

LAW.

No 19

In CIRCUIT COURT
UNION COUNTY

C. Ralston

Plaintiff

vs

J. E. Murchison

Defendant

E. S. Sauer

Attorney for Plaintiff

Attorney for Defendant

IRWIN HOBSON COMPANY PRINTERS AND SIGNERS

No 408 4

593

1871 30 23 433 - 81
D. M. ...

In the
County Court
of the state
of Oregon for
Harold County

Good petitioned
for by
A. E. Carrall et al

J. B. R. 4000000

34	31
3	2
10	16

BAKER CITY, OREGON, August 15, 1903.

Judge Harris, County Judge,
Union, Oregon.

Dear Sir:-

I am in receipt of papers in the road matter of A. E. Carroll, and herewith return the same to you with my report, to the effect that the same is not legal. The description of the road as contained in the petition and notice is not sufficiently definite to meet the requirements of the law. The road petition and notice must fix and point the beginning with certainty, and in fact, every point named in the description must be fixed and certain. The description in this petition and notice is too uncertain to stand the test.

Yours very truly,

Dist. S.W.

Samuel White
S. W.

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: Beginning at ~~or near a point about 500 feet east~~ ^{running east about 500 ft} from the south-west corner of Section II Tp. 2 North Range 40 E. W.M. thence in a North westerly direction over the most practical rout to the North west corner of the South west quarter of the South west quarter of Section II Tp. 2. N. R. 40 E. W.M. in Union County Oregon. Thence North along said Section line to the North west corner of Sec. Two. Township ~~Two~~ 2 N. R. 40 E. W.M. Thence North along said Section line to the North west corner of the south west quarter of section 35 In Township Three North Range 40 E. W.M. and there terminating said road to be 60 feet wide.

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

NAMES:

NAMES:

A E Carroll
 W H Patrick
 J. J. Zepher
 A. C. Thompson
 J. W. Perry
 W. Carlton
 W. J. Bault
 David Scott
 Thomas East
 Joseph Scott
 A. S. Scott
 J. H. James
 J. A. Hills

L. Mygoff
 H. J. Kinchar
 J. W. English
 J. R. Henderson
 S. W. Ruins
 Harry Darnson
 Tilden Boothe
 P. K. Miley
 S. R. R.

John Graham
Wm. Aidman

W. L. Small

BOND OF ROAD PETITIONERS.



KNOW ALL MEN BY THESE PRESENTS, That we, Joseph Bechtel
and A. E. Carroll, 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 payment of which, well and truly to be made, we bind ourselves, our heirs, execu-
tors and administrators firmly by these presents.

Signed this 2 day of _____, A. D., 1903.

Now, the conditions of the above obligation is such, that whereas A. E. Carroll
Joseph Bechtel and others, have petitioned the County Court of said
county of Union, at the May term, 1903, thereof, for a County Road, de-

scribed in the petition and notice hereto annexed, as follows: Beginning at the South West
Corner of Sec. 11 T. 36 N. R. 40 E. W. M. Thoms in a North westerly direction over the
most practical route to the North West Corner of the South West quarter of the South West
quarter of Sec. 11 T. 36 N. R. 40 E. W. M. Thoms in Union Co. Oregon thence North along said Section
line to the North West Corner of Sec. 2. T. 36 N. R. 40 E. W. M. Thoms thence North along said
Section line to the North West Corner of the South West quarter of Sec. 2. T. 36 N. R. 40 E. W. M. Thoms and thence terminate said road to be 60 ft wide

Now, if the above named A. E. Carroll and Joseph Bechtel
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, otherwise to remain in full force and virtue.

A. E. Carroll (Seal)
Joseph Bechtel (Seal)

STATE OF OREGON, }
COUNTY OF UNION, } ss.

I, A. E. Carroll and Joseph Bechtel, each for himself, say

I am worth the sum of TWO HUNDRED DOLLARS (\$200.00) over and above all debts and
liabilities and property exempt from execution; that I am a resident householder in said county
and state,

A. E. Carroll
Joseph Bechtel

Subscribed and sworn to before me this 2 day of
May A. D., 1903.

STATE OF OREGON,)
County of Union:) ss.

I, O. Schow 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 16th day of April 1903, 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~~ here attached the door 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 3rd day of July 1903.

O. Schow
.....
J. M. Harrison

Camden Smith

Notice of Road Petition.

To All Persons Concerned: You and each and all of you, will take notice that the undersigned householders for 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 June A. D. 1903, 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:

~~Beginning at or near a point about 500 feet east from the south west~~
~~corner of Section 11, Tp. 2 North Range 40 E. W.M.,~~ *running east about 500 ft.*
 thence in a north-
 westerly direction over the most practical route to the north-west
 corner of the South west quarter of the South west quarter of Section
 11, Tp. 2 N., R. 40 E. W.M. in Union County Oregon; thence North along
 said Section line to the North west corner of Section Two Township
 2 N., R. 40 E. W.M. thence north along said section line to the North-
 west corner of the South west quarter of Section 25 in Township Three
 north Range 40 E. W.M. and there terminating said road to be 60 feet wide
 Dated at Rain Oregon, the 21st day of March A. D. 1903

NAMES

NAMES

A. E. Carroll
W. H. Patrick
J. K. Reicht
A. C. Thompson
J. W. Perry
W. Easton
W. J. Gault
David Scott
Thomas Scott
Joseph Scott
J. S. Scott
J. H. Jank
J. A. Kalla

S. M. Goff
H. J. Reinhart
J. W. English
Henderson
J. W. Burnes
Harry Darnan
Tilden Borth
D. K. Nichey
L. Rush

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

I, Joe Bechtel

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

on a Pine tree at the place of commencing and on a Pine tree on the line of said proposed road about the center thereof and on a Pine tree at the place of termination of said proposed road all in conspicuous places and in plain view of the travelling public

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the 28th day of March 1903,

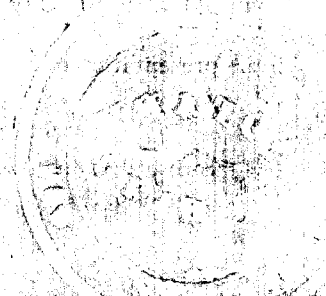
and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the _____ day of _____ 1903, I posted a true and correct copy of said notice at the place of holding Court for Union County, Oregon, to-wit: On the front of the Court House door, in the 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.

Joe Bechtel

Subscribed and sworn to before me this 1st day of May 1903.

A. M. Head

Miss. To Review



To be submitted to

Samuel White, Esq.

Atty

State of Oregon
County of Union } S.S.

I hereby certify that in the matter of the county road as petitioned for by A. E. Carroll 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

Arthur Curtis
County Surveyor

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

For re Road Returned for
by A. B. Cannon et al

Filed August 11, 1908
J. M. Cannon
Clerk

State of Oregon
County of Union } 85

I hereby certify in the matter of
the county road petitioned for by A. E. Carroll 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, together in angles and distances

Arthur Curtis
County Surveyor

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

Shire Road Petitioners for
by A. E. Conner et al

Filed Aug. 9th 1903
J. M. [Signature]
Co. Clerk

REPORT OF VIEWERS.

To the Honorable County Court for Union County, Oregon:

The undersigned viewers heretofore on the 1st day of July 1903, 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 A. E. Carroll, et. al., beg leave to report that on the 28 day of July, 1903, 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.

L. L. McKinnon
B. Logsdon
Arthur Curtis

Viewers.

In the County Court
of the State of Oregon
for the County of
Union

Due the road payments
for by D. E. Carroll total

Report of Shivers

Filed Aug. 6, 1903

J. M. [Signature]
Co. 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 A. E. Carroll et al., beg leave to report that on the 28 day of July 1903 ~~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 the South West Cor. Sec 11. T. 2 N. R. 40 E. W. M. Then East. Var $20^{\circ} E$ 12.42 chs. to Angle 1. a rock. Then North $10^{\circ} 30'$ West 3.85 chs to Angle 2 a rock. Then N. $33^{\circ} 15'$ W. 6.06 chs to a. 3. Pine tree. Then North $34^{\circ} 30'$ W. 4.55 chs. to Angle 4 a rock; Then N. $9^{\circ} 30'$ West 3.30 chs to Angle 5 a tree; Then N. 50° West, 10.60 chs to Angle 6 a rock. Then N. $37^{\circ} E$, 8.80 chs to angle 7 a rock on Sec line then North 35.72 chs to 1 Mile tree, Then North, 18.03 chs to Sec Cor 2-3-10-11. T. 2 N. R. 40 E. W. M. then North 20.30 to Angle 8 Rock; Then N. $83^{\circ} E$. 3.00 chs to a. 9 Stake Then North $2^{\circ} 30'$ West, 11.20 chs to angle 10 a tree. Then North $14^{\circ} W$. 8.00 chs. to angle 11 a rock. Then North 19.47 chs to 2 Mile rock. Then North 61.00 chs to Road Terminus stake
the N. W. Cor. S. W. $1/4$ of Sec. 35. T. 3 N. R. 40 E. W. M.

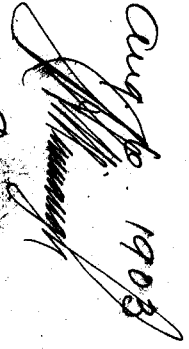
Arthur Curtis
County Surveyor.

On the County Court
of the State of Oregon
for the County of Union

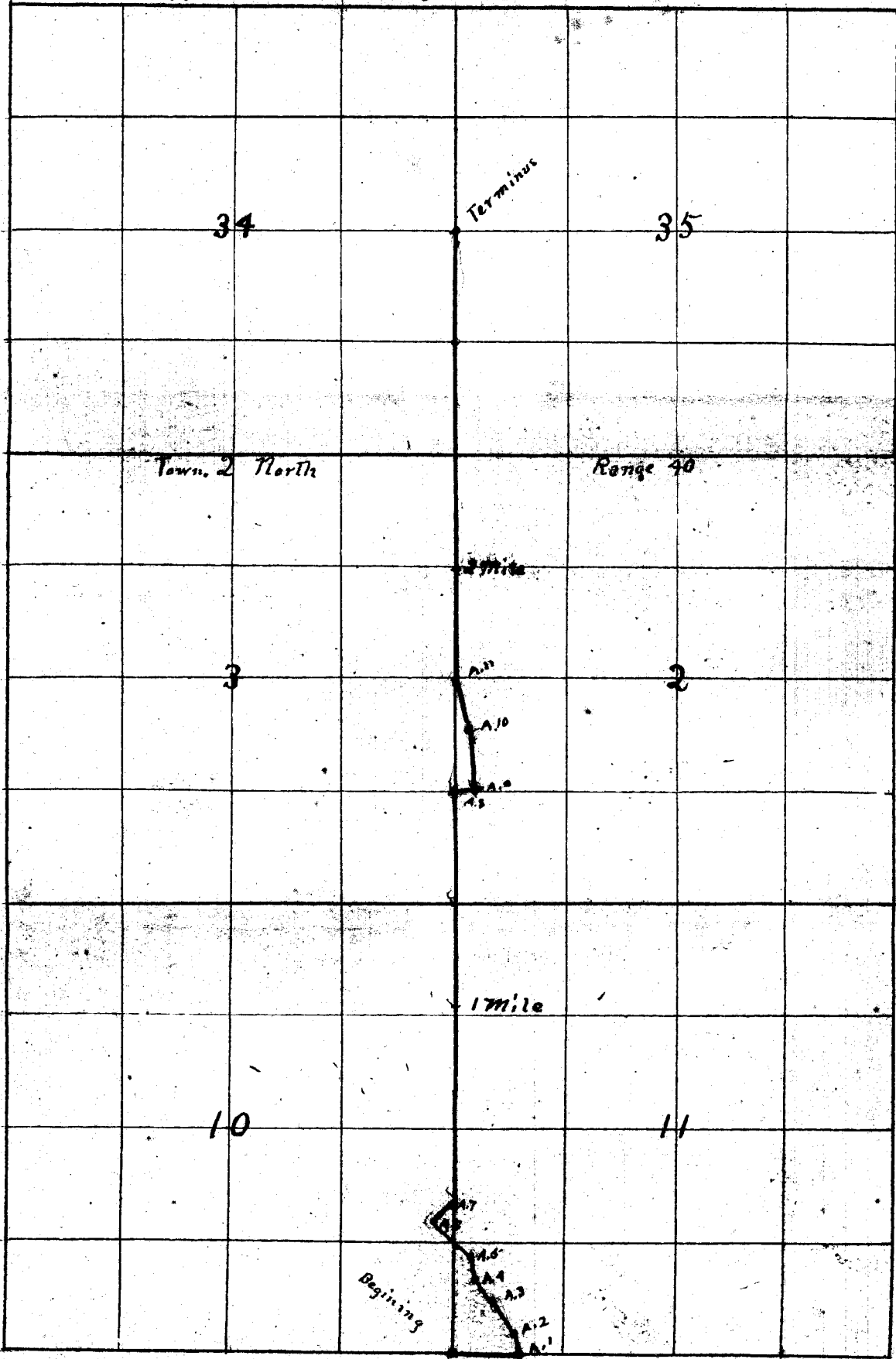
Gene Road Platment
for by A. B. Cannon et al

Report of Surveyor

Filed Aug 10, 1903


C. A. Clark

Town. 3 North Range 40 East W.M.



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

In re road petition
for by A. E. Corvill et al

Quinnors Plat of Road

Filed Aug. 6th 1903

W. H. Clark
Clerk

8/5/03 Report of Board of Valuers & Surveyors read 1st time

8/12/03 " " " " " " 2 "

THIRD JUDICIAL DAY.

FRIDAY, MAY 8, 1903.

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 yesterdays proceedings was read, approved and is here now signed.

M. A. Harrison

County Judge

Robert Blumentstein

Commissioner

Gas. A. Pilcher

Commissioner

Thereupon the following proceedings were had, to-wit:

In the matter of the application of J. E. Carroll for refund of over-paid taxes for the year 1902.

At this time is presented to the Court the affidavit of J. E. Carroll reciting the fact that for the year 1902 he was erroneously assessed upon certain lands in Union County, Oregon, to-wit: The east half of the southeast quarter of section seven (7) and the east half of the northeast quarter of section eighteen (18) township six (6) south of range thirty-eight E. W. M., and on Lots six, seven, eight, nine and ten in block twenty-one (21) in the town of North Powder; that he is not now or never has been the owner of said lands; that the taxes charged against the same for the year 1902 is the sum of \$5.60; that the said lots six, seven, eight, nine and ten in block 21 were also assessed to Mrs. Anna Carroll for the year 1902, and the taxes thereon, amounting to \$1.44 by her paid; that on March 14, 1903, the applicant paid the taxes on said lands amounting to \$5.60, less three per cent. rebate, and also the taxes on said lots amounting to \$1.44, less three per cent. rebate; that on said date Mrs. Anna Carroll also paid the taxes on said lots six, seven, eight, nine and ten in block 21. And it appearing to the Court at this time that the applicant has over-paid taxes for the year 1902 on the lands, aforesaid, \$5.60, and on the lots aforesaid, \$1.44, aggregating \$7.04, less three per cent. rebate, amounting in the aggregate to \$6.83. IT IS THEREFORE ORDERED by the Court that the Clerk issue a warrant on the general fund for \$6.83 in favor of the petitioner for such over-paid taxes.

In the matter of the County Road petitioned for by A. E. Carroll, et al.

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

THIRD JUDICIAL DAY.

FRIDAY, July 3, 1903.

Court met pursuant to adjournment:

the same officers present as on yesterday:

Due proclamation of the opening of Court having been made, the journal of yesterday proceedings was read, approved and is here now signed.

M. Harrison

County Judge:

Robert Blumentein

Commissioner.

Gas. a. Pilcher

Commissioner,

Thereupon the following proceedings were had, to wit

In the matter of the application of August Nelson, for the cancellation of Tax Lien on the SE 1/4 NE 1/4, Sec 24, Tp 3 S. R. 37, E., for the year 1893.

This matter came on to be heard at this time on the application of August Nelson for the cancellation of the Tax Lien against the SE 1/4 NE 1/4, Sec. 24, Tp 3 S. R. 37, E., W. M. , held by Union County against said described property for the year 1893, and from which it appears that the petitioner is the owner of said property; that the said property was assessed to A. J. Warren, for the year 1893, and the taxes for said year paid thereon; that said land was also assessed to Lloyd Baker for the said year 1893, and the taxes so assessed were not paid. And it further appearing to the Court that the assessment of said property in the name of Lloyd Baker or Unknown for the said year was erroneous and a double assessment of said property. IT IS THEREFORE CONSIDERED AND ORDERED by the Court that the Clerk of this Court cancel the said pretended Tax Lien of record against the above described property in the name of Lloyd Baker or Unknown for the said year 1893, upon the delinquent Tax Sales record of Union County Oregon, and take corresponding credit therefor.

In the matter of the proposed County Road petitioned for by A. E. Carroll? et al.

Comes now A. E. Carroll, 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:

Beginning at the southwest corner of Sec. 11, Tp 2 N. R. 40, E., W. M., running thence east about 500 feet thence in a northwesterly direction over the most practical route to the northwest corner of the Southwest quarter of the Southwest quarter of Sec. 11, Tp 2 N. R. 40, E., W. M., in Union County , Oregon, thence North along said Section line to the northwest corner of the southwest quarter of Sec. 35, Tp 3 N. R. 40 E., W. M., and there terminating, said road to be 60 feet wide,.

THIRD JUDICIAL DAY.

FRIDAY, JULY 3, 1903.

And it appearing to the Court that the said petition is signed by more than twelve householders of this County, residing in the Road District where said proposed road is to be established and located, 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 town of Union, Union County, Oregon, and also in three public places in the vicinity of said proposed road, to wit:

One on a Pine tree at the place of beginning, and one on a Pine tree on line of proposed road about the center thereof and one on a Pine Tree at the place of termination of said proposed road, all in conspicuous places and in plain view of the traveling public 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 CONSIDERED AND ORDERED that B. Logsdan and L. L. McKennon be appointed Viewers of said road and that Arthur Curtis be appointed Surveyor of said road and that they meet at the commencement of said road on Tuesday the 28th day of July, 1903, 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 application of W. F. Alexander for liquor license at Cove, Union County, Oregon.

This matter came on to be heard at this time on the petition of W. F. Alexander to sell spirituous, vinous and malt liquors in less quantities than one gallon in Cove, Cove Precinct, Union County, Oregon, for a period of Six months from the 10th day of July, 1903, And it appearing to the Court that the said petition is signed by a majority of the legal voters residing within said precinct; that due and legal notice thereof has been given as is evidenced by the affidavit of publication filed herein and that said notice was published in the Oregon Scout, a weekly newspaper of general circulation, printed and published in Union, Union County, Oregon, the nearest newspaper published to the said town of Cove; that the applicant has paid to the Treasurer of Union County, Oregon, the sum of \$200.00 as is evidenced by the receipt of said Treasurer now on file in the office of the Clerk of this Court; that he has filed a good and sufficient bond in the sum of \$1000.00; that no remonstrance or petition against the issuance of said license has been filed herein. And it further appearing to the Court that said petition should be granted.

IT IS THEREFORE CONSIDERED AND ORDERED by the Court that a license issue to W. F. Alexander to sell spirituous, vinous and malt liquors in less quantities than one gallon in Cove, Cove Precinct for a period of six months from the 10th day of July, 1903.

FIRST JUDICIAL DAY,

WEDNESDAY, AUGUST 5, 1903.

Subscribed and sworn to before me this 3rd day of August, 1903, as witness my hand and Notarial Seal

Turner Oliver,

Notary Public for Oregon.

(Notarial Seal)

Endorsed: Warehouseman's Bond. From C. C. Frazier to Union County, State of Oregon. Examined and approved this 5th day of August, 1903. M. A. Harrison, County Judge. Filed Aug. 7, 1903 at 8 o'clock A. M. J. H. Mimnaugh, Clerk, by E. P. Schow, Deputy.

Therefore, based upon the said application and bond, it is now therefore hereby ordered by the court that a license issue to the said C. C. Frazier to operate a warehouse at Conley Spur, Union county, Oregon, under the provisions of said Act, for the period of one year from the 5th day of August, 1903.

In the matter of the proposed county road petitioned for by A. E. Carroll, 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, as required by law. It is ordered that said report be laid over for second reading on some other day of this term.

In the matter of the cancellation of county, road and contingent warrants and of credits to the county treasurer.

Comes now John Frawley, county treasurer, and presents to the court certain county, road and contingent warrants, school vouchers and other vouchers, showing that he has paid out certain moneys, and the court having duly examined the same and found that all of said warrants have been duly and regularly issued and paid, and the money from which said school vouchers were taken was properly paid of the moneys applicable thereto, it is therefore ordered that said warrants be cancelled and the said vouchers filed and that the treasurer have full credit on his account for the aggregate amount of warrants and vouchers as follows, to-wit:

71 County Warrants	-----	\$2,077.05
Interest on same	-----	917.25
14 Contingent Warrants	-----	381.85
52 Road Warrants	-----	1,247.25
1 Receipt for two school vouchers	-----	90.50
1 Receipt School District No. 8	-----	30.25
1 " " " " 12	-----	64.60
1 " " " " 13	-----	75.50
1 " " " " 44	-----	172.12

THIRD JUDICIAL DAY,

FRIDAY, AUGUST 7, 1903.

In the matter of the proposed county
road petitioned for by A. E. Carroll 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 it appearing to the court at this time that under provisions of Sec. 78 of An Act of the Legislative Assembly of the State of Oregon, Approved Feb. 24, 1903, relating to the laying out and establishment of county roads, that all the files and records in this proceeding must be submitted to the District Attorney for his inspection; it is therefore hereby ordered that said papers be forwarded to the District Attorney for his inspection and that this matter be and the same is hereby continued for the term, pending the action of said District Attorney in said matter.

Thereupon the Journal of today's proceedings was read, approved and is here now signed and it was ordered that court be now adjourned for the term.

M. A. Harrison County Judge.
Robert B. Blumstein Commissioner.
Jas. A. Pelcher Commissioner.

THIRD JUDICIAL DAY.

FRIDAY, SEPTEMBER 4, 1903.

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:

M. A. Harrison County Judge.
Robert Blumentein Commissioner.
Gas. A. Pitcher Commissioner.

Thereupon the following proceedings were had, to-wit:

In the matter of the resignation of W. L. Fugate, Justice of the Peace for Summerville District.

Comes now W. L. Fugate, Justice of the Peace for Summerville District, and presents to the court his resignation as such officer, to take effect Thursday, September 10, 1903; and it appearing to the court that the said W. L. Fugate is desirous of removing from the county, it is hereby ordered that said resignation be and the same is hereby accepted to take effect Thursday, September 10, 1903.

In the matter of the County Road petitioned for by A. E. Carroll, et al.

It appearing to the Court at this time that all the papers and files in the matter of the said proposed road have been presented to the District Attorney for inspection, in accordance with Section 78 of an Act of the Legislative Assembly of the State of Oregon, approved February 24, 1903, and by the said District Attorney disapproved on account of irregularities in the petition for said County Road, It is therefore ordered that this matter be and the same is hereby dismissed. It is further ordered that all proceedings heretofore had in regard to this matter be and the same are hereby cancelled and held for naught.

In the matter of the application of morritz Spraul to be admitted to the County Hospital.

This matter came on to be heard at this time upon the application of Morritz Spraul for admission to the County Hospital, and it appearing to the court from the affidavit and petition of the applicant filed herein that he has been a resident of the State of Oregon for the past three years and of Union county for the past eighteen months; that he is of the age of fifty-nine years; that he has no money with