

No

IN THE

CIRCUIT COURT

UNION COUNTY OREGON

EQUITY

A. E. Eaton

Plaintiff

VS

Chas Bruner

Defendant

Docket

Page *E 1*

W. A. Terrall

Attorney for Plaintiff

Attorney for Defendant

SHONGA

P K S K ST

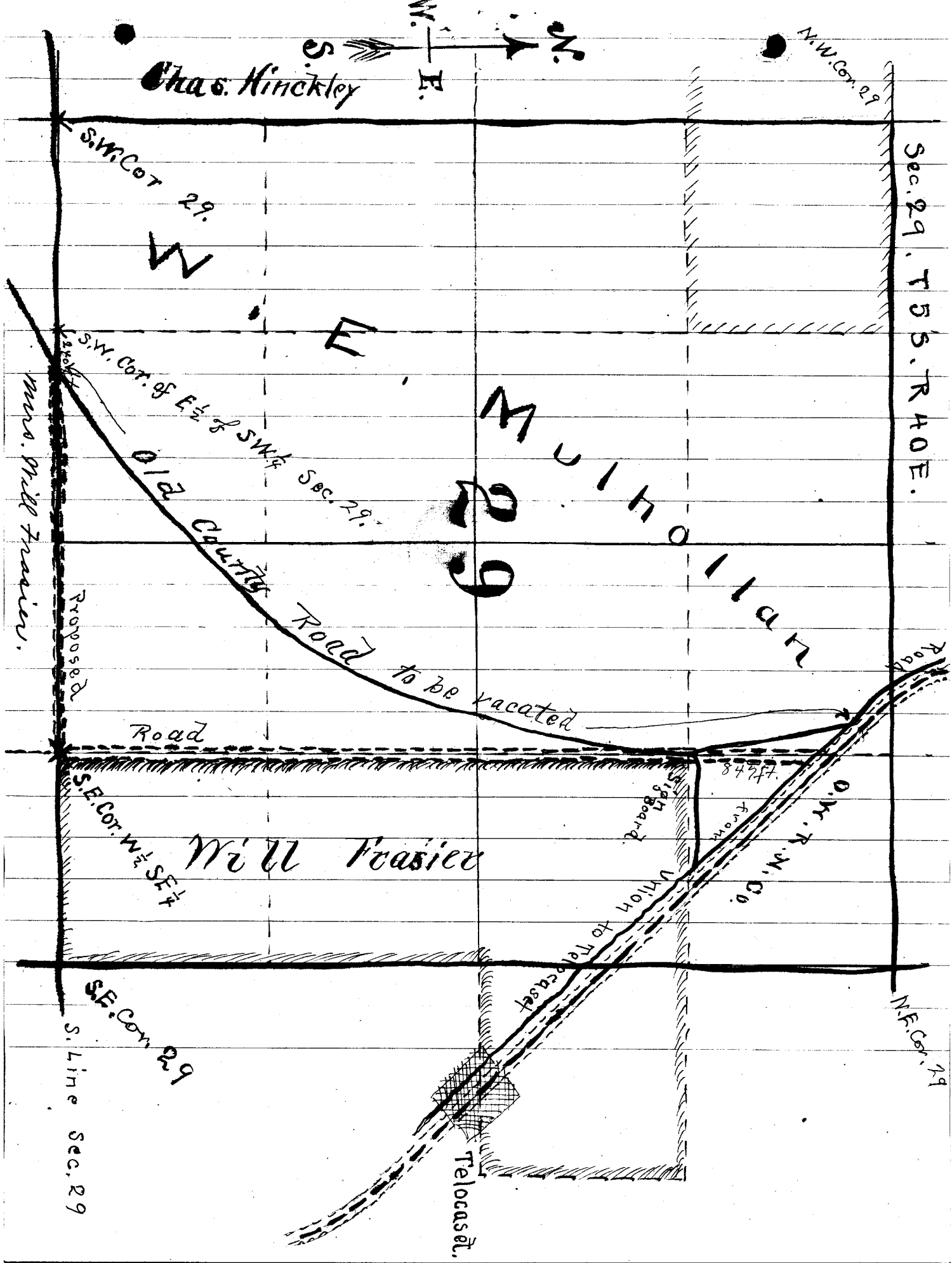
P T R

7

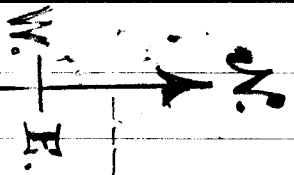
644

Road petitioned
for by
W B Butterfield et al





Chas. Kinckley



N.W. Cor. 29

S.W. Cor. 29

Sec. 29, T5S, R40E.

S.W. Cor. of E. 1/4 of SW 1/4 Sec. 29

OLD COUNTY ROAD

Road to be vacated

Wm. Frasier

Proposed

Road

S.E. Cor. W. 1/2 SE 1/4

Will Frasier

Right of Way

Union to Relocated

842.57

from

D.M.R.N.O.D.

S.E. Cor. 29

N.E. Cor. 29

S. Line Sec. 29

Relocated

BOND OF ROAD PETITIONERS

Know All Men by These Presents, That we, S. O. Swackhamer
and Nelson Schoonover of the County of Union and State of Oregon, are held and firmly bound unto said County of Union in the full sum of ONE HUNDRED DOLLARS (\$100.00) the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents.

Signed this 26th day of June A. D., 1912

Now, the conditions of the above obligation are such, that whereas,

W. B. Butterfield and others have petitioned the County Court of said County of Union, at the July term, 1912, thereof for a County Road, described

in the petition and notice hereto annexed, as follows: **Beginning at a point 240 feet East of the South-west corner of the East half of the South-west quarter of Section 29 T. 5 S. R. 40 E. of W. M. Said point being the place where the County Road from Union to Baker City crosses the South line of said Section 29 in T. 5 S. R. 40 E. of W. M. Thence running East along the South line of said Section 29 to the South-east corner of the West half of the South-east quarter of said Section 29 in T. 5 S. R. 40 E. of W. M. Thence North in a straight line along the East line of the West half of the East half of said Section 29 in T. 5 S. R. 40 E. of W. M. to the O. V. R. N. Co. Right of Way. Said last point being about 847 feet North of the North-west corner of the South-east quarter of the North-east quarter of said Section 29.**

And to vacate and abandon the Old County Road running diagonally through said Section 29 between above said points.

Now, if the above named W. B. Butterfield

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 the petitioners be not granted or allowed, then that this obligation shall be void, otherwise to remain in full force and virtue.

S. O. Swackhamer (Seal)
Nelson Schoonover (Seal)

STATE OF OREGON, } ss.
County of Union

I, S. O. Swackhamer and Nelson Schoonover each for himself, say

I am worth the sum of TWO HUNDRED DOLLARS, (\$200.00) over and above all debts and liabilities and property exempt from execution; that I am a resident householder in said county and State.

S. O. Swackhamer
Nelson Schoonover

Subscribed and sworn to before me this 29th day

of June A. D., 1912
W. M. Maxwell
Justice of the Peace

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

I, W. E. Mulhollan, 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 each end and in the middle of the proposed road, also at each end and in the middle of that portion of the old road to be vacated and abandoned

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 3rd day of June 1902 and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 3rd day of June 1902 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 La Grande, in the said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe

W. E. Mulhollan

Subscribed and sworn to before me this 2nd day of June 1902

W. D. Maxwell
Justice of the Peace

Notice of Road Petition

TO ALL PERSONS CONCERNED: You and each and all of you, will take notice that the undersigned freeholders, of Union County, Oregon, residing in the road district 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. 1917, 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 at a point 240 feet east of the South West corner of the East half of the South West quarter of Section 29, T5S. R40E. W. 40. Said point being the place where the County road from Union to Baker City crosses the South line of said Section 29 in T5S. R40E. W. 40. Thence running East along the South line of said Section 29 to the South East corner of the West half of the South East quarter of said Section 29 in T5S. R40E. W. 40. Thence north in a straight line along the East line of the West half of the East half of said Section 29 in T5S. R40E. W. 40. to the O. W. F. N. Co. Right of Way - said last point being about 84.7 feet north of the North West corner of the South East quarter of the North East quarter of said Section 29.

And to vacate and abandon the old county road running diagonally through said Section 29 between above said points.

Dated at Telocast Oregon, the 1st day of June A. D. 1917

NAMES:

NAMES:

W. B. Butterfield
 G. M. Cummings
 C. F. Hinckley
 W. Frasier
 Chas. Henry
 Frank M. Lee
 U. S. Blacker
 L. E. Titus
 Robt. A. Marr
 Ed. Nulff
 A. C. Cunningham
 M. W. Huffnuder
 W. F. Titus
 John Spair

Copy
 11/1

Petition for County Road

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

The undersigned freeholders, of Union County, Oregon, residing in the Road District 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:

Beginning at a point 240 feet East of the South-west corner of the East half of the South-west quarter of Section 29, T. 5 S., R. 40 E. of W. M. Said point being the place where the County Road from Union to Baker City crosses the South line of said Section 29 in T. 5 S., R. 40 E. of W. M. Thence running East along the South line of said Section 29 to the South-east corner of the West half of the South-east quarter of said Section 29 in T. 5 S., R. 40 E. of W. M. Thence North in a straight line along the East line of the West half of the East half of said Section 29 in T. 5 S., R. 40 E. of W. M. to the O. W. R. N. Company Right of Way. Said last point being about 847 feet North of the North-west corner of the South-east quarter of the North-east quarter of said Section 29.

And to vacate and abandon the old County Road running diagonally through said Section 29, between above said points.

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

NAMES:

NAMES:

W. B. Butterfield
G. M. Cummings
E. F. Hinckley
W. J. Jarvis
LeRoy Perry
Frank M. Lee
U. S. Blacker
L. C. Titus
Robt. G. Mason
Ed. Huff
A. C. Cronmeyer
W. W. Huffman
W. F. Titus
John Spier

IN THE
COUNTY COURT

FOR THE
STATE OF OREGON
FOR
UNION COUNTY

In the matter of the

Property of
Henry Paul

Return for by

W B Butcher

et al

Return and

FILED *January 28 1912*

Carbaugh
Clerk

By

Clerk

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 3rd day of July, A. D., 1912, the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable J. C. Henry, County Judge,
C. A. Galloway, Commissioner,
_____, Commissioner,
Ed Wright, Clerk,
F.P. Childers, Sheriff.

WHEN, on Friday, the 5th day of July, A. D. 1912, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed *
County Road petitioned for by *
W.B. Butterfield et al. *

Comes now W. B. Butterfield, 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 at a point 240 feet east of the south-west corner of the east half of the south-west quarter of Section 29 T. 5 S. R. 40 E. of W.M. Said point being the place where the county road from Union to Baker City crosses the south line of said Section 29 in T. 5 S. R. 40 E. of W.M. Thence running east along the south line of said Section 29 to the south-east corner of the west half of the south-east quarter of said Section 29 in T. 5 S. R. 40 E. of W.M. Thence north in a straight line along the east line of the west half of the east half of said Section 29 in T. 5 S. R. 40 E. of W.M. to the O.W.R. N. Company right of way. Said last point being about 847 feet north of the north-west corner of the south-east quarter of the north-east quarter of said Section 29.

And to vacate and abandon the old county road running diagonally through said Section 29, between above said points.

And it appearing to the court that said petition is signed by more than twelve freeholders of this county, residing in the road district where the hereinbefore described road is proposed to be, 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 City of

La Grande, Union County, Oregon, and also in three public places in the vicinity of said proposed road, to-wit: One at each end and in the middle of the proposed road, also at each end and in the middle of that portion of the old road to be vacated and abandoned 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 Arthur Curtis, County Surveyor, and Thomas Brasher and E. A. Wills, constituting the Board of County Road Viewers, be, and they are hereby directed to meet at Telocaset on the 16th day of July, 1912, at the hour of 11 o'clock A.M. or within five days thereafter, and proceed to survey, view and lay out said road according to law.

(Signed) J. C. Henry, County Judge.

C. A. Galleway, Commissioner.

ATTEST:

County Clerk.

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

To the Honorable County Court for Union County, Oregon:

The undersigned Board of County Road Viewers, heretofore on the 3rd day of July 1902, instructed 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 W. B.

Butterfield et al., beg leave to report that on the 17th day of July 1902, in pursuance with said order, 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 and that the present road lying between the Beginning and Terminus be Vacated when the Petitioners place the Road in shape for travel: and there will be no damages by the change

Arthur Curtis
Thos Brashear
E. A. Wills

Board of County
Road Viewers.

state of Oregon: s.s
County of Union :

I Arthur Curtis County Surveyor of UNION County Oregon do hereby certify that the Field Notes made by me in the survey of the County road as petitioned for by W.B.Butterfield et. al. are true and correct and that the Plat accompanying the same is a true and correct representation of said road both together in angles and distances.

Arthur Curtis
County Surveyor

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 W.B. Butterfield et. al. beg leave to report that on the 17 day of July 1912 in pursance of said appointment and order, I Surveyed said proposed road for the whole distance thereof, the following being the field notes of said survey.

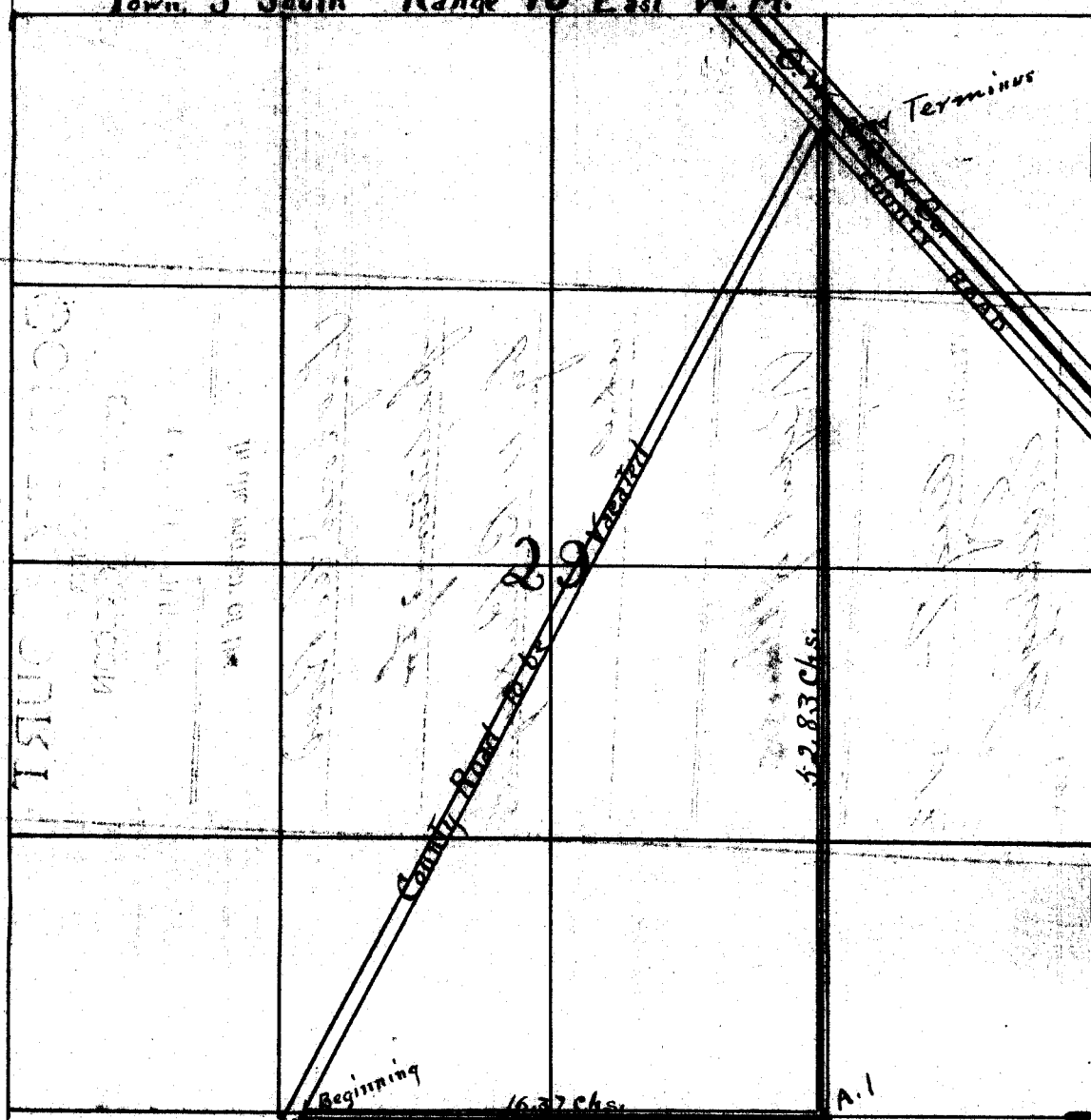
commencing at point 3.63 chs. East of the S. W. Cor. of the S. E. $\frac{1}{4}$ of the S. W. $\frac{1}{4}$ of Section 29 Township 5 South Range 40 East W.M.M ; Thence East 36.37 chs. to angle I ; Thence North 2.83 chs. to road terminus a point south of O. W. R. N. Railroad in the present county road



County Surveyor

Road
Petitioned for by W. B. Butterfield et al.

Town 5 South Range 40 East W.M.



Arthur Curtis
County Surveyor

COUNTY COURT

FOR THE
STATE OF MISSISSIPPI
TERRY COUNTY

In the matter of the

Leiford's Les Road

petition for

by W. B. Rustenburg

and

Report of Messrs

FILED *Aug 7-* 19*12*

W. B. Rustenburg

Clerk

By

Deputy

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 7th day of August, A. D., 1912, the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable J. C. Henry, County Judge,
C. A. Galloway, Commissioner,
J. F. Hutchinson, Commissioner,
Ed Wright, Clerk,
F. P. Childers, Sheriff.

WHEN, on Wednesday, the 7th day of August, A. D. 1912, or the 1st Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed
County Road petitioned for by
W. B. Butterfield et al.

Now at this time this matter came on to be heard upon the Report of the Board of County Road Viewers for a first reading as provided by law. And the said report having now been read in open court, the same is laid over for a second reading upon another day of this term of court.

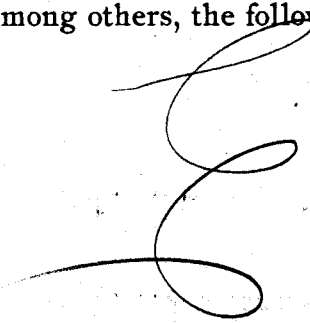
(Signed) J. C. Henry, County Judge.
C. A. Galloway, Commissioner.
J. F. Hutchinson, Commissioner.

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, said County and State, on Wednesday, the 7th day of August A. D. 1902, the same being the first Wednesday in said month and the time fixed by law for holding a regular term of said Court, when were present to-wit:

The Hon. J. C. Henry Judge, Presiding.
The Hon. C. A. Galloway County Commissioner.
The Hon. J. E. Hutchinson County Commissioner.
Ed Wright Clerk.
F. P. Childers Sheriff.

When on Thursday day, the 8th day of August A. D. 1902, or the second Judicial day of said term, among others, the following proceedings were had, to-wit:

In the Matter of the Proposed County Road Petitioned
for by W. B. Butterfield et al.



This matter came to be heard at this time on the report of the Board of County Road Viewers for a second reading, as provided by law, said report being in words following to-wit:

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

To the Honorable County Court of Union County, Oregon:

The undersigned Board of County Road Viewers heretofore on the 3rd day of July 1902, instructed 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 W. B. Butterfield et al., beg leave to report that on the 17th day of July 1902, in pursuance with said order, 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 and that the present road laying between the beginning and terminus be vacated when the petitioners place the road in shape for travel; and there will be no damages by the charge

(Sgd) Arthur Curtis
Thos. Brasher
E. A. Wills

} Board of County Road Viewers.

And said report of the Board of County Road Viewers 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 Board of County Road 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 report of the Board of County Road Viewers that such road will be of public utility; the report of the viewers being favorable thereto, and all the files and records of said proceedings having been submitted to the District Attorney, who has advised this court as to the legality of said proceedings, it is therefore considered and ordered by the court that the report of the Board of County Road Viewers be placed on record in this journal, and that the surveyor's profile and 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 said proposed road be declared a public highway of Union County, Oregon, and ordered opened up ~~and~~ placed in repair for travel ^{when} ~~according to law, and that~~ ^{by the petitioners}

~~that the 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, and that the report of the Board of County Road Viewers be placed on record in this journal, and that the surveyor's profile and 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 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, and that the report of the Board of County Road Viewers be placed on record in this journal, and that the surveyor's profile and 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 said proposed road be declared a public highway of Union County, Oregon, and ordered opened up and placed in repair for travel~~

(Signed) J.C. Henry
County Judge.
C.A. Galloway
Commissioner.
J.F. Hutchinson
Commissioner.

STATE OF OREGON, }
COUNTY OF UNION, } ss.

I, _____, Clerk of the County Court of the State of Oregon for the County of Union, do hereby certify that the foregoing copy of Journal Entry has been by me compared with the original entry made in the above entitled proceedings, now remaining of record in my office; that it is a correct transcript therefrom, and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said court this _____ day of _____ A. D. 190___

Clerk.

By _____ Deputy.