

EQUITY

No

In CIRCUIT COURT

UNION COUNTY

M. A. Ingwers

Plaintiff

vs

E. S. Ingwers

Defendant

Baker & Baker

Attorney for Plaintiff

Attorney for Defendant

Presented Dec 4/1907

Ord. u/ Court July 9/1903

Road # 569

Petitioned for by  
O.E. Rydberg et al

Commencing at  
N.W. 1/4 Sec 7 Sp 1 SR 40 E 1/4 M  
and terminating at  
S.E. 1/4 Sec 20 Sp 1 SR 40 -

# 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 N.W. corner of Sec. 7 Tp. 1 S. R. 40 E. W.M. Union County Or. to Stake "A" thence south about 88 rods to Stake B, thence on an angle of about 30 degrees east of south about 26 rods to stake C, thence about 10 rods on an angle of about 14 degrees east of South to stake D, thence in a southerly direction to stake E, then about 38 rods on an angle of about 34 degrees east of south to stake F, thence to the South east corner of the S.W. of the N.W. of Sec. 7 Tp. 1 S. R. 40 E. W.M., thence in a southerly direction to the S.E. corner S.W. of S.W. of Sec. 7 aforesaid, to stake H, thence east to N.E. corner N.W. of Sec. 18 in said Township thence south about 160 rods to S.W. corner of N.E. of Said Sec. 18, thence east to east east corner of N.E. of said Sec. 18 to stake "K" thence southerly about 128 rods to stake L, thence about 30 rods on an angle of about 65 degrees east of south to stake M, thence to the S.W. corner of S.E. of Sec. 17 in said Tp. to stake N, thence east about 120 rods to stake O, thence southerly about 80 rods to stake P, thence east 40 rods to stake Q, thence south to the South east corner of Sec. 20 Tp. 1 S. R. 40 E. W.M. in Union County Oregon and there terminating said road to be 60 feet wide.

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

NAMES:

NAMES:

O. E. Ryder  
 G. J. Wisdom  
 S. Sammer  
 J. W. Williams  
 S. G. Burnough  
 H. E. Smith  
 W. J. Dishman  
 Milton Bennett  
 A. C. Head  
 A. P. Tibbitts  
  
 J. A. Hug  
 G. M. Burnough  
 L. H. Stevenson  
 John [unclear]  
 A. P. Thompson  
 John Croghan

W. W. Weaver  
 John Klinghammer  
 J. J. Top  
 G. G. Cross  
 J. W. Wisdom  
 Mrs. W. H. Hill  
 A. B. Hill  
 W. C. Hill  
 J. W. [unclear]  
 J. W. Gallins  
  
 L. E. Ryder  
 Ed. Hornstaff  
 M. B. [unclear]  
 A. P. Tibbitts  
 B. A. Bennett  
 W. W. Gallins

I, E. P. Schaw 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 \_\_\_\_\_ 190\_\_\_\_, 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 hold-~~  
~~ing 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.~~

E. P. Schaw

Subscribed and sworn to before me this 20 day of December 1902

# 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 ... **3rd.** day of ... **December**..... A. D. 1902 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.W. corner of Sec. 7 Tp. 1 S. R. 40 E. W.M. Union County Or. at Stake marked "A" thence south about 88 rods to Stake B, thence on an angle of about 30 degrees east of south about 26 rods to stake C, thence about 10 rods on an angle of about 14 degrees east of south to stake D, thence in a southerly direction to Stake E, thence about 36 rods on an angle of about 34 east of south to stake F, thence to the south east corner of the S.W. 1/4 of the N.W. 1/4 of Sec. 7 Tp. 1 S. R. 40 E. W.M. thence in a southerly direction to the S.E. corner of S.W. 1/4 of S.W. 1/4 Sec. 7 aforesaid to stake H, thence east to N.E. corner of N.W. 1/4 of Sec. 18 in said Township, thence south about 160 rods to the S.W. corner of N.E. 1/4 said Sec. 18, thence east to South East corner of N.E. 1/4 of said Sec. 18 to stake "K" thence southerly about 128 rods to stake L, thence about 50 rods on an angle of about 65 degrees east of south to stake M, thence to the south west corner of S.E. 1/4 of Sec. 17 in said Tp. to stake N, thence east about 120 rods to stake O, then southerly about 80 rods to stake P, thence east 40 rods to stake Q, thence south to the South east corner of Sec. 20 Tp. 1 S. R. 40 E. W. and there terminating said road to be 60 feet wide,  
 Dated at **Elgin**..... Oregon, the **17th** day of ... **October**..... A. D. 1902

NAMES

O E Ryder  
 A. J. Wisdom  
 D. Sommer  
 J W Summers  
 B. G. Brannagh  
 J E Smith  
 W. D. Dishman  
 Milton Bennett  
 A. R. Fuller  
 G. A. Hays  
 G M Birmingham  
 B H Stevenson  
 John Mayfield  
 A P Thompson  
 John Croughan

NAMES

W W Wilson  
 John Klinghammer  
 J J Top  
 G. L. Corrod  
 W. W. Wisdom  
 Mrs. W. H. Hill  
 A. G. Kelley  
 W. C. Hill  
 J. F. Hodson  
 J W Rollins  
 L E Ryder  
 Ed. Hornsstaff  
 M. R. Reed  
 W. C. Rees  
 J. E. Tibbets  
 B. H. Bennett

I, Orrel Ryder

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 place of

Commencement of Said Road posted on a board driven in the  
ground, One on a Pine tree near the Center of Said proposed road  
And one at the place of termination of Said road on a  
Pine tree. all three of which places are public places.  
and said notices were all in plain view of the public

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

27<sup>th</sup> day of October 1902

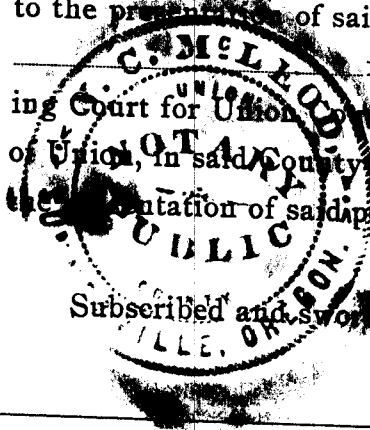
and that thereafter and thirty days previous

to the presentation of said road petition therein mentioned, to-wit: On the \_\_\_\_\_ day of \_\_\_\_\_ 1902, I posted a true and correct copy of said notice at the place of hold-

ing 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 27<sup>th</sup> day of October 1902

Orrel Ryder

C. McLeod

Notary Public for Oregon

1  
J. H. M. J. 2.  
J. H. M. J. 2.  
J. H. M. J. 2.  
-copy-





BOND OF ROAD PETITIONERS.

Know all Men by These Presents, That we, O B Rider and Milton Bennett, 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 25th day of October A. D. 1902

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

A J Wisdom and Milton Bennett, and others, have petitioned the County Court of said County of Union, at the December Term, 1902, thereof for a County Road, Commencing at the NW Corner of Sec. 4 Sp. 15. R. 40 E. W. 2m. Union County, Or. to State "A" thence South about 88 rods to State "B" thence on an angle of about 30 degrees east of South about 26 rods to State "C" thence about 10 rods to an angle of about 14 degrees east of South to State "D" thence in a southeasterly direction to State "E" thence about 36 rods on an angle of about 34 degrees east of South to State "F" thence by the South east corner of the SW 1/4 of the NW 1/4 of Sec. 4 Sp. 15. R. 40 E. W. 2m. thence in a southerly direction to the SW 1/4 corner of SW 1/4 Sec. 18 and said township and Range thence South about 160 rods to NW corner of Sec. 4 of said Sec. 18 thence east a South east corner of NW 1/4 of said Sec. 18 to State "G" thence southerly about 128 rods to State "H" thence about 34 rods to an angle of about 65 degrees east of South to State "I" thence to the SW corner of Sec. 14 in said township to State "J" thence east 120 rods to State "K" thence southerly about 80 rods to State "L" thence east 40 rods to State "M" thence South to the South east corner of Sec. 20 Sp. 15 R. 40 E. W. 2m in Union County Oregon said road to be 60 feet wide

NOW, if the above named O B Rider and Milton Bennett

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.

Milton Bennett L.S. O B Rider L.S.

STATE OF OREGON, County of Union. } ss.

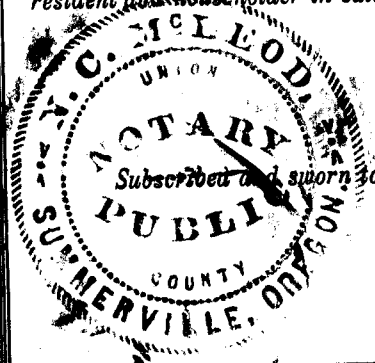
I, Milton Bennett and O B Rider, each for himself, says, that I am worth the sum of One

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.

Milton Bennett O B Rider

25th day of October A. D. 1902

M. M. Hood Notary Public for County Clerk Oregon



On the County Court  
of the State of Texas  
for the County of Harris

On the matter of  
the County road  
petitioners for by  
O. S. Ruppel et al

Given Dec 21 1903

J. H. Mumma  
J. H. Johnson  
clerk

# REPORT OF VIEWERS.



To the Honorable County Court for Union County, Oregon:

The undersigned viewers heretofore on the 3rd day of December 1902 appointed 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 O. E. Ryder, et. al., beg leave to report that on the 29 day of December, 1902, 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.....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. W. Rhoads*  
 \_\_\_\_\_  
*J. A. Compton*  
 \_\_\_\_\_  
*L. A. Stoop*  
 \_\_\_\_\_ } Viewers.

State of Oregon  
County of Union } ss

I hereby certify in the matter of the County Road petitioned for by O. E. Ryder and others, that the viewers heretofore appointed by the Court were duly sworn by me to faithfully and impartially perform the duties pertaining to the viewing and laying out of said road before entering upon the discharge of their said duties in that behalf.

A. O. Carter  
County Surveyor

REPORT OF SURVEYOR, UNION COUNTY, OREGON, Form No. 111

## 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  
O. E. Rydex et al., beg leave to report that  
on the ~~29-30-31~~ day of Dec, 1902 ~~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:

attached

Arthur Curtis  
County Surveyor.

State of Oregon } ss  
County of Union }

I hereby certify in the  
matter of the county road petitioned for by  
O. E. Ryder and others, that the field notes made  
by me are true and correct, and that the  
Plat accompanying the same is a true and  
correct representation of said road both  
in angles and distances

Arthur L. Curtis  
County Surveyor

Field Notes of Road Petitioned for by  
O. E. Ryder, and others,

Chs	Commencing at the N. W. Cor. of Sec. 7, Town 1 S. R. 40 E. W. M. at stake A. and marked rock Then South Var. 21° E 22.00 to Angle 1 stake B; Then South 42° East 6.48 " " 2 " C; " " 2° " 2.47 " " 3 <sup>rd</sup> " D; " " 16° West 2.06 " " 4 <sup>th</sup> " E; " " 12° East 8.94 " " 5 <sup>th</sup> tree stake F; " East 13.83 " " 6 <sup>th</sup> stake " G; " South <u>24.22</u> " 1 Mile post; " " 17.65 To Angle 7 stake and Stake H; " East 20.00 " " 8 Rock 1/4 Sec. Cor. 7-18; " South 40.35 " " 9 Tree " East <u>2.10</u> " 2 Mile Post " " 37.90 " Angle 10 a tree (stake K) " South 32.12 " " 11 a tree (" L") " S. 49° East 7.30 " " 12 " " (" M") " East <u>2.48</u> " 3 Mile Tree " " 62.94 " Angle 13 tree (stake O) " South <u>17.06</u> " 4 Mile Tree " " 2.94 " Angle 14 a tree (stake P) " East 10.00 to " 15 " " (" Q") " South 60.00 to Road Terminus a tree and stake the S. E. Cor Sec. 20 T 15 R. 40 E. W. M.
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all points designated in petition as stakes A, B, C, etc  
was found and met by Survey of Road and properly  
marked

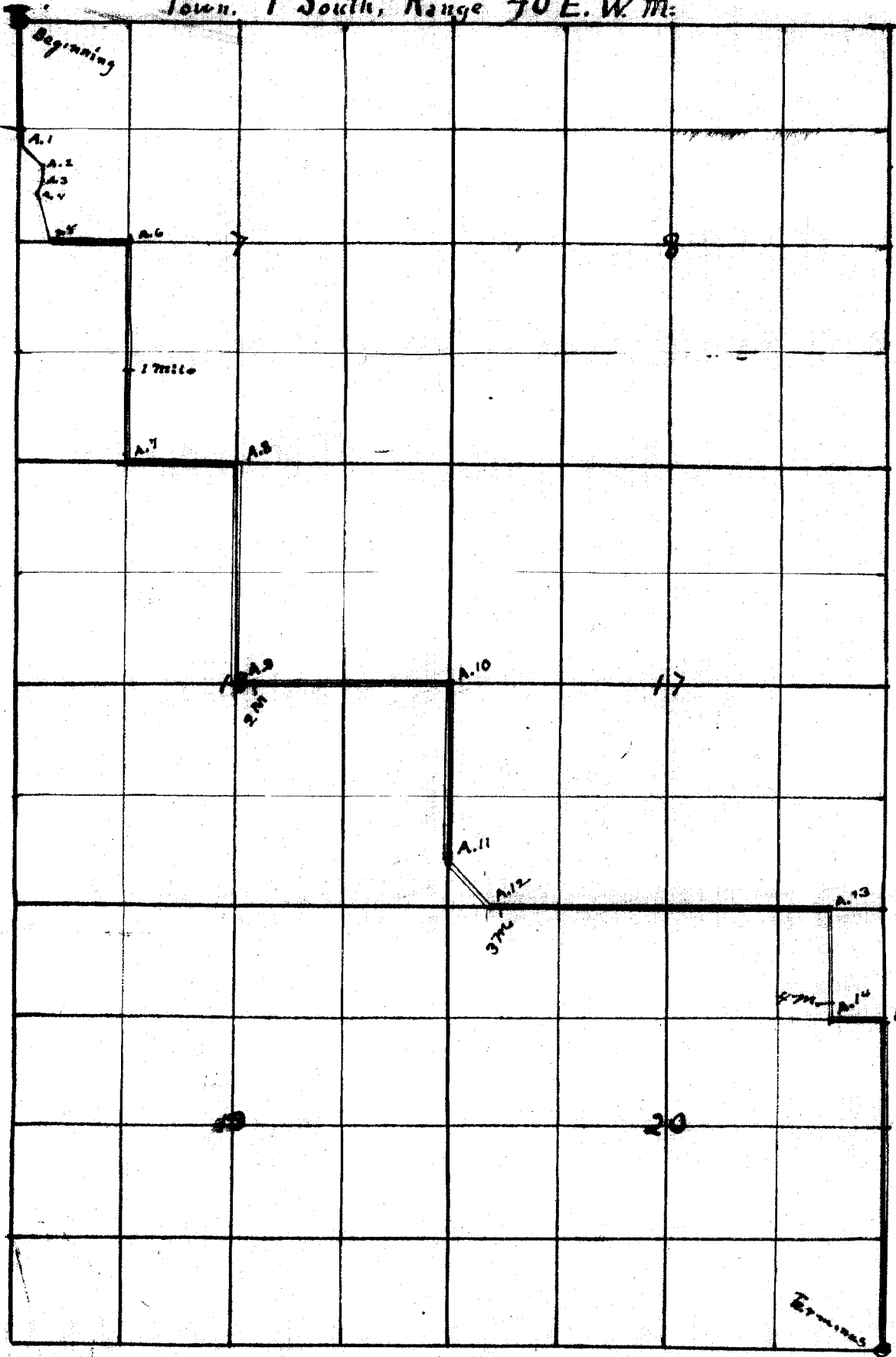
Arthur Curtis  
County Surveyor

W. L. Jones  
July 7, 1903  
1906  
Mummers  
Co. Clerk



Road Pat. for by O. E. Ryder et al

Town. 1 South, Range 40 E. W. M.



Second Judicial Day

Thursday Dec 4, 1902.

herein for a second reading as provided by law and also upon the claim of Teach Bros for damages on account of the location and establishment of said proposed road, the same being described as follows; to wit: Commencing at a point on the public road, and being at the center of section 5, T<sup>p</sup> 3 S. R. 39 E<sup>1</sup> W<sup>m</sup> and thence running due east through the center of Sec 4, 3, 2 and terminating at the center of Sec 1, in T<sup>p</sup> 3 S. R. 39 E<sup>1</sup> W<sup>m</sup> and in the town of Ribery, in said Union County, Oregon.

And it appearing to the Court that Teach Bros claim to be the owners of land over and across which said proposed road is viewed and surveyed extends that said petitioners will be damaged in the sum of \$1163<sup>50</sup> by the location and establishment of said proposed road. It is therefore considered and ordered by the Court that Fred J. Holmes, E. J. Parker and W. F. McKelto be and they are hereby appointed appraisers to examine the premises of said claimants to Teach Bros the entire distance through which said proposed road will pass and report to the Court how much less valuable the premises of said claimants would be rendered by the location and establishment of said proposed road and that they meet at the beginning of said proposed road on Monday, the 22<sup>nd</sup> day of December - A. D. 1902 at 10 o'clock A. M. and after qualifying to proceed to view and assess the damage that would accrue to said claimants by the reason of the location and establishment of said road and render their report to this Court at the January term, 1903.

In the matter of the proposed County  
road petitioned for by O. E. Ryder, et al

Comes now O. E. Ryder 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: Commencing at the NW corner of Sec 7 T<sup>p</sup> 1 S. R. 40 E<sup>1</sup> W<sup>m</sup>, Union County, Or to stake "A" thence south about 85 rods to stake "B", thence on an angle of about 30 degrees east of South about 26 rods to stake "C" thence about 10 rods on an angle of about 14 degrees east of south to stake "D" thence in a

Second Judicial Day

Thursday, Dec 11, 1902.

southerly, direction to stake "E" thence about 36 rods on an angle of about 34 degrees east of south to stake "2", thence to the Southeast corner of sec 7 of the NW of sec 7, Tp 14 R 40 E 1 W, thence in a southerly, direction to the S corner SW SW sec 7 aforesaid to stake "K", thence East to the corner NW of sec 18, in said Tp thence S about 160 rods to SW corner of NW of said sec 18, thence east to southeast corner of the NW of said section 18 to stake "X" thence southerly about 128 rods to stake "L" thence about 30 rods to an angle of about 65° east of south to stake "M" thence the SW corner of Sec of sec 17 in said Tp to stake "N" thence east about 120 rods to stake "O" thence southerly about 80 rods to stake "P" thence East 40 rods to stake "Z" thence south to the Southeast corner of sec 20, Tp 12, R 40 E 1 W Union County, Oregon and there terminating, said road to be 60 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 oaths factually 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 place of commencement of said road posted on a board driven in the ground, one on a pine tree near the centre of said proposed road and one at the place of termination of said road on a pine tree; all three of which places are public places and said notices were all in view of the public for more than 20 days immediately prior to the presentation of said petition to this Court, certifying all persons concerned that application would be made to this Court at the present session of this Court; and that notices so posted were in due form and duly signed by the petitioners, and that a bond for the cost of these proceedings has been duly given. It is therefore ordered that L. Stapp, John Rhodes, and Henry Campan be appointed owners of said road, and that Arthur Carter be appointed Surveyor of said road, and that they meet at the commencement of said road on the 17th day of December, 1902 at 9 o'clock A. M. and after qualifying to view, survey, and lay out said road according to law.

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, said County and State on Wednesday the 7<sup>th</sup> day of January. A.D. 1903, the same being the first Wednesday in said month and the time fixed by law, for holding a regular term of Court, when were present,

The Hon. M. Harrison, Judge  
 The Hon. Robert Thurston, Commissioner  
 " " Joe A. Pitcher, Commissioner  
 J. A. Minnigh, Clerk  
 C. Pennington, Sheriff

Said proclamation of the opening of Court having been made the following proceedings were had.

In the matter of the proposed  
 County road petitioned for by  
 O. E. Ryder, et al

This matter came on to be heard for a first reading on the report of the viewers and surveyor heretofore appointed herein, said report having been read in open Court as provided by law. It is therefore ordered that said report be laid on the table to be read a second time on some other day of this term of Court.

In the matter of the application  
 of Mrs. Stakman for County aid.

This matter came on to be heard at this time on the application of Mrs. Stakman for County aid, from which it appears that Mrs. Stakman is a resident of Union County, Oregon; that she is sick and unable to earn sufficient money with which to support herself and children; that she has no friends or relatives who are able or willing to render her any assistance; that it is necessary that she receive aid from the County. It is therefore ordered that a warrant be drawn on the General Fund of the County in her favor in the sum of \$12.00 and that the Clerk forward same to her address at LaGrange, Oregon.

Third Judicial Day,

Friday, Jan'y 9, 1903.

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 adapted 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 upon the payment to Peach Bros, claimants herein, of the sum of \$475<sup>00</sup> by petitioners. 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 plats of County roads of Union County, Oregon, and that J. D. Gastell and J. E. Seavey, road supervisors of Road Districts Nos 21 & 23, the same being the road districts in which said road is located, be furnished with a copy of the petition herein and ordered to open up said road and place same in repair for travel upon payment of damages awarded by appraisers to claimants herein.

In the matter of the proposed  
County road, petitioned for by  
O. E. Ryder, 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 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 3<sup>rd</sup> day of December, 1902, appointed 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 O. E. Ryder, et al, beg leave to report that on the 29<sup>th</sup> day of December, 1902, 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 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

Third Judicial Day

Friday, January 9, 1903

thereof, we therefore recommend that said proposed road be laid out and declared a public highway of said County

J. P. Rhodes } Viewers  
J. W. Clamson }  
H. A. Stapp }

And said report of the viewers and the report of the surveyor having been now publicly read 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 declared to be 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 now 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 adapted 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 Edgerson, road supervisor of Road District No 5, 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 cancellation of Delinquent }  
Taxes and tax liens against Lots 10 & 33, Lots }  
11, 12, 13, 14 & 15, Blk 34, Lots 10 & 15, Blk 35, }  
Lots 10 & 15 in Blk 36, Hindmans Add to Elgin. }

This matter comes on to be heard  
at this time on the application of Chas. S. W. Atty. Tax Agent