

SECOND JUDICIAL DAY.

THURSDAY, JANUARY 3rd, 1907.

In the Matter of the petition of
G.B. Fisher for the refundment
of money paid in for taxes on the
Northwest Quarter of Section 2,
Tp.2, S.R. 35, E.W.M., for the
years 1901-2-3-4& 5.

Now at this time this matter came on for hearing upon the petition of G.B. Fisher for the refundment of money paid for taxes on said property, and it appearing to the Court that on the 9th day of July, 1906, the petitioner herein bought at public sale for delinquent taxes for the year 1901, the Southwest Quarter of the Northeast Quarter of Section 12; the West half of the Southwest Quarter and the West half of the Northwest Quarter of Section 1, and the North half of Section 2, Tp.2, S.R. 35, E.W.M., paying therefor, the sum of \$28.00 as is evidenced by the Sheriff's deed, and that the Northwest quarter of Section 2, Tp.2, S.R. 35, E.W.M., was at the time of such sale the property of the United States and not assessable, except the West half of the Northwest quarter was homesteaded, but that the East half of the Northwest quarter is now Government land, and that no part of the Northwest quarter of said section and township have been proved up on and no certificates issued therefor as is evidenced by the certificate of E.W.Davis, Register of the U.S. Land Office at La Grande, Oregon. And it appearing to the Court that the said petitioner, after buying said land at said tax sale, redeemed the same from the delinquent taxes for each ^{year} subsequent to the year, 1901, and after having redeemed said land, found that the same was Government land and that the Sheriff's deed issued to the purchaser of such land is void and of no effect and that the taxes against the Northwest Quarter of Section 2, Tp.2, South of Range 35, E.W.M. amounts in all for the year 1901, and all subsequent years, the sum of \$40.37, and the Court being now fully advised in the premises,

It is therefore CONSIDERED and ORDERED that the Clerk of this Court be and he is hereby authorized and directed to draw a warrant on the General Fund of the County for the sum of \$40.37 in favor of the said G.B. Fisher, as a refundment of the taxes paid on said land as above set forth.

In the Matter of the Petition and Application of the Oregon Railroad and Navigation Co.; and The George Palmer Lumber Co., for a franchise for right of way over Marion Street, in the Riverside and Rynearson Additions to La Grande, Union County, Oregon.

Now at this time this matter came regularly on for hearing upon the application

SECOND JUDICIAL DAY.

THURSDAY, JANUARY 3rd, 1907.

and petition in writing of the Oregon Railroad & Navigation Company and the George Palmer Lumber Company, private corporations, for a perpetual franchise for right of way over, through and along that part of Marion Street in the Riverside and Rynearson Additions to La Grande, Union County, Oregon, leading North from the North limits of the municipal corporation of the City of La Grande, Union County, Oregon, to the grounds of the said The George Palmer Lumber Co., to terminate at the Northeast corner of Block 30, in said Riverside Addition, as aforesaid. And it appearing to the Court now, that The Oregon Railroad & Navigation Company is desirous of constructing, operating and keeping in repair a railroad branch leading from its main line in said City of La Grande at the intersection of said Marion Street with said main line, north and through said street to the lumber plant of the said The George Palmer Lumber Co., situated upon Block 30, of Riverside Addition to La Grande, Oregon, and other lands in that vicinity, for the purpose of transporting freight and passengers over the same, between the said points as aforesaid; that the request is reasonable, that it would do no injury to said street; to grant said franchise, that the property along such street where the franchise is sought, is unoccupied, and that the City of La Grande, as aforesaid, has by Ordinance No. 331, Series 1906, duly approved July 10th, 1906, granted to said petitioner, The Oregon Railroad & Navigation Co., a perpetual franchise and right of way for such railroad as aforesaid, through said Marion Street from its intersection with the main line of said railroad as aforesaid, North to the North limits of said City, being the intersection of said Marion Street with Lake Street in said City, and said railroad within said corporate limits is already constructed,

It is therefore ORDERED that said petition be granted, that the said Oregon Railroad & Navigation Company, is hereby granted a perpetual franchise and privilege to construct a roadbed on a right of way and operate and keep in repair a railroad of standard gauge in width upon, through and along Marion Street in Riverside and Rynearson Additions to La Grande, Union County, Oregon, north from the North City Limits of the City of La Grande, Union County, Oregon, to the Northeast corner of Block 30 in Riverside Addition to La Grande, Union County, Oregon, that part of said Riverside Addition as aforesaid being in an unincorporated town or part of town within Union County, Oregon, for the purposes of transporting all kinds of freight and passengers and keeping said railroad in proper repair and upon the express conditions and restrictions that said railroad company shall not so occupy or use said street or part of street either in the construction or operation of said road bed or railroad as to prevent the said street being safely and conveniently used for public travel and use, and that said Railroad Company shall provide, construct and keep in repair at the crossing of each street or other highway along said line of said franchise and right of way, a suitable, substantial, convenient and safe crossing for public travel across said railroad for each street or highway to intersection same; and that said Railroad Company and its successors shall lay and maintain the track upon its said road bed and street in accordance with the present grade, and shall from a distance of one foot

SECOND JUDICIAL DAY.

THURSDAY, JANUARY 3rd, 1907.

from the end of the crossties thereof, on each side of said road bed and between the rails of said track in such a manner by ballast or planking or otherwise that the same shall conform to any improvement or grade now established or to be hereafter established either by Union County or any municipal corporation exercising control over the same, and that said track shall at all times be kept in a good and passable condition for teams operating over said street or highway, and shall run and operate its said railroad through or upon said street or highway in a safe and convenient manner for public travel, free from unnecessarily obstructing the same therefor.

In the Matter of the proposed County Road petitioned for by D. McDonald, et al.

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

In the Matter of the proposed County Road petitioned for by M.E. Childers, et al.

Now at this time, it is ORDERED by the Court that this matter be and the same is hereby continued for the term.

In the Matter of the petition of L. Oldenburg et al., for the vacation of a certain County Road.

Now at this time, it is ORDERED by the Court, that this matter be and the same is hereby continued for the term.

In the Matter of the appointment of a Stock Inspector for Union County.

Now at this time this matter came on to be heard for the appointment of a Stock Inspector for Union County, for the period of two years. And it appearing to the Court that John McRae, E.A. Wills, P.A. Charlton, W.T. Downs, and T.F. Sherwood have filed their petitions for such appointment.