

EQUITY }  
LAW } No

**In Circuit Court,**

**Union County**

vs

**Plaintiff**

**Defendant**

**Attorney for Plaintiff**

**Attorney for Defendant**

529 279 540

Presented Aug 9, 1899  
Ordered Opened, Sept 7, 1899

514

Petitioned for  
By Geo Youngton  
et al

Beginning in a County  
road at the NE corner of SE 1/4  
of SE 1/4 Sec 3 Tp 1 N R 40  
E and terminating at the  
NW corner of NE 1/4 of NE 1/4  
of said sec 34

# 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 a County Road at the N. E. corner of the S. E.  $\frac{1}{4}$  of the S. E.  $\frac{1}{4}$  of Section 3, T. 1, N. R. 40. E. of the W. M. Thence north  $1\frac{3}{4}$  miles to the N. E. corner of Section 34, T. 2, N. R. 40. E. Thence west  $\frac{1}{4}$  mile to the N. W. corner of the N. E.  $\frac{1}{4}$  of the N. E.  $\frac{1}{4}$  of said Section 34. Entering a County Road and there Terminating

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

Dated at Elgin Oregon this 5 day of July 1899

NAMES:

NAMES:

George Yaarrington  
 M. N. Hathorn  
 B. G. W. Jatt  
 C. G. Smith  
 S. S. Thompson  
 Willis Carlton  
 S. M. Cobb  
 E. R. Cobb  
 J. J. Carlton  
 M. Fitzgerald  
 J. K. Jones  
 P. C. Lonn

J. M. Howard  
 William Ross  
 E. J. Brown  
 G. S. Fine  
 E. Smith  
 A. C. Carlton  
 W. H. Glasson  
 Layers Rush  
 W. J. Bault  
 Charles Sawith  
 Two staplers

**FILED**

AUG 9 1899

*W. H. Johnson*  
County Clerk



**FILED**

AUG 9 1899

*W. H. Benson*  
County Clerk

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

I, *J. Q. Oliver*

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 \_\_\_\_\_, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the \_\_\_\_\_ day of \_\_\_\_\_, 1899, 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 9 day of August, 1899.

*J. Q. Oliver*

*G. W. Benson*  
County Clerk

**FILED**

AUG 9 1899

*W. H. Benson*  
County Clerk



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

I, George Jamington 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 at the point of beginning

one at the Center of the road and  
one at the point of termination

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the 5<sup>th</sup> day of July 1894, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the \_\_\_\_\_ day of \_\_\_\_\_, 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 \_\_\_\_\_ day of \_\_\_\_\_ 1894

George Jamington  
Notary Public

**FILED**

AUG 9 1899

*W. H. Benson*  
County Clerk

BOND OF ROAD PETITIONERS.

Know all Men by These Presents, That we, George Gerington and E. Smith, of the County of Union and State of Oregon, are held and firmly bound unto said County of Union in the sum of One hundred Dollars, the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents.

Signed this 7<sup>th</sup> day of August A. D. 1897

Now, the condition of the above obligation is such, That, whereas the above named George Gerington and \_\_\_\_\_, and others, have petitioned

the County Court of said County of Union, at the August Term, 1897 thereof for a County Road, beginning in a County Road at the N.W. Corner of the S.E. 1/4 of the S.E. 1/4 of Sec. 3 Sp. 1 N.R. 40 E. W.M. Thence North 13/4 to the N.E. Corner of sec. 34. Sp. 2 N.R. 40 E. Thence west 1/4 mile to the N.W. Corner of the S.E. 1/4 of the S.E. 1/4 of said Section 34 intersecting a County Road and there terminating

NOW, if the above named George Gerington and E. Smith 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.

George Gerington L.S.  
E. Smith L.S.

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

I, E. Smith and George Gerington, 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 and householder in said County and State.

George Gerington  
E. Smith

Subscribed and sworn to before me this 7<sup>th</sup> day of Aug A. D. 1897

W. M. Wood  
Notary Public for  
County Clerk.

J. S. Heintzman  
J. S. Heintzman  
J. S. Heintzman  
J. S. Heintzman  
J. S. Heintzman

**FILED**

AUG 9 1899

*W. A. Johnson*  
County Clerk

State of Oregon,

County of Union ss.

I hereby certify that in the matter of the county road petitioned for by Geo. Jarrington 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 impart ally perform the duties pertaining to the viewing and laying out and establishing of said road before entering upon the discharge of their said duties in that behalf.

Arthur Curtis

County Surveyor.

**F I L E D**

SEP 6 1899

*W. H. Ramsey*  
County Clerk

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 9<sup>th</sup> day of Aug, 1899, 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 Geo Yarrington, et al, beg leave to report that on the 24<sup>th</sup> day of Aug, 1899, in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinion said proposed road should        be laid out and established as a public highway of Union County, Oregon; that the same is practicable and would        add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be        laid out and declared a public highway of said county.

J. B. Brundman  
J. W. H. H. H. H.  
John Graham  
VIEWERS.

**FILED**  
SEP 6 1899  
*Earl Benson*  
County Clerk



State of Oregon,

County of Union ss.

I hereby certify that the foregoing field notes made by me in the survey of the county road petitioned for by Geo. Yarrington and others, are true and correct and that the plat accompanying the same is a true and correct representation of the course of said road together with the angles and distances.

Arthur Curtis

County Surveyor.

*W. H. Johnson*  
County Clerk

**FILED**  
SEP 6 1899

## 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 George Yarrington et al., beg leave to report that on the 24 day of August 1897, 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. E. Cor. of the S. E.  $\frac{1}{4}$  of the S. E.  $\frac{1}{4}$  of Sec. 3, T. 1 N., R. 40 E. W. M. Then North Var.  $19^{\circ} 30'$  E. 60. Chains to A. 1. the N. E. Cor. Sec. 3 said T. and R. Then N.  $20^{\circ}$  West 6.00 Chains to Angle 2. Then North  $78.00$  Chains to Angle 3; Then North on Sec. line 6.00 Chains to 1 Mile Rock same course 61.80 Chains to Angle 4. Then West 20. Chains to Road Ter. in County Road the N. W. Cor. of N. E.  $\frac{1}{4}$  of N. E.  $\frac{1}{4}$  of Sec. 34 in Town 2 North Range 40 East W. M. all points are marked with marked stone in mound of stone

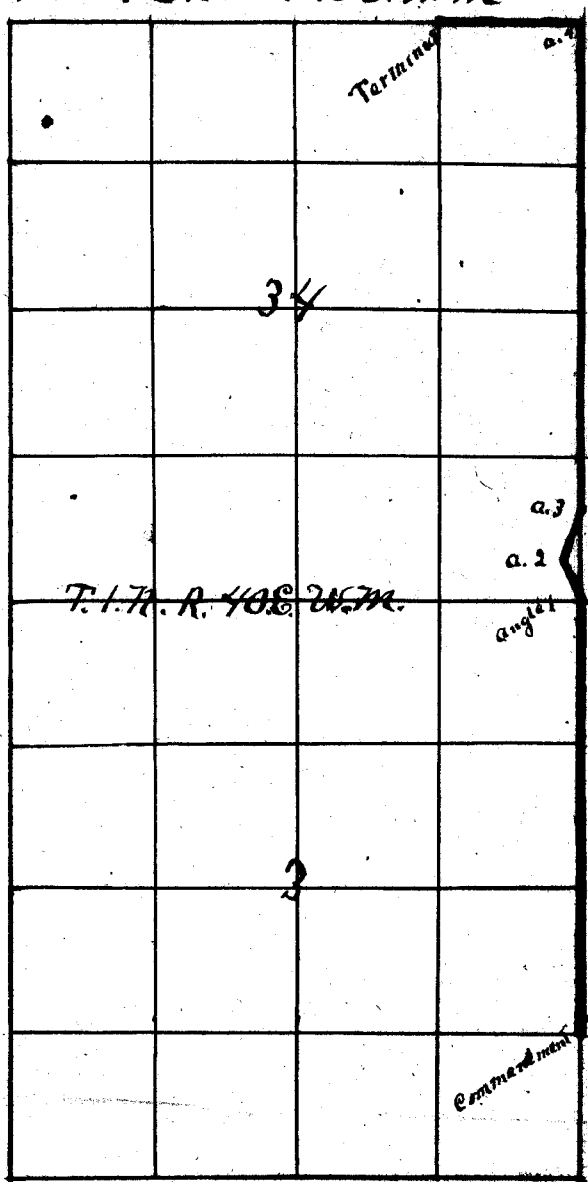
Arthur Curtis  
County Surveyor.

**F I L E D**

SEP 6 1899

*W. H. Johnson*  
County Clerk

Township 2 North R. 40 E. W. M



*See Young in Room*

**FILED**

SEP 6 1899

*Wm. Johnson*  
County Clerk

Be It Remembered, That at a term of the Honorable County Court of Union County, State of Oregon, begun and held at the Court House, in the town of Union, in said County, on the 9<sup>th</sup> day of August, A. D. 1897, and from day to day thereafter during the continuence of said term.

Present, Hon. D. J. Wilson County Judge,  
Hon. R. J. Laquell Commissioner,  
Hon. Henry Houg Commissioner,  
W. J. Deason Clerk,  
A. K. Deering Sheriff.

The following, among other proceedings, was had, to-wit:

In the Matter of the proposed  
County  
Road petitioned for by  
George Yarrington, et al

Comes now George Yarrington, 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 in a county road at the N6. corner of the N6/4 of the E6/4 of section 3 T. 1 N. R. 40 E. of the W.M. thence north 1 3/4 miles to the N6 corner of section 34 T. 2 N. R. 40 E. W.M. thence west 1/4 mile to the NW corner of the N6/4 of the N6/4 of said section 34 intersecting a county road and there terminating.

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 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 point of beginning, one at the center of the road and one at the point of termination.

for more than thirty days immediately prior to the presentation of said petition to this Court; notifying all persons concerned that application would be made to this Court at the present session of this Court; and that the notices so posted were in due form and duly signed by the petitioners, and that a bond for the cost of this proceeding has been duly given.

It is Therefore Ordered that

*L. Kridman, John Graham*  
and *David Hug*

be appointed Viewers of said road, and that *Arthur Curtis* be appointed

Surveyor of said road, and that they meet at *the beginning of the road*

on the *27<sup>th</sup>* day of *August* 189*9*, at the hour of *10* o'clock *A.*M., and after qualifying,

to view, survey and lay out said road according to law. Signed *D. G. Wilson*

County Judge.

NOTE.— The three Viewers must meet.



Third Judicial Day

Wednesday Aug 9th 1899

proposed road, to wit: One at the beginning of the proposed road on the fence fronting the road. One on John Wallace's blacksmith shop along said proposed road and one on the school house door at the terminus of said proposed road for more than thirty days immediately prior to the presentation of said petition to this Court notifying all persons concerned that application would be made to this Court at the present session 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 O. P. Goodall, Geo. Gekeler and W. A. McAlister be appointed viewers of said road and that Arthur Curtis be appointed surveyor of said road and that they meet at the beginning of said road on the 28th day of August 1899 at the hour of 10 o'clock A.M. and after qualifying to view, survey and lay out said road according to law.

In the matter of the proposed  
County road petitioned for  
by George Garrington et al

Comes now George Garrington 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 in a County road at the NE corner of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 3 Tp 1 N R 40 E of the W.M. thence North  $\frac{1}{4}$  mile to the NE corner of Section 34 Tp 2 N R 40 E W.M. thence West  $\frac{1}{4}$  mile to the NW corner of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said section 34 intersecting a county road and there terminating.

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 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 point of beginning one at the center of

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the road and one at the point of termination for more than thirty days immediately prior to the presentation of said petition to this Court notifying all persons concerned that application would be made to this Court at the present session of this Court and that the notices so posted were in due form and duly signed by the petitioners and that a bond for the cost of this proceeding has been duly given It is therefore ordered that J. L. Schmidtman, John Graham and David Heng be appointed Viewers of said road and that Arthur Curtis be appointed surveyor of said road and that they meet at the beginning of the road on the 24th day of August 1899 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 B. W. Grandy to redeem property  
belonging to him and sold for  
delinquent taxes for the year 1893

Comes now Ben W. Grandy and represents and shows to the Court that he was assessed on a large amount of real estate for the year 1893 and that on the 17th day of November 1895 it was sold for taxes by the Sheriff of Union County Oregon and that Union County became the purchaser bidding therefor the sum of \$264<sup>62</sup>

That on August 6th 1896 J. W. Scriber redeemed a portion of said property paying therefor \$96<sup>72</sup> that on Sept 10th 1896 J. C. Ardrey redeemed a portion of said property paying therefor 40<sup>¢</sup> and that on Dec 8th 1897 Hunter & Fox redeemed a portion thereof paying 7<sup>50</sup> therefor.

That the petitioner herein is still the owner of all the balance of said property so sold which has not been redeemed and is willing to pay the balance for which the said property was sold to wit \$59<sup>65</sup> in full settlement of the county's lien against said premises and has tendered the same to the Clerk of this Court and is further appearing to this Court that no tax deed has ever been issued by the Sheriff for any of the said premises and that it would be to the best interests of the County to accept the said tender It is therefore

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 in said County and State on Tuesday the 5th day of September A.D. 1899, Monday having been a non judicial day, and from day to day thereafter during the continuance of said term when on Wednesday the 6th day of September 1899 or the second judicial day of said term the said County Court opened for the transaction of business with the following officers present, to-wit:

Hon B. F. Wilson County Judge  
 " R. T. Langrell Commissioner  
 " Henry Heng. Commissioner  
 G. W. Benson Clerk  
 D. Y. K. Deering Sheriff

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

In the matter of the application

of  
 J. R. Farrell for County Aid

At this time it is considered and ordered that this matter be continued for the term

In the matter of the Road  
 petitioned for by Chas. W.  
 Noyes 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 said report having been read in open court for the first time the same was laid over for a second reading on some other day of this term of Court

In the matter of the Road  
 petitioned for by Geo.  
 Harrington 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 said report having been read in open court for the first time it was ordered that the same be laid over for a second reading on some other day of this term of Court

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Thursday Sept 7th 1899

reports of the viewers that such road will be of public utility - It is therefore considered and ordered by the court that said reports 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 according to law. It is further ordered that the reports of the viewers be placed on record in this journal and that the surveyors plat of the proposed road and his field notes of the survey thereof be placed on record in the book of Plats of County roads of Union County, Oregon and that O P Goodall road supervisor of road District No 2 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 and ordered to open up said road and place the same in repair for travel

In the matter of the proposed }  
 County Road petitioned for by }  
 George Garrington 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 for Union County, Oregon  
 The undersigned viewers heretofore on the 9th day of Aug 1899, 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 George Garrington et al by leave to report that on the 24 day of August 1899, 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 our 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

J. L. Hindman }  
 W. W. Heng } viewers  
 John S. Reham }

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And said reports of the viewers and the reports of the surveyor having been now publicly read in open court on two several days of the present term of the court and it appearing to the court that said viewers report favorably thereon and recommend that said proposed road be established as a County road and be declared a public highway of Union County, Oregon, and all the proceedings herein having been regular and according to law and no remonstrance or claim for damages having been filed herein and there having been no cause shown why this proposed road should not be declared a public highway and ordered open according to law and the court being satisfied from the reports of the viewers that such road will be of public utility It is therefore considered and ordered by the court that said reports 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 according to law It is further ordered that the reports of the viewers be placed on record in this journal and that the surveyors plat of the proposed road and his field notes of the survey thereof be placed on record in the books of Plats of County roads of Union County, Oregon, and that W. H. Woods Road Supervisor of Road Dist No 37 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 and ordered to open up said road and place the same in repair for travel

In the matter of the Cancellation  
of County and Contingent Warrants  
and of Credits to the County Treasurer

Comes now John Frawley County Treasurer and presents to the Court certain County and Contingent warrants, school vouchers and other vouchers and receipts showing that he has paid out certain moneys and the Court having duly examined the same and it appearing to the Court that all of said warrants have been duly and regularly issued and paid and that the money for which said vouchers were taken was properly paid out of the funds applicable thereto It is therefore ordered that the said warrants be cancelled and the said vouchers filed