

From Charles Yetter to Wm Batten et al

This agreement made this sixteenth day of Decem-
ber A.D. 1898 between Charles Yetter of the County
of Skamania, State of Washington the party of the
first part and Wm Batten et al in some place the
party of the second part: Witnesseth, That whereas
the party of the first part is the owner and possessor
of certain lands in said County and State and
whereas, a certain tributary of the Columbia River
bordering on said state and known as Woodard
Creek flows on, by and through the said lands of the
party of the first part, and whereas the party of the second
part is desirous and intends building, erecting and
operating a flume for the purpose of fluming and
carrying cordwood, ties, lumber and for all other
purposes connected with the business of fluming
and whereas the party of the second part intends
building and erecting said flume on certain
parts of the land owned and possessed by the
party of the first part and in, and through the said
Woodard Creek aforesaid owned and possessed
by the party of the first part, Now therefore in virtue
of the premises and for the consideration of the sum
of one dollar paid to the party of the first part by
the party of the second part the receipt whereof is
hereby acknowledged, the party of the first part
hereby gives, grants, bargains, sells and conveys
and by these presents does give, grant, bargain,
sell and convey to the party of the second part his
heirs or assigns a sole right of way for the
term of fifteen (15) years on and through the lands
possessed by the party of the first part in Skamania
County and on that certain tributary of the Columbia
River aforesaid known as Woodard Creek that flows
on and through the lands of the party of the first
part for the purpose of building, erecting and
operating a flume for the use above set forth, &
said right of way to be on or over the said Woodard
Creek as is practicable for the operating of said
flume, the party of the second part hereby agrees
and by these presents does agree to give the party of
the first part his heirs or assigns the right to use the

I hereby cancel this within five, this 12th day of August 1907

Wm Batten

Attest: J. B. Batten

for parties.

said flume for the purpose of fluming cordwood and ties from and off the land owned and possessed by the party of the first part as before stated, provided the party of the first part pays to the party of the second part the sum of One Cent for each and every cord of wood the party of the first part carries and transports, and the further sum of One Cent for each and every tie carried and transported in said flume and it is further agreed that the party of the first part shall not be liable for any repairs to said flume. It is further agreed by and between the parties hereto, that the party of the first part shall not use the said flume for the purpose of delivering any wood the steamboats at said dock.

It is further agreed to, by and between the parties hereto that any disagreement between the parties hereto shall be left to arbitration, one arbitrator to be selected by each of the parties hereto and the two thus selected to select a third. It is further agreed by and between the parties hereto that the party of the first part shall not flume more than three hundred cords of wood in any year and at such times as he or any assignee provided the party of the first part, gives the party of the second part his heirs or assigns at least ten days notice of his intention to flume said wood. It is also agreed by and between the parties hereto that the party of the first part shall have the use of the dock and banks of the party of the second part for the purpose of delivering the cordwood flumed by the party of the first part. In witness whereof the parties hereto have subscribed their hands and seals this sixteenth day of December A. D. 1898.

Witness

Dirk Borroco

William Butler
Charles Jettick
Maggie Jettick

Filed for record Dec 22nd 1898 at 4 o'clock P.M.

C. G. Brown

auditor

O. S. J. Sweeney
Chairman

By Joe Tavelley
Deputy