

EQUITY.

No 52

In CIRCUIT COURT
UNION COUNTY

L. J. Benson

Plaintiff

vs

L. J. Buerck

Defendant

J. H. Crawford

Attorney for Plaintiff

Attorney for Defendant

K 281-48 3/2 3700-5T

Dismissed Oct 7, 1903

571

County Road
petitioned for by
W W Ruddell, et al

Commencing at corner of S. & N. W. 1/4
Sec 24 T. 2 R. 39 E. and
terminating at S. W. Cor of Sec 16
in T. 2 R. 39 E. W. 1/4



IN THE COUNTY COURT OF UNION COUNTY STATE OF OREGON.

In the Matter of the County Road
petitioned for by W. W. Randall,
and others.
.....

To the County Court of Union County, State of Oregon:

The undersigned, householders, of Union County, State of Oregon, residing in said County, in the vicinity where the hereinafter described road is proposed to be located, hereby petition your Honorable Court to lay out and establish a public highway in Union County, Oregon, as follows, to-wit:- Commencing at a stone set at the Northwest corner of the South half of the Northwest quarter of Section 24, Township 2, South of Range 39, E.W.M. in the center of the County road running North and South along the West line of the said South half of the Northwest quarter of said Section 24, running thence North along the West line of said Section 24, to the Grande Ronde River; thence Northwesterly along the West bank of the Grande Ronde River, and as near the bank of the river as practicable, to the South line of Section 14, Township 2, South of Range 39, E.W.M., thence West along the Section line to the Southwest corner of Section 18, in Township 2, South of Range 39, E. W. M. and there to terminate.

NAMES.

Mr J. G. ...
F. S. Ladd
James Mop
C. F. Webb
Chas. Clay Co
H. W. ...
A. C. Misco
Mrs. A. M. ...
E. C. ...
G. H. ...

NAMES.

J. M. ...
William ...
Lee ...
Oliver ...
E. L. ...
Geo. H. ...
W. C. ...
O. N. ...
J. C. ...
W. W. ...

Jackson Wright
Mr Buckman
Thos Wallinger

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

I, _____ being first duly sworn,
depose and say that I am the _____
in the above entitled _____ and that the foregoing
is true as I verily believe _____

Subscribed and sworn to before me this the _____ day of _____ 190_____

Notary Public for Oregon.



I, _____ do hereby certify that I am
_____ attorney herein; that the foregoing copy of
_____ has been by me carefully compared with the original
thereof; that it is a correct transcript therefrom and of the whole of such original.

La Grande, Oregon, dated the _____ day of _____ 190_____

Attorney for _____



Due service of the within _____ is hereby accepted in
_____ County, Oregon, this _____ day of _____ 190_____
by receiving a copy thereof, duly certified to as such by _____,
attorney for _____

Attorney for _____

No.

IN THE *County* COURT
OF THE
STATE OF OREGON,
FOR
UNION COUNTY.

J. D. Slater
Att. Gen.

W. W. Howard
for

Slater

Filed *May 25*
190*8*

J. M. Hammond
County Clerk.

By *J. D. Slater*
Deputy.

J. D. SLATER,

Attorney for *W. W. Howard*

Union Printery, Frank M. Slocum, Manager, Union, Oregon.

State of Oregon)
:S.S.
County of Union)

I, W.W. Randall, being duly sworn say, that I posted
on the 18th day of May, A.D., 1903, ~~the notice of~~ three copies of
^{the notice of} road petition, signed by W.W. Randall and others and hereto attached,
in the vicinity of the proposed road to wit:--

One at the beginning point of said road, one at the
terminus of said road, and ^{on} on the line of said road where the
said proposed road crosses the public highway leading north and
south. That each of said copies so posted was so placed that the
same was in plain view and could be easily seen by the general
public passing over the public highway.

W. W. Randall

Subscribed and sworn to before me this 25th day of June, A.D., 1903.

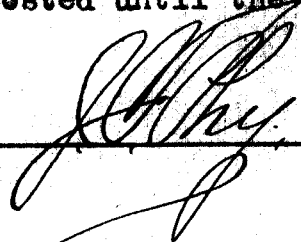
W. W. Miller
Notary Public for Oregon.

State of Oregon

ss

County of Union.

I, J. F. Phy, being duly sworn, say that on the 23rd day of May, A. D. 1903, I posted the hereto attached notice of read petition at the place of holding County Court, in Union County, Oregon, to-wit: upon the front door of the County Court House at Union, Oregon. That said notice was placed where the same could be readily seen by the public and remained so posted until the 2nd day of July, A. D. 1903.

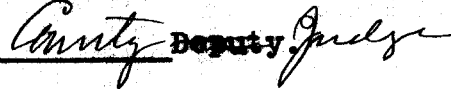


Subscribed and sworn to before me this 2nd day of July, 1903.



County Clerk.

By



County Deputy Judge

NOTICE OF ROAD PETITION

TO ALL WHOM IT MAY CONCERN -

Notice is hereby given, that the undersigned, householders, of Union County, State of Oregon, residing in said County, in the vicinity where the hereinafter described road is proposed to be located, will at the regular term of the County Court of Union County, State of Oregon, on the ~~first~~ ^{fourth} day of ~~October~~ ^{May}, A. D. 190~~3~~ present to the said County Court of Union County, State of Oregon, a petition praying said Court to lay out and establish a public highway within said County, on the following line or route, to-wit: - Commencing at a stone set at the Northwest corner of the South half of the Northwest quarter of section 24, in Township 2, South of Range 39, E. W. M., in the center of the County Road running North and South along the West line of the said South half of the Northwest quarter of said section 24, running thence North along the West line of said section 24, to the Grande Ronde River, thence Northwesterly along the West bank of the Grande Ronde River, and as near the bank of the river as practicable to the South line of section 14, Township 2, South of Range 39, E. W. M., thence ^{East} along the Section line to the Southwest corner of section 18, in Township 2, South of Range 39, E. W. M. and there to terminate.

NAMES

NAMES.

Chas. L. Conroy 3
F. S. Dadd
James Woods
B. F. Webb
Chas. P. Taylor 2
N. W. Richardson

A. C. Munn
Mrs. C. M. Porter
E. O. Jackson
E. H. Basset
J. H. Basset
Melvin Kern

Lee Humphrey
Oliver Johnson
Chas. Green
Geo. A. Wright
W. E. Pratt
J. W. Smith
W. B. Pringle
W. W. Randall
Jackson Wright
W. B. Richardson
Thos. A. Young

In the County Court
of the State of Oregon
for the County of

Paul Peterson

for by J. J. [unclear]
et al,

Filed July 2, 1903

J. J. [unclear]
Clerk
By [unclear]

IN THE COUNTY COURT OF UNION COUNTY, OREGON.

In the matter of the)
road petitioned for by)
Mrs J. Gangloff, per)
J.E. Foley et als, commencing)
in section 24 twp. 2, south)
of range 39 E.W.M.)

Comes now George Miller protesting against the petition, notice, and location of the road in the above entitled matter, and says:-

That he is the owner of the northeast qr. and other lands in section 23, twp. 2 south of range 39 E.W.M., in Union County, Oregon, and that the foregoing proposed road, if established, would materially injure him, and his said lands: And he says further:

(1) That said petition and notice do not comply with the laws relating to laying out and establishing county roads, (laws 1903, page 262, was in effect ^{May 21st} ~~June 22~~, 1903,) in this:

- (a) That the petition is signed by parties claiming to be householders and not freeholders.
- (b) That they do not purport to be residents of the road district or districts wherein the proposed road will be located:
- (c) The petition does not describe or specify the place of beginning, the intermediate points, (or say if there are none) nor the place of termination of said proposed road.

(2) And if under the old law:-

- (a) The petitioners do not say in their notice that the petition will be presented at the next term of the County Court of Union County as required by law.

And the party herein protesting says:-That there are not twelve householders or twelve freeholders either residing in the vicinity of said proposed road or in the district or districts wherein said road is sought to be established, signing said petition or road notice, for that Mrs J. Gangloff does not sign the petition or notice, is not permitted by law to sign by proxy, and at the time of said petition was a resident of California and resides now more than twelve miles from said proposed road, and not in it's vicinity.

That F.S. Ladd resides in La Grande, over twelve miles from said road and not in the vicinity thereof.

That Charles Playle is not a freeholder and he lives $2\frac{1}{2}$ miles from

said proposed road, and not in it's vicinity.

That J.W.Ruckman is not a freeholder, lives four miles from said proposed road and not in it's vicinity.

That Lee Humphrey is not a freeholder, lives five miles from said proposed road and not in it's vicinity.

That C.L.Green does not live in Union County, or in the vicinity of the proposed road.

That J.W. Randall lives six miles from said proposed road, and not in it's vicinity.

That H.C.Mires is not a freeholder.

That Mrs A.M.Tartar lives at Union, over fourteen miles from said proposed road and not in it's vicinity.

That G.M.Jasper lives six miles from said proposed road and not in it's vicinity.

That C.H.Gassett lives eight miles from said proposed road and not in it's vicinity, and is not a freeholder.

That Melvin Kerns lives six miles from said proposed road, and not in it's vicinity.

That Olin Perrin lives five miles from said proposed road and not in it's vicinity.

That George W.Wright is not a freeholder.

That J.N.Smith lives two miles from said proposed road and not in it's vicinity.

That D.B.Ruckman lives two miles from said road and not in it's vicinity, and is not a freeholder.

(3) That your petitor says that every person in the vicinity of said proposed road, and the public at large have an outlet and a convenient way to travel from and to his and theri residences without this proposed road.

(4) That the establishment of this road as proposed would cut your petitioner's farm of over six hundred acres off from running water, and he having purchased said lands respecting it's location along said Grande Ronde River for said water privileges, this

road would separate said land and river to his great and lasting injury.

(5) That by reason of the irregularities as aforesaid, and failure to comply with the law in said petition and notice, the court here has not jurisdiction of such matters sufficiently to establish a legal ~~right~~.

WHEREFORE your petitioner and protestant now prays that the said petition be dismissed and the matter of said proposed road be not further considered.

George Miller

Dated at Union, Oregon, this July 1st, 1903.

State of Oregon,

County of Union, SS:-I- - George Miller, being first duly sworn, say that I am the party protesting and that the foregoing my protest is true in all its statements as I verily believe.

Subscribed and sworn to before me on this July 1st, A.D. 1903.

Seal

C. H. Finley

Notary Public for Oregon.

Amendment:-And as a further objection and ground of protest, the said George Miller says:- That the notice filed herein, shows that all parties interested were cited to the fact that said petition would be presented to the County Court of Union County, Oregon, on July 1st, 1903, when your petitioner herein appeared on said day and no petition was presented as required by law. That your petitioner now says that such road petition cannot legally be presented after July 1st-1903.

Geo Miller
by C. H. Finley
atty.

De County Clerk
Harris Co. Oregon

Dear Sir
and please
for G. King Stewart
State

Filed July 21 1903

[Signature]

[Signature]

BAKER CITY, OREGON, September 25, 1903.

Judge M. A. Harrison,
County Judge, Union County,
Union, Oregon.

My Dear Judge:-

Your favor without date enclosing papers in the road matter of W. W. Randall and others I found in my office on my return from the National Irrigation Congress at Odgen. I made an examination of the papers and submit the following:

The petition and notice came under the law of 1901, as the law of 1903 was not then in effect. Said law of 1903 did not come into effect until May 25, 1903, so that this petition and the proceedings thereunder should be in compliance with the law of 1901. The law of 1903 prescribes that the petition shall be signed by at least 12 householders of the county residing in the vicinity where said road is to be laid out. I find that the petition states that the names attached to the same are householders of Union County, residing in the vicinity where said road is to ^{be} laid out, and is therefore on that point in compliance with the law. As to whether they are householders residing in the vicinity of the road is a matter of proof before your honor. I find that the said petition and notice give a sufficiently definite and certain description as to the proposed road- that is to say- that the place of beginning ~~is~~ intermediate to the place of termination, is sufficiently definite and certain as set out in said notice and petition. I find that the law has been complied with in that there is sufficient proof of the posting

BAKER CITY, OREGON,

M. A. H. #2

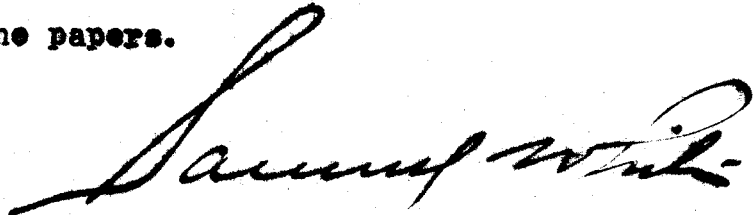
of said notices, and upon the face of the papers they are in all things regular. The only irregularities I discovered are in the matter as to whether the County Court in pursuance of said notice took any steps on the 1st day of July to act upon said petition. If they did then everything is regular. If they did not and the Journal fails to show any action on their part with reference to said petition it is my opinion that the same cannot now be taken up and acted upon, but must be begun anew.

Trusting the above is sufficiently explanatory, I remain,

Dict. S.W.

Very truly yours,

P. S. I return you herein the papers.

A handwritten signature in cursive script, appearing to read "Samuel White". The signature is written in dark ink and is positioned to the right of the typed text.

FIRST JUDICIAL DAY,

WEDNESDAY, JUNE 3, 1903.

treasurer of Union county to cancel said warrants upon the register of his office in accordance with the orders of this court.

In the matter of the county road
petitioned for by Albert Winters et al.

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 issuance
of duplicate warrant to George Lindgreen.

This matter came on to be heard at this time on the petition of George Lindgreen for issuance of warrant in lieu of warrant destroyed by fire, from which it appears that warrant #722 class "LL" was issued by the county clerk in favor of said George Lindgreen in accordance with an order of the Hon. County Court, for the sum of \$21.25 for services rendered the county for work done on the 1903 tax roll; that said warrant was duly delivered to the petitioner; that he retained said warrant in his possession for a time; that while burning an accumulation of private letters he inadvertently burned the said warrant. And it further appearing to the court that the said warrant is destroyed and that the petitioner has given a good and sufficient bond to indemnify the county against loss in the event of the recovery of said warrant and payment thereof by said county. And it further appearing to the court that a new warrant should be issued to the petitioner in the amount of said original warrant.

IT IS THEREFORE CONSIDERED AND ORDERED BY THE COURT, that the clerk of this court issue a warrant in favor of the petitioner in the sum of \$21.25. And it is further ordered that the clerk cancel on the warrant register warrant #722 class "LL" and also to notify the treasurer of Union county to cancel said warrant upon the register of warrants in his office.

In the matter of the county
road petitioned for by
W. W. Randall et al.

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 approval of the
bond of David Tucker, as supervisor
of road district No. 5.

At this time is presented to the court the bond of David Tucker as supervisor

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for Union County, begun and held at the Court House in the City of Union, in said County and State, on Wednesday, the First day of July, A. D. 1903, 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:

The Hon. M. A. Harrison,	County Judge.
The Hon. Robert Blumenstein,	Commissioner,
The Hon. Jas . A. Pilcher,	Commissioner.
J. H. Mimnaugh,	Clerk.
C. C. Pennington,	Sheriff.

Due proclamation of the opening of Court having been made, the following proceedings were had, to wit:

In the matter of the County road petitioned for by C. Coalwell, et al.

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 County road petitioned for by Albert Winters, et al.

It appearing to the Court at this time that the petition for a proposed County road petitioned for by Albert Winters, et al, does not conform to the law in the matter giving notice to the general public as to the date of the presentation of the petition to the Court praying for the location of said road.

IT IS THEREFORE CONSIDER AND ORDERED BY THE Court that the said petition be and the same is hereby dismissed.

In the matter of the proposed County Road petitioned for by W. W. Randall, Et al.

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 approval of bond of Charles F. Moore as Supervisor of Road District # 1.

At this time is presented to the Court the bond of Charles F. Moore, as Supervisor of Road District # 1, for approval. AND it appearing to the Court that the said bond is for and in the amount required by the law, and that the said bond is in proper

FIRST JUDICIAL DAY,

WEDNESDAY, AUGUST 5, 1903.

In the matter of the county road petitioned for by W. W. Randall et al.

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 application of Elizabeth A. Garren for county aid.

At this time is presented to the court the application of Elizabeth A. Garren for county aid, from which it appears that she is a resident of Union county, Oregon, in destitute circumstances and unable to earn sufficient money to support herself; and it further appearing to the court from an investigation of her condition that she has relatives who are able to render her such support as is necessary for maintenance; it is therefore considered and ordered by the court that the said application be and the same is hereby denied.

In the matter of the application of C. J. McLain for credit upon taxes for the year 1901.

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 application of I. W. Falk to be appointed gelder in La Grande precincts Nos. 1, 2, 3, 4.

Comes now I. W. Faulk of La Grande, Oregon and presents to the court the petition of himself and others, to be appointed gelder of colts in La Grande precincts Nos. 1, 2, 3 and 4, in accordance with an Act of the Legislative Assembly of the state of Oregon, approved February 20, 1899; and it appearing to the court that said I. W. Falk is a fit and proper person for said appointment; it is therefore considered and ordered by the court that the said petition be granted and that said I. W. Falk be and he is hereby appointed gelder of stallions, stud colts and jackasses running at large in the aforesaid precincts.

In the matter of the application of Co. "B" 1st Sep. Bat., O. N. G. for allowance of rent for past year.

At this time it is ordered by the court that this matter be and the same is hereby continued for the term.

FIRST JUDICIAL DAY.

WEDNESDAY, SEPTEMBER 2, 1903.

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon for Union county, begun and held at the Court House in the City of Union, in said County and State, on Wednesday, the 2d day of September, A. D. 1903, 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:

The Hon. M. A. Harrison, County Judge.

Robert Blumenstain, Commissioner.

Jas. A. Pilcher, Commissioner.

J. H. Minnaugh, Clerk.

C. C. Penington, Sheriff.

Due proclamation of the opening of court having been made, the following proceedings were had, to-wit:

In the matter of the application of J. L. Linebarger for transportation for his son Oscar from La Grande to the Oregon School for Deaf mutes at Salem, Oregon.

This matter came on to be heard at this time on the verified affidavit of Joseph Linebarger, from which it appears that the affiant is the father of Oscar Linebarger, a pupil of the school for Deaf Mutes at Salem, Oregon, and who is at present spending his vacation in this county; that the said affiant is desirous of returning his said son to the said school but that he has not the means with which to pay for the necessary transportation. Therefore in accordance with the provisions of an act of the Legislative Assembly of the State of Oregon, approved February 21, 1891, It is hereby ordered that the Clerk of this court be and he is hereby authorized to issue a warrant on the contingent fund in favor of E. C. Moore, agent of the O. R. & N. Co., at La Grande, Oregon, for \$ 5.00 for transportation of said Oscar Linebarger from La Grande to Salem, Oregon.

In the matter of the vacation of the County Road petitioned for by Anna Colt, et al.

At this time it is ordered by the Court that this matter be and the same is hereby continued until tomorrow morning at 9 o'clock.

In the matter of the County Road petitioned for by W. W. Randall, et al.

At this time it is ordered by the Court that this matter be and the same here now is continued until October 8, 1903, at 1:30 o'clock, P. M.

FIRST JUDICIAL DAY.

WEDNESDAY, OCTOBER 7, 1903.

In the matter of the vacation of
a county road, petitioned for by
Anna Colt, et al.

This matter came on to be heard at this time on the report of the Board of
County Road Viewers for a first reading as provided by law. IT IS THEREFORE ORDERED that
said report be lain on the table for a second reading on some other day of this term.

In the matter of the County Road
petitioned for by W. D. Grandy, et al.

At this time it is ordered by the Court that this matter be and the same is here-
by dismissed.

In the matter of the County Road
petitioned for by W.W.Randall, et al.

At this time it is ordered by the Court that this matter be and the same is here
hereby dismissed.

Thereupon it was ordered that Court be now adjourned until tomorrow morning at nine
o'clock.

SECOND JUDICIAL DAY.

THURSDAY, JULY 6th, 1905.

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 town of La Grande, County of Union, State of Oregon, and also in three public places in the vicinity of said proposed road, to-wit: One on the County Bridge on the Looking Glass River on the County road in Section 29, T. 3, N.R. 40, E.W.M.; One on the Shotte Brance in Section 30 T. ^{North} 3, Range 40 E.W.M. on the County Road on the North side of a Large pine tree; one at the farm of Dennis McCullough on the public highway on the North side of a large pine tree, all in Union County, Oregon, 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 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, which has approved by this Court.

IT IS THEREFORE ORDERED, That Arthur Curtis, County Surveyor, and B. Iogsdon and E.B. Morelock, constituting the Board of County Road Viewers, be, and they are hereby directed to meet at the beginning of said proposed road on the 18th day of July, 1905, at the hour of 10 o'clock A.M., or within five days thereafter and proceed to survey, view and lay out said road according to law

In the Matter of the proposed
County Road petitioned for by
C. Plant, et al.

Now at this time comes the Oregon Railroad & Navigation Company, and through their Assistant Superintendant, Thos. Walsh, files a protest against the establishment of said proposed road for the reason that there are now two county roads crossing the right of way of the said Oregon Railroad & Navigation Company within the space of three Quarters of a mile. And after due consideration and the Court being now fully advised in the premises,

IT IS THEREFORE ORDERED that said protest be approved and allowed.

In the Matter of the County Road pe-
titioned for by Dillie Randall, et al.

Now at this time this cause came on for hearing upon the petition of Dillie Randall, et al, for the location of a County Highway described in the petition, and it

SECOND JUDICIAL DAY.

THURSDAY, July 6th, 1905.

appearing that the order heretofore made in said cause, dismissing the petition, has been set aside by direction of the Circuit Court of the State of Oregon for Union County, and said petition again placed upon the docket for action thereon, and it now appearing that due and legal notice of the presentation of such petition was given, and that petitioner, Dillie Randall, has filed her approved undertaking in the sum of \$200.00 to pay the costs and expenses of survey, if said petition be not granted,

IT IS THEREFORE ORDERED that the "Board of County Roadviewers of Union County, Oregon" be and it is hereby directed and instructed to on the 21st day of July, 1905, at Nine o'clock A.M., or within five days thereafter meet and view, survey and lay out said road upon the line and mets designated in said petition, to-wit:

Beginning at a rock set in the public highway at the northwest corner of the South half of the Northwest quarter of Section twenty-four, 24, in township 2, South of Range thirty nine, 39, East of Willamette Meridian, and running thence North along the section line to as near as practicable the West Bank of Grande Ronde River; thence north-erly along the west bank of said river and as near thereto as practicable to the South line of section fourteen in township two, 2, South of Range thirty-nine, 39, East of Willamette Meridian; thence west along the section line to the Southwest corner of section sixteen, 16, in township two, 2, South of Range thirty-nine, 39, East of Willamette Meridian, and there to terminate.

In the Matter of the approval of
the official Bond of J.B. Gilham
as County Clerk.

Now at this time comes J.B. Gilham, County Clerk and presents a new bond as County Clerk and asks the Court to approve the same.

It appearing to the Court that the bond is given in the sum of \$10,000 as required by law and the suréties thereon have qualified to the amount set opposite their names,

IT IS THEREFORE ORDERED that the bond be and the same is hereby approved and filed. It is further ORDERED that the sureties on the former bond be and they hereby are released from further liability.

FIRST JUDICIAL DAY.

WEDNESDAY, AUGUST 2nd, 1905.

read in open Court,

IT IS THEREFORE ORDERED that the same be laid on the table to be read upon another day of this term of Court.

In the Matter of the proposed
County Road petitioned for by
Dillie Randall, et al.

Now at this time this matter came on to be heard upon the report of the Board of County Roadviewers ^{for a fresh reading} as required by law, and said report having been read in open Court,

IT IS THEREFORE ORDERED that the same be laid on the table to be read upon another day of this term.

In the Matter of the proposed
County Road petitioned for by
J.W. Cummins, et al.

Comes now J.W. Cummins, 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: Commencing in the County Road running North and South on or about the center line of Section 26, in Township One North of Range 39, E.W.M. in Union County, Oregon, between the lands of D. Sommer on the East and J.L. Hindman on the west at a point in the center of said County Road 35 rods South of the center of the County bridge across Indian Creek where said creek crosses said road near the center of said section 26; running thence in a general easterly direction over the most practicable route upon the land of D.Sommer a distance of about 135 rods to a point two rods east of the east bank of the irrigating ditch upon the lands of the said D. Sommer, thence in a general southeasterly direction over the most practicable route across the lands of the said D. Sommer to a point One Hundred feet west of the center of Section 36 in Township 1, N.R. 39, E.W.M., thence continuing in a southeasterly direction to a point in the county road ten rods east of the southwest corner of the northwest quarter of the southeast quarter said Section 36 in Township 1 N.R. 39, E.W.M.

Also to vacate all that portion of the county road between a point in the center of said County road 35 rods south of the center of the county bridge across Indian Creek where said creek crosses said county road near the center of Section 26 in Township 1, N. R. 39, E.W.M., and a point in said county road at the southwest corner of the northwest quarter of the southwest quarter of Section 36, in Township 1 N.R. 39, E.W.M., in Union County, Oregon. And also appeared at the same time D. Sommer, through C.H. Finn, his attorney, objects to the location and establishment of the said proposed road for the following reasons: That the proof of posting notices was insufficient; that the description of the road in both petition and notice were insufficient. And now said matter having come on for argument before the Court, the petitioners appearing by R.H. Lloyd, their attorney, and the objector appearing by C.H. Finn, his attorney, and said matter having been argued and submitted and the hour being late,

IT IS THEREFORE ORDERED that this matter be and the same is hereby continued until tomorrow morning at Nine o'clock, A.M.

Thereupon it was ordered that Court be now adjourned until tomorrow morning, August 3rd, 1905, at 10 o'clock.

THIRD JUDICIAL DAY.

FRIDAY, SEPTEMBER 8th, 1905.

Court met pursuant to adjournment.

Present: Same officers as on last Judicial Day.

Due proclamation of the opening of Court having been made, the journal of Yesterday's proceedings, was read, approved and is here now signed.

M.A. Harrison County Judge.
Robert Bloominstein Commissioner.
J. M. Selder Commissioner.

Thereupon the following proceedings were had, to-wit:

In the Matter of the Insurance of the City Hall in La Grande, Under lease by the County of Union for Court House purposes.

Now at this time the matter of Insuring the City Hall building, in the City of La Grande, under lease by the County and being used for Court House, County offices and Jail purposes, came up for consideration before the County Court, there being present the Hon. M.A. Harrison, County Judge, and Robert Bloominstein and J.M. Selders, Commissioners; And it appearing to the Court that the City of La Grande has refused to renew the insurance upon said building, and that in the contract of lease the County is required to turn over and surrender up the building in as good condition as when received, reasonable wear and tare excepted, and that the best interests of the County and the protection of the tax payers require that said building be insured and kept insured pending said lease in such sum as will fully protect the interests of the County and its tax payers;

IT IS THEREFORE HEREBY ORDERED AND DIRECTED that the Hon. M.A. Harrison, County Judge with the assistance and advice of the District Attorney, at once procure insurance upon said buildings in the name of the County with some good first class standard Insurance Company, in such sum as he may deem sufficient to fully protect the interests of the County therein, at the best and most reasonable rate obtainable, and that he report his acts and doings herein to this Court at the next term hereof.

In the Matter of the County Road petitioned for by Dillie Randall, et al.

Now at this time this cause came on for hearing upon the appeals of George Miller and Walter M. Pierce from the assessment of damages made in said cause by the Board of County Road Viewers appointed to view out said road and assess the damages to the premises of George Miller and also to the premises of Walter M. Pierce by reason of the

THIRD JUDICIAL DAY.

FRIDAY, SEPTEMBER 8th, 1905.

location of said road, the petitioners appearing by J. D. Slater, and Walter M. Pierce and George Miller appearing by C. H. Finn, their attorney and neither of the parties desiring to offer any evidence upon the question of damages and the Court now being fully advised in the premises,

IT IS ORDERED that the report of the Board of Road Viewers, made and filed in said cause as to the damages to the premises of George Miller, to-wit: in the sum of One Hundred Dollars be and the same is hereby approved and the report of the said Board of Road Viewers as to the location of said road through the premises of Walter M. Pierce, to-wit: That said premises are not damaged in any amount, is hereby approved and allowed and damages to said Walter M. Pierce denied.

It is further ORDERED that all the papers in said cause be and they are hereby referred to the District Attorney for his approval as by law required.

Whereupon it was ordered that Court be now adjourned until Friday morning, September 29th, 1905.

FIRST JUDICIAL DAY.

WEDNESDAY, OCTOBER 4th, 1905.

In the Matter of the proposed
County Road petitioned for by Dillie
Randall 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 C.M. Ramsdall, to change the location
of certain roads.

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 application
of various indigent persons for
County Aid.

Now at this time this matter came on to be heard upon the application of various indigent persons, residents of Union County, Oregon, for an allowance to be made them out of the treasury of the County for their maintainance and support.

It appears from the petitions herein that said applicants are residents of Union County, Oregon, that they are sick and unable to work, that they have no friends or relatives, who are able or willing to assist them, that they are in destitute circumstances and in need of financial assistance,

It is therefore CONSIDERED AND ORDERED that the Clerk of this Court be and he is hereby instructed to draw warrants on the General Fund of the County in favor of the following named persons for the amounts set opposite their names, to-wit:

George May,	\$8.00
Ella Neason,	12.00
D.W. Souder,	10.00
John Hilderbrand,	8.00
L.W. Ragel,	8.00

In the Matter of the proposed County
Road petitioned for by J.B. Thomson, et al.

Now at this time it is ordered by the Court that this matter be and the same

SECOND JUDICIAL DAY.

THURSDAY, NOVEMBER 2, 1905.

In the Matter of the proposed County Road petitioned for by Dillie Randall et al.

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

In the Matter of the petition of Dr. C.M. Ramsdall to change location of certain roads.

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

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

Now at this time this cause came on for hearing upon the motion of Ate Vandermeulen appearing by J.D. Slater, his attorney, for an entry of an Order and Decree upon the Order and Mandate of the Circuit Court of the State of Oregon, for Union County, filed in this Court on the 1st day of November, 1905. And it appearing to the Court that said Order and Mandate is as follows, to-wit:

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

Now at this time this cause came on for hearing and decision upon the Writ of Review heretofore issued out of this Court and directed to the County Clerk of Union County, State of Oregon, the said matter having been heretofore argued and submitted, Union County State of Oregon appearing by Clarence Crawford, District Attorney, and by Ramsey & Oliver of Counsel, and Ate Vandermeulen appearing by J.D. Slater, his attorney, and the Court being now fully advised in the premises,

It is Hereby ORDERED that the Orders and Decrees of the County Court of Union County, State of Oregon, made and entered in said cause on the 8th and 9th day of June, A.D., 1905, be and the same are each hereby held in naught and set aside. And it is further ORDERED that this cause be and is hereby remanded to the lower Court with directions to proceed in said cause in accordance with this opinion. It is further ORDERED and ADJUDGED that the said Ate Vandermeulen have and recover of and from defendant, Union

FIRST JUDICIAL DAY.

WEDNESDAY, APRIL 4th, 1906.

In the Matter of the Monthly
Report of the Secretary of the
County Board of Health.

Now at this time comes Clark E. Saunders M.D., Secretary of the County Board of Health, and files his report as such, and it appearing to the Court that said report is in due form as required by law,

It is therefore ORDERED, that said report be approved and placed on file.

In the Matter of the approval of Bonds
of Supervisors of various Road Districts.

Now at this time is presented the bonds of Supervisors of various Road Districts, which bonds are here now approved and ORDERED filed as follows, to-wit: C. Coalwell, Supervisor Road District No.14; C.S. Hawes Supervisor Road District No.15; Geo. H. Holmes, Supervisor Road District No.25, and J.M. Burnaugh, Supervisor Road District No.35.

In the Matter of the proposed County Road
petitioned for by Dillie Randall, et al.

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

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

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

In the Matter of opening bids for
furnishing wood for the Court House.

It appearing to the Court that now is the time for opening bids for furnishing wood for the Court House, pursuant to a notice published in the Eastern Oregon Observer, a newspaper of general circulation published in Union County which said bids are as follows, to-wit:- John Anthony, \$4.15 per cord in basement; James Beavers, \$4.33, per cord in basement; W.S.Montgomery, \$3.75 per cd. in basement; M.McMurray, \$4.00, per cord in basement; M.McMurray \$3.75 per cord outside basement.

And it satisfactorily appearing to the Court that the bid of W.S. Montgomery is the lowest and best bid, It is therefore CONSIDERED and ORDERED that the said bid be accepted and the contract is hereby awarded to W.S. Montgomery for furnishing 100 cords of wood, four feet in length for the sum of \$3.75 per cord, said bidder to comply with the requirements as in the notice provided.

Thereupon it was ORDERED that Court be now adjourned until tomorrow morning, April 5th, 1906.

FIRST JUDICIAL DAY.

WEDNESDAY, MAY 2nd, 1906.

In the Matter of the County Road
petitioned for by Mary 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 County Road
petitioned for by J.B. Thomson, 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 approval of
bonds of various supervisors.

Now at this time is presented to the Court the bonds of various supervisors of Union County, and the Court having examined each of said bonds, and it appearing that they are all in due form of law and meet with the requirements as provided therefor,

It is therefore CONSIDERED, and ORDERED that each of said bonds be and they are hereby approved by this Court as follows:

W.L. Myers, R.D. #32.

J.T. Woodell, R.D. #8.

M.W. Huffman, R.D. #51.

George Chadwick, R.D. #24.

J.L. Caviness, R.D. #13.

In the Matter of the proposed County
Road petitioned for by Dillie Ran-
dall, 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 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.