

*Union County*

*Philip C. Rayle*

*To*

*L. W. Rayle*

*1924*  
*Deed*  
*Filed*

*Baker & Baker*

RECEIVED  
MAY 1 1924  
POST OFFICE  
UNION COUNTY  
N.C.

333

Road

Petitioned for by John W. Irons et al

Commencing 430 yds N W of NW cor  
of Sec 35 T7S R45E N 1/2 m at the  
Union Comincopas road thence  
SE 1/4 SE cor Sec 32 T7S R46E N 1/2 m  
intersecting L Hoy road

333

1889

July 5<sup>th</sup> Petition read & views app'd  
Jul D p 589

Sept 4 1<sup>st</sup> Reading Reports of Dist  
Jul D p 620

Sept 5<sup>th</sup> Ordered open of  
Jul D p 639

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 proposed 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 Cornucopia and Union County Road, 430 four hundred and thirty yards northwest of the northwest corner of Section 35, Township 7, Sof R. 45, East of Willamette Meridian, and running in a southeasterly direction to the southwest corner of the southeast <sup>fourth</sup> 1/4 of section 35, thirty five, thence 3-1/2 <sup>miles</sup> three and one-half east on Township Line to the southeast corner of Section 32, Township 7, S. of R. 46, East of Willamette Meridian interesecting the A. L. Flory road.

And in duty bound your petitioners will ever pray, etc.

Names,

John H. Irwin,  
J. C. Brooks,  
Joel Hewitt,  
Monroe Updike,  
J. V. Leep,  
R. Reed,  
Edwin Mills,  
George Oliver,  
C. A. Oliver,  
I Westerdale,  
J. L. Lee,  
A. P. Greener,  
R. J. Johnson,  
O. S. Stewart,  
F. M. Stewart,  
Henry Foster,

Names.

Mohn Morrisson,  
C. Steeleman,  
Henry K. Oliver,  
E. Estes,  
James Mills,  
L. Flory,  
Mr. Isaac Hewitt,  
A. N. Curry,  
John Bloom,  
James Lee,  
John S. Curry,  
A. R. Stalker,  
H. H. Grubb,  
R. D. Hinckley,  
F. A. Denny,  
Joesph Keiffer,

C. J.

✓ J. B. Wood,  
✓ Henry J. Baker,  
✓ L. H. White,  
✓ J. A. Denny,  
✓ R. H. Boyles,  
✓ J. Erricson,  
✓ E. F. Mills,  
✓ K. A. Leep,  
✓ J. R. Fulp,  
✓ William E. Leep,  
✓ J. H. Chandler,

✓ Geo. O'Connor,  
✓ T. R. Irwin,  
✓ Henry Clark,  
✓ T. Leep,  
✓ Wm. Spencer,  
✓ Samuel Painter,  
✓ T. N. Proffitt,  
✓ H. D. Landrum,  
✓ E. Leep,  
✓ Selby Leep,  
✓ J. L. Hoopingarner,

Endorsed:- Filed July 1st, 1889.

A. T. Neill, Clerk,

By Turner Oliver, Deputy.

State of Oregon,)
( ss.
County of Union,)

I, John Irwin, being first duly sworn, say that I posted three several notices of which the notice hereto 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 Pine Tree at place of commencing on Union and Cornucopia Road, second on S. Painter's fence, on McKinnell road crossing, third on fence post on Louis Flora Road at the road terminus. Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 29th day of May, 1889, and that thereafter and thirty days previous to the presentation of said road petitioned to-wit: On the \_\_\_ day of \_\_\_, 1889, 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 town of Union, in said County, and that said notices remained posted thirty days previous to the presentation of said petition, as I verily believe.

John H. Irwin,

Subscribed and sworn to before me this 28th day of June, 1889,

William McKinnell,

Notary Public for Oregon.

Notarial Seal.

Endorsed:- Filed July 1st, 1889,

A. T. Neill, Clerk,

By Turner Oliver, deputy.

State of Oregon,)   
 County of Union,) ss.

I, Turner Oliver, being first duly sworn, say that on the 31st day of May, 1889, 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 town of Union, in said county and that said notice remained posted thirty days previous to the presentation of said petition, as I verily believe.

Turner Oliver,

Subscribed and sworn to before me this 5th day of July, 1889,

A. T. Neill, Clerk,

By O. F. Bell, Deputy.

( No filing.)

Pasted May 31<sup>st</sup> 1889 - J.O.

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 3rd day of July, A. D. 1889, 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 at the Cornucopia and Union County Road 430, four-Hundred and thirty yards, northwest of the northwest corner of section 35, township 7, S. of R. 45, East of Willamette Meridian, and running in a southeasterly direction to the southwest corner of the southeast <sup>fourth</sup> 1/4 of sec. 35, thirty-five, thence 3-1/2 three and one half, miles east on Township line to the southeast corner of Section 32, Township 7, S. of R. 45, east of Willamette Meridian, intersecting the L. Flory Road.

Names.

John H. Irwin,  
J. C. Brooks,  
Joel Hewitt,  
*Henry K. Oliver*  
E. Estes,  
James Mills,  
Edwin Mills,  
R. D. Hinckley,  
T. A. Denny,  
Joseph Keiffer,  
Mr. Isaac Hewitt,  
A. N. Curry,  
J. R. Fulp,  
E. Leep,

Names.

John Morrison,  
E. Steeleman,  
Monroe Updike,  
J. V. Leep,  
R. Reed,  
L. Flory,  
George Oliver,  
C. A. Oliver,  
A. P. Greener,  
R. J. Johnson,  
O. S. Stewart,  
F. M. Stewart,  
Henry Foster,

, Wm. E. Leep,  
, Selby Leep,  
, John Bloom,  
, J. H. Chandler,  
, J. Westerdale,  
, James Lee,  
, J. L. Lee,  
, John S. Curry,  
, A. R. Stalker,  
, H. H. Grubb,  
, J. Erickson,  
, E. F. Mills,  
, K. A. Leep,  
, J. L. Hoopingarner.

, J. B. Wood,  
, George O'Connor,  
, Henry J. Baker,  
, T. R. Irwin,  
, L. H. White,  
, Henry Clark,  
, J. A. Denny,  
, T. Leep,  
, R. H. Boyles,  
, William Spencer,  
, Samuel Painter,  
, T. N. Proffitt,  
, H. D. Landrum,

(No Filing. )

"Posted May 31st, 1889. T. O. "



KNOW ALL MEN BY THESE PRESENTS: That we, E. Steeleman, and John H. Irwin, of the County of <sup>U</sup>nion and State of Oregon, are held and firmly bound unto the 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 28th day of June, 1889.

Now, the condition of the above obligation is such, that whereas, ~~if~~ the County Road petitioned for by John H. Irwin and others, and presented at the July Term, 1889, of the County Court <sup>and Union County</sup> of said Union County, commencing at the ~~Union and Cornucopia~~ Road four hundred and thirty (430) yards northwest of the northwest corner of Sec. 35, Township 7, South of Range 45, E. W. M. and running in a southeasterly direction to the southwest corner of ~~the~~ southeast quarter of section 35, thence three and one half (3-1/2) miles east on Township line to the southeast corner of sec. 32, township 7, south of range 46, E. W. M. intersecting the Louis Flory Road be located and established then this obligation to be void, otherwise to remain in full force and virtue in law.

<sup>6</sup>  
C. Steeleman,

John H. Irwin.

State of Oregon, )  
                  ) ss.  
County of Union, )

I, <sup>6</sup> Steeleman, and I, John H. Irwin, each for himself says that I am worth the sum of two hundred dollars over and above all debts and liabilities and property exempt from execution, and that I am a resident and householder in said County and State.

<sup>6</sup> Steeleman,  
John H. Irwin.

Subscribed and sworn to before me this 28th day of June, 1889.

Wm. McKinnell,  
Notary Public for Oregon.

Notarial Seal.

Endorsed:-           Bond of Petitioners.

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Filed July 1st, 1889.

A. T. Neill, Co. Clerk,  
By Turner Oliver, deputy.

REPORT OF VIEWERS.

To the Honorable County Court for Union County, Oregon:-

The undersigned viewers heretofore on the 3rd day of July, 1889, 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 J. H. Irwin, et al, beg leave to report that on the 31st day of July, 1889, 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 much 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. F. Jennings,  
L. L. Holcomb,  
W. T. Bennehoff, Viewers.

Endorsed:-

Filed Aug. 27th, 1889.

A. T. Neill, Clerk,  
By Turner Oliver, Deputy.

*Comp*

Field notes of survey of the proposed Co. Road of J. H. Irwin,  
and others.

I commenced at the Union and Cornucopia Road in the N.E.1/4  
S.E.1/4 Sec. 27, in T. 7, S.R. 45, E. W. M. Marked a Pine tree  
30 inches dia. "R"

Thence	N.	56°	E.	9 Rods,	A.	1,
"	S.	28°	E.	9 "	A.	2,
"	N.	82-3/4°	E.	18 "	A.	3,
"	S.	47°	E.	10 "	A.	4,
"	S.	8°	W.	14 "	A.	5,
"	S.	19°	E.	16 "	A.	6,
"	S.	3°	W.	60 "	A.	7,
"	S.	7-1/2°	W.	24, "	A.	8,
"	S.	3-1/2°	W.	16 "	A.	9,
"	S.	8-1/2°	W.	29, "	A.	10,
Thence	S.	45°	E.	16 "	A.	11,
"	S.	58°	E.	19 "	A.	12,
"	S.	67°	E.	17, "	A.	13,
"	S.	46-1/4°	E.	37, "	A.	14,
"	S.	12°	E.	26 "	A.	15,

a post marked 1 M. A. 15, from which a Pine <sup>142</sup> 2 in. bears 11° E. 142  
links distant,

thence	S.	26-1/2°	E.	39 Rods	A.	16,
thence	S.	31-3/4°	E.	17 "	A.	17,
"	S.	9°	E.	16, "	A.	18,
Thence	S.	22°	E.	60 Rods,	A.	19,
"	S.	39°	E.	53 "	A.	20,
"	S.	18°	E.	40 "	A.	21,
"	East		95,	"	A post marked 2 M.	
thence	East		320	"	a post marked 3 M.	
thence	East		320	"	a pine tree marked 4 M.	
Thence	East		320,	"	to a pine tree marked 5 M.	
thence	East		66 rods,	a stone marked R. T. at the		

N.E. Corner Sec. 5, in T. 8, S.R. 46, E. W. M.

J. W. Kimbrell, Co. Surveyor.

Endorsed:- Filed Aug. 27th, 1889,

A. T. Neill, Clerk,

By Turner Oliver, deputy.

Proposed E. Baden F. J. H. Jan. 1880

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*Proposed E. Baden F. J. H. Jan. 1880*

175 45 50

175 47 6 17 1/2

175

IN THE COUNTY COURT OF THE STATE OF OREGON, FOR  
UNION COUNTY.

In the matter of the County road )  
petitioned for by John H. Irwin, )  
                                  et al. )  
-----)

S T A T E O F O R E G O N,            ss:  
County of Union.

I, G. W. Benson,  
County Clerk of Union county, Oregon, do hereby certify that  
the foregoing is a true and correct transcript of the original  
papers in the above entitled road matter transferred to Baker  
County, Oregon.

IN TESTIMONY WHEREOF, I have hereunto set my hand and  
affixed the seal of the County Court,  
this 30th day of June, A. D. 1902.

G. W. Benson Clerk.

St. ~~the~~ <sup>the</sup> Bank  
County Clerk  
Union County, Oregon

In the matter of  
the road petition  
for by John M. Swin,  
et al.

Transcript of papers  
transferred to Baker  
County

Filed June 20, 1907

G. M. Benson

Co. Clerk



Second Judicial Day

Friday July 5<sup>th</sup> 1889

It is therefore ordered that L. J. Jennings, W<sup>m</sup> Benschhoff and L. S. Holcomb be appointed Viewers of said road, and that J. M. Kimbrell be appointed Surveyor of said road, and that they meet at the house of Louis Menthorn on the 30<sup>th</sup> day of July 1889 at the hour of 10 o'clock A.M. and after qualifying, view, survey and lay out said road according to law.

In the Matter of the proposed  
County Road petitioned for  
by John H. Brown and others

Comes now John H. Brown, 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 Cornucopia and Union County Road 430 yards N.W. of the N.W. corner of Sec 35 T7 S R 45 E N.M. running thence in a Southerly direction to the N.W. corner of Sec 35, thence East 3 1/2 miles on Township line to S.E. corner of Sec 32 T7 S R 46 E N.M. intersecting the L. Hloy 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 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 Pine Tree at place of commencement, one on S. Painter's fence at the M<sup>c</sup>Kimbell road crossing, and the third at the Terminus on a fence post on the Louis Hloy 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 L. J. Jennings, W<sup>m</sup> Benschhoff and L. S. Holcomb be appointed Viewers of said road, and that J. M. Kimbrell be appointed Surveyor of said road, and that they meet at house of Clark Curry on the 31<sup>st</sup> day of July 1889 at the hour of 10 o'clock A.M. and after qualifying view, survey and lay out said road according to law.

Be it remembered that at a Regular Term of the County Court of the State of Oregon for Union County begun and held at the Court House in the City of Union on Wednesday the 4<sup>th</sup> day of September 1889, the same being the Wednesday after the first Monday in said Month and the time fixed by law for holding a regular Term of said Court there were present:

The Hon. O. P. Goodall County Judge  
 The Hon. John McDonald Commissioner  
 The Hon. G. W. Bennehoff Commissioner  
 A. J. Neill County Clerk  
 and A. N. Hamilton Sheriff.

Due Proclamation of the opening of court having been made the following proceedings were had, to wit:—

In the matter of the }  
 Special order to }  
 M. D. Warren Road Sup. } At this time it appearing to the Court that M. D. Warren, Road Supervisor of Road Dist. No. 5, has failed and neglected to carry out a special order of this Court made and entered and Copy furnished him, ordering and directing him to close up certain water ditches running down certain County roads in his district. It is therefore ordered that a Citation issue to said M. D. Warren ordering him to appear before this Court forthwith to show cause, if any he has, why said order has not been complied with.

In the Matter of the }  
 Proposed County Road }  
 petitioned for by J. H. }  
 Erwin et al. } This matter came on to be heard at this time on the Reports of the Viewers and Surveyor heretofore filed herein and said Reports having been read in open Court for the first time and laid over for a second reading on some other day of this term.

In the Matter of the }  
 Proposed County Road }  
 petitioned for by J. H. }  
 Brooks et al. } This matter came on to be heard at this time on the Reports of the Viewers and Surveyor heretofore filed herein and on the Claim of Jas. McNitt for damages, and said report of the viewers having been read in open Court for the first time and it appearing that said Viewers report favorable on said road and

Second Judicial Day

Thursday Sept 5<sup>th</sup> 1889

And said report of the Viewers and the Report 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 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 opened according to law, and the Court being satisfied from the Report 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 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 S. L. McKenzie, Road Supervisor of Road District No 12, 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 J. W. Erwin et al. }

This matter came on to be heard at this time on the Reports 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 3<sup>rd</sup> day of July 1889, 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 J. W. Erwin, et al. beg leave to report that on the 31<sup>st</sup> day of July 1889, in pursuance with said appointment and order, after being duly



Second Judicial Day

Thursday Sept 5<sup>th</sup> 1889

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 much 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. J. Jennings, L. B. Holcomb, W. J. Bennehoff.

And said report of the Viewers and the report of the Surveyor having been now publicly read in open Court on two several days of the present Term of the County 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 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 opened according to law. And the Court being satisfied from the Report 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 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 J. A. Denney, Road Inspector of Road District No 31, 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 }  
 Claim against the }  
 County of Tillamook } This matter came on to be heard at this time  
 on the claim of Union County against the County of Tillamook for }  
 costs and expenses incurred by Union County in taking care of and }  
 rendering medical aid to John N. Lockwood, a pauper of Tillamook }  
 County, under the provisions of the Statute of Oregon Sections 3948 and }

Fourth Judicial Day

Saturday Sept 7<sup>th</sup> 1889

In the Matter of Bridge  
near McWhister Farm  
in Road Dist. No 3

It appearing to the Court that at a former Term of this Court, the Court ordered J.E. Jones Supervisor of Road Dist No 3 to rebuild the bridge over the slough in said Road Dist near the McWhister farm and render his bill for said work to the Court. and said J.E. Jones having employed men and teams and completed said work as directed and now renders his bill and report of the work done and the amount due parties for said work as follows:-

" Island City Oregon, July - 1889  
Union County Or. For services rendered in reconstructing Bridge near McWhister Farm in Road Dist No 3

July 1889 To Henry P. Peters for 7 days work	\$14 <sup>00</sup>
" " Frank M. David $3\frac{1}{2}$ days with team @ 3 <sup>30</sup>	11 <sup>50</sup>
" " George Bartness $1\frac{1}{2}$ days with team @ 4 <sup>95</sup> and 2 day chopping @ 2 <sup>00</sup> per day	8 <sup>95</sup>
" " Luke McInnis Team 5 days @ 3 <sup>30</sup> & 16 <sup>00</sup> and 1 day single @ 2 <sup>00</sup>	18 <sup>50</sup>
" " John Carvies Team 4 days @ 3 <sup>30</sup>	13 <sup>20</sup>
" " W. Robbs 2 days with team @ 3 <sup>30</sup> = 6 <sup>60</sup> and 2 day single @ 4 <sup>00</sup> and timber @ 1 <sup>00</sup>	11 <sup>00</sup>
" " Timothy Steel 9 days at \$2 <sup>00</sup> per day	18 <sup>00</sup>
" " John Phillips $3\frac{1}{2}$ days at 2 <sup>00</sup> per day	7 <sup>00</sup>
" " J.E. Jones By 10 days Superintending said work	30 <sup>00</sup>
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State of Oregon  
County of Union } I hereby certify that the foregoing Bills and Amounts are true and correct. That the services as above set forth has been rendered, and that the amounts stated are justly due the parties mentioned.  
J.E. Jones, Supervisor Road Dist No 3.

It is therefore now ordered by the Court that said report and statements be approved and the different bills therein mentioned are hereby allowed.

In the Matter of the  
Road petitioned for by  
J.W. Erwin and others

Comes now J.W. Kimbrell County Surveyor and files his report and bills for the survey of the Proposed County Road petitioned for by J.W. Erwin and others as follows, to wit:-

"North Powder Or Aug 12, 1889  
In the Matter of the Proposed Co. Road of J.W. Erwin and others.  
Union Co., Oregon

To H <sup>mn</sup> Binncheff Viewer 2 days 4 <sup>00</sup> Mileage 2 <sup>00</sup>	\$ 6 <sup>00</sup>
" L. J. Jennings Viewer 2 days 4 <sup>00</sup> Mileage 1 <sup>00</sup>	\$ 5 <sup>00</sup>
" L. S. Holcomb Viewer 2 days 4 <sup>00</sup> Mileage 1 <sup>00</sup>	\$ 5 <sup>00</sup>