

No 10/p 157

IN THE
CIRCUIT COURT
UNION COUNTY OREGON

EQUITY

Louis Patterson

Plaintiff

vs

Edward H Patterson

Defendant

Docket

Page

Eugene Schmitt
Attorney for Plaintiff

Attorney for Defendant

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Dismissed

Vacation of County
Road petitioned for by
Garret Blokland et al

STATE OF OREGON,)
County of Union,) SS.

I, Garret Blokland, 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 ~~road~~ to be closed, to-wit: One at the County Court House, one at the point of begining of said road to be closed, placed upon a telephone pole; one about midway between the point of begining and ending of the road, placed upon a gate post, and the other placed upon the fence at a point near the termination of the said road.

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 16 day of December 1901, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 16 day of December 1901, 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.

Garret Blokland

Subscribed and sworn to before me this 6th day of February 1902.

Robert Eakin Jr.
Notary Public for Oregon

Notice of Road Petition

TO ALL PERSONS CONCERNED: You and each and all 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 7 day of Feb A. D. 1912, respectfully present to said Court a petition praying said Court to ~~propose to be~~ vacate ~~establish~~ a County Road within said County, on the following line, or route, to-wit:

Commencing at a point 2350 feet south of the north east corner of Section 34, Tp. 3 S., R. 38 E. W. M., and running thence south to the south west corner of NW¹ of SW¹ of Sec. 35, Tp. 3 S., R. 38 E. W. M. and thence west about one half mile to the County Road, known as the Island City Road.

Dated at Seaside Oregon, the 16 day of Dec A. D. 1911

NAMES:	NAMES:
Garret Blekland	Franklin Zurbrick
G. E. Smith	James McEwen
J. L. Caviness	C. M. Graham
James Quinland	B. P. Courtney
E. J. Brown	Joseph Ainsworth
Wm. McCall	John C. Davis
Robert Clark	
J. W. Egan	
Alder Ellis	
C. Shelton	
C. M. Riddle	
B. W. Davis	
C. C. Coolidge	
E. Alder	
B. W. Schroder	
D. B. Clapp	
W. R. Clapp	
G. Vuilenburg	
Frank Tiffany	
Willis Moss.	

BOND OF ROAD PETITIONERS

Know All Men by These Presents, That we, Garret Blokland
and Walter M. Pierce 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 HUNDRED DOLLARS (\$100.00) the pay-
ment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators firmly by these
presents.

Signed this 2 day of February A. D., 1912

Now, the conditions of the above obligation are such, that whereas, Garret Blokland and
Walter M. Pierce and others have petitioned the County Court of said
County of Union, at the February term, 1912, the closing of thereof for a County Road, described
in the petition and notice hereto annexed, as follows: Commencing at a point 2350 feet south
of the northeast corner of Section 34, Tp. 2 S. R. 38 E.W.M., and
running thence south to the south west corner of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 35,
Tp. 2 S. R. 38 E.W.M., and thence west about one half mile to the County
road known as the Island City Road.

Now, if the above named Walter M. Pierce and Garret Blokland
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, other-
wise to remain in full force and virtue.

Garret Blokland (Seal)
Walter M. Pierce (Seal)

STATE OF OREGON, { ss.
County of Union }
I, Walter M. Pierce and _____ each for himself, say
I am worth the sum of TWO HUNDRED DOLLARS, (\$200.00) over and above all debts and liabilities and prop-
erty exempt from execution; that I am a resident householder in said county and State.

Walter M. Pierce
Garret Blokland

Subscribed and sworn to before me this 2 day
of Febry A. D., 1912

Robert Eskin Jr
Notary Public for Oregon

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 hereinafter described road is ~~proposed to be~~, respectfully petition your honorable body to ~~lay out, alter and establish~~ ^{vacate} a County Road within said county, on the following line or route, to-wit:

..... Commencing at a point 2350 feet south of the north east corner of Section 34, T³ S., R. 38 E., W. M. ... and running thence south to the south west corner of ~~the~~ SW¹ of Sec. 35, T³ S., R. 38 E., W. M. and thence ~~west about one half mile~~ to the County Road, known as the Island City Road.

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

NAMES:

Garret Blackland
C. C. Smith
J. L. Brown
James Linn
E. J. Brown
Wm. M. Call
Robert Clark
J. W. Egan
Allen
C. S. Helton
C. W. Piddle
B. M. Davis
C. C. Coody
E. J. Adler
B. W. Schroeder
H. B. Clark
W. A. Clapp
G. Millerburg
Frank Tiffany
William M. G. S.

NAMES:

Franklin G. Smith
James M. G. S.
E. M. G. S.
P. S. G. S.
Joseph A. Smith
John C. Davis

IN THE
COUNTY COURT

FOR THE
STATE OF OREGON
FOR
UNION COUNTY

By the holder of the

Declarations of

Garret R. Blythe and

for Decenters of

County Road

Acting

Filed Feb 6 - 1912

W. H. [Signature]

Clerk

By

Deputy
Clerk

W. H. [Signature]

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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 7th day of February, A. D., 1912, 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,
BEN BROWN, Commissioner,
J. M. SELDER, Commissioner,
ED WRIGHT, Clerk,
F. P. CHILDERS, Sheriff.

WHEN, on Thursday, the 8th day of February, A. D., 1912, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed vacation :
of County road petitioned for by :
Garret Blokland, et al. :

.....
Comes now Garret Blokland, one of the petitioners for the above named proposed vacation of county road, and presents to the court the petition of himself and others, praying for the vacation of a county road, described as follows, to-wit:

Commencing at a point 2350 feet south of the northeast corner of Section 34, Tp. 2 S.R. 38 E.W.M. and running thence south to the southwest corner of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 35, Tp. 2 S.R. 38 E.W.M., and thence west about one half mile to the county road, known as the Island City road.

And it appearing to the court that said petition is signed by more than twelve freeholders of this county, residing in the road district where the hereinbefore described road is proposed to be vacated, 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 ~~City~~ ^{City} of ~~Union~~ ^{La Grande}, County of Union, State of Oregon, and also in three public places in the vicinity of said proposed road, to-wit: one at the point of beginning of said road to be closed placed upon a telephone pole; one about midway between the point of beginning and ending of the road, placed upon a gate post, and the other placed upon the fence at a point near the termination of the said 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 petitioners, and that a bond for the costs of this proceeding has been duly given.

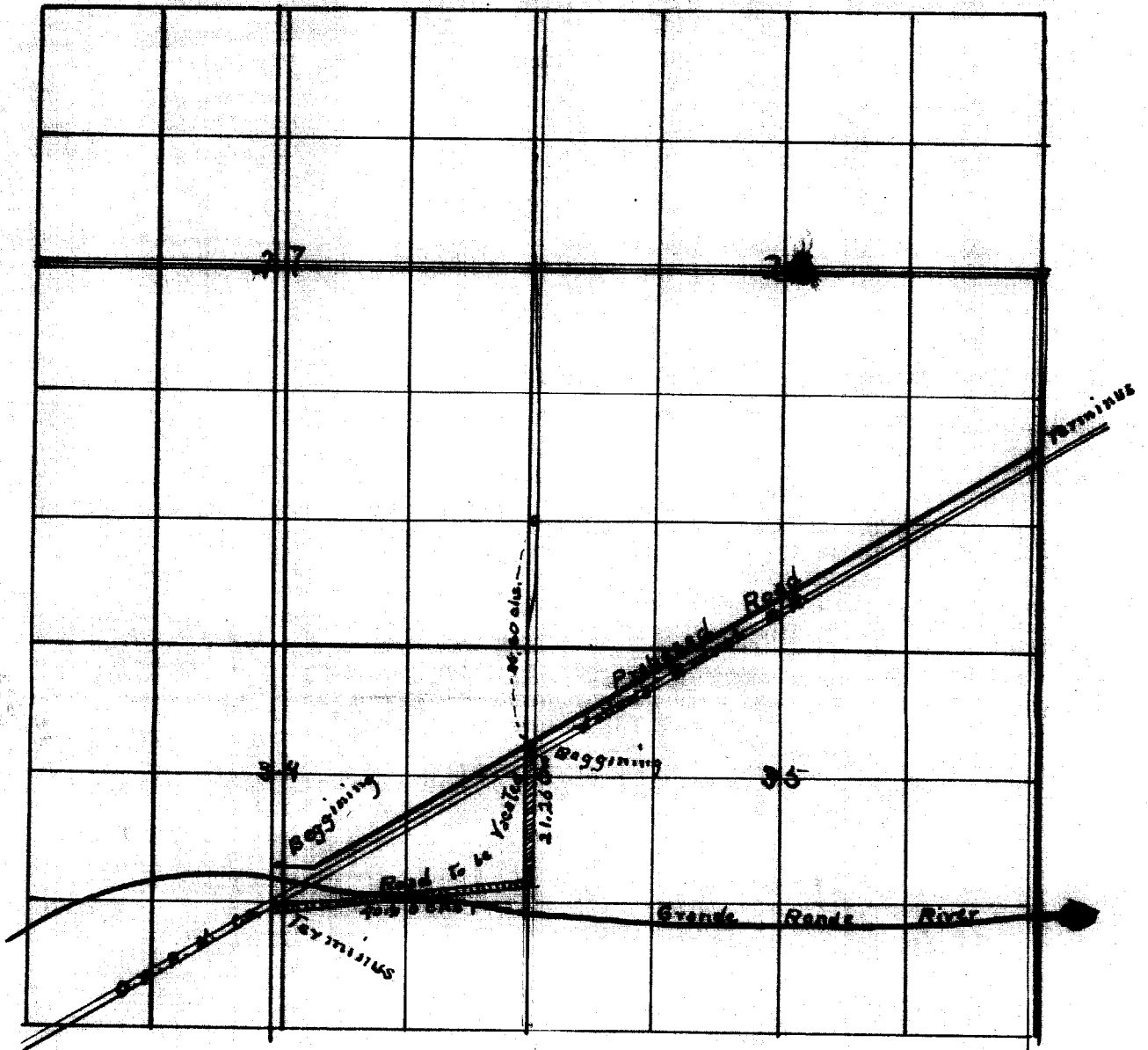
It is therefore ORDERED that Arthur Curtis, County Surveyor, and Thos. Brasher and E.A.Wills, constituting the Board of County Road Viewers be and they are hereby directed to meet at Island City, on the 19th day of February, 1912, at the hour of 1:30 P.M. or within five days thereafter and proceed to survey, and vacate said road according to law.

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

Attest: _____
County Clerk.

Vacation of
Road Petitioned for by Corret Blockland et. al.

Town. 2 South Range 38 East W. M.



Arthur Curtis
County Surveyor

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

To the Honorable County Court for Union County, Oregon:

The undersigned Board of County Road Viewers, heretofore on the 7th day of Feb. 1912, instructed to view, lay out and ^{Vacate} alter the proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by Garret Blockbauer et al., beg leave to report that on the 19 day of Feb. 1912, in pursuance with said order, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinions said proposed road should ^{Vacated} be ~~laid out~~ ~~and not~~ established as a public highway of Union county, Oregon; that the same _____ practicable and would add nothing to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be Vacated ~~laid out~~ ~~and not~~ declared a public highway of said county. /

Arthur Curtis
Thos. Brasler
E. A. Wills

Board of County
Road Viewers.

Report of Surveyor.

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

I, the undersigned, County Surveyor, appointed to survey ^{location of} the county road proposed by Garret B. Beckland et al., beg leave to report that on the 19th day of Feb. 1912 ~~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 35.60 Chs. South of the N. E. Cor. of Sec. 34 T. 2 S. R. 38 E. W. M., I hence South 21.25 Chs. to Angle 1. I hence South 87°00' West 40.30 Chs. to County Road and thence terminate

Arthur Curtis
County Surveyor.

Filed March 6 - 1912

Carroll

W. H. P.

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 6 day of March, A. D., 1912, 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, Commissioner,
J.M. Selder, Commissioner,
Ed Wright, Clerk,
F. P. Childers, Sheriff.

WHEN, on Thursday, the 7th day of March, A. D. 1912, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed vacation of county road petitioned for by Garret Blokland et al.

Now at this time it is ORDERED that this matter be and the same is hereby continued until April 4, 1912, at 10 o'clock A.M.

(Sgd) J. C. Henry, County Judge.

C. A. Galloway, Commissioner.

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 3rd day of April, A. D., 1912, 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, Commissioner,
J.H. Golder, Commissioner,
Ed Wright, Clerk,
F.P. Childers, Sheriff.

WHEN, on Thursday, the 4th day of April, A. D. 1912, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed vacation of county road petitioned for by Garret Bickland et al.

Now at this time comes Garret Bickland, one of the petitioners herein, and asks to have this matter dismissed, and it appearing to the court that the petitioners herein do not desire to proceed with the establishment of said road and that said Garret Bickland has paid the expenses incurred by the county in having said road viewed.

It is therefore CONSIDERED and ORDERED that said matter be, and the same is hereby dismissed.

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

SECOND JUDICIAL DAY.

THURSDAY, FEBRUARY 8th, 1912.

Joseph Wright,	396	\$2.00
L. D. Noah	397	<u>1.50</u>
		\$56 .50

Said statement being in all things regular and according to law, it is ORDERED that the same be and is here now approved.

In the matter of the proposed county road petitioned for by Garret Blokland et al.

Comes now Garret Blokland, 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 a point 1085 feet south of the center of section 34, Tp. 2 S. R. 38 E.W.M. at a point 55 feet north of the north end of the Island City Bridge, thence south 80 degrees east 300 feet to a point 20 feet from right of way of the Elgin Branch of the O.W.R.R. & N.Co., thence north 58 degrees east along said right of way to the east line of section 26, at a point 857.5 feet north of the southeast corner of section 26, Tp. 2 S. R. 38 E.W.M. and there terminate. Said road to be forty feet in width.

And it appearing to the court that said petition is signed by more than twelve freeholders of this county, residing in the road district where the hereinbefore described road is proposed to be, 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 city of La Grande, Union County, Oregon, and also in three public places in the vicinity of said proposed road, to-wit: one at the beginning of the road to be laid out, upon the fence, one upon the corner post of the fence about midway between the point of beginning and ending of the road, and the other upon a gate at a point at the termination 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 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 petitioners, and that a bond for the cost of this proceeding has been duly given.

It is therefore ORDERED that Arthur Curtis, County Surveyor, and Thomas Brasher and E. A. Wills, constituting the Board of County Road Viewers, be and they are hereby directed to meet at Island City on the 19th day of February, 1912, at the hour of 10 o'clock A.M. or within five days thereafter and proceed to survey, view and lay out said road according to law.

In the matter of the proposed vacation of County road petitioned for by Garret Blokland et al.

Comes now Garret Blokland, one of the petitioners for the above named proposed vacation of county road, and presents to the court the petition of himself and others,

SECOND JUDICIAL DAY.

THURSDAY, FEBRUARY 8th, 1912.

praying for the vacation of a county road, described as follows, to-wit:

Commencing at a point 2350 feet south of the northeast corner of Section 34, Tp. 2 S.R. 38 E.W.M. and running thence south to the southwest corner of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 35, Tp. 2 S.R. 38 E.W.M., and thence west about one half mile to the county road, known as the Island City road.

And it appearing to the court that said petition is signed by more than twelve freeholders of this county, residing in the road district where the hereinbefore described road is proposed to be vacated, 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 City of La Grande, County of Union, State of Oregon, and also in three public places in the vicinity of said proposed road, to-wit: one at the point of beginning of said road to be closed placed upon a telephone pole; one about midway between the point of beginning and ending of the road, placed upon a gate post, and the other placed upon the fence at a point near the termination of the said 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 petitioners, and that a bond for the costs of this proceeding has been duly given.

It is therefore ORDERED that Arthur Curtis, County Surveyor, and Thos. Brasher and E.A.Wills, constituting the Board of County Road Viewers be and they are hereby directed to meet at Island City, on the 19th day of February, 1912, at the hour of 1:30 P.M. or within five days thereafter and proceed to survey, and vacate said road according to law.

In the matter of the application of the Eastern Oregon Co-operative Telephone Association for permission to string wires over the tracks of the Oregon Washington Railroad and Navigation Company, on the south side of "C" street in the City of Elgin, Union County, Oregon, and at such other places in such county as become necessary.

This matter coming on to be heard at this time upon the application of the Eastern Oregon Co-operative Telephone Association for leave to string wires over the tracks of the Oregon, Washington Railroad and Navigation Company, on the south side of "C" street in the City of Elgin, Union County, Oregon, and at such other and various places throughout said county, as may become necessary from time to time in the business of said association, and the court having considered said petition and being fully advised in the premises,

It is therefore CONSIDERED and ORDERED that said petition be granted and that the said Eastern Oregon Co-operative Telephone Association be granted leave to string its wires over the tracks of the Oregon, Washington Railroad and Navigation Company, on the south side of "C" street in the city of Elgin, Union County, State of Oregon, and at such other places in the said county, as may become necessary from time to time in the conducting of its business.

SECOND JUDICIAL DAY.

THURSDAY, MARCH 7th, 1912.

In the matter of the proposed County road petitioned for by Garret Blokland et al.

Now at this time it is ORDERED that this matter be and the same is hereby continued until April 4, 1912, at 10 o'clock A.M.

In the matter of the proposed vacation of County Road petitioned for by Garret Blokland et al

Now at this time it is ORDERED that this matter be and the same is hereby continued until April 4, 1912, at 10 o'clock A.M.

In the matter of the application of Frank B. Brown for County Aid.

Now at this time it is ORDERED that this matter be and the same is hereby denied.

In the matter of the petition for appointment of W.S. McMillan Supervisor of R. D. 12.

Now at this time it is ORDERED that the petition herein be and the same is hereby overruled and denied.

In the matter of the petition for appointment of Ed Wulf as Supervisor of R. D. 31.

Now at this time it is ORDERED that the petition herein be, and the same is hereby overruled and denied.

In the matter of the petition for appointment of W.A. Burns, as Supervisor of R. D. 31.

Now at this time it is ORDERED that the petition herein be, and the same is hereby overruled and denied.

In the matter of the petition for appointment of Jacob End as Supervisor of R. D. 9.

Now at this time it is ORDERED that this matter be and the same is hereby continued for the term.

SECOND JUDICIAL DAY.

THURSDAY, APRIL 4th, 1912.

convenient public road heretofore provided by law and that it is necessary that the public and said petitioner shall have ingress to and egress from said residence;

And the court having considered the same and decided it is necessary a road of public easement 60 feet wide be established for said purpose and being now fully advised in the premises:

It is hereby ORDERED that the Board of County Road Viewers be and they hereby are appointed and directed to meet at Elgin, Oregon, on the 15th day of April 1912, at the office of L. Denham in said City, at the hour of 11 o'clock A.M. thereof, and view out and locate a county road, not exceeding sixty feet wide from the residence of A.J. Tucker, the petitioner to some other public road, according to the application of petitioner, a copy of which is hereto attached, marked "Exhibit A" and to assess the damages to be sustained thereby;

And it is further ORDERED that a copy of this order be served upon each of the persons or person through whose land said road shall pass within thirty days from the date hereof.

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In the matter of the proposed County Road petitioned for by Garret Blockland et al.

Now at this time comes Garret Blokland, one of the petitioners herein and asks to have this matter dismissed, and it appearing to the court that the petitioners herein do not desire to proceed with the establishment of said road and that said Garret Blokland has paid the expenses incurred by the County in having said road viewed,

It is therefore CONSIDERED and ORDERED that said matter be and the same is hereby dismissed.

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In the matter of the proposed vacation of County Road petitioned for by Garret Blokland et al.

Now at this time comes Garret Blokland, one of the petitioners herein, and asks to have this matter dismissed, and it appearing to the court that the petitioners herein do not desire to proceed with the vacation of said road and that said Garret Blokland has paid the expenses incurred by the County in viewing said proposed vacation,

It is therefore CONSIDERED and ORDERED that said matter be and the same is hereby dismissed.

In the matter of the application of James L. Woodell et al for grading Sandridge road.

This matter came on to be heard at this time upon the petition of James L. Woodell et al for improvement on the Sandridge road, and it appearing to the court that there is not sufficient money in the General road fund of the county to make such improvements,

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