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Petition for

D. R. Frunk et al

Commencing at the E corner of

the Crown Lane at NW Cor. of

SW⁴ of NW⁴ Sec 16 Tp 8 S N 42 E

And terminating at SE Cor of

SE⁴ Sec 16 Tp 8 S N 42 E

Baker County-

1863

187

187

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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:

Commencing at the east end of the Erwin Lane, at the N.W. corner of the S.W.1/4 of the N.W.1/4 of Sec. 16, Tp. 8, S.R. 42, E. W. M. running east about 150 yards, across the Powder River Ditch, thence in a southeasterly direction to the S.E. Corner of the above described 1/4 thence south 1/4 mile, thence east 1/4 mile, south 1/4 mile, thence east 1/2 mile, to the S.E. Corner of the S.E.1/4 of Sec. 16, Tp. 8, S.R. 42, E. W. M. and in duty bound your petitioners will ever pray, etc.

Dated at Irwin, this 1st day of January, 1898.

Names:-

W. T. Crews,
D. R. Fruit,
W. W. Crews,
John Erwin,
Geo. F. Johnson,
H. B. Cranston,
G. G. Wellington,
A. J. Ritter,
A. S. Love,
D. E. Baird,
F. Nelson,

Names:-

W. S. Love,
A. T. Merwin,
G. W. Hulick,
E. P. Cranston, Jr.
T. Hulick,
E. Vandevanter,
W. B. Gilkison,
Wm. Constable,
H. J. Jones,
J. R. Gilkison,

No filing.

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 9 day of February, A. D. 1898, 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 east end of the Erwin Lane at the N.W. Corner of the S.W.1/4 of the N.W.1/4 of Sec. 16, Tp. 8, S.R. 42, E. W. M. Running due east about 150 yards across Powder River ditch thence in a S. Easterly direction to the S.E. Corner of the above described 1/4 thence south 1/4 mile, thence east 1/4 mile, thence south 1/4 mile, thence east 1/2 mile to S.E. corner of the S.E/4 of Sec. 16, Tp. 8, S.R. 42, E.W.M.

Dated at Erwin, Ore, Oregon, the 1st day of January/ A.D. 1898.

Names:-

W. T. Cruise,
D. R. Fruit,
W. W. Cruise,
John Erwin,
George F. Johnson,
H. B. Cranston,
G. G. Wellington,
A. J. Ritter,
A. S. Love,
D. E. Baird,
F. Nelson,
W. S. Love,
A. T. Marwin,

Names:-

W. B. Gilkison,
Wm. Constable,
N. J. Jones,
J. R. Gilkison,

G. W. Hulick,
E. P. Cranston, Jr.
T. Hulick,
E. Vandevanter,

Posted Jany 3", 1898.

By C. W. Oliver.

Endorsed:- (no fligs.

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State of Oregon,) ss.
County of Union,)

I, John Erwin, 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 east end of the Erwin Lane, one at the S.E. Corner of the S.E. 1/4 of Sec. 16, S. of R. 42, E. W. M. of the terminus of the road also one on the Erwin School house, and one on the Court House door, Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 1st day of January, 1898, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 3rd day of Jan. 1898, 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.

John Erwin,

Subscribed and sworn to before me this 5 day of February, 1898.

W. W. Crews, Justice of the Peace.

No filing.

BOND OF ROAD PETITIONERS.

Know all men by these presents, That we, D. R. Fruit and John Erwin of the County of Union, and State of Oregon, are held and firmly bound unto said County in the sum of \$100.00 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 5 day of Feb. A.D. 1898.

Now, the condition of the above obligation is such, that, whereas, the above named D. R. Fruit, and John Erwin, and others have petitioned the County Court of Union County, at the Feby. Term, 1898, thereof, for a County Road, described in the notice hereto attached.

Now, if the above named D. R. Fruit and John Erwin, 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.

D. R. Fruit, (Seal)

John Erwin, (Seal)

State of Oregon,)
(ss.
County of Union,)

I, D. R. Fruit, and John Erwin, say that I am worth the sum of \$100.00 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.

D. R. Fruit,

John Erwin,

Subscribed and sworn to before me this 5 day of February, 1898.

W. W. Crews, Justice
of the Peace.

Entered:-

Bond of road petitioners.

Road petitioned for by D. R. Fruit, et al.

Filed Febry, 9th, 1898.

J. R. Oliver, County Clerk.

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REPORT OF VIEWERS.

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

The undersigned viewers heretofore on the 7 day of February, 1898, 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 D. R. Fruit, et al, beg leave to report that on the 26 day of February, 1898, 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 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. F. Sutherland,

Arthur Oliver,

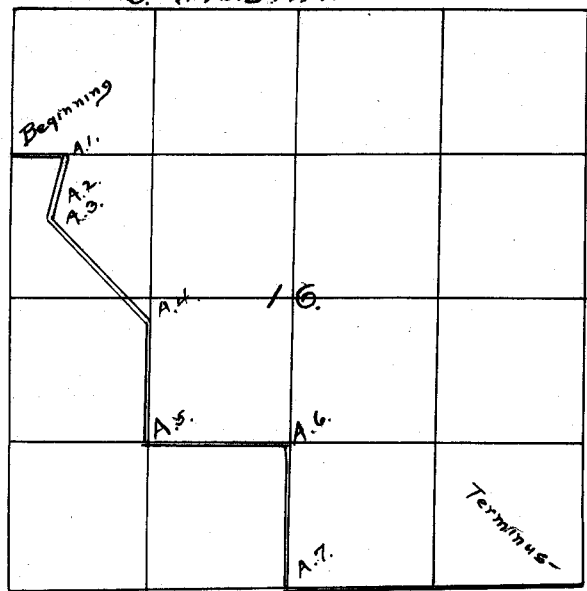
Thos. Keating, viewers.

Endorsed:- Filed Mar 7, 1898,

J. R. Oliver, County Clerk.

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T. 8. S. R. 43. E. W. M.



Filed Mar., 7, 1898,

J. A. Oliver,
County Clerk.

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 D. R. Fruit, et al, beg leave to report that on the 26 day of February, 1898, 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.W. Cor. of the S.W.1/4 of the N.W.1/4 of Sec. 16, Tp. 8, S.R. 42, E.W.M. Thence

North	88° E	6.00	Chs To	A	1,
Thence South	10° West	6.00	Chs. To	A	2,
Thence South	20° West	2.50	" "	"	3,
"	"	50° East	19.00	" "	" 4,
"	"		19.00	" "	" 5,
"	East		20.00	" "	" 6,
"	South		7.50	" "	1 Mile Post
"	South		12.50	" "	A 7,
"	East		40.00	" "	Read Terminus, S.E. Cor

of S.E.1/4 of Sec. 16, Tp. 8, S.R. 42, E.W. N.

Arthur Curtis,

County Surveyor.

Endorsed:- Filed Mar.7, 1898.

J. R. Oliver, County Clerk.

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for Union County, begun and held at the Court House in the City of Union, in said County and State on the 7th day of February, A.D. 1898, and from day to day thereafter during the continuance of said term, when on Wednesday the 9th day of February, 1898, 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. I. N. Sanders, County Judge,
- Hon. W. D. Arnold, Commissioner,
- Hon. R. T. Langrell, Commissioner,
- J. R. Oliver, Clerk,
- J. F. Phy, Sheriff,

When on Wednesday the 9th day of February, A.D. 1898, or the third judicial day of said term, among other proceeding the following was had, to-wit:

In the matter of the proposed County Road)
petitioned for by D. R. Fruit, et al. }
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Comes now D. R. Fruit, 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 east end of the Erwin Lane at the N.W. Corner of the S.W. 1/4 of the N.W. 1/4 of Sec. 16, Tp. 8, S.R. 42, E. W. M. running due east about 150 yards across Powder River Ditch, thence in a southeasterly direction to the Southeast Corner of the above described 1/4, thence south 1/4 mile, thence east 1/4 mile, thence south 1/4 mile, thence east 1/2 mile to S.E. Corner of the S.E. 1/4 of Sec. 16, Tp. 8, S.R. 42, E. W. M. 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 places 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 south end of the Erwin Lane, one at the S.E. Corner of the S.E. 1/4 of Sec. 16, S. of R. 42, E. W. N. or the terminus of the road, also one on the Erwin School House, and one on the Court House door, for more than thirty days immediately prior to the presentation of said petition to this Court, notifying all persons concerned that an 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 Oliver, Thos. Keating, and J. F. Sutherland be appointed viewers of said road and that Arthur Curtis, surveyor of said road, and that they meet at the Keating Ranch the 26th day of February, A.D. 1898, at the hour of Nine O'Clock, A.M. and after qualifying, to view, survey and lay out said road according to law.

(Signed) I. N. Sanders,

County Judge.

The foregoing order is entered in Comr's Jnl. I. page 163 thereof.

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, on Monday the 7th day of March, A.D. 1898, and from day to day thereafter during the continuance of said term, when on Wednesday the 9th day of March, 1898 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. I. N. Sanders, County Judge,
Hon. W. D. Arnold, Commissioner,
Hon. R. T. Langrell, Commissioner,
J. R. Oliver, Clerk,
J. F. Phy, Sheriff,

When on Wednesday the 9th day of March, A.D. 1898, or the third judicial day of said term, among other proceedings the following was had, to-wit:

In the matter of the road petitioned
for by D. R. Fruit, et al.

This matter came on to be heard at this time on the report of the viewers and surveyor heretofore appointed herein for the first reading and the said report having been read the first time in open Court as required by law, it was ordered that the same be laid over for a second reading on some other day of this Court.

(Signed) I. N. Sanders,
County Judge,

The foregoing order is entered in Court's Jnl. N, page 183 thereof.

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 on Monday the 7th day of March, A.D. 1898, and from day to day thereafter during the continuance of said term, when on Wednesday the 9th day of March, 1898, 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. I. N. Sanders, County Judge,
Hon. W. D. Arnold, Commissioner,
Hon. R. T. Langrell, Commissioner,
J. R. Oliver, Clerk,
J. F. Phy, Sheriff,

When on Thursday the 10th day of March, A.D. 1898, or the fourth judicial day of said term among other proceedings the following was had, to-wit:

In the matter of the road
petitioned for by D. R. Fruit, et al.

This matter came on to be heard at this time on the report of the viewers and surveyer 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 of Union County, Oregon:-

The undersigned viewers heretofore on the 7th day of February, 1898, 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 D. R. Fruit et al, beg leave to report that on the 26th day of February, 1898, 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 greatly 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. F. Seutherland,

Arthur Oliver,

Thos Keating,

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 opened 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 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. 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 ~~thereof~~ of the survey thereof be placed on record in the book of plats of County Roads of Union County, and that Thos. Keating, Road Supervisor of Road District No. 26, the same being the 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.

(Signed) I. N. Sanders, County Judge.

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

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* In the matter of the County *
* road petitioned for by *
* *
* e t al *
* *
§.....§

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

I, J. H. Minnaugh, County Clerk of Union County, Oregon, do hereby certify that the foregoing is a true and correct transcript of the original papers in the above entitled matter transferred to Baker County, Oregon, including a copy of the orders of the Court in said matter.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County Court, this 31st day of March, A. D. 1903.

J. H. Minnaugh
.....Clerk.

Be it Remembered that at a Regular term of the County Court of Union County, State of Oregon, begun and held at the Court House in the City of Union, in said County and State, on the 7th day of February, A.D. 1898, and from day to day thereafter during the continuance of said term, when on Wednesday the 9th day of February, 1898, on 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. J. N. Sanders County Judge
 Hon. W. D. Arnold, Commissioner
 Hon. R. D. Lawrence Commissioner
 J. R. Oliver Clerk
 J. F. Fry Sheriff.

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

In the matters of the proposed County road petitions for by
 A. R. Fruit et al.

Come now A. R. Fruit, 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 east end of the Ewin, line at the N. W. Corner of the SW¹/₄ of the NW¹/₄ of Sec 16, T⁸ S. R. 47. E. W. 7. running due east about 15 yards across Snyder River ditch; thence in a south-westerly direction to the southeast corner of the above described ¹/₄; thence south ¹/₄ mile; thence east ¹/₄ mile; thence south ¹/₄ mile; thence east ¹/₂ mile to the SE corner of the SW¹/₄ of Sec 16, T⁸ S. R. 47, E. W. 7. 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 direct request 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 *libra* public:

Third Judicial Day

Wednesday, Feb 9 '89

places in the vicinity of said proposed road, to wit: One at the South end of the Cornu lane, one at the NE corner of the SE 1/4 of Sec 16, Twp. 4 N., R. 10 W. in the Township of Concord, also one on the Cornu school house and one on the Court House door, for word show thirty days immediately prior to the presentation of said petition to this Court, notifying all persons concerned that an 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. This therefore orders that Arthur Olive, Thos. Stearns, and J. F. Switzerland be appointed Viewers of said road, and that Arthur Olive, Surveyor of said road, and that they meet at the Stearns Ranch, the 26 day of February, 1898, 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
petition of E. F. Ballard,
for Town License

At this time it is ordered by the Court that this matter be, and the same hereby is continued for the term

In the matter of the
application of the Florence
Cottontown Ref. & Home
for County aid

At this time it is ordered by the Court that this matter be, and the same hereby is continued for the term

In the matter of the
application of Chas
Keller for Liquor
License

This matter came on to be heard at this time on the petition of Charles Keller for license to sell spirituous malt and vinous liquors in less quantities than one gallon, ^{in Corporation District} for a period of three months. And it appearing to the

Third Judicial Day

Wednesday, March 9, 1898.

said petition is signed by an actual majority of all the legal voters residing in said precinct; that notice has been published herein for four consecutive weeks as by law required, proof of which has been filed herein; that said Elisha Estes has paid into the county treasury of Union county, the sum of \$200.00 and filed his receipts therefor with the clerk of this court; that he has given a good and sufficient bond herein in the sum of \$1000 which has been approved by the judge of this court; that there has been no remonstrance filed herein or cause shown which said petition should not be granted; It is therefore considered and ordered that said petition be granted and that a license issue to the said Elisha Estes for the sale of spirituous, malt and various liquors in less quantities than one gallon in Commercial Precinct for the period of six months from this date.

In the matter of the Road Petitioned }
for by D. R. Smith et al }

This matter came on to be heard at this time on the report of the viewers and surveyor heretofore appointed herein for the first reading and the said report having been read the first time in open court as required by law it was ordered that the same be laid over for a second reading on some other day of this court.

In the matter of the application of }
Geo. Harris for a rebate on taxes }

This matter came on to be heard at this time on the application of Geo Harris for a rebate on taxes and the court being fully advised in the premises it is therefore considered and ordered that said application for rebate be overruled and denied.

In the matter of the Petition for a }
Bridge over GrandRonde River on }
the Hull Road }

This matter came on to be heard at this time on the petition of the citizens and tax-payers residing in the vicinity of the road petitioned for by Wm Hull et al praying the

Secord Judicial Day.

Thursday, Feb 10, 1898.

In the matter of the Road Petitioned }
for by D. R. Frint 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 viewers being in words following, to-wit:

Report of Viewers.

To the Honorable County Court of Union County, Oregon: The undersigned viewers heretofore on the 7th day of February, 1898, 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 D. R. Frint, et al. by leave to report that on the 26 day of February, 1898, 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 greatly 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. S. Cuthland
Arthur Oliver
Thos. Keating

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 removals, claims 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 opened 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 this 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

Fourth Judicial Day

Thursday, March 10, 1898.

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 filed notes of the survey thereof be placed on record in the book of plats of county roads of Union county, Oregon, and that Thos. Harting, road supervisor of road district No 26, the same being the 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 Tax Lien on the S² 76⁺
and E² 86⁺ Sec 34 T² NR 40 E.W.M.

This matter came on to be heard upon the application of W. J. Winans for the cancellation of the tax lien on S² 76⁺ and E² 86⁺ Sec. 34 T² NR 40 E.W.M. assessed for year 1890 to E. G. Taylor and sold by sheriff on November 13, 1895, and it appearing to the court that the said property was erroneously assessed for that year and that the county's lien is not valid by reason thereof. It also further appearing that W. J. Winans is the owner of the lands attempted to be described in the assessment for said year and is willing to pay the original tax amounting to \$36.02 in full payment for the alleged lien; and it also appearing that the said application is just and equitable in the premises and that he is entitled to the relief asked for. It is therefore that the clerk be authorized and instructed to accept the said tender of \$36.02 in full satisfaction of the county's claim and that he cancel the said lien of record.

In the matter of the application of W. J. Winans }
to redeem S² 76⁺ + E² 86⁺ Sec 34 + W² 835 T² NR 40 E.W.M }

This matter came on to be heard at this time upon the application of W. J. Winans for cancellation of tax lien of S² 76⁺, E² 86⁺ Sec 34 and W² 835 T² NR 40 assessed for year 1891 to E. G. Taylor and sold by sheriff Feb. 25, 1897, and it appearing to the court that said property was erroneously assessed for said year and that the county's lien is invalid by reason thereof; and it appearing that said W. J. Winans is the owner of the lands above described and now tenders to the clerk the sum of \$6.43 in full satisfaction of said lien; It is therefore ordered that the clerk accept the said amount and satisfy the lien of record.