

**IN PROBATE**

UNION COUNTY.  
OREGON

*Guardianship*  
ESTATE OF

*Charles Broadhurst*  
*Incompetent* Deceased

*H. E. Dixon*  
*Guardian*

ATTORNEYS

*H. E. Dixon*

MANUFACTURED BY  
KILHAM STATIONERY & PRINTING CO.  
235 S. W. FIFTH AVENUE AT OAK  
PORTLAND, OREGON

# 724

In re proposed County.  
Road petitioned for by.  
F.A. Tobroche et al.

Petition denied Oct 3, 1929

# 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:

Commencing at a point on the present county road near the southeast corner of the northeast quarter of Section 1, in Twp. 1. South, Range 39. E. W. N. E., thence running in a northwesterly direction following down Shaw Creek along the most feasible route, to a point where the present county road crosses Shaw Creek, being a distance of approximately one-half mile

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

NAMES

NAMES:

Frank A. Sobocle	
A. R. Thompson	
J. S. [unclear]	
J. L. [unclear]	
E. W. Clark	
Aug. F. Beaman	
O. H. [unclear]	
Nora A. Busscar	
A. H. Busscar	
J. A. Horn	
G. M. Horn	
E. H. Horn	
Paul Scott	
Mrs. A. S. Hebenert	
A. S. Hebenert	
George [unclear]	
Lee Cross	
Gertrude Lytle	
Hugh Lytle	

Petition of  
Frank Tobacco  
et al for  
Costs

Filed

May 2 1929

C. K. McLaughlin, County Clerk

By

*[Signature]*

Deputy

# RETURN RECEIPT.

*Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.*

*Lucius W. Patton*

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, *May 16*, 19*19*

Post Office Department  
OFFICIAL BUSINESS

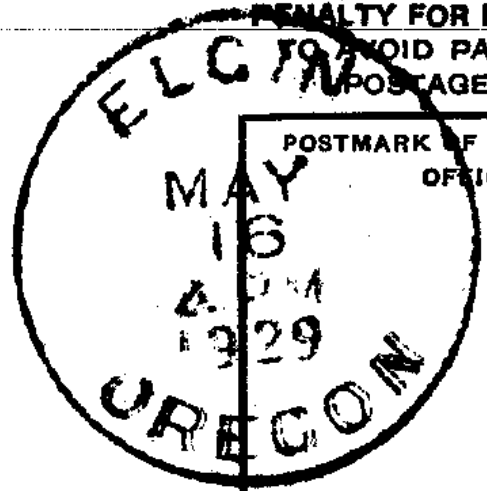
REGISTERED ARTICLE

No. 235

INSURED PARCEL

No. \_\_\_\_\_

PENALTY FOR PRIVATE USE  
TO AVOID PAYMENT OF  
POSTAGE, \$800.



POSTMARK OF DELIVERING  
OFFICE

AND DATE OF DELIVERY

Return to A. D. Bussell  
(NAME OF SENDER)

Street and Number, }  
or Post Office Box, }

Post Office at \_\_\_\_\_

Elyria  
Ohio

State \_\_\_\_\_

STATE OF OREGON

SS.

COUNTY OF UNION

I A. D. Bussear, being first duly sworn depose and say, that I am one of the petitions for that certain ~~xxxx~~ county road on Indian Creek, now pending before the County Court of Union County, Oregon That on the 1st day of May, 1929, I mailed under registered letter to Mrs. Virginia Dutton, a copy of the notice posted showing that said petition was to come before the County Court for hearing at their regular term on June 5th. 1929, and I also enclosed therewith a letter calling same to the attention of Mrs. Virginia Dutton, as per copy of such letter herewith attached.

I also attach hereto return card which I received from therecipient of such letter. showing its delivery as a registered letter.

*A. D. Bussear*

Subscribed and sworn to before me this 1st day of June, 1929

*Jessie Crum*

NOTARY PUBLIC FOR OREGON  
My Commission Expires 24.3.33

Elgin, Oregon.      May 1st. 1929.

Mrs. Virginia Dutton

Elgin,

Oregon.

Dear Madam;-

Herewith notice of Road Petition, which states that the county road therein mentioned as petitioned for, will be heard at the regular term of the County Court for Union County, Oregon, at their June 1929, meeting.

This notice is a true copy of the Notices of Road Petition, as posted by law required.

A. D. Bussear

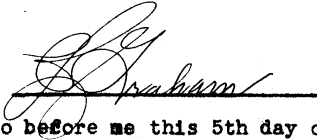
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One of the petitioners.

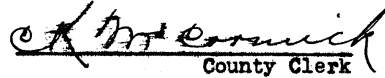


STATE OF OREGON)  
County of Union) <sup>ss</sup>

I, C. L. Graham, being first duly sworn, depose and say:  
that I posted on the bulletin board at the court house at La Grande,  
Oregon, the hereto attached notice of road petition in the matter of  
a county road petitioned for by F. A. Tobrocke, et al.,  
on the 2nd day of May, 1929, and that the same remained so posted for  
a period of at least 30 days.

  
\_\_\_\_\_

Subscribed and sworn to before me this 5th day of July,  
1929.

  
\_\_\_\_\_ County Clerk

NOTICE OF ROAD PEBITION

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 5th. day of June, 1929, 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 a point on the present county road near the southeast corner of the Northeast quarter of Section 1, in Township 1 South, Range 39 E. W. M. , thence running in a northwesterly direction following down Shaw Creek along the most route, to a point where the present county road crosses Shaw Creek, being a distance of approximately One-half mile.

Dated May 2nd. 1929, Elgin, Oregon.

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<u>NAMES</u>	<u>NAMES</u>
Frank A. Tobrocks,	E. H. Horn
A. R. Thompson,	Paul Scott
Joe Hallgarth,	Mrs. A. S. Hebener
F. L. Geiger,	A. S. Hebener
E. W. Clark	George C. Cross
Aug. F. Zeamer	Lee Cross,
O. H. Zeamer,	Gertrude Lyttle,
Nora Bussear,	Hugh Lyttle.
A. D. Bussear,	
J. A. Horn	
N. M. Horn,	

*Leave here  
Please*

*Posted full 30 days  
6/11/29*

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 2nd day of October, AD, 1929, 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 U. G. Couch, County Judge,

W. W. Stevens, Commissioner,

W. R. Ledbetter, Commissioner,

C. K. McCormick, Clerk,

Jesse Breshears, Sheriff.

WHEN, on Thursday, the 3rd day of October, AD, 1929, 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 F. A. Tobrocke, et al.

Now at this time, this matter comes on for further consideration, and it appearing to the Court that the petitioners have failed to comply with the law requiring the filing of a bond covering the payment of costs in the above proceeding,

It is therefore CONSIDERED AND ORDERED that said petition be, and the same is, hereby denied.

(sd) U. G. Couch, County Judge,

W. W. Stevens, Commissioner,

W. R. Ledbetter, Commissioner.



Red Cross Drug Store was for the defendant which judgment in effect holds that the property sold by the Sheriff at said tax sale was sold with a good title,

It is therefore CONSIDERED AND ORDERED that the claim of Adam Beck be and the same is hereby denied.

In the matter of the proposed county road petitioned for by F. A. Tobrocke, et al.

Now at this time this matter comes on to be heard upon the petition of F. A. Tobrocke, et al., for a proposed county road, and it appearing to the Court that the petitioners have failed to file a bond to cover the costs of the proceedings in the event that said petition is denied,

It is CONSIDERED AND ORDERED that said petition be and the same is hereby continued for the term.

In the matter of the application of the Eastern Oregon Live Stock Show Association for an appropriation.

Now at this time this matter comes on for hearing upon the application of the Eastern Oregon Live Stock Show Association for an appropriation of \$1000.00 and it appearing to the Court that said amount was provided for said Association in the budget of Union County for 1929 and that said budget was duly advertised and adopted as provided by law, and it further appearing that the Union County Fair Board does not intend to hold a county fair during the year of 1929 and are working with the Eastern Oregon Live Stock Show Association,

It is CONSIDERED AND ORDERED that the County Clerk be and he is hereby authorized to draw a warrant on the General Fund of the County in favor of said Eastern Oregon Live Stock Show Association in the sum of \$1000.00, and the County Treasurer is hereby authorized and directed to deliver to said Eastern Oregon Live Stock Show Association all monies received from the State Fair Fund for 1929.

In the matter of the cancellation of County Warrants issued more than 7 years prior to July 1st, 1929.

Now at this time comes C. K. McCormick, County Clerk, and presents to the Court the following list of County Warrants which were issued more than 7 years prior to July 1st, 1929, and which have never been paid, viz:

GENERAL FUND

July 6, 1921	1812	C. R. Shinn	\$4.20
July 6, 1921	1888	Jack Stone	2.20
July 6, 1921	1895	J. L. Smith	2.20
Aug. 3, 1921	2209	A. F. Martin	4.40
Nov. 2, 1921	2871	George Vorres	5.80
Nov. 2, 1921	2896	E. L. Brown	2.20
Nov. 2, 1921	2967	George Vorres	7.60
Mar. 1, 1922	475	Jay Taylor	2.20
Mar. 1, 1922	481	E. E. Southard	2.20
Mar. 1, 1922	504	James Lee	2.20
Mar. 1, 1922	509	Viola Goodwin	2.20
Mar. 1, 1922	517	Jerome Meukel	2.00
Apr. 5, 1922	750	John Patten	1.00

ROAD FUND

Aug. 3, 1921	1003	S. A. Beauchamp <sup>1</sup> / <sub>2</sub>	8.63
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MARKET ROAD FUND

Aug. 3, 1921	2394	H. Weimer	44.39
Nov. 2, 1921	3074	E. H. Miles	11.97
Dec. 7, 1921	3251	Donald Gale	2.99

SECOND JUDICIAL DAY

FRIDAY, JULY 5th, 1929.

of sufficient value to pay the indebtedness against it and that said estate is unable to pay to the County Clerk the filing fee provided for by statute,

It is CONSIDERED AND ORDERED that the action of the County Clerk in filing said petition without the statutory fee be ratified and the said County Clerk is hereby authorized to take credit for said fee.

In the matter of the proposed road petitioned for by F. A. Tobrocke, et al.,

Now at this time it is ORDERED that the above entitled matter be and the same is hereby continued for the term.

In the matter of the proposed county road petitioned for by Jennie V. Graham, et al.

Now at this time it is ORDERED that the above entitled matter be and the same is hereby continued for the term.

In the matter of the discontinuance of the election precinct known as "Palmer Precinct".

Now at this time this matter comes on for hearing, this being the time fixed by statute for the establishing of election precincts, and it appearing to the Court that the population of Palmer Precinct has decreased until but a small number of voters reside in said precinct, and it further appearing that the cost of holding an election in said precinct is excessive considering the number of voters residing therein, and it further appearing that most of said voters would not be greatly inconvenienced if required to cast their vote in Elgin Precinct No. 1,

It is CONSIDERED AND ORDERED that the election precinct known as Palmer Precinct be and the same is hereby discontinued and the boundaries of Elgin Precinct No. 1 shall be fixed as follows:

"Commencing at a point in the center of the intersection of Front Street with "C" Street in the City of Elgin, Union County, Oregon, thence west about 5 blocks, thence north 1 block, to the county road, thence west on said county road to the city limits of the city of Elgin, thence following said county road in a general westerly direction to Phillips Creek, thence along the center of said Phillips Creek in a westerly direction to where said Phillips Creek crosses the range line between ranges 38 and 39, thence north along said range line about  $8\frac{1}{4}$  miles to the northwest corner of Sec. 6, Tp. 2 N, R 39 EWM, thence west  $3\frac{1}{2}$  miles to the boundary line between Union and Umatilla Counties, thence following said boundary line in a northerly direction to the boundary line between Union and Wallowa Counties; thence east about 11 miles on said boundary line to the northeast corner of Sec. 1, Tp 4 N, R 40 EWM, thence south on said boundary line to the junction of the Grande Ronde River with the Wallowa River, thence up the center of said Grande Ronde River in a southwesterly direction to Front Street in the city of Elgin, thence following said Front Street to place of beginning.

Thereupon it was ORDERED that Court be now adjourned for the term, the journal of today's proceedings having been read, approved, and is here now signed.

*H. G. Couch* County Judge      *W. W. Stevens* Commissioner      *H. P. Ledwith* Commissioner

SECOND JUDICIAL DAY

THURSDAY, SEPTEMBER 5th, 1929.

a distance of approximately a half mile, and it appearing to the Court that said petition is signed by more than 12 freeholders of this county residing in the road district where the hereindescribed road is to be located, and that said petition properly specifies the terminal points of said proposed road and it satisfactorily appearing to the Court that public notice of said proposed road has been given by the posting of notices at the place of holding county court, to-wit: the Courthouse 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 on a fence post at the Southeast corner of the Southwest Quarter of the Northwest Quarter of section 31 Tp 2, N, R 40 EWM; one on a gate post on the north side of the county road at the south end of the proposed road; and one on a gate post on the south side of the County Road at the north end of the proposed road, the same being the Northwest Corner of Section 30 Tp 2 N, R 40 EWM, in Union County, Oregon, more than 30 days immediately prior to the presentation of said petition to this Court notifying all persons that application would be made to this Court on July 3rd, 1929, and that a bond for the costs of this proceeding has been duly filed; and it further appearing to the court from the affidavit of Roy Hardy, one of the petitioners, that a copy of the notice of road petition was mailed by registered mail with postage fully prepaid, addressed to Joe Ott at Union, Oregon, the owner of the land across which said road is proposed to be located,

It is therefore ORDERED that S. B. Morgan, County Roadmaster, and Charles Playle and J. A. McKenzie, freeholders of Union County, be appointed as a board of road viewers to view said road, and they are hereby directed to meet on September 11th, 1929, at 10:00 A.M., or within 10 days thereafter, and proceed to survey, view and lay out said proposed road according to law and file their report with this Court not later than 10 days prior to October 2nd, 1929, the time fixed by law for its next meeting.

In the matter of the proposed County road petitioned for by F. A. Tobrocke, Et al.

Now at this time is presented to the Court the petition of F. A. Tobrocke, et al., for a proposed county road described as follows: commencing at a point on the present County Road near the southeast corner of the northeast quarter of Section 1 in Township 1 South, Range 39 EWM, thence running in a northwesterly direction following down Shaw Creek along the practical route, to a point where the present county road crosses Shaw Creek, being a distance of approximately one half mile, and the Court having inspected said petition together with the proceedings connected therewith, finds that the petitioners have not filed a bond to cover the costs of said road proceedings as required by law,

It is therefore CONSIDERED AND ORDERED that said petition be and the same is hereby continued for the term.

In the matter of the vacation of a portion of County Road No. 371.

WHEREAS, it appears to the County Court of Union County, Oregon, that a portion of the County Road No. 371, more particularly described as follows:

Beginning at a point as described in the original notes as A 66 said point being on the section line between sections 25 and 22 T 2 S, R 36, EWM; said point being approximately 25 chs. south of the section corner common to sections 23, 24, 25 & 26 T 2 S, R 36 EWM; thence in a northwesterly direction



SECOND JUDICIAL DAY

THURSDAY, OCTOBER 3rd, 1929.

road, and cause said land owner to travel 1/4 mile further in reaching a portion of his lands, and it further appearing from said report that the road master has recommended a reduction in the width of said road to 40 feet, and the Court being fully advised,

It is CONSIDERED AND ORDERED that the petition for the vacation of said road be denied and that the width of that portion of said road proposed to be vacated be reduced to 40 feet.

In the matter of the acceptance of the deed of Joseph Ott for a right-of-way for a county road.

Now at this time is presented to the Court the deed of Joseph Ott to a right-of-way for a county road, described as follows:- That certain strip of land forty (40) feet in width, being twenty (20) feet on each side of that certain line, which is particularly described as follows, to-wit: Commencing at the northwest corner of section thirty (30) in Township Two (2) north, of range forty (40) EWM, and running thence south 13° 42' east a distance of 345 feet; thence south 26° 06' east a distance of 100 feet; thence south 36° 05' east a distance of 920 feet; thence south 54° 18' east a distance of 815 feet, to intersect with the present county road; which point of intersection is approximately 1650 feet south and 1320 feet east of the point of beginning, containing two acres, more or less; and it appearing to the Court that said deed is in due form and that the land described therein is required as a right-of-way for a county road for the convenience of persons residing in the vicinity of said road,

It is therefore CONSIDERED AND ORDERED that said deed be accepted and that the land described in said deed be and the same is hereby declared to be a county road of Union County, Oregon.

724  
In the matter of the proposed County Road petitioned for by F. A. Tobrocke, Et al.

Now at this time this matter comes on for further consideration, and it appearing to the Court that the petitioners have failed to comply with the law requiring the filing of a bond covering the payment of costs in the above proceeding,

It is therefore CONSIDERED AND ORDERED that said petition be and the same is hereby denied.

In the matter of the vacation of a portion of County Road No. 371.

Now at this time it appearing to the Court that the County Roadmaster has viewed that portion of the above entitled road proposed to be vacated and has filed a written report recommending the vacation thereof,

It is therefore CONSIDERED AND ORDERED that November 7th, 1929, at 10:00 AM, in the County Court Room at the Courthouse in the city of La Grande, Oregon, be fixed as the time and place for hearing said report and the County Clerk is hereby directed to give notice of the said hearing for the time and in the manner provided for by law.