

EQUITY

No. *47*

In CIRCUIT COURT
UNION COUNTY

Frank C. Scott Plaintiff

vs

Joseph Scott

Defendant

W. C. McLeod

Attorney for Plaintiff

W. S. Burleigh

Attorney for Defendant

1000
No 562

Testified for by

S L Bunnigh-stal

Commencing at a point in the
center of County Road of
State Co at a point about 87 rods
south from the southwest corner of
the 1/4 quarter of Sec 14 of
1st R 39 E 10m in Lincoln Co, Oregon
thence in a southeasterly direction
to center of County road and
there terminate

Elgin Or. May 26th. 1902

Mr. G.W. Benson.

Union Oregon.

Dear sir:- enclosed please find Road
bond will you kindly fill in sufficient of the discription of road
in Bond, and get the Court to appoint John Graham, Leman Blanchard,
and Thomas Higginbotham, as viewers, that is if the Court will have th
them George how are you? Resp.

S.L. Burnnagh.

Viewers to meet in Elgin

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 in the center of the County road at stake 'A' at a point about 87 rods south from the South west corner of the South east quarter of Sec 14 T¹ P 1, N R 39 W M in Union Co^{ty} OF thence in a south easterly direction above high-water mark to stake marked 'B' thence across the creek in a south easterly direction to stake marked 'C' thence across the creek and on a south easterly direction to stake marked 'D' at a point about 33 rods south from the SWth corner of the N-E-1st of Sec 25-41 21 N R. 39 E W M thence across the creek and in a south easterly direction on north side of the creek to stake marked 'E' thence across the creek and over the most practical rout to stake 'F' at the south east corner of the South east Quarter of Sec 24 in said T¹ P & Range thence in a south easterly direction about 28 rods to stake marked 'G' in the center of the present County road, and there terminate said road to be 60 feet wide,

And in duty bound your petitioners will ever pray &c

Dated at Elgin Oregon this 16th day of April 1902

NAMES

NAMES

S. G. Burnaugh
W. E. Gaden
E. M. Elliott
G. L. Garrett
G. A. Rogers
G. A. Hug
L. W. Morris

A. M. Mead
S. J. M. Wright
H. G. Buehler
Wm. Patten
John M. Yarrick
North Yenny
Prof. J. E. Burns

H. M. Bennett
B. E. Elliott
B. M. Bennett

J. E. Hoffman
J. M. Mead
W. E. Wear

E. H. Yarrick
D. D. Masten
A. Haelty
J. J. Binger
Chas. Hug

W. B. Knight
G. L. Knight
Joseph Hoffman
Claude Huffman

J. P. Harris
H. Baker
A. J. Patten
W. B. Blue
W. May
Chas. Huley
A. J. Stucker
J. H. Haggart
J. A. Conner
M. P. Proctor
D. B. Conner
J. M. Morlock
W. F. Sawyer
Joseph Land
L. Parks

J. M. Mead
A. B. Henderson
W. J. Dabman
J. H. Taylor
J. H. Conner
J. H. Kelley
A. W. R. Gell
S. E. Harris
L. Couch
W. M. Merlock
H. H. Hug
H. Towner
H. G. Masterson
J. M. Linder
J. C. Smith
J. L. Wilhelm
Robert Blumenthal
Frank Mead

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

I, B. R. Burnaugh 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 commencement of said road to wit; on the fence at a point 87 Rods South from the South west Corner of the N.E. Sec. 14 T. 1. S. R. 37 E. W. 4 N. and one at the intermediate point 2 1/2 rods South from the South east Corner of the N.E. of Sec. 23 in said T. 1. S. and Range. on a board and one on a board at the place of termination of the said road, all securely nailed and fastened in plain view of the public

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the 28th day of April 1902 and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the _____ day of _____ I, _____, 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.

Subscribed and sworn to before me this 28th day of May 1902
S. G. Burnaugh
J. M. Hood
Notary Public for Oregon

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

I, E. P. Schow being first duly sworn, say that I posted ~~three several notices, of~~
~~which the notice herunto 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 28th day of April 190~~...~~, I posted a true and
the hereto attached 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.

Subscribed and sworn to before me this 4th day of June 190~~...~~
E. P. Schow
J. W. Benson
Co. Clerk

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 4th day of June 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 Beginning in the center of the County road at stake A at a point about 87 rods south from the South West corner of the South East Quarter of Sec 14 Tp 1 N R 39 E W M in Union Co Or thence in a South easterly direction above a high-water mark to Stake marked B thence across the creek and in a south easterly direction to stake marked 'C' thence across the creek and in a south easterly direction to stake marked 'D' at a point about 23 rods south from the S E Corner of the N E 1/4 of Sec 23 Tp 1 N R 39 E W M thence across the creek and in a south easterly direction on north side of the creek to stake marked 'E' thence across the creek and over the most practical route to South east corner of the South east quarter of Sec 24 in said Tp & Range, thence in a south easterly direction about 28 rods to stake marked G in the center of the present County road and there terminate said road to be 60 feet wide,

Dated at Elgin Oregon the 16th day of April A D 1902

NAMES
S. H. Burroughs
M. E. Gordon
E. M. Elliott
G. J. Garrett
J. W. Rogers
J. W. King
G. W. Harris
H. M. Bennett
R. E. Elliott
B. W. Garrett
E. H. Garrett
D. D. Masters
E. C. Cross
A. Haeks
J. J. Bruggen
Chas. King

NAMES
H. C. Meeker
J. W. McMillen
H. H. McMillen
Miss Fuller
John M. Garrett
Abath Perry
Prof. J. S. Churns
J. C. St.uffman
J. W. Masters
R. K. Keenan
W. C. Wheeler
W. S. Knight
A. Knight
Joseph Huffman
Claude Huffman

J. P. Keenan
J. W. King
H. C. Baker
A. J. Patton
W. J. King
W. M. King
Chas. St.uffman
J. W. King
H. C. Baker
A. J. Patton
J. H. Henderson
W. H. Hallgart
J. A. Connor
W. E. B. Dutton
W. S. King
A. J. Patton
A. J. Patton
H. C. Baker
W. H. Hallgart
J. P. Keenan

J. W. King
H. C. Baker
A. J. Patton
W. J. King
W. M. King
Chas. St.uffman
J. W. King
H. C. Baker
A. J. Patton
J. H. Henderson
W. H. Hallgart
J. A. Connor
W. E. B. Dutton
W. S. King
A. J. Patton
A. J. Patton
H. C. Baker
W. H. Hallgart
J. P. Keenan
Robert Blum
Frank Smith

412/8/02
2/8/02

BOND OF ROAD PETITIONERS.

KNOW ALL MEN BY THESE PRESENTS: That we A. R. Burnough and W. E. Gordon, 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 paid, we bind ourselves, our heirs, executors and administrators firmly by these presents: Signed this 26th day of May A. D. 1902.

Now, the condition of the above obligation is such, that whereas the above named A. R. Burnough and W. E. Gordon, and others, have petitioned the County Clerk of said County of Union, at the June term, 1902, thereof for a County road.

beginning at a point 84 rods south from the south west corner of the NW 1/4 of Sec 14 of T. 14 R. 37 E. W. 1/2. describes in the petition and notice hereto attached.

Now, if the above named A. R. Burnough and W. E. Gordon 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 ~~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.

S. J. Burnough Seal.
W. E. Gordon Seal.

State of Oregon,
County of Union. SS:

I, A. R. Burnough and W. E. Gordon each for himself, says that I am worth the sum of Two Hundred 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.

S. J. Burnough
W. E. Gordon

Subscribed and sworn to before me this 26th day of May

A. D. 1908.

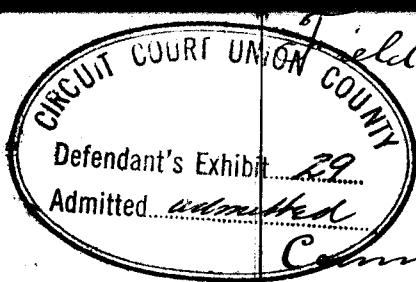
A. M. Wood.
Notary Public for Oregon

Handwritten notes, possibly a signature or date, written vertically on the left side of the page.

Handwritten notes, possibly a signature or date, written vertically on the right side of the page.

County Road petitions
for by H. D. Wainwright, et al

Filed June 4, 1908
H. W. B. vs. op. (et al)
R. 4 - E. D. Wainwright
(L. D. Wainwright)



Field Notes of Road Pet. for by S. L. Burnmugh et. al

Commencing at a point 20 Chs. S. of the N.W. Cor
of N.E. 1/4 Sec. 23 T. 17N. R. 39 E. W. Va. at a rock
Ch^{70°}
marked R. set in County Road. Thence South ~~70°~~ East

1.40	To Angle 1 a stake ;	"	"	56°
1.55	" " 2 " Tree ;	"	"	52° 53°
1.80	" " 3 " " ;	"	"	30°
2.50	" " 4 " " ;	"	"	26° 30'
5.90	" " 5 " " ;	"	"	20°
3.75	" " 6 " rock ;	"	"	26° West
1.60	" " 7 " stake ;	"	"	14°
0.75	" " 8 " stake ;	"	"	85° East
4.00	" " 9 " Tree ;	"	"	73° 30'
0.75	" " 10 " " ;	"	"	46° 30'
1.25	" " 11 " " ;	"	"	68°
1.15	" " 12 " " ;	"	"	71°
2.80	" " 13 " " ;	"	"	62° 30'
3.00	" " 14 " " ;	"	"	54°
4.50	" " 15 " " ;	"	"	80°
2.75	" " 16 " " ;	"	"	50°
3.60	" " 17 " " ;	"	"	North 85°
4.25	" " 18 " " ;	"	"	67°
2.55	" " 19 " Rock ;	"	"	South 68°
30.15 4.20	" " 20 " " ;	"	"	43°
3.40	" " 21 " tree ;	"	"	53°
3.40	" " 22 " " ;	"	"	North 71°
1.25	" " 23 " rock ;	"	"	77°
2.75	" " 24 " tree ;	"	"	South 73° 30'
4.60 69.70	" " 25 " " ;	"	"	76°

Chs

3.70	To Angle 26. a tree; Then South 34° East
3.00	" " 27 " " ; " " 62° "
3.00	" " 28 " " ; " North 78° "
<u>.60</u>	" 1 Mile tree ; " " 78° "
4.90	" Angle 29 " " ; " South 61° "
5.55	" " 30 " rock ; " " 31° "
7.00	" " 31 " " ; " " 27° "
5.80	" " 32 " " ; " " 75° "
3.50	" " 33 " " ; " " 19° "
3.00	" " 34 " ^{across creek} Tree ; " " 50° "
15.00	" " 35 " " ; " " 67° "
5.00	" " 36 " " ; " " 64° "
2.30	" " 37 " " ; " North 75° "
4.00	" " 38 " " ; " " 34° "
2.15	" " 39 " Rock in Seeline; " East
16.45	" " 40 " " ^{S.E. Cor.} See 24 ; " South 30° "
<u>5.35</u>	" 2 Mile Rock " " 30° "
6.65	" Road Terminus marked Rock in mound of rock on County Road

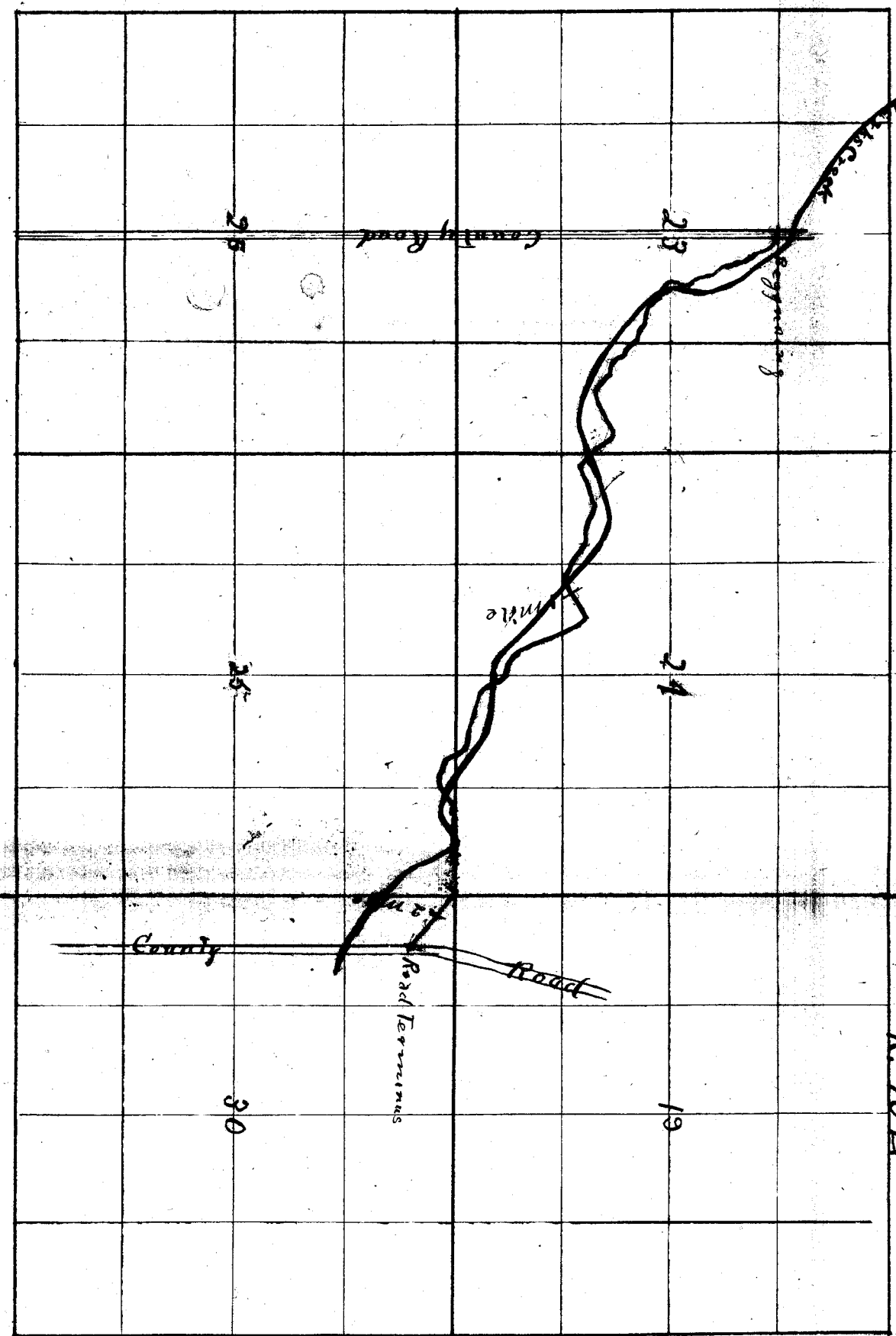
All points along said Road spoken of in
Petition was met by Survey as
platted by me

Arthur Curtis
County Surveyor

FILED
JUN 28, 1902
Wm. B. Bunker
County Clerk

Road Partitioned for by S. L. Burroughs et. al.

Town. 1 North, Range 39 East W.M. R. 40 E



H. P. Burroughs Perk

Miss Jane B. 1802
G. M. Benson

Ca. Clerk

State of Oregon)
County of Union) S.S.

I hereby certify in the matter
of the County road as Pet. for by S.L. Burroughs
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
angles and distances

Arthur Curtis
County Surveyor

FILED
JUN 30, 1902

W. J. Brown
County Clerk

REPORT OF SURVEYOR, Union County, Oregon, Form No. 14

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
S. L. Burnough et al., beg leave to report that
on the 23rd day of June 1902 ~~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:

attached

Arthur Curtis
County Surveyor.

1902 JUN 30 1902

FILED
JUN 30 1902
W. H. Benson
County Clerk

Stat of Oregon
County of Union | S.S

I hereby certify in the matter of
the County road Pet. for by S. L. Bunnough and others
that the viewers 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
and laying out of said road, before entering
upon the discharge of their said duties
in that behalf

Arthur Curtis
County Surveyor

FILED

JUN 30, 1902

W. H. Johnson
County Clerk

REPORT OF VIEWERS.



To the Honorable County Court for Union County, Oregon:

The undersigned viewers heretofore on the 4th day of June 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 S. L. Burnamph, et. al., beg leave to report that on the 23 day of June, 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.

John Graham
W. H. Higginbotham
Leman Blanchard Viewers.

F I L E D
JUN 30, 1902

W. H. Brown
County Clerk

First Judicial Day

Wednesday, July 2, 1902.

In the matter of the issuance
of Duplicate warrants to
E. Harris.

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

In the matter of the application of
W. H. Langley for the vacation
of a County road.

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 provided by law, and said report having been read
in open Court, It is hereby ordered that said report be laid on
the table for a second reading on some other day of this term
of Court.

In the matter of the application
of S. L. Purnough, et al, for
proposed County road

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 as provided by law, It is hereby ordered that
said report be laid on the table for a second reading on some
other day of this term.

In the matter of the proposed
County road petitioned for by
Geo. F. Hall, 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 as provided by law, It is hereby ordered
that said report be laid on the table for a second reading
on some other day of this term of Court.

In the matter of the claim of Baker
County, account care and
medical attention to Ch. Dawson
an indigent person.

This matter came on to be heard at

Fifth Judicial Day

Tuesday, July 9, 1902

that Florence Dabbin claims to be owner of lands over and across which the above named proposed County road as located and surveyed extends; that Florence Dabbin will be damaged in the sum of \$2000⁰⁰ by the location and establishment of said road.

It is therefore considered and ordered by the Court that B. F. Owensby, D. A. McClinton and W. D. Campbell be appraisers to examine the premises of said claimant Florence Dabbin the entire distance through which said proposed road will pass, and report to this Court how much less valuable the premises of said claimant would be rendered by the location and establishment of said road, and that they meet at the beginning of said proposed road on Saturday, August 2, 1902 at 10 o'clock A. M., and after qualifying to proceed to view, and assess the damages that would accrue to said claimant by the reason of the location and establishment of said proposed road and to render their report to this Court at the August term, 1902.

In the matter of the proposed County road petitioned for by W. S. Hamilton, et al.

At this time is presented to the Court, the motion of Ramsey and Olson, Attorneys for petitioners, moving that the report of the appraisers heretofore appointed herein be set aside and dismissed for the reason that the damages as assessed by said appraisers are excessive and unfair, and the Court having taken said motion under advisement, and ^{being} fully advised in the premises, it is therefore considered and ordered by the Court that said motion be and the same is hereby denied.

In the matter of the proposed County road petitioned for by S. B. Burroughs

This matter comes on to be heard at this time on the report of the viewers and surveyors heretofore appointed herein, for a second reading as provided by law, and the report of the viewers being in words and figures following, to wit:

Report of Viewers

To the Honorable County Court
for Union County, Oregon.

The undersigned viewers heretofore on the 11th

Fifth Judicial Day

Tuesday July 8th 1902

day of June 1902, appointed to view, lay out and, after the proposed county road, of which survey hereto attached is a true and correct description, as published for by S. L. Burnaugh, et al leg. leave to report that on the 23rd day of June A.D., 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 and 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 Union County.

John Graham
E. M. Higginbotham
Simon J. Jarchard } Viewers

and said report of the viewers and the report of the surveyors 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 of Union County and ordered open according to law, and the court being satisfied from the report of the viewers that such road will be public utility; It is therefore considered and ordered by the Court that said report of the viewers and surveyors 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 according to law. 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 of the survey thereof, be placed on record in the Book of Plats of County roads of Union County, Oregon and that Edgerson supervisor of Road District No 35, the same being the road district in which said road is located, be furnished with a copy of the petition herein, and a copy of this decree.

Fifth Judicial Day

Tuesday July 8, 1902

ordered to open up said road according to law and to place the same in repair for travel.

In the matter of the application of the Grand Pouse Lumber Co. to establish a logging road in Twp 3 N R 36 E Wm 0

This matter came on to be heard on the petition of the Grand Pouse Lumber Co. praying for the location of a logging road in Twp 3 N R 36 E Wm, and it appearing to the Court that said petition is in all things regular and in accordance with law, in the matter of establishing a logging road, it is therefore considered and ordered by the Court that August 8th, 1902, be set for hearing of said petition and for any and all objections or remonstrances thereto.

In the matter of the application of J. W. Masterson, N. M. Lead and R. C. Mays to have Lacking et al's Creek between certain points declared navigable for floating logs, etc

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

In the matter, yearly report of the County Treasurer.

Now at this time comes John Frawley, County Treasurer, and presents to the Court his annual report for the year ending June 30, 1902, which is in words and figures as follows, to wit:

Treasurer report for year ending, June 30, 1902.

Cities and School District Funds.

Amount on hand from last report	664.65
Received from Sheriff from taxes	41548.34
" " Dist Clks to pay bond interest	782.75
" " County Clk from Tax liens	245.94
Total on hand and received during year	43241.68
Paid out on special tax receipts & bond interest	41695.24
Balance on hand July 1, 1902.	1546.44

↳ onward, page 100