

EQUITY.

No

40

In CIRCUIT COURT  
UNION COUNTY

*Am F Shearwood*

Plaintiff

vs

*Houlda M Shearwood*

Defendant

*J J Page &  
Baker & Baker*  
Attorney for Plaintiff

*O. E. Cochran*  
Attorney for Defendant

K 164-405-230

Permitted Nov 5, 1961

Revised 7.6 51953

Round No 567-

Sectioned for by  
G O Holmes et al,

Commencing at SE Cor of  
NW<sup>4</sup> of Sec 12, T<sub>4</sub> R<sub>35</sub> E  
thence - etc -  
and terminating at  
Sharky County road

# Petition for County Road.

To the Honorable County Court, for \_\_\_\_\_

The under signed 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 at the South East Corner of the North East quarter of section twelve (12), Twp fourth S. R. 35 E. W. M. running thence due west along highway section line of said section twelve (12), three fourths of a mile; thence due north one fourth of a mile to the centre of the North West quarter of said section twelve (12) - thence due west one fourth of a mile to the west line of said section twelve (12) thence due north about one and one fourth miles to Starkey County road.

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

Dated at Starkey, Or this 15<sup>th</sup> day of September 1902.

NAMES:

L. D. Holmes

B. P. Burnett

J. B. Moore

J. E. Ayres

A. Sullivan

R. Williamson

P. Smith

W. L. Lipton

J. B. Briggs

W. H. Buggs

E. J. Jones

J. B. Haggy  
A. S. McMillan

NAMES:

A. G. Hodges

J. M. Jones

Albert Winters

In the County Court  
of Meigs County, Oregon

In the matter of application  
for establishment  
of County Road.

Petition.

COUNTY CLERK

*J. W. [Signature]*

FILED  
NOV 5 1902

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

I, E. P. Schaw 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 3<sup>rd</sup> day of~~  
October 1902, I posted <sup>the hereto attached</sup> ~~a true and correct copy of said notice~~ at the place of hold-  
ing Court for Union County, Oregon, to-wit: <sup>last</sup> ~~On the front of the Court House doors~~, 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 5<sup>th</sup> day of November 1902

E. P. Schaw  
J. W. Minnaway  
County 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 herinafter described road is proposed to be, will, at the ~~next session~~ of the County Court for Union County, Oregon, towit: On Wednesday, the 5<sup>th</sup> day of November 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, towit:

Commencing at the South East Corner of the North East Quarter of Sec. Twelve(12), Twp. Four(4), S.R.35, E.WM. running thence due West along half section line of said Section twelve(12) three fourths of a mile; thence due North one fourth of a mile to the centre of the North West Quarter of said Section Twelve(12) thence due West one fourth of a mile to the West line of said Section twelve(12) thence due North about one and one fourth miles to Starkey County Road.

Dated at Starkey, Oregon, the 29 day of September A.D. 1902.

NAMES.

NAMES.

G.O. Johnson  
B.P. Burnett  
J.B. Moore  
J.B. Ayres  
A. Sullivan  
P. Williams  
W. Lefter  
J. B. Briggs  
W. B. Briggs

E. M. Jones  
J. B. Hoagy  
W. S. McMillan  
A. G. Hodges  
J. H. Jones  
Albert Winter

W. B. Briggs  
11/5/02

In the County Court  
of Davis County  
Oregon

In the matter of  
the application of

J. D. Hoover et al  
for establishment of  
County Road

Opposition of  
Robert

FILED  
NOV 4 1902

*J. W. [Signature]*  
COUNTY CLERK

**NOTICE OF ROAD PETITION.**

TO ALL PERSONS CONCERNED:- You and each and all of you will take notice that the undersigned, householders of 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 in Union County, Oregon, to-wit, on Wednesday the 5th day of November, A.D.1902, respectively present to said Court a Petition ~~pr~~ praying said Court to lay out and establish a County road within said County on the following line or route, to-wit:

Commencing at the Southeast corner of the Northeast quarter of Section twelve (12), Twp. four (4), ~~South Range thirty-five (35)~~, <sup>34</sup> M.W.M.; running thence due West along one half section line of said Section twelve (12) three fourths of a mile; thence due North one fourth of a mile to the center of the Northwest ~~one fourth~~ <sup>quarter</sup> of said Section twelve (12); thence due West one fourth of a mile to the West line of said Section twelve (12); thence due North about one and one fourth miles to the Starkey County road.

Dated at Starkey, Oregon, the 29th day of September, A.D.1902.

NAMES.	:	NAMES.
G.O.Holmes.	:	E.F.Jones.
R.P.Burnett.	:	J.B.Hagey.
J.B.Mere.	:	W.S.McMillan.
J.B.Ayers.	:	A.G.Hodges.
A.J.Sullivan.	:	J.M.Jones.
R. Wilkenson.	:	Albert Winters.
P. Smith.	:	
Thos. Leftus.	:	
J.G.Briggs.	:	
W.H.Briggs.	:	



State of Oregon. )  
                                  :SS.  
County of Union. )

I, Albert Winters being first duly sworn, say: That on the 29th day of September, A.D.1902, I posted three notices, of which notice hereto attached is a true and correct copy, in three public places in the vicinity of the proposed road described in said notice, as follows, to-wit:

One on a fence post at the beginning of the proposed road, one about the center of the proposed road on a pine tree, in an open flat and one at the terminus and end of said proposed road on a pine tree, upon the main Starkey road.

That all of said notices were posted in full view of said road.

-----  
*Albert Winters*  
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Subscribed and sworn to before me this 3rd day of October, A.D.1902.

-----  
*J. M. Winters*  
-----  
Notary Public for Oregon.



BOND OF ROAD PETITIONERS.

Know all Men by These Presents, That we, Albert Winters and Thomas Lopez, of the County of Union and State of Oregon, are held and firmly bound unto said County of Union in the sum of Two 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 3<sup>rd</sup> day of Oct A. D. 1902

Now, the condition of the above obligation is such, That, whereas the above named Albert Winters

and Thomas Lopez and others, have petitioned

the County Court of said County of Union, at the November Term, 1902 thereof for a County Road,

Commencing at the South East Corner of the North East quarter of Section twelve (12) Twp. four (4) S. R. 33 - E. W. M. running thence due West along half Section line of said section twelve (12), thence fourth of a mile; thence due North one fourth of a mile to the center of the North West quarter of said Section twelve (12) thence due West one fourth of a mile to the West line of said section twelve (12) thence due North about one and one fourth miles to Starkey County road.

NOW, if the above named Albert Winters and Thomas Lopez

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.

Albert Winters (L. S.)  
Thomas Lopez (L. S.)

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

I, Albert Winters and

Thomas Lopez, 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 and householder in said County and State.

Albert Winters  
Thomas Lopez

Subscribed and sworn to before me this 3<sup>rd</sup> day of October A. D. 1902

J. M. ...  
County Clerk.  
Notary Public for Oregon.

In the County Court  
of Miami County  
Okyon

In the matter of  
the application  
of E. D. Hoover  
et al. for  
Catastrophe  
County Road  
Bonds

PAID  
NOV 20 1902

*J. M. [Signature]*  
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  
G. O. Holmes et al., beg leave to report that  
on the 26<sup>th</sup> day of January 1903, 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  $\frac{1}{4}$  Sec. Cor. on East line Sec. 12 T. 4 S. R. 35 E. W. M.  
Then West 60 chs. to A. 1 a rock; then North 20 chs. to A. 2 and  
1 Mile Tree; then West 20 chs. to A. 3 stake on Sec. line then  
North on Sec. line 60 chs. 1 Mile rock at  $\frac{1}{4}$  post. The due North  
27 Chs. Sec. Cor. of 1-2 T. 4 S. R. 35 E. W. M. 47 Chs. S. R. River  
South bank 62.50 Chs. the County Road known as Steaksy Road  
The terminus a Rock situated in Sec. 36 T. 3 S. R. 35 E. W. M.  
at a point 16 chs East and 35.50 North of South West Cor. of Sec. 36  
T. 3 S. R. 35 E. W. M.

Arthur Curtis  
County Surveyor.

For the County for Minor Co -  
Hypson

For the matter of the County  
and provisions for by J.  
O'Rourke with

Report of Surveyors

For Sept 4 - 1903  
J. M. Munnings  
Co. 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 January 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 G. O. Holmes, et. al., beg leave to report that on the 26<sup>th</sup> day of January, 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 not be laid out and established as a public highway of Union county, Oregon. That the same is not practicable and would add nothing to the convenience of the householders residing in the vicinity thereof, we therefore recommend that said proposed road be not laid out and declared a public highway of said county.

W. A. Langley  
W. O. Campbell  
E. M. Combs

} Viewers.

To the County Court of  
the State of Oregon for Sumner

By the master of the  
Sloop *David Johnson*  
per by *J. A. Adams* and

Report of Sumner

Filed Sept 1909  
*J. A. Adams*  
County Clerk



State of Oregon  
County of Union ) ss

I hereby certify that in the matter of the County road petitioned for by G. O. Holmes and others, that the viewers and each of them 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 of  
the State of Oregon for  
Hiram Co.

In the matter of the  
County and National  
Party of H. H. Adams and

Certificate of County  
Auditor

This 15th day of 1903  
I, H. H. Adams,  
County Clerk

State of Oregon  
County of Union } S.S.

I hereby certify that in the matter  
of the County road petitioned for by G. O. Holmes 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 both  
in angles and distances

Arthur Curtis  
County Surveyor

In the County Court of  
the State of Oregon for  
Pierce

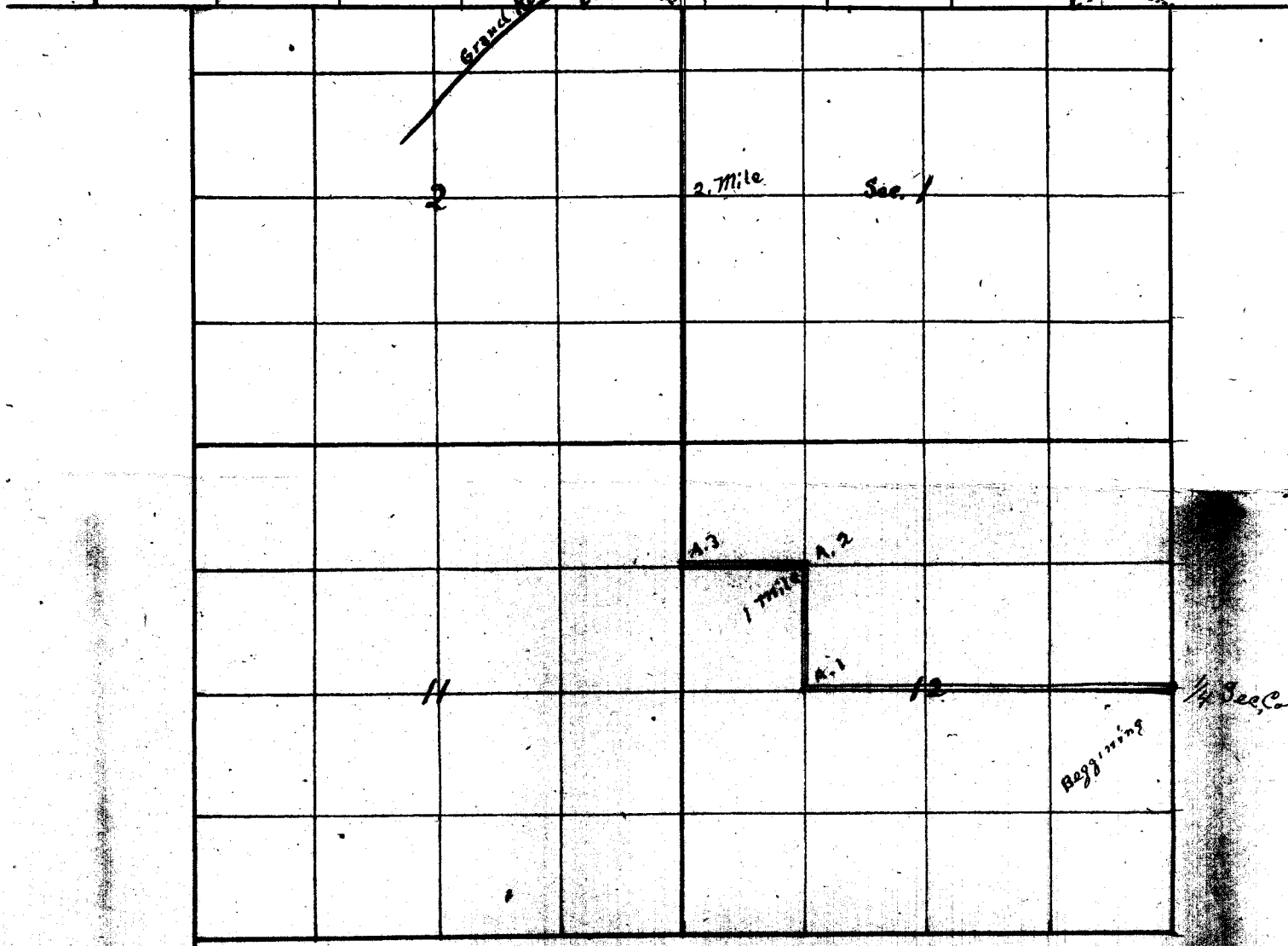
In the matter of the County  
Court of Adams for by S. D.  
Adams et al

Certificate of William Curtis  
County Attorney

**FILED**  
FEB 4 1903

*W. M. Cunningham*  
COUNTY CLERK

Town. 3-4 South Range 35 East W.M.



See the county bond for  
N. B. - Cooper

Recd - See the matter of  
the county bond - returned  
for by J. A. Brown or al

to J. A. Brown  
J. A. Brown  
County Clerk

First Judicial Day

Wednesday, Nov 5, 1902

for a period of six months from the 7<sup>th</sup> day of November 1902.

In the matter of the proposed  
County road petitioned for by  
G. B. Holmes, et al

Comes now G. B. Holmes 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 South east corner of the Northeast quarter of Sec 12. T<sup>4</sup> S<sup>4</sup> Range 35 W<sup>1</sup> M, running thence due west, along half section line of said section 12, three fourths of a mile, thence due north one fourth of a mile to the center of the Northwest quarter of said section 12, thence due west one fourth of a mile to the west line of said section twelve, thence due north about one and one fourth miles to Starkey County road, 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 on a fence post at the beginning of the proposed road, one about the center of the proposed road on a pine tree, in an open flat and one at the terminus and end of said proposed road upon a pine tree upon the main Starkey 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 W. D. Arnold, E. M. Coombs and Mike Nelson 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 22<sup>nd</sup> day of November, 1902, at the hour of 10 o'clock, A. M., and after qualifying to view, survey and lay out said road according to law.



Second Judicial Day

Thursday, January 8, 1903

In the matter of the application  
of Jennie Miller for County aid }

This matter came on to be heard upon the application of Jennie Miller for County aid; from which it appears that she is a resident of Union County, Oregon; that she is in destitute circumstances that she is in need of assistance having several small children dependant upon her for support; that she has no friends or relatives who are able or willing to render her any assistance. It is therefore ordered that a warrant be drawn upon the Genl Fund of the County in her favor in the sum of \$100.00 and forwarded to her in care of C. H. Minnigh of Perry Oregon.

In the matter of the proposed  
County road petitioned for by  
G. D. Haemes, et al }

Came now G. D. Haemes one of the petitioners for the above named proposed County road and presents to the Court the petition of himself others praying for the location and establishment of a County road, described as follows to wit: Commencing at the Southeast corner of the NW<sup>1/4</sup> of Sec 12, T<sup>4</sup> S. R. 35 E. W. M., running thence due west along half section line of said section 12, three fourths of a mile, thence due north,  $\frac{1}{4}$  of a mile to the center of the NW<sup>1/4</sup> of said Sec 12, thence due west  $\frac{1}{4}$  of a mile to the west line of said section 12, thence due north  $\frac{1}{4}$  mile to ~~the~~ County road. And it appearing to the Court that said petition is signed by more than 12 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 also in three public places in the vicinity of said proposed road to wit, One on a fence post at the beginning of the proposed road one about the center of the proposed road on a pine tree in an open flat and one at the terminus and end of said proposed



Second Judicial Day

Thursday, January, 8, 1903

road on a pine tree upon the main Staking road, all notices being in plain view of said road, for insertion so says 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 the Court; and that 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 W. H. Longbr., E. M. Coomes and W. D. Donald 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 26<sup>th</sup> day of January, 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 crediting  
W. E. Turner, Supervisor RD #33,  
with Labor & Cash Paid Fall  
receipts destroyed by fire

This matter came on to be heard at this time on the application of W. E. Turner, for an order permitting the Clerk of this Court to give him credits to balance amount due from him in his yearly settlement with the Court as Supervisor of Road District No. 33, from which it appears that the Receipts books of Road Fall Tax, including both the Labor and Cash receipts were destroyed by fire; that he has no other memoranda to show the number of receipts issued by him; that he is desirous of settling his yearly account with the Court and to receive due credits for all receipts that would have been returned by him, and it further appearing to the Court that it is just and equitable that such credits should be allowed him, it is therefore ordered that the Clerk of this Court allow W. E. Turner proper credits on his account to balance his said accounts.

Thereupon it was ordered that Court be now adjourned until tomorrow morning at 9 o'clock

Second Judicial Day

Thursday, July 5, 1903.

Court met pursuant to adjournment;

Present same officers as on yesterday

The proclamation of the opening of Court hearing, been made the journal of yesterday's proceedings was read, approved and is here now signed.

M. A. Harrison County Judge  
Robert Blumentein, Commissioner  
Jas. A. Pilcher Commissioner

Thereupon the following proceedings were had to wit:

In the matter of the County Road  
petitioned for by G. D. Holmes, et al.

This matter came on to be heard at this time on the report of the surveyor and viewers heretofore appointed herein, which report is in words and figures as follows; to wit:

Report of Viewers

To the Honorable County Court for Union County, Oregon:

The undersigned viewers heretofore on the 7<sup>th</sup> day of January 1903, appointed to view, lay out and alter proposed County road of which the survey hereto attached is a true and correct description, as petitioned for by G. D. Holmes, et al., beg leave to report that on the 26<sup>th</sup> day of January 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 not be laid out and established as a Public Highway of Union County, Oregon. That the same is not practicable and would add nothing to the convenience of the homelands or residing in the vicinity thereof, we therefore recommend that said proposed road not be laid out, and declared a public highway of said County.

W. S. Langley

W. A. Arnold

E. M. Corbett

} Viewers

and said report having been now publicly read in open Court and said report being adverse to the opening



Second Judicial Day

Thursday, July 5, 1905.

up of said road. It is therefore considered and ordered by the Court that said report of the Viewers and Surveyors be filed and that the petition for said road be and the same is hereby dismissed, and it is further ordered that the costs for the viewing and surveying of said road be paid by the parties petitioning therefor and their bondsmen.

In the matter of the appointment }  
of Superintendent for County Poor Farm }

This matter came on to be heard at this time for the appointment of a Superintendent for the County Poor Farm for the ensuing year, and it appearing to the Court that this matter has been continued from the January Term and that now is the proper time to let the contract for the keeping and caring for the inmates of the County Poor Farm, and it further appearing to the Court that bids have been submitted for care and keeping of said inmates by M. Dwin, Thomas Graham, E. P. Siller, -  $\frac{3}{4}$  J. W. Zurgason, at \$3.00 per week for each inmate confined therein; and further that in the want of the death of any of the inmates of said Hospital that a proper burial would be given each at \$15.00. And it further appearing to the Court that all the bids for said keeping and care of the County Poor Farm and inmates are at and for the same amount, and it further appearing to the Court that the appreciation and bid of M. Dwin is a fair and equitable bid and that he is a fit and proper person for such appointment. It is therefore considered and ordered by the Court that M. Dwin be and he is hereby appointed Superintendent of the County Poor for a period of One Year, commencing March 1, 1905 - upon his furnishing a good and sufficient bond in the sum of \$10000.00.

In the matter of the resignation of }  
J. T. Garrett as Supervisor of Road }  
District No. 18. }

At this time is presented to the Court the resignation of J. T. Garrett as Supervisor of Road District No. 18, and it appearing to the Court that said Supervisor cannot give the matters pertaining to the office his attention, It is therefore considered and ordered by the Court that said resignation be accepted upon his filing receipt showing delivery of all road books to his successor in office.