

No. 11-

IN THE
CIRCUIT COURT,
UNION COUNTY OREGON

EQUITY

Scott Goodall

Plaintiff

*The^{vs}
City of La Grande*

Defendant

Docket

Page

Ramsay & Oliver
Attorney for Plaintiff

J. F. Baker City atty
Attorney for Defendant

599

Read

etc

petitioned
for by
S. H. Richardson
et al

Secy - Sp 2 NR 40 Eum

599

432-443-472 460

Patented April 6, 1907

Approved by a. of the Circuit
Court Feb 7, 1908

IN THE COUNTY COURT OF THE STATE OF OREGON
FOR UNION COUNTY.

-----o-----

In the Matter of the Petition of •
S.H.Richards for a Road of Pub- •
lic easement, of private necessity. •
* * * * * •
* * * * *

State of Oregon)
) ss.
County of Union)

I, W. E. StPeters, being duly sworn, say that I served a copy of the original order of the County Court in the above entitled cause on each of the persons through whose lands said road shall pass, to-wit: J. H. Barnes and D. Sommer, by delivering such copy (prepared and certified by J.B.Gilham, County Clerk of said county), to each of said persons in person at Elgin, in said county and state on the 9th. day of April, 1907, a copy of which is hereto annexed and made a part of this affidavit.

W. E. StPeters

Subscribed and sworn to before me this 30th. day of April, 1907.

R. H. Cloude
Notary Public for Oregon.

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 La Grande, said County and State, on Wednesday, the third day of April, A.D., 1907, 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 Honorable J.C HENRY, Judge Presiding,
J.M SPIDER, Commissioner,
E.N BROWN, Commissioner,
J B. GILHAM, Clerk,
F P CHILDERS, Sheriff

WHEN, on Saturday, the 6th day of April, A.D., 1907, or the 4th Judicial Day of said Term, among others the following proceedings were had, to-wit

In the Matter of the Petition of
S.H. Richards for a Road of Pub-
lic easement of private necessity.

Comes now S H. Richards, the petitioner for the above named proposed road of easement, and presents to the Court the verified petition of himself, praying for the location and establishment of a road of public easement of private necessity, described as follows, to-wit

Commencing at a point 15 feet East of the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 24, in township 2, North of Range 40, E.W.M in Union County, Oregon, and running thence in a Southerly direction as nearly as practicable on the line between the Southwest Quarter of the Southwest Quarter of said Section 24, in said township and range, and the Southeast Quarter of the Southeast Quarter of Section 23 in said township and range, and ending at a point in the County Road 15 feet West from the Southwest corner of said Section 24 in said

township and range, the said road to be 30 feet wide

It appears from the petition herein that the said S.H. Richards is the owner, and resides upon the following described land, to-wit

The West half of the Southwest Quarter of Section 13, and the West half of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter of Section 24, in township 2, North Range 40 F.W.M., in Union County, Oregon

And that his residence is not reached by any public highway, but he is required to pass across the land of J.H. Barnes & Son, described as follows: The Southeast Quarter of the Southeast Quarter of Section 23, in said township and range, and across certain lands owned by D. Sommer, described as follows: The Southwest Quarter of the Southwest Quarter of Section 24, in said township and range, in order for him to reach a public highway or County Road

And it further appearing that the nearest and most convenient public or County road to the premises of the petitioner herein, is located along the South line of the Southeast Quarter of the Southeast Quarter of Section 23 in said township and range, and runs within a Quarter of a mile of the Southwest corner of the petitioner's land.

And it further appearing to the Court that the proposed public easement is necessary, and would add greatly to the convenience of the petitioner and to the public

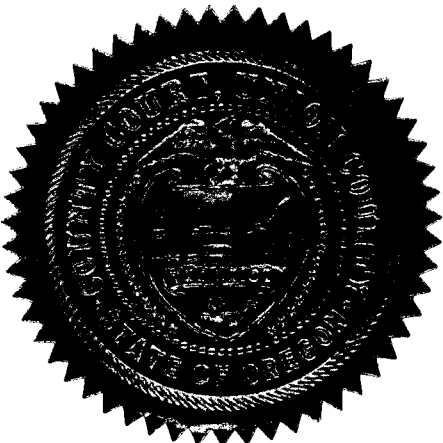
It is therefore ORDERED, that Arthur Curtis, County Surveyor, B. Logsdon and Thomas Brasner, constituting the Board of County Road Viewers, be and they hereby are directed to meet at the beginning of said proposed public easement on Wednesday, the 17th day of April, 1901, or within five days thereafter and proceed to survey, view and lay out said road according to law

(Signed) J.C. Henry, County Judge,
J.M. Selder, Commissioner,
Ben Brown, Commissioner

State of Oregon, }
County of Union } ss

I, J. B. Gilham, County Clerk and Ex-officio Clerk of the C O U N T Y
Court of Union County, State of Oregon, do hereby certify that the foregoing
copy of ORDER In re Road petitioned for by S.H. Richards, * * * * *
has been compared by me with the original, and it is a correct transcript
therefrom, and of the whole of such original O R D E R * * * * *
as the same appears of record in my office and in my custody.

In Witness Whereof, I have hereunto set my hand and
affixed the seal of said Court this N i n t h
day of A p r i l A. D. 190 7.



J. B. Gilham County Clerk
By H. B. Samuel Deputy

IN THE
COUNTY COURT

OF THE

State of Oregon

For the County of Union

Shirley M. Peterson

of

of St. Helens

for and on

behalf of

Frank of Service

Filed May 11, 1907

J. G. Gilman
Clk.

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 April 1907, instructed to view, lay out and alter the proposed county road, of ^{Public Easement} which the survey hereto attached is a true and correct description, as petitioned for by S. H. Richards et al., beg leave to report that on the 19 day of April 1907, 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

declared a public highway of said county and that by the location of said Road of Public Easement the property of J. H. Barnes and Son would be less valuable to the amount of Thirty Five (\$35.00) Dollars

W. H. Harris

Arthur Curtis
Thos. Brushner
B. Logsdon

Board of County Road Viewers.

Report of Surveyor.

To the Hon. County Court of Union County, Oregon:

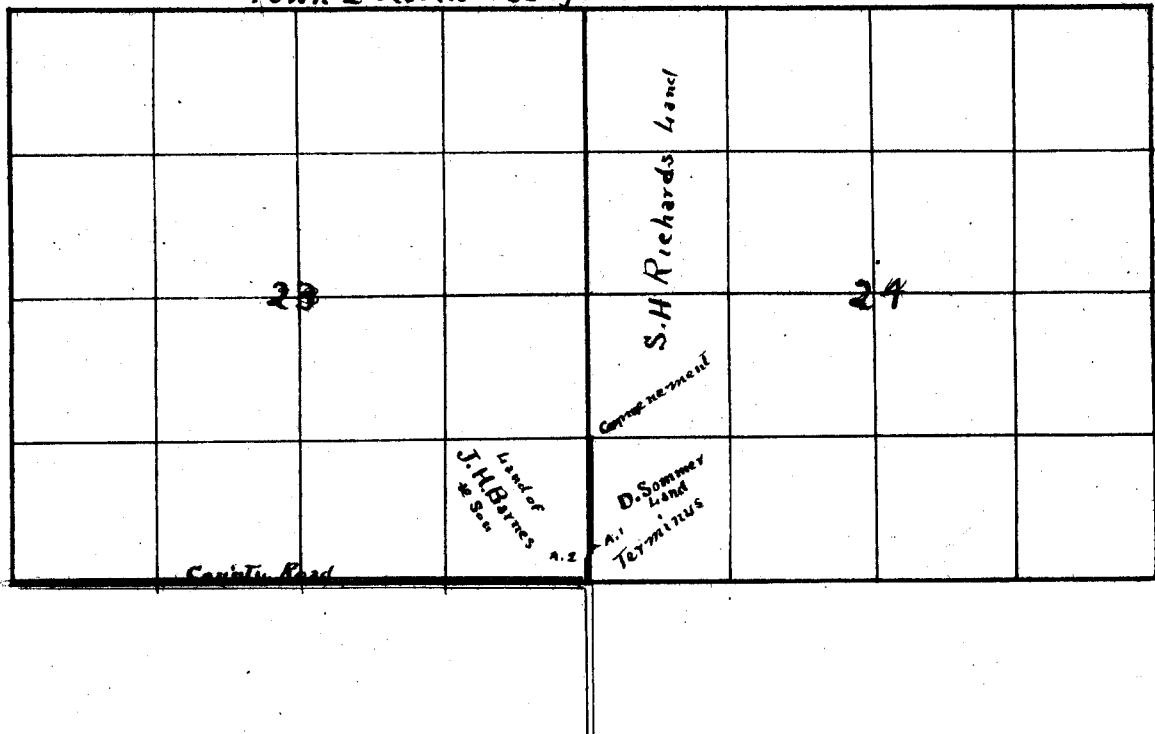
I, the undersigned, County Surveyor, appointed to survey the county road ^{Public Easement} proposed by
S. H. Richards et al., beg leave to report that
on the 19th day of April 1907 ~~189~~, in pursuance of said appointment
and order, I Surveyed said proposed road for the whole distance thereof, the following being
the field notes of said survey:

Commencing at a point 15 feet East of the S.W. Cor. of the N.W. 1/4 of the
S.W. 1/4 Sec. 24 T. 2 N. R. 40 E. N. 7 M., at rock marked R.
in mound of Rock: Then South 15.00 chs to Angle 1 a rock in mound
Then South 15° West 1.65 chs to Angle 2 marked Rock in mound
Then South 3° 30' East 3.70 chs to Road Terminus a point
15 feet West of the South West Cor. of Sec. 24 T. 2 N. R. 40 E. N. 7 M.,
Marked Rock in mound of Rock

A. Arthur Curtis
County Surveyor.

Road of Public Easement 30 Ft. wide
Petitioned for by S.H. Richards

Town 2 North Range 40 E.W. 7M.



IN THE

COUNTY COURT

OF THE

State of Oregon

For the County of Union

James Howard of
Subscribed to and
petitioned for
my S. H. Richards

Deputy of Revenue

Filed May 1 1907

J. G. Hickman
Clerk

State of Oregon
County of Union S.S.

I hereby certify in the matter
of the County Road of Public Easement Petitioned for
by S. H. Richards and others, that I surveyed the
same for the whole distance 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

599

Receipt for Papers

No. 599

Road petitioned for by

vs.

J. L. Richards et al.

Name of Attorney

T. H. Lloyd

Papers Taken

all

Date of Receipt

May 7/05

Date of Return

Remarks

Law Office of

R. H. Lloyd

East

14

24

25

36

M. P. Proctor

W. H. ...
W. H. ...

Wheeler

J. H. ...
James

Road to Elgin

23

26

35

North

15

22

27

34

South

16

21

28

33

17

20

29

32

West

J.H. Bennett & Son
Vol. 40, p. 356,
Entered 2005

Miss May, 1907
J.H. Bennett
Dart

379
350

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 La Grande, in said County and State, on Wednesday, the _____ day of _____ A. D., 190_, 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,
J. M. SELDER, COMMISSIONER,
Ben Brown, Commissioner,
J. B. Gilham, Clerk,
F. P. CHILDERS, Sheriff.

WHEN, on _____, the 7th day of May, A. D., 190_, or the Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of refunding to S. L. Richards damages apid In the matter of the Road of public Easement petitioned for by S. L. Richrads.

Now at this time it appearing to the Court that in compliance with the report of the Baard of County Road Viewers and upon an order of the Ceurt S. L. Richards paid into Court the sum of \$35,00 damages in the matter of the Road of Public Easement petitioned for by S. L. Richards, which damages were paid into the treasury of the County pending the Writ of Review in the Circuit Court of this County, which said Court dismissed said petition and ordered that the County Court enter up an order in compliance thereto.

And it further appearing to the Court that said money has never been returned to said petitioner.

IT IS THEREFORE CONSIDERED and ORDERED by the Court that the County Clerk be and he is hereby authorized to issue a warrant for the sum of \$35,00, in favor of said S. L. Richards and forward the same to his address at Elgin, Oregon.

IN THE COUNTY COURT OF THE STATE OF OREGON
FOR UNION COUNTY.

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* * * * *
In the Matter of the Petition of *
S. H. Richards for a Public Road *
or Gateway. *
* * * * *

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

Comes now S.H.Richards, the above named petitioner, and represents to the Honorable Court that he is the owner and resides upon the following described lands, to-wit: the West half of the South-west quarter of Section 13, and the West half of the North-west quarter and North-west quarter of the South-west quarter of Section 24, in Township Two North, of Range Forty, E.W.M. in Union County, Oregon, and that his dwelling house is near the south line of said land; That J.H. Barnes & Son is the owner of the South-east quarter of the South-east quarter of Section 23, in said Township and Range, and that D. Sommer is the owner of the South-west quarter of the South-west quarter of Section 24 in said Township and Range. That the above described lands owned by your petitioner, and upon which he resides, is isolated and is not reached by any public or county road or way heretofore provided for by law and that he is compelled to cross the land of his neighbors in order to reach a public or county road. That the nearest and most convenient public or county road to his said premises is located along the south line of the said South-east quarter of the South-east quarter of Section 23 in said township and Range and runs within one fourth mile of the south-west corner of your petitioner's said land. That it is necessary that the public and your petitioner shall have a public way of ingress and egress ~~in and~~ from said county road to and from the residence and premises of your petitioner.

WHEREFORE, your petitioner prays that your Honorable body lay out and establish a public road thirty feet wide commencing at a point fifteen feet east of the ~~XXXXXX~~ south-west corner of the North-west quarter of the South-west quarter of said Section 24, in Township Two North, of Range Forty, ^{in Union County, Oregon} E.W.M., and running thence in a southerly direction as nearly ~~as the line between~~ as practicable on the line between the South-west quarter of the South-west quarter of said Section 24 in said Township and Range, and the South-east quarter of the South-east quarter of said Section 23 in said Township and Range, and ending at a point in the county road fifteen feet west from the South-west corner of said Section 24 in said Township and Range.

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

S. H. Richards

State of Oregon)
) ss.
County of Union)

I, S.H. Richards, being duly sworn, say that I am the petitioner above named and that the foregoing petition is true, as I verily believe.

S. H. Richards

Subscribed and sworn to before me this 2nd day of April, 1907.

R. H. Lloyd
Notary Public for Oregon.

In the County Court
of the State of Oregon
~~For Union County~~

Petition of
J. H. Prohaska
for Proddle of
Public Encumbrance

R. H. LLOYD
Attorney-at-Law
ELGIN, OREGON

IN THE COUNTY COURT OF THE STATE OF OREGON
FOR UNION COUNTY.

KNOW ALL MEN BY THESE PRESENTS, That D.E. Witty and Joseph Wheeler, of the County of Union and State of Oregon, are held and firmly bound unto the 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 and sealed this 2nd day of April, 1907.

Now, the condition of the above obligation is such, that whereas S. H. Roberts has petitioned the County Court of said Union County, at the April term, 1907, thereof, for a public road described in the petition as follows, to-wit: a public road or gateway 30 feet wide commencing at a point 15 feet east of the south-west corner of the North-west quarter of the South-west quarter of Section 24 in Township Two North, of Range 40, E.W.M. in Union County, Oregon, and running thence in a southerly direction as nearly as practicable on the line between the south-west quarter of the South-west quarter of said Section 24 in said Township and Range, and the South-east quarter of the South-east quarter of Said Section 23 in said Township and Range, and ending at a point fifteen feet west from the South-west corner of said Section 24 in said Township and Range.

Now, therefore if the above named S.H. Richards shall well and truly pay or cause to be paid all costs and expenses which may be incurred by reason of the view or review of said road, then this obligation shall be void, otherwise to remain in full force and virtue.

D. E. Witty (SEAL)
Joseph Wheeler (SEAL)

State of Oregon)
County of Union) ss.

I, D. E. Witty and Joseph Wheeler, each for himself, say that I am a resident freeholder in said county

and State and am worth the sum of TWO HUNDRED DOLLARS (\$200.00)
over and above all debts and liabilities, exclusive of property
exempt from execution.

D E Witty
Joseph Wheeler

Subscribed and sworn to before me this 2nd day of April
1907.

R. H. Lloyd
Notary Public for Oregon.

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

In the Matter of the
Petition of A. H. Richards
for Bonds of said
Public Cemetery.

Bond was

Cited in

Filed April 3-1907

J. S. Johnson
Clerk

R. H. LLOYD

Attorney-at-Law

ELGIN, OREGON

FOURTH JUDICIAL DAY.

SATURDAY, APRIL 6th, 1907.

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 Last Day's proceedings was read, approved and is here now signed.

J. C. Henry County Judge.
J. M. Selder Commissioner.
Ben Brown Commissioner.

Thereupon the following proceedings were had, to-wit:

In the Matter of the petition of
 ✓ S.H. Richards for a Road of Public easement of private necessity.

Comes now S.H. Richards, the petitioner for the above named proposed road of easement, and presents to the Court the verified petition of himself, praying for the location and establishment of a road of public easement of private necessity, described as follows, to-wit:

Commencing at a point 15 feet East of the southwest corner of the Northwest Quarter of the southwest Quarter of section 24, in township 2, North of Range 40, E.W.M. in Union County, Oregon, and running thence in a southerly direction as nearly as practicable on the line between the southwest Quarter of the southwest Quarter of said section 24, in said township and range, and the southeast Quarter of the southeast Quarter of section 23 in said township and range, and ending at a point in the County Road 15 feet West from the southwest corner of said section 24 in said township and range, the said road to be 30 feet wide.

It appears from the petition herein that the said S.H. Richards is the owner, and resides upon the following described land, to-wit:

The West half of the southwest Quarter of section 13, and the West half of the Northwest Quarter and the Northwest Quarter of the southwest Quarter of section 24, in township 2, North Range 40 E.W.M. in Union County, Oregon.

And his residence is not reached by any public highway, but he is required to pass across the land of J.H. Barnes & Son, described as follows: The southeast Quarter of the southeast Quarter of section 23, in said township and range, and across certain lands owned by D. Sommer, described as follows: The southwest Quarter of the southwest Quarter of section 24, in said township and range, in order for him to reach a public highway or County Road.

And it further appearing that the nearest and most convenient public or County road to the premises of the petitioner herein, is located along the south line of the southeast Quarter of the southeast Quarter of section 23 in said township and range, and runs within a Quarter of a mile of the southwest corner of the petitioner's land.

FOURTH JUDICIAL DAY.

SATURDAY, APRIL 6th, 1907.

And it further appearing to the Court that the proposed public easement is necessary, and would add greatly to the convenience of the petitioner and to the public,

It is therefore ORDERED that Arthur Curtis, County Surveyor, B. Logsdon, and Thomas Brasher, constituting the Board of County Road Viewers, be and they are hereby directed to meet at the beginning of said proposed public easement on Wednesday, the 17th day of April, 1907, or within five days thereafter and proceed to survey, view and lay out said road according to law.

Thereupon it was ordered that Court be now adjourned for the term, and the Journal of to-day's proceedings was read, approved and is herence signed.

J. B. Henry County Judge.
J. M. Selder Commissioner.
Ben Brown Commissioner.

FIRST JUDICIAL DAY.

WEDNESDAY, MAY 1st, 1907.

attorney for the petitioners herein,

It is ORDERED by the Court that this petition be and the same is hereby dismissed.

In the Matter of the proposed vacation of a County Road petitioned for by L. Oldenburg, 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 S.H. Richards for a Road of Public Easement.

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

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

Comes now R.D. Jones, 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 the Northwest corner of the South one-half of the Southeast Quarter of the Northeast Quarter of Section Fifteen, Township three, South Range Forty, E.W.M., running thence East one hundred and forty rods to intersect with the County Road running North and South, east of the George W. Thomas place, said road to be forty feet wide.

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, County of Union, State of Oregon, and also in three public places in the vicinity of said proposed road, to-wit: One at the Southeast corner of the O. Eckersley place one half mile North of the School house in Cove, about four feet from the ground, one on the gate post of O.B.

THIRD JUDICIAL DAY.

FRIDAY, JUNE 7th, 1907.

In the Matter of the petition of
 L. Oldenburg, et al. for the vaca-
 tion of a 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 advertising for
 Bids for the construction of a
 steel bridge over the Grande
 Ronde River, near Elgin, Oregon.

Now at this time it appearing to the Court that a steel bridge be construct-
 ed over the Grande Ronde River near Elgin, Oregon, at the place called the Morelock
 Crossing, for the reason that the present bridge is in a dilapidated condition, and is
 unsafe for use of the traveling public,

It is therefore CONSIDERED AND ORDERED that the County Clerk be and he is
 hereby authorized and directed to advertise in one of the official newspapers of the
 County for sealed bids for the construction of said bridge, which notice shall be as fol-
 lows, to-wit:

NOTICE FOR BIDS.

"NOTICE is hereby given that the undersigned will receive at his office in
 the Court House in the City of La Grande, Union County, Oregon, on or before the 8th day
 of July, 1907, sealed bids for the construction of a 120 foot span steel bridge over the
 Grande Ronde River near Elgin, Union County, Oregon. All bids must be accompanied with
 a certified check for five per cent. of the cost of said bridge. The County Court re-
 serving the right to reject any or all bids. Plans and specifications of said proposed
 bridge on filed in the office of the undersigned."

In the Matter of the petition of
 S.H. Richards for a Road of Public
 Easement.

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

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
 April, 1907, instructed to view, lay out and alter the proposed County Road of public

THIRD JUDICIAL DAY.

FRIDAY, JUNE 7th, 1907.

easement, of which the survey hereto attached is a true and correct description, as petitioned for by S.H. Richards, et al., beg leave to report that on the 19th day of April, 1907, 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 by the location of said Road of Public Easement the property of J.H. Barnes and Son, would be less valuable to the amount of Thirty-five Dollars (\$35.00).

(Signed) Arthur Curtis,

Thos. Brasher. BOARD OF COUNTY ROAD
B. Logsdon, VIEWERS.

And said report of the County Road Viewers having now been publicly read in open Court on two several days of the present term thereof, and it appearing to the Court that said Board of County Road Viewers report favorably thereon and recommend that said proposed road of public easement be established as a County Road and declared a public road of Union County.

And it appearing to the Court from the report of the Board of County Road Viewers that J.H. Barnes & Son, are damages in the sum of \$35.00, which said sum is here now paid into Court to be paid to the said J.H. Barnes & Son.

And it further appearing to the Court that the expenses of viewing and surveying said proposed road of public easement was the sum of \$40.80, which has been paid into Court, and all proceedings herein having been regular and according to law, and no remonstrance having been filed herein, and there having been no cause shown why this proposed road of public easement should not be declared a public highway and ordered open according to law,

It is therefore CONSIDERED, ORDERED and ADJUDGED by the Court that the report of the Board of County Road Viewers be and the same is hereby approved and accepted and that the same be placed on record in the Journal of this Court and that the surveyor's profile and plat of the proposed road of public easement, 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 of public easement be and the same is hereby declared a public road of Union County, Oregon.

It is further ORDERED by the Court that said road of public easement shall be opened and kept passable by the petitioner herein.

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

J. B. Kenny County Judge.
J. M. Seldin Commissioner.
Ben Brown 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 La Grande, in said County and State on Wednesday, the Third day of July, A.D., 1907, 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,

J.M. SELDER, Commissioner,

BEN BROWN, Commissioner,

J.B. GILHAM, Clerk,

F.P. CHILDERS, Sheriff.

Thereupon the following proceedings were had, to-wit:

In the Matter of the allowance of Miscellaneous Bills against the County, and the issuance of warrants therefore.

Now at this time the matter of the allowance of miscellaneous bills against the County came on for consideration, and the said bills having been submitted to the Court, and the Court having passed on and audited each of said bills separately as appears from the signature of the Court thereon,

It is therefore CONSIDERED and ORDERED by the Court that said bills be allowed and warrants issued by the County Clerk in payment of the same as allowed in classes and amounts as follows:

GENERAL FUND.

Number.	To Whom Issued.	For What Drawn.	Amount.
3094	George T. Cochran,	Attorney Fee in case of S. vs. Satora,	\$15.00
3095	J.F. Baker,	Attorney Fee in case of State vs. Tate.	15.00
3096	J.W. Sills,	Services as Court Bailiff,	30.00
3097	R.H. Lloyd,	Defending Travers, et al.	30.00
3098	H.R. Hanna,	Official Court Reporter's fees,	100.00
3099	J.W. Knowles,	Defending Jack Davis,	15.00
3100	J.W. Sills,	Jury Bailiff Fees,	9.00
3101	J.F. Baker,	Defending Harry Holmes,	15.00
3102	H.R. Hanna,	Court Reporter's fees, State vs. Hall,	30.00
3103	E.E. Taylor,	Jury Bailiff June Term Circuit Court,	42.00
3104	T.B. Johnson,	Meals for Jurors,	9.75
3105	J.B. Gilham,	Salary for June, 1907,	150.00
3106	F.C. Bramwell,	Salary for June, 1907,	100.00
3107	Muriel L. Bull,	Salary for June, 1907,	75.00

THIRD JUDICIAL DAY.

FRIDAY, FEBRUARY 7th, 1908.

and presents his resignation as Secretary of the County Board of Health of Union County, Oregon, and asks that the same be accepted.

It is therefore ORDERED by the Court that said resignation be, and the same is hereby accepted.

In the Matter of the Appointment of the Secretary of the County Board of Health.

Now at this time this matter comes on for consideration of the Court, and it appearing to the Court that a vacancy exists in the office of Secretary of the County Board of Health caused by the resignation of Clark E. Saunders, M.D.

And it appearing to the Court that N. Molitor, M.D., is a fit and proper person, being capable of conducting the office in a satisfactory manner, and the Court being now fully advised in the premises,

It is therefore CONSIDERED and ORDERED by the Court that N. Molitor, M.D., be, and he is hereby appointed Secretary of the County Board of Health and that he enter upon his duties as such officer upon his taking the oath of office as provided by law.

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

Now at this time this matter comes on for consideration of the Court on the report of the County Road Viewers upon the remonstrance of S.S. Boothe and others to the establishment of said proposed County Road. The petitioners appearing by B.F. Wilson of counsel, and the remonstrators by C.H. Finn of counsel.

It appearing to the Court that the remonstrators have secured more signers than the petitioners, and it further appearing to the Court that to open and improve said proposed County Road as petitioned for will be a great expense to the County, and that the same will greatly inconvenience some of the property owners along the route of said proposed road. And the Court being now fully advised in the premises,

It is therefore CONSIDERED, ORDERED and ADJUDGED by the Court that the petition for said proposed County Road, be, and the same is hereby overruled and denied.

In the Matter of the Road of Public Easement petitioned for by S. H. Richards.

Now at this time this matter comes on to be heard upon the Mandate of the Circuit Court heretofore filed in this Court, which Mandate is in words following, to-wit

THIRD JUDICIAL DAY.

FRIDAY, FEBRUARY 7th, 1908.

BE IT REMEMBERED, That at a regular term of the Circuit Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of La Grande, in said County and State, on Monday, the 7th day of October, A.D. 1907, the same being the first Monday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable T. H. Crawford, Judge Presiding,
F. S. Ivanhoe, District Attorney,
J. B. Gilham, Clerk.
F. P. Childers, Sheriff.

WHEN, on Saturday, the 28 day of Dec. A.D. 1907, or the 26th Judicial Day of said term, among others the following proceedings were had, to-wit:

J. H. Barnes and Dwight Barnes, Plaintiffs,
vs.
Union County, Oregon, Defendant.
and
D. Sommer, Plaintiff,
vs.
Union County, Oregon, Defendant.

The above entitled causes being each Writs of Review prosecuted by plaintiffs to review the action of the County Court of Union County, Oregon, for errors committed to the prejudice of the plaintiffs, in locating and establishing a certain road of public easement petition for by S.H.Richards, and declaring the same a public road and in ordering the same recorded as such made and entered in said Court on the 7th day of June, 1907, the two Writs and causes having been consolidated and united for the purpose of a hearing and judgment herein, the same came regularly on to be heard at this time the plaintiffs appearing by C.H.Finn of counsel, and the defendant Union County, and the District Attorney, F.S.Ivanhoe and said S.H.Richards, appearing not, either in person or by attorney, although each of them was duly notified and cited to appear herein, and the Court having heard the argument of counsel for the plaintiffs and being now fully advised in the premises finds that there was error in the proceedings of the Board of County Road Viewers in their action in pretending to locate said road and in assessing and failing to assess damages to the owners of the land through which said road is located, the plaintiffs herein, and in their report to said County Court and in the action of said County Court in approving and accepting said report and in declaring said road a public road of Union County, Oregon, to the manifest prejudice, injury and damage of the plaintiffs and each of them;

It is therefore ORDERED and ADJUDGED that said writs of review be, and the same are here now sustained and that the said report of the viewers upon the said road of public easement so petitioned for by said S.H.Richards and the action of the said County Court in approving and accepting the same and in declaring said road a public road of Union County, Oregon, be and the same are here now set aside, annulled and held for naught, and the said County Court is hereby directed to proceed in said matter anew as though said view-

THIRD JUDICIAL DAY.

FRIDAY, FEBRUARY 7th, 1908.

ers had not been appointed or said report or orders thereon made, and in accordance with the law as defined in the opinion filed herein.

It is further CONSIDERED, ORDERED and ADJUDGED that plaintiffs have and recover their costs and disbursements herein.

(Signed) T. H. Crawford,

Circuit Judge.

TO THE COUNTY COURT OF THE STATE OF OREGON, FOR THE COUNTY OF UNION:

You are hereby commanded that of the above judgment order of our Circuit Court, you cause proper entry to be made upon the records of your court, as of a judgment therein, and proceed to final determination and execution thereof, as to the said order of our Circuit Court, and to law and justice shall appertain.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Circuit Court of the State of Oregon, for Union County, at La Grande, Oregon, this 5th day of February, A.D. 1908.

(Signed) J. B. Gilham, County Clerk.

STATE OF OREGON,)
) ss.
County of Union.)

I, J. B. Gilham, County Clerk and ex-officio clerk of the Circuit Court of Union County, State of Oregon, do hereby certify that the foregoing copy of Decree of the Circuit Court has been compared by me with the original, and it is a correct transcript therefrom, and of the whole of such original Decree as the same appears of record in my office and in my custody.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court this Fifth day of February, A. D. 1908.

(Signed) J. B. Gilham, County Clerk,

By F.C. Bramwell, Deputy.

Thereupon it was ORDERED that the Court be now adjourned until Wednesday morning, February 12th, 1908, at 9 o'clock A.M.