

EQUITY } No  
LAW }

**In Circuit Court**

Union County

VS

**Plaintiff**

**Defendant**

**Attorney for Plaintiff**

**Attorney for Defendant**

I- 554+519-587-

Presented Aug 9 1899  
Ordered Opened Sept 7 1899

517

Road of Public Easement  
Petitioned for by  
C W Noyes

Commencing at a point on  
the north side of Grande Ronde  
River on the bank thereof  
where the said river cuts the  
township line on the east  
side of said section 36  
T<sup>o</sup> 2 S<sup>o</sup> R 36 E W<sup>o</sup> M and ter-  
minating where the said  
road intersects the present  
travelled County road leading  
from Helgard, Oregon to  
Starkey Oregon -

To the Honorable County Court  
of Union County, State of Oregon.

The under signed petitioner<sup>ti</sup>  
Charles W. Hayes shows by this petition<sup>ti</sup> as follows: that he is the  
owner of Section 36 in Township 2 South of Range 36 E. W. M. ;  
that his residence situated upon said lands is not reached by any  
sovereign public road heretofore provided for by law and that  
it is necessary th<sup>ti</sup> the public and your petitioner shall have in  
access to and egress from his residence as aforesaid.

Wherefore your petitioner prays that a road of public easement  
shall be laid out as follows: commencing at a point on the north  
side of the French Fork river and on the bank thereof where the  
said river cuts the Township line on the east side of said section  
36 Township 2 South of Range 36 E. W. M. and thence along the said  
river on the north side thereof on the most practical route, in  
westerly direction, to intersect the present traveled county road  
leading from Hilgard, Oregon to Starkey, Oregon.

Charles W. Hayes  
Petitioner.

State of Oregon  
County of Union, ss.

I/ Charles W. Hayes being first duly  
sworn say that I am the petitioner above named and that  
the facts set forth in the foregoing petition are true.

B. F. Wilson  
Notary Public for Oregon.

The undersigned petitioner

Charles W. Hoyes shows by this petition as follows: that he is the

owner of Section 36 in Township 3 South of Range 36 E. W. M. ;

that my residence situated upon said lands is not reached by any

or five feet public road heretofore provided for by law and that

it is necessary for the public and for petitioner that I have in

order to reach my residence as aforesaid.

"The petition prays that a road of public use be

laid out as follows: commencing at a point on the north

side of the Grand Ronde river and on the bank thereof where the

said river flows the Township line on the east side of said section

the Township 3 South of Range 36 E. W. M. and thence along the said

river on the north side thereof on the most practical route, in

generally direction, to intersect the present traveled county road

leading from Hillsboro, Oregon to Starbuck, Oregon.

Petitioner.

at the State of Oregon

County of Union, ss.

I, Charles W. Hoyes, do hereby certify that

the facts set forth in the foregoing petition are true.

Notary Public for Oregon.

*Frank County Court*

*Wm. Condit*

*Notary Public*

*Frank County Court*

*Wm. Condit*

*Notary Public*

*Frank County Court*

*Wm. Condit*

*Notary Public*

*Frank County Court*

*Wm. Condit*

*Notary Public*

*Filed July 31, 1899*  
*Wm. Condit*  
*Notary Public*

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 9th day of August, A. D. 1899, and from day to day thereafter during the continuance of said term.

Present, Hon. B. F. Wilson, County Judge.  
Hon. R. T. Langrell, Commissioner.  
Hon. Henry Hug, Commissioner.  
G. W. Benson, Clerk,  
B. Y. K. Deering, sheriff.

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

In the matter of the petition of Charles W. Noyes, for a road of public easement.

*any*

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This matter came on to be heard at this time on the petition of Charles W. Noyes for a road of public easement described as follows, - Commencing at a point on the north side of the Grande Ronde River and on the bank thereof where the said river cuts the township line on the east side of section 36, township 2, south of range 36 E. W. M; thence along said river on the north side thereof on the most practical route in an easterly direction to intersect the present traveled county road leading from Hilgard, Oregon, to Starkey, Oregon, and it appearing to the court from said petition that petitioner's residence is situated upon section 36 township 2 south, range 36 E. W. M; that petitioner is the owner of said section 36, Tp 2, S. R. 36 E. W. M; that his residence is not reached by any convenient public road heretofore provided for by law, and that it is necessary that the petitioner and the public shall have ingress to and egress from the residence of petitioner.

It is therefore considered and ordered by the court that D. Hawes, G. Lafferty and A. Thompson be appointed viewers of said road, and that Arthur Curtis be appointed surveyor of said road, and that they meet at the commencement of said road on the 31st 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, and ~~and assess and appraise the damages that will accrue to any person by reason of the establishment of said public easement.~~ (Sd) B. F. Wilson, County Judge.

State of Oregon.  
ss.  
County of Union.

I, G. W. Benson, County Clerk of Union County, Oregon, and ex-officio clerk of the county court of said county and state, do hereby certify that the foregoing transcript of journal entry has been by me compared with the original entry in said matter, and that it is a true and correct copy of said original journal entry, and the whole thereof, as the same appears of record in my office and custody.

WITNESS my hand and the seal of said court, this 12th day of August, 1899.

G. W. Benson 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 9th day of August, A. D. 1899, and from day to day thereafter during the continuance of said term.

Present, Hon. B. F. Wilson, County Judge.  
Hon. R. T. Langrell, Commissioner.  
Hon. Henry Hug, Commissioner.  
G. W. Benson, Clerk,  
D. Y. K. Deering, sheriff.

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

In the matter of the petition  
of Charles W. Noyes, for a road )  
of public easement. )

-----

This matter came on to be heard at this time on the petition of Charles W. Noyes for a road of public easement described as follows,- Commencing at a point on the north side of the Grande Ronde river and on the bank thereof where the said river cuts the township e line on the east side of section 36, township 2, south of range 36 E. W. M; thence along said river on the north side thereof on the most practical route in an easterly direction to intersect the present traveled county road leading from Hilgard, Oregon, to Starkey, Oregon, and it appearing to the court from said petition that petitioner's residence is situated upon section 36 township 2 south, range 36 E. W. M; that petitioner is the owner of said section 36, Tp 2, S. R. 36 E. W. M; that his residence is not reached by any convenient public road heretofore provided for by law, and that it is necessary that the petitioner and the public shall have ingress to and egress from the residence of petitioner.

It is therefore considered and ordered by the court that D. Hawes, G. Lafferty and A. Thompson be appointed viewers of said road, and that Arthur Curtis be appointed surveyor of said road, and that they meet at the commencement of said road on the 21st 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, and assess and appraise the damages that will accrue to any person by reason of the establishment of said public easement. (Sd) B. F. Wilson, County Judge.

State of Oregon. ss.  
County of Union.

I, G. W. Benson, County Clerk of Union County, Oregon, and ex-officio clerk of the county court of said county and state, do hereby certify that the foregoing transcript of journal entry has been by me compared with the original entry in said matter, and that it is a true and correct copy of said original journal entry, and the whole thereof, as the same appears of record in my office and custody.

13 WITNESS my hand and the seal of said court, this 27th day of August, 1899

*G. W. Benson* Clerk.

*[Handwritten notes and signatures]*

County Court

Winn County, Oregon

Indemnator of the

petition of Char W. Moyes for a Road of

public easement

Acceptance of

service of order

This Aug. 23. 1899.

W. W. Benson

Clerk

Orville Kellogg  
May 8. 1899

E. M. Moyes

W. W. Benson

The undersigned has at last of  
the Moyes deceased which when  
found the within described road  
being a public road of which  
order was made upon the  
12 day of Aug 1899

State of Oregon,

County of Union ss.

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

Arthur Curtis

County Surveyor.



**FILED**

SEP 6 1899

*W. H. Brown*  
County Clerk

REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 9 day of August, 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 C. W. Hayes, et al, beg leave to report that on the 21 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 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 greatly 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. and we assess the damages of Mrs. Hayes at \$10.00

Geo W Lufford  
D H Carter

VIEWERS.

*W. B. Johnson*  
County Clerk

**FILED**  
SEP 6 1899

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 Charles W. Noyes 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 C. Curtis

County Surveyor.

**FILED**

SEP 6 1899

*W. H. Brown*  
County Clerk

## Report of Surveyor.

To the Hon. County Court of Union County, Oregon:

I, the undersigned, County Surveyor, appointed to survey the county road proposed by  
Charles W. Hayes et al., beg leave to report that  
on the 21 day of Aug. 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:

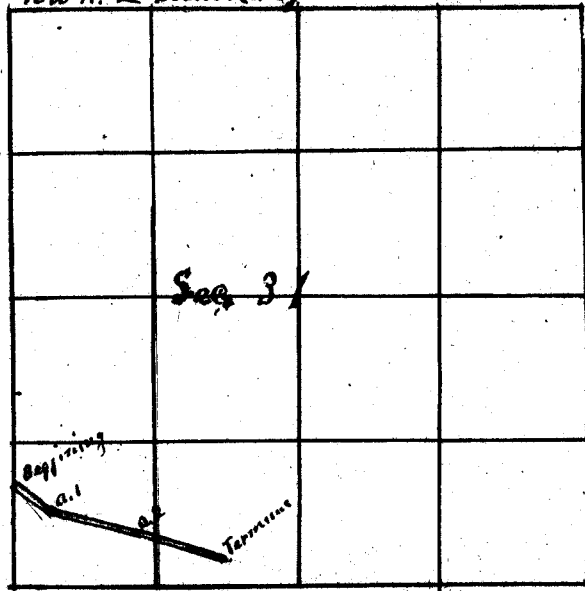
Commencing at a point 5.50 Chs. South of The  
N.E. Cor. of S.E.  $\frac{1}{4}$  of S.E.  $\frac{1}{4}$  Sec. 36 T. 2 N. R. 36 E. M.M. at a stone marked  
R. Then run South  $51^{\circ} 30'$  East 6.10 Chs. to Angle 1 marked rock  
Then South  $77^{\circ}$  East 12.75 Chs. to Angle 2 marked a stone  
" "  $73^{\circ}$  " 14.64 Chs. to Road Terminus in present  
road leading from Hilgard to S. Turkey. Set a rock  
marked R.T.

Arthur Curtis  
County Surveyor.

*Bartholomew*  
County, Ind.

**FILED**  
SEP 6 1899

Town. 2 South Range 31 East W. 72





Chas. H. Rogers  
Rus

**FILED**

SEP 6 1899

*W. H. Johnson*  
County Clerk