

No 437

IN THE MATTER OF A
COUNTY ROAD,

PETITION OF
Clyde Pennington et al
Beginning at A 1 on Road No 372
and terminating at S 1/4 Cor
SE 1/4 NW 1/4 Sec 8 T 25 R 39

Petition Filed Nov 8 1893
Affidavit of Posting Filed Nov 8 1893
Bond Filed Nov 8 1893

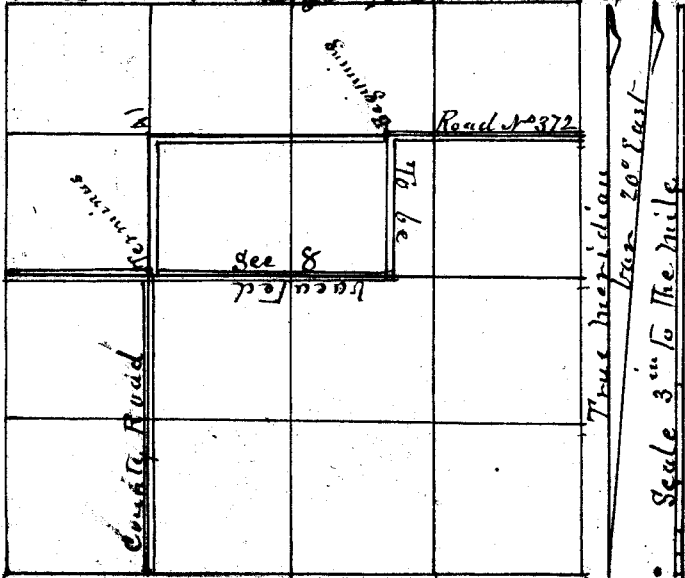
Order appointing Viewers and Surveyor
made November term 1893
On pgs 175 of G Commissioner's Journal
Oaths Filed 189

Viewers Reports Filed Nov 29 1893
Viewers Reports Filed 189

Order of Court made Dec 7 1893
page 223 Jul 1894
ordering road opened
J Platted

This case is for the benefit of all parties
to the road which is hereby opened from time to
time as they may see fit

T. 2. South Range 39, East Water - 17



To the Hon County Court and Jurors in the matter of
Road Petitioned for by Clyde Remington et al please
find attached Plot and Field Notes of the Survey

Commenced at angle No 1 on County Road No 372

Chs and run from thence West Var 20° East

32.50 To angle No 1 thence South

19.40 To the Terminus of the proposed change, at the
SW corner of SE 4 of NW 4 Sec 8. T. 2. S. R. 39. E.

Done Nov 25th 1893

~~Miss Paul~~

J L Curtis
County Surveyor

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 6th day of November, 1893, 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 Clyde Remington, et al, beg leave to report that on the 25th day of November, 1893, 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. and that E. N. Oliver the present County Road between the points mentioned in the Petition be vacated

E. N. Oliver
Jas. Moss
A. J. Hughes
VIEWERS.

PAID.

NOV 29 1893

James Oliver

County Clerk.

BOND OF ROAD PETITIONERS.

Know All Men by These Presents, That we,

Clyde Pennington

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 ourselves, our heirs, executors and administrators firmly by these presents.

Signed this 7 day of Nov A. D. 1893

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

and _____, and others, have petitioned the County Court of said County of Union, at the November Term, 1893, thereof for a County Road, commencing Change in County Road described in petition hereto attached

Now, if the above named

Clyde Pennington 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.

Clyde Pennington s.)

(L. S.)

STATE OF OREGON, }
County of Union. }

I, Clyde Pennington and

each for himself, say, 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.

Clyde Pennington

Subscribed and sworn to before me this 7 day of Nov A. D. 1893

Dwmer Oliver

County Clerk.

By J R Oliver Deputy

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

IN THE MATTER OF THE

Walter J. J. J. J.

ROAD.

BOND OF ROAD PETITIONERS.

189.

County Judge.

Filed *Wm. S. S. S.* 189. 3

Wm. S. S. S.
County Clerk.

Deputy.

1 To the Hon County Court
2 of Union County Oregon
3 In the Matter of a change
4 in County Road petitioned
5 for by Clyde Pennington
6 in his own Right

7 I the undersigned
8 Clyde Pennington hereby petition
9 the County Court of Union County
10 Oregon for leave to change the
11 County road on my own prem-
12 ises at my own expense as fol-
13 low to wit:

14 Commencing at angle No 1 on the
15 County Road known and platted
16 as Road No 373 petitioned for
17 by J O Oliver et al. running thence
18 West 32.37 chains thence S
19 20 chains to and there termina-
20 ting at the SW corner of the SE⁴ of the
21 NW⁴ of Sec 8 Tp 2 S R 39 E 10m
22 and to vacate the present County
23 Road between the points above men-
24 tioned, and the petitioner alleges
25 that the change prayed for will
26 not lengthen the road to the
27 detriment of the traveling pub-
28 lic, that said change will place
29 the road on equally as good ground
30 as the present one

31
32 Clyde Pennington
J W. G. G. G.

FILLED.

NOV 25 1898

James Owen
County Clerk

Third Judicial Day

Wednesday Nov 8th 1893

ation 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 on a board nailed to the fence at the S^E corner of R. J. Johnson's home place about $\frac{1}{2}$ mile due East of the town of Cove; One on the side of John Mitchell's Blacksmith shop at Cove Ore, and one on the side of the Post office building at Cove, Oregon 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 A. J. Harris, Marshall Oliver and Ed Sombler be appointed Viewers of said road, and that J. L. Curtis be appointed surveyor of said road, and that they meet at Cove Oregon on the 24 day of November 1893 at the hour of 10 o'clock A.M. and after qualifying to view, survey and lay out said road according to law.

In the matter of the proposed County Road petitioned for by Clyde Pennington and J. W. Lytle in their own right

Comes now Clyde Pennington 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:

Commencing at angle No 1 on the County Road known and platted as Road No 372 petitioned for by J. C. Oliver et al running thence N 32, 37 chains thence S 20 chains and there terminating at the S.W. corner of the S.E. ¹/₄ of N.W. ¹/₄ Sec 6 Tp 2 S R. 39 E W.M. and to vacate the present County Road between the points above mentioned.

And it appearing to the Court from said petition

Third Judicial Day

Wednesday Nov 8th 1893

that the change prayed for will not lengthen the road to the detriment of the traveling public and will place the road on equally as good ground as the present one It is therefore Ordered that E. W. Aliver, A. J. Hughes and James Moss be appointed Viewers of said road and that J. L. Curtis be appointed Surveyor of said road, and that they meet at Beginning of proposed change in Road on the 25 day of November 1893 at the hour of 10 o'clock a.m. and after qualifying to view survey and lay out said road according to law

In the Matter of Opening
Bids on Crowell Bridge

It appearing to the Court that now is the time fixed by this Court for the consideration of Bids for the construction of a Bridge over Grande Ronde River at Crowell crossing, thereupon the bids were opened as follows: To-wit:

The Bullard Bridge Co	2-50 ft wooden spans	16 ft clear roadway	\$1000 ⁰⁰
do		14 "	900 ⁰⁰
do		12 "	825 ⁰⁰
do	combination	" 14 "	1000
do	1-100 ft	" 14 "	wood pin 1600
do	1-100 "	" 14 "	Iron 3000
do	1-100 " steel	" 14 "	wood 2500
do	1-100 "	" 14 "	Iron 3300

H. B. Sr. Johns

574

do

960

J. K. Remington

1048

Savara & Mowen

500

do

400

W. B. Gilchrist

668

Kimball & Cameron on both Elgin & Crowell

1616⁶⁷

do

do

1374⁴⁷

The bridge to be built in accordance with plans and specifications submitted with the various bids

Third Judicial Day

Wednesday Dec 6th 1893

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 the old Steam planing mill where said road is commenced, one on a large tree in a public place on a main traveled road near the said proposed road, and one on the two mile tree at the terminus of said proposed 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 thereof 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 J. A. McWhirter, Dan Bay and J. W. White be appointed Viewers of said road and that J. L. Curtis be appointed Surveyor of said road and that they meet at the beginning of the proposed road on the 9th day of December 1893 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 Henry }
Striker 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 first reading and said report having been read in open Court it is ordered laid over for a second reading on some other day of this term of Court

In the Matter of the Road }
petitioned for by J. Whittle and }
Elyde Pennington with their own right }

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

Four In Judicial Day

Thursday Dec 7 1893

Court met pursuant to adjournment

The same officers were present as on yesterday

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

W. Sanders
County Judge

Whereupon the following proceedings were had, to wit:

In the Matter of the Road (petitioned)
for by Elyde Pennington & J. W. Lytle }
in their own right

This matter came out 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 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 6th day of November 1893, 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 Elyde Pennington et al beg leave to report that on the 25th day of November 1893, 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 and that the present County Road between the points mentioned in the petition be vacated

E. W. Olson

Jas Moss

A. J. Hughes

Viewers

Fourth Judicial Day

Thursday, Dec 7th 1893

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 and J. R. Dickson 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 said report of the viewers and surveyor be approved by the Court and adopted, 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 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 A. J. Deughes Road supervisor of Road District No 35, the same being the road district in which said road is located be furnished a copy of this decree and ordered to examine said road and receive the same when it has been opened up and placed in as good repair for travel as the old one and allow the old road to be closed.

In the Matter of the proposed
County Road petitioned for by
Jas Henderson 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 6th day of Nov 1893, ap-