act of the
Legislative Assembly of the State of Oregon approved February
18th 1899 And it appearing to the Court that the said G.M. Bart-
mess is a suitable and proper person to be appointed by the
Court to said position It is therefore considered and ordered
that the said G.M. Bartmess be and he is hereby appointed to
geld Stallions, stud colts and jackasses running at large
in the aforesaid precincts as required by law

In the matter of the petition
of the Oregon Railroad Naviga-
tion Company regarding a proposed
change in a public highway

On reading and filing the petition of the
Oregon Railroad Navigation Company for leave to change
the location of a portion of the public highway situated on
the southwest quarter of Sec 36 Tp 2 South Range 37 E N M
extending from the road running up Dry Creek up Two
Points Creek and the court being fully advised in the
matter It is now ordered that C. H. Lansing be and he
is hereby appointed and directed to examine the proposed
change in the location of said road and to report in writing
to this Court regarding the same and that further
action be deferred pending the making of said report

Thereupon it was ordered that Court be now adjourned until tomorrow morning
at 9 o'clock