

EQUITY.

No 17

In CIRCUIT COURT
UNION COUNTY

J L Handman

Plaintiff

vs

Lizzie & A Kyle et al

Defendant

A M Lee

Attorney for Plaintiff

Attorney for Defendant

2540-511

Section 2 road

Road No 556

Relieved for by
Wm Spencer et al

Commencing on the County
road at SW corner of the
SW Sec of Sec 19, T₃S
R₃₉E then North as
near as practicable on the
line between the East and West
half of the Sec of said Sec 19,
to SW corner of the NW
of Sec 19, thence N to SW cor
of Sec of Sec 18, thence N to
the County road at NW
cor NW 4 of Sec 18 T₃S R₃₉E

~~~~~

# 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 on the County Road at the SW Corner of the SE<sup>4</sup> of the SE<sup>4</sup> of Section 19, T3 S. R. 39 E. W. M. Thence North, as near as practicable, on the line between the East and West half of the SE<sup>4</sup> of said Sec 19, Thence West, to the SW Corner of the NE<sup>4</sup> of Sec 19 Thence North to the SW corner of the SE<sup>4</sup> of Sec 18 Thence West to the SW corner of the SW<sup>4</sup> of Sec 18 Thence North to the County road at the NW corner of the NW<sup>4</sup> of Sec 18 All in Township 3 South of Range 39 East of the Willamette Meridian in Union County Oregon

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

Dated at Island City Ore this 3<sup>rd</sup> day of January 1902

NAMES:

NAMES:

Wm Spencer,  
L J Furgason,  
C Johnston  
J. W. Spencer  
A. J. Weather  
John M. Mundy  
H. Karsen  
M. Reynolds  
O J. Merson

James S. Peach  
George W. Peach  
Joseph Spencer  
W. F. Geheler  
J. G. Anson  
F. D. Gaskill  
C. E. Galt  
J. E. Reynolds  
Mat Matron  
M. Wilkinson

Petition for County Fund

Petitions for by

Wm. Spencer, et al

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Filed March 5<sup>th</sup> 1902

Wm. Spencer, Clerk  
By J. B. Schuler  
Atty

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

I, L. J. Ferguson 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 board nailed to a fence post

at or near the commencement of said proposed road;

one on a board nailed to a post in the Northwest corner of the yard fence of what is known as the Malaffey place, about

one mile west of said proposed road, and one on a

board nailed to a fence post at or near the terminus

of said proposed road  
Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the 21<sup>st</sup> day of January 1908, and that thereafter and thirty days previous to the presentation of said road

petition therein mentioned, to-wit: On the 22<sup>nd</sup> day of January 1908, I posted a true and correct copy of said notice at the place of holding Court for Union County, Oregon, to-wit: On 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.

L. J. Ferguson

Subscribed and sworn to before me this 5<sup>th</sup> day of March 1908.

L. W. Benson Co. Clerk

By O. P. Schow  
J. H.

# 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 5<sup>th</sup> day of March 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 on the county road at the SW corner of the SE<sup>4</sup> of the SE<sup>4</sup> of Section 19, T 3 S, R 39 E, W. M. Thence North, as near as practicable, on the line between the East and West half of the SE<sup>4</sup> of said Section 19 to the SW corner of the SE<sup>4</sup> of the NE<sup>4</sup> of Sec 19. Thence west to the SW corner of the NE<sup>4</sup> of Sec 19. Thence North, to the SW corner of the SE<sup>4</sup> of Sec 18. Thence west to the SW corner of the SW<sup>4</sup> of Sec 18. Thence North to the County road at the NW corner of the NW<sup>4</sup> of Sec 18. all in Township 3 South of Range 39 East of the Willamette Meridian in Union County, Oregon

Dated at Deland City Oregon, the 3<sup>rd</sup> day of January A. D. 1902

NAMES

Wm Spencer,  
L J Furgason  
C. Robertson  
J. W. Spencer  
A J Weather  
John R. Pugh  
H. Harrell  
M. Reynolds  
O J Hewison

NAMES

James S. Peach  
George W. Peach  
Joseph Spencer  
W. F. Geckler  
J. S. Anson  
F. W. Baskill  
C. E. Golden  
J. E. Reynolds  
Mat Matron  
M. Wilkinson

BOND OF ROAD PETITIONERS.

KNOW ALL MEN BY THESE PRESENTS, that we Wm Spencer  
and L. J. Ferguson 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  
5<sup>th</sup> day of March, A. D. 1902.

Now, the condition of the above obligation is such, that  
whereas the above named Wm Spencer and L. J. Ferguson  
and others, have petitioned the County Court of said County of Union,  
at the March term, 1902, thereof for a county road,  
as described in the petition hereto  
attached

Now, if the above named Wm Spencer and L. J. Ferguson  
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.

E. P. Schow witnesses to mark  
State of Oregon, Wm Spencer Seal  
L. J. Ferguson Seal.  
County of Union, SS:  
I, Wm Spencer and L. J. Ferguson

L. J. Ferguson, 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 householder  
in said county and state.

E. P. Schow witnesses to mark  
Wm Spencer  
L. J. Ferguson  
Subscribed and sworn to before me this 5<sup>th</sup> day of March A. D. 1902.  
W. O. Benson by E. P. Schow Deputy

## Certificate of Transcript.

STATE OF OREGON,  
County of Union.) ss

I, the undersigned, County Clerk in and for Union County, Oregon, and ex-officio Clerk of the.....  
.....Court of said County, do hereby certify that the foregoing Transcript.....  
.....has been by me compared with the  
original.....and that it is a correct Transcript therefrom and the whole of such original,  
as the same appears.....in my office and in my custody.

WITNESS my hand and Seal of office this.....day of.....A. D., 190....

.....County Clerk.

By.....Deputy.



of the County Court  
of the State of Oregon  
for Lincoln County

In the matter of the  
road petitions

for by  
William Spencer, et al

This March 5, 1902

W. H. Emerson  
Clerk

By E. P. Adams  
11 00000

State of Oregon  
County of Union } ss

I hereby certify that in the matter of the County road petitioned for by William Spencer and others, that the viewers and each of them heretofore appointed by the Court to view and lay out said road, were duly sworn by me to faithfully and impartially perform the duties pertaining to the viewing laying out and establishing of said road before entering upon the discharge of their said duties in that behalf.

Arthur Curtis  
County Surveyor

**FILED**

MAY 5 1902

*W. H. Johnson*

County Clerk

# REPORT OF VIEWERS.



To the Honorable County Court for Union County, Oregon:

The undersigned viewers heretofore on the 7<sup>th</sup> day of April 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 William Spencer, et. al., beg leave to report that on the 26<sup>th</sup> day of April, 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.

Joseph Hanson  
J. J. Peckler  
H. B. Campbell } Viewers.

**FILED**  
MAY 5 1902

*W. H. Brownson*  
County Clerk

State of Oregon  
County of Union } S.S.

I hereby certify that in the matter of the County road petitioned for by William Spencer 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 with the angles and distances.

Arthur Curtis  
County Surveyor

**F I L E D**

MAY 5 1902

*W. H. Brown*  
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 William Spence et al., beg leave to report that on the 26 day of April 1902, 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 rock marked "R" at the S.W. Cor of S.E. 1/4 of S.E. 1/4 Sec. 19, T. 3 S. R. 32 E. W. M. Thence North  $20^{\circ}$  E 40. Chs set stone for Angle 1; Thence West 20. Chs set stone for Angle 2; Thence North 20. Chs. set 17 Mile<sup>E</sup> same course 20. Chs set Angle 3; Thence West 38.25 Chs to Angle 4 the S.W. Cor, Sec. 18; Thence North 21.75<sup>Chs</sup> set 2 Mile Rock, then North 58.25 Chs to Road Terminus a rock in center County Road at the N.W. Cor Sec. 18, T 3 S. R. 32 East W. M.

Arthur Curtis  
County Surveyor.



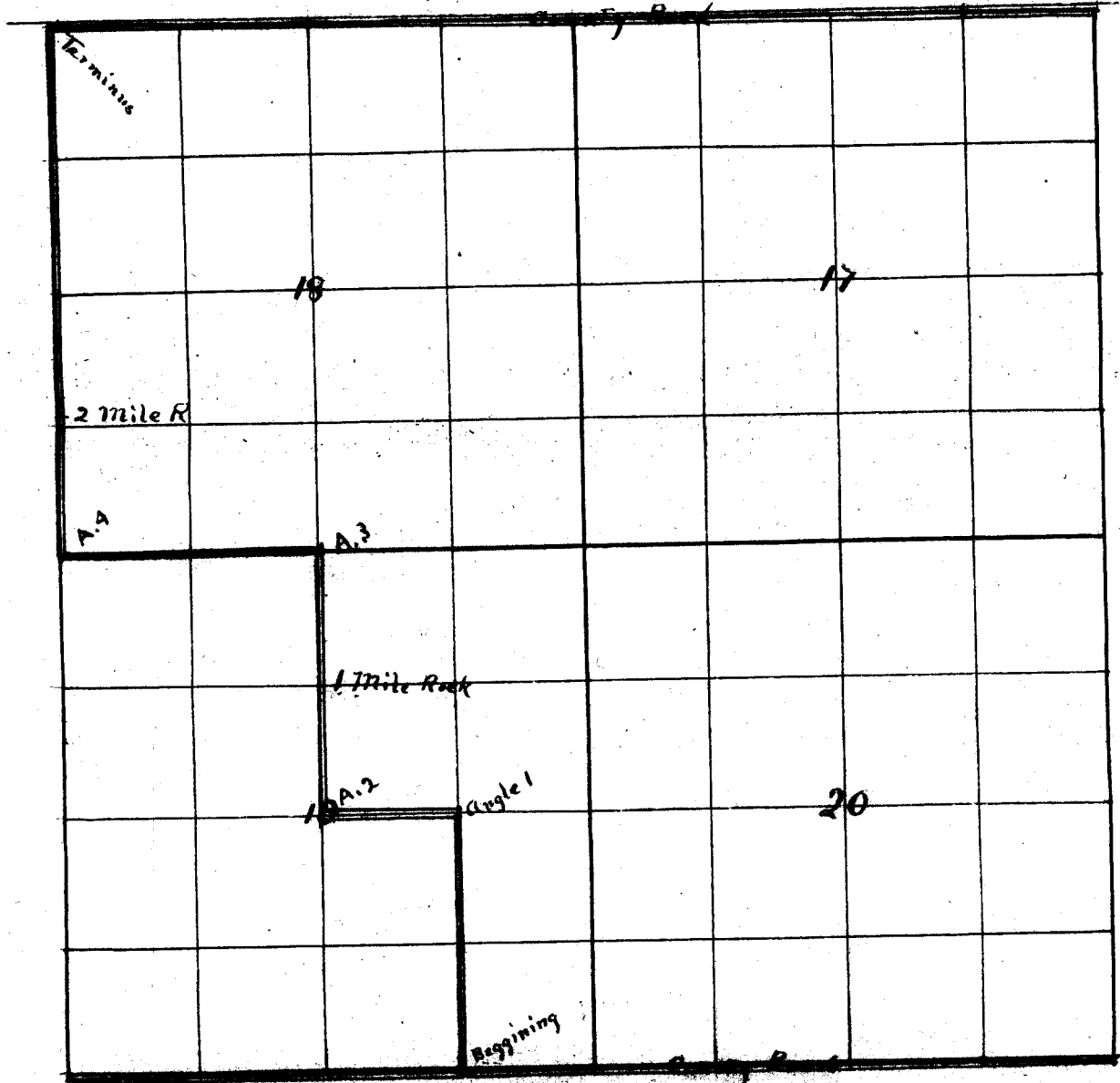
**FILED**

MAY 5 1902

*W. H. Benson*  
County Clerk

Road Petitioned for by William Spencer et. al.

Town 3 South Range 39 East W. 711.



Read Postman's folder

William Spencer

et al

Dated May 5, 1902

Wm. Spencer

E. G. West

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

In the matter of County road petitioned for by  
William Spencer and others.

Now at this time comes N.H. Anson, the undersigned, and  
presents this claim for damages, by reason of the location  
of said road as follows:

|                                                              |                   |
|--------------------------------------------------------------|-------------------|
| For land taken up by said road, 2 acres at \$20<br>per acre, | \$40.             |
| For posts for 1/2 mile of fence,                             | 48.10             |
| For wire to build 1/2 mile of fence,                         | 28.80             |
| For labor in building 1/2 mile of fence,                     | 25.00             |
| Total,                                                       | -----<br>\$141.90 |

That said road is of no benefit to me, whatever, and  
the above amount is actual damage, sustained by me.

*N. H. Anson*  
Claimant.

County Court

Union County

Orange

Deputy of

the road petitioners

for by various names,

et al.

Plaintiff of

vs. answer for

damages

This may 7, 1902

Geo W. Benson

Attorney

000 to some 3, 2000 ft by the road, 3 acres at 100

01.01  
02.02  
03.03  
04.04  
05.05



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

In the matter of County road petitioned for by  
William Spencer and others.

Now comes J.O. Anson, the undersigned, and presents his  
claim for damages, by reason of the location of said road,  
as follows:

|                                                              |                   |
|--------------------------------------------------------------|-------------------|
| For land taken up by said road, 2 acres at \$25<br>per acre, | \$50.00,          |
| For posts for 1/2 mile of fence,                             | 48.10,            |
| For wire to build fence,                                     | 28.80,            |
| For labor in building 1/2 mile of fence,                     | 25.00.            |
| Total,                                                       | -----<br>\$141.90 |

That said road is of no advantage to me, and I am actually  
damaged by reason of its location as above stated.

Claimant.

*J. O. Anson*

County Court  
Winn County  
Oregon

\_\_\_\_\_

Under master of  
the road between  
Parky & Mission  
Johnson et al

Winn of Johnson  
for damages

Winn May 9, 1902  
\$1.00 Johnson

Winn

10.00  
10.00  
10.00  
10.00  
10.00

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

In the matter of County road petitioned for by William Spencer and others.

Now at this time comes D.W. Johnson, the undersigned, and presents his claim for damages by reason of the location of said road, as follows:

|                                                               |                 |
|---------------------------------------------------------------|-----------------|
| For the land taken up by said road, 4 acres at \$25 per acre, | \$100.          |
| For posts necessary to build one mile of extra fence          | 96.20           |
| For wire to build one mile of fence,                          | 57.60           |
| For labor in building one mile of fence,                      | 50.00           |
| Total damage,                                                 | <hr/> \$303.80. |

In addition, the claimant says, that said road, is of no benefit to him, and in fact is a detriment for the reason, that said proposed road, cuts his pasture off from his watering place.

*D. W. Johnson*

Claimant.



County Court

Sumner County, Oregon

Under notice of  
the road petition  
for by petition

Spencer, et al

Claim of

A. W. Johnson

for damage

Made May 9, 1907

W. W. Johnson

Q. Clark

to which the petition was returned, and in fact is a detriment for the  
benefit to him, and in fact is a detriment for the  
benefit to him, and in fact is a detriment for the  
benefit to him, and in fact is a detriment for the

1907

# REPORT OF VIEWERS.



TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

We, the undersigned, viewers heretofore on the ~~10~~ day of May, appointed to view out and assess the damages claimed by D. W. Johnson ~~et al~~ in the matter of the proposed county road, petitioned for by Wm. Spencer et al. beg leave to report that on the ~~10~~ day of May, 1902, we, after being duly sworn to discharge our duty faithfully and impartially, proceeded to view said proposed road the whole distance through the premises of D. W. Johnson complainant, and to assess and determine how much less valuable said premises of said complainant would be rendered by the opening of said road, and we find that the premises of said complainant D. W. Johnson would be rendered \$155 less valuable, and that the premises of complainant N. H. Anson would be rendered \$65 less valuable, and the premises of the complainant J. O. Johnson would be rendered \$65 less valuable by the laying out and establishment of said proposed road as a public highway of said county, and recommend that \$285 be paid to said complainant before laying out and establishing said road as a public highway.

Thos. Brushen  
L. S. Miller  
Theo. Keckritz

State of Oregon }  
County of Union }

We, Thomas Brantley, C. J. Miller  
and Theodore Keckritz, hereto fore appointed  
by the County Court of said County and State  
to assess the damages that would accrue  
to the claimants, D. W. Johnson, H. H. Arrow and  
J. D. Arrow, by reason of the location and  
establishment of the proposed county road  
petitioned for by Wm. Spencer, et al., being  
first duly sworn, each for himself and  
not one for the other say, that we will  
faithfully and impartially appraise the  
damages that would accrue to each and all  
of said claimants by reason of the location  
and establishment of said proposed county  
road and render our report accordingly

Filed March 20, 1907  
Wm. Brantley  
Clerk

Wm. Spencer et al

Thomas Brantley  
C. J. Miller  
Theodore Keckritz

Subscribed and sworn to  
before me this 20th day of  
May, 1907.

Wm. Brantley  
County Clerk