

No.

IN THE
CIRCUIT COURT,
UNION COUNTY, OREGON

EQUITY

Sadie Evans

Plaintiff

vs

Edmond E. Evans

Defendant

Decl et

Pase

Cochran & Cochran
Attorney for Plaintiff

Attorney for Defendant

L. 316 566

Order of Vacated Jan 24, 1912

695
County Road

Pittsford
N.Y.

by

L. Oldenberg

slat
Sec 31 T. 12 S. R. 56 E. W. 2

605

Vacation of
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 ^{located} ~~proposed to be~~, respectfully petition your Honorable body to ~~lay out, ^{locate}~~ ^{create a portion of}

County Road within said county, on the following line, or route, to-wit:

~~That part of the County road leading from Ore Dell to the Prebstal Bridge~~
~~on the north side of Grande Ronde River, which runs through the N.W. 1/4~~
~~of the S.E. 1/4, and the S.W. 1/4 of Sec. 31 in Township 2 South of Range 38 E.W.~~
~~M., and more particularly described as follows, to-wit:- Commencing at the~~
~~North end of the Ore Dell bridge, and ending at the East line of the N.W.~~
~~1/4 of the S.E. 1/4 of said Sec. 31, in Tp. 2 S. R. 38 E. W. M., in Union County,~~
~~Oregon.~~

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

NAMES:

NAMES:

L. Oldenburg
J. Garbine
W. Lymon
J. B. Price
W. H. Catman
J. H. Castle
John G. Hall
W. J. Garbin
R. B. Stetwell
J. E. Clark
J. B. Price
J. B. Stoddard

FILED

Oct 2

1906

J. S. McKinnon

COUNTY CLERK

STATE OF OREGON, } ss.

County of Union: }

I, Wm Miller being first duly sworn, say that I posted three several notices, of

which the notice hereunto attached is a true and correct copy, in three public places in said county in the vicinity of the proposed road therein described, to wit: One on the large sign board standing near the north end of the Orr Dell bridge; one on a fence post on the south side of said road and about 10 feet west of the A.W. Ripnearsou land; and one on a fence post situate on the south side of said road about half way between the two locations described above.

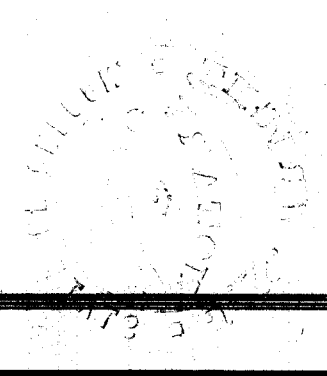
Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the Third day of September 1906, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the Third day of September 1906, I posted a true and correct copy of said notice at the place of holding Court for Union County, Oregon, to-wit: On the front of the Court House door, in the City of La Grande, in the said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

Wm Miller

Subscribed and sworn to before me this First day of October 1906

J.W. [Signature]
Notary Public for Oregon

FILED Oct 2 1936
J. J. Williams
COUNTY CLERK



Notice of Road Petition.

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~~ ^{located}, will at the next session of the County Court for Union county, Oregon, to-wit: on Wednesday, the 3rd day of October A. D. 1906 respectfully present to said court a petition praying said court to ~~lay out, alter and establish~~ ^{vacate said} County Road within said county, on the following line, or route, to-wit:

That part of the County road leading from Oro Bell to the Roebstel Bridge road on the North side of Grande onde River which runs through the N.W. 1/4 of the S.W. 1/4, and the S.W. 1/4 of Sec. 31 in Township 2 South of Range 38 E.W. 1/4, and more particularly described as follows, to-wit:- Commencing at the North end of the Oro Bell bridge, and ending at the East line of the S.W. 1/4 of the N.W. 1/4 of said Sec. 31, in Tp. 2 S. R. 38 E.W. 1/4, in Union County, Oregon.

Dated at LaGrande, Oregon, the 18th day of August A. D. 1906

NAMES:

NAMES:

L. Oldenburg
E. G. Gubins
W. J. J. J.
J. B. Rice
H. J. J. J.
J. H. H. H.
John G. Hall
W. V. V. V.
C. S. S. S.
J. E. Clark
J. R. Price
J. B. Stoddard

FILED

Oct 2

1906

COUNTY CLERK

J. J. Hickman

Shute
County Court
Washou County
Oregon

Car purchased
residence of
County Road
pretenses for
My of O'Connell
Shute


Shute Oct 21 1924
J. D. Vickum
Clerk

IN THE COUNTY COURT OF UNION COUNTY OREGON.

In the matter of the Petition of
L. Oldenburg et. al. for vacation of
portion of County road.

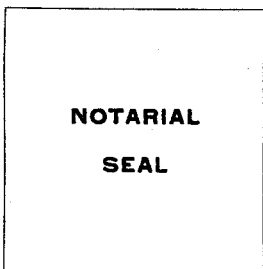
Now at this time comes A. Good Et. al. remonstrators in the matter of
the Petition of ^{L. Oldenburg} ~~A. Good Et.~~ al. for vacation of that part of the
County road leading from OreDell to the Proebstel bridge road on the
north side of Grande Ronde River and moves the Court to dismiss said
Petition for the following reasons towit,

- 1st. That the notice of road Petition was not posted in three public
places in the vicinity of said road thirty days previous to the pre-
sentation of said Petition as required by law.
- 2nd. That the place of beginning, intermediate points and termination
of said road are not specified with sufficient exactness and definit-
ness in said Petition as required by law.
- 3rd. That said Petition is not signed by twelve freeholders of the
County residing in the road district where said road proposed to be
vacated is located.


Attorney for Remonstrators.

STATE OF OREGON, }
County of } 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
day of 190

Notary Public for the State of Oregon.

STATE OF OREGON, }
County of } ss.

I, one of
..... Attorneys, do hereby certify that I have
prepared the foregoing copy of and have
carefully compared the same with the original thereof; and that it is a correct
transcript therefrom and of the whole thereof.

..... Oregon, dated the day of 190

STATE OF }
County of } ss.

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

Attorney for

No.

In the County Court,

STATE OF OREGON,

FOR

Deer COUNTY.

In the matter of

The applicant
Plaintiff

vs.

L. Oldenberg &

adversaries of
County Road
Defendant

Motion to dismiss
Petition

Filed July 2 190

J. P. Gilham
Clerk.

By
Deputy.

J. M. ...
Attorney for Respondent

IN THE COUNTY COURT OF UNION COUNTY OREGON.

In the matter of the application
of L. Oldenberg et. al. for vacation
of portion of County Road,

Remonstrance.

Comes now the undersigned persons free holders and residents of the
road district in which the road proposed to be vacated is located
and hereby remonstrate against the vacation of said road and represent
to said Court that the vacation of said road will be a great inconven-
ience to persons residing in said road district and east of said
vacation for the reason that such persons have no outlet to go to
Perry for lumber or to the mountains west of said vacation of said
road for their wood without going through the City of LaGrande and
compelling them to travel at least one mile further then they are
compelled to travel if such road is not vacated as proposed in said
Petition.

Your remonstrators further represent to the above entitled Court that
if said road is vacated as proposed that the residents of said road
district where said portion of said road proposed to be vacated is
located living west of such proposed vacation cannot go or travel to
the valley without passing through the City of LaGrande and thereby
be compelled to travel at least one mile further than if such road
is not vacated as proposed.

Wherefor your Remonstrators respectfully pray that said Petition for
the vacation of said road be disallowed.

---Names.

---Names:-----

Mrs W. M. Reynolds
Carolyn Reynolds
Kate R. Stanley
J. R. Roebuck
Bert Owsley

J. E. Clark
Phil Thompson
J. R. Price
H. J. Black
H. J. Young

FILED
July 8
1907
J. B. [unclear]
[unclear]

IN THE COUNTY COURT OF UNION COUNTY OKLAHOMA.

In the matter of the application
of L. Oldenberg et. al. for vacation
of portion of County Road.

Remonstrance.

That the undersigned persons free holders and residents of the road district in which the road proposed to be vacated is located and hereby remonstrate against the vacation of said road and represent to said Court that the vacation of said road will be a great inconvenience to persons residing in said road district and east of said vacation for the reason that such persons have no outlet to go to Ferry for lumber or to the mountains west of said vacation of said road for their wood without going through the City of LaGrande and compelling them to travel at least one mile further than they are compelled to travel if such road is not vacated as proposed in said Petition.

Your remonstrators further represent to the above entitled Court that if said road is vacated as proposed that the residents of said road district where said portion of said road proposed to be vacated is located living west of such proposed vacation cannot go or travel to the valley without passing through the City of LaGrande and thereby be compelled to travel at least one mile further than if such road is not vacated as proposed.

Wherefor your Remonstrators respectfully pray that said Petition for the vacation of said road be disallowed.

A. H. Woods
E. H. B. Smith
D. H. Proctor
Lee Wright

R. A. Wilkerson

IN THE
County Court

OF THE

State of Oregon

For the County of Union

Wm. Westcott
a County Road
Petitioner for the

J. Olinberg
vs.

Remittance

Filed July 8-1907

J. S. Sherman

Deputy

Wm. Westcott
vs.

1 In the County Court of the State of Oregon for Union County.

2 In the Matter of the Application
3 of L. Oldenburg et al for the Vacation
4 of a portion of the County Road.

4 To the Honorable County Court of Union County Oregon:-

5 We, the undersigned whose names appear on the remonstrance against the
6 vacation in the above entitled proceeding, having become better inform
7 ed in the matter and believing that the petition ought to be allowed
8 in the above entitled matter and the road vacated, hereby petition you
9 to take our names off said remonstrance and not count them thereon,
10 and urge you to allow the petition and vacate the piece of road as
11 petitioned for. Dated at La Grande, Oregon, January 2nd, 1908.

12 *Kate R. Hanley.*
13 *H. J. Young*
14 *C. L. Pyneason.*
15 *G. J. Black*
16 *D. H. Proctor*

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[Faint, illegible handwritten notes and stamps at the bottom of the page]

IN THE
County Court
OF THE

State of Oregon
For the County of Union

*are proposed
mediation of
a Currency Board
petitioned for
by J. Vandenberg
vsal*

*Petition of
State of Hawaii
vsal*

*Filed Jan'y 4-1908
J. S. Graham
Clerk*

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, in probate sitting, begun and held at the Court House in the City of La Grande, in said county and state, on Monday, the _____ day of _____, A. D., 190__, 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 J. C. HENRY, County Judge,
J. B. GILHAM, Clerk,
F. P. CHILDERS, Sheriff.

WHEN, on Thursday, the 2 day of Jan, A. D., 1908, or the _____ Judicial Day of said term, among others the following proceedings were had, to-wit:

In the Matter of the proposed *
Vacation of a portion of the County *
Road petitioned for by L.Oldenburger et al.*
* * * * *

This matter came on to be heard on this January 2nd, 1908, on the Report of the Board of County Road Viewers heretofore made and filed herein, and said report having been read in open Court for the first time, is held over for further consideration on another day of this term of Court.

(Signed) J.C.Henry,

County Judge.
J.M.Selder, 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, in probate sitting, begun and held at the Court House in the City of La Grande, in said county and state, on Monday, the _____ day of _____, A. D., 190__, 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 J. C. HENRY, County Judge,

J. B. GILHAM, Clerk,

F. P. CHILDERS, Sheriff.

WHEN, on _____, the 5 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 the Proposed
Vacation of a Portion of a County
Road Petitioned for by L. Eldenburg et al

Whereas the ^{Court} Circuit of the State of Oregon for Union County upon reviewing the above entitled proceeding on a writ of review, has issued and caused to be filed in this court, a mandate in words and figures as follows:

'' In the Circuit Court of the State of Oregon for Union County ''

Mrs. Wm. Rynearson
and Bart Swsley
Plaintiffs

vs

Union County Oregon
Defendant

Now, this time this cause came on for hearing on the motion of the plaintiff for a mandate: And it appearing to the court that the following judgements have been entered in this court in the above entitled proceedings to wit:

'' Now at this time this ~~matter~~ ^{matter} come on for hearing, the ~~plaintiff~~ the plaintiff appearing by, Eugene Ashwill, and the defendant appearing by F. S. Swashee, district attorney, and Ramsey and Oliver, and the court being fully advised in the premises finds: that the county judge and two commissioners of Union County Oregon, sitting as a commissioners court for Union County Oregon, exercised its functions erroneously and exceeded its jurisdiction to the injury of the substantial rights of the plaintiffs, in the matter of the vacation of a county road petitioned for by L. Eldenburg et al, a record of which is certified up with the writ of review herein. It is therefore ordered and adjudged that this writ of review be sustained, and that said order vacating said road, which order is date the 4th day of Jan. 1908, be set aside and vacated, and that a mandte issue to the county, ^{directing} directing him to vacate and set aside the order vacating said road. That the forgoing order was made and entered of record and signed by judge ^{H. J.} Bean presiding judge on the 10th day of Sept. 1909.

That on the 6th day of August 1909 the forgoing judgement was duly and regularly affirmed by the circuit court of the State of Oregon for Union County, in accordance with a mandate of the Supreme Court of the State of Oregon.

Now therefore the County Court of the State of Oregon for Union County is by this mandate directed to make and enter, in said County Court of the State of Oregon for Union County, an order in conformity to, and in accordance with, the order herein described.

Dated at La Grande Union County Ore. this 24 day of March 1910

It is therefore ordered adjudged and decreed by this court that the order of this court in the above entitled matter, made and entered on the 4th day of Jan. 1908 in Book L. pages 566 and 567 of the Commissioner's journals of Union County Oregon, purporting to vacate a portion of a county road described in the above entitled proceeding, be, and the said order is hereby vacated set a side and annulled.

And the road supervisor of road district No. 20 of Union County Oregon is hereby directed to remove and cause to be removed all obstructions and encroachments from said road attempted to be vacated in the above entitled proceedings, and to cause said road to be opened to public travel.

J. M. Shreve

Judge
J. M. Stolder
C. G. Gallaway

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, in probate sitting, begun and held at the Court House in the City of La Grande, in said county and state, on Monday, the _____ day of _____, A. D., 190__, 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 J. C. HENRY, County Judge,
J. B. GILHAM, Clerk,
F. P. CHILDERS, Sheriff.

WHEN, on Saturday, the 4th day of Jan, A. D., 1908, or the _____ Judicial Day of said term, among others the following proceedings were

had, to-wit:

In the Matter of the proposed Vacation *
of a portion of the County Road petitioned *
for by L. Oldenburg et al. *
* * * * *

This matter came on to be heard on this January 4th, 1908, on the petition and remonstrances filed herein, and upon the petition of five of the remonstrators to have their names stricken off of said remonstrance and urging the County Court to allow the prayer of the petition and vacate the portion of road as prayed for in the petition.

And it appearing to the Court from said petition of the remonstrators that Kate R. Hanley, H.J.Young, Carolyn R.Rynearson, C.J. Black and D.H.Procter have directed the County Court to strike their names off of said remonstrance and not count them thereon,

It is CONSIDERED and ORDERED by the Court that said petition be allowed and that said names be and the same are hereby stricken off of said remonstrance and not counted thereon.

And it appearing to the Court that there are remaining on said remonstrance only ten remonstrators and that there are names of thirteen free holders of Union County residing in the road district where said portion of County Road is located, and that said remonstrance ought to be overruled and denied,

It is therefore CONSIDERED and ORDERED by the Court that said remonstrance be and the same is hereby overruled and denied.

And it appearing further to the County Court from the record herein that the petitioners have asked for the vacation of that portion of the County Road described as follows, to-wit: That part of the County road leading from Ore Dell to the Proebatel Bridge, road on the north side of Grande Ronde River, which runs through the N.W.1/4 of the S.E.1/4 and the S.W.1/4 of Sec. 31, in Township 2 South of Range 38 E.W.M., and more particularly described as follows, to-wit:- Commencing at the North end of the Ore Dell bridge, and ending at the East line of the N.W.1/4 of the S.E.1/4 of said Sec. 31, in Tp. 2 S. R. 38 E.W.M., in Union County, Oregon. And that the Board of County Road Viewers heretofore appointed did, on the 31st day of October, 1907, view said portion of road proposed to be vacated and make their report thereon as follows, 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 12th day of October, 1907, instructed to view, lay out and alter the proposed vacation of county road, of which the survey hereto attached is a true and correct description, as petition for by L.Oldenburg et al., beg leave to report that on the 31st day of October, 1907, in pursuance with said order, we proceeded to view out said proposed vacation of road for the whole distance thereof, and that in our opinions said proposed vacation of road should be allowed; that the same not practicable and would not add to the

convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed vacation of road be allowed.

C.R.Thornton) Board of County
(Signed) Thos.Brasher) Road Viewers.
B.Logsdon)

And said report having now been read on two different days of this term of Court, and the Court being fully advised in the premises, and there being no claim for damages filed herein, nor any remonstrances except the one heretofore overruled and denied by this Court,

It is therefore CONSIDERED, ORDERED and ADJUDGED by the Court that said report of the Board of County Road Viewers be approved and placed on record and that the petition for the vacation of the same be, and the same is hereby granted and that said portion of County road be, and the same is hereby vacated and held for naught.

(Signed) J.C.Henry,

County Judge.

J.M.Selder, Commissioner.

Ben Brown, Commissioner.

C. R. Thornton
Thos. Brasher
B. Logsdon
J. C. Henry
J. M. Selder
Ben Brown

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 Second day of October 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.

WHEN, on Saturday ¹², the ~~3rd~~ day of October, A. D., 1907, or the Second ^{3rd}

Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed vacation of County Road No. 67, petitioned for by L. Oldenburg, et al.

Now at this time comes L. Oldenburg, one of the petitioners for the above proposed vacation of a portion of Road No. 67, and presents to the Court the petition of himself and others praying for said vacation, more particularly described as follows:- That part of the County Road leading from Oro Dell to the Proebstel Bridge Road on the north side of Grande Ronde River, which runs through the NW 1/4 of the SE 1/4 and the SW 1/4 of Sec. 31 in Township 2, S. R. 38, E. W. M., All the portion of Road No. 67 commencing at the North end of the Oro Dell Bridge, and ending at the east line of the NW 1/4 of the SE 1/4 of Sec. 31 in Township 2, S. R. 38, E. W. M.

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 vacation is proposed to be made, and that said petition properly specifies the place of beginning and place of termination of said proposed vacation. And it satisfactorily appearing to the Court, that notice has been given by advertisement at the place of holding Court, to-wit:- At the Court House in the City of La Grande,

Oregon, and also in three public places in the vicinity of said proposed vacation, 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, and that the 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 said bond is here now approved by this Court.

IT IS THEREFORE ORDERED by the Court, that C. R. Thornton, Deputy County Surveyor, and Thomas Brasher and E. Logsdon, Constituting the Board of County Road Viewers, be, and they are hereby directed to meet at the beginning of said proposed vacation on the 28th day of October, A. D. 1907, at the hour of 10 o'clock in the forenoon of said day, or within five days thereafter and proceed to survey and view out said proposed vacation according to law.

(Signed) J. C. Henry, County Judge.

J. M. Selder, Commissioner,

Ben Brown, Commisiener.

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

To the Honorable County Court for Union County, Oregon :

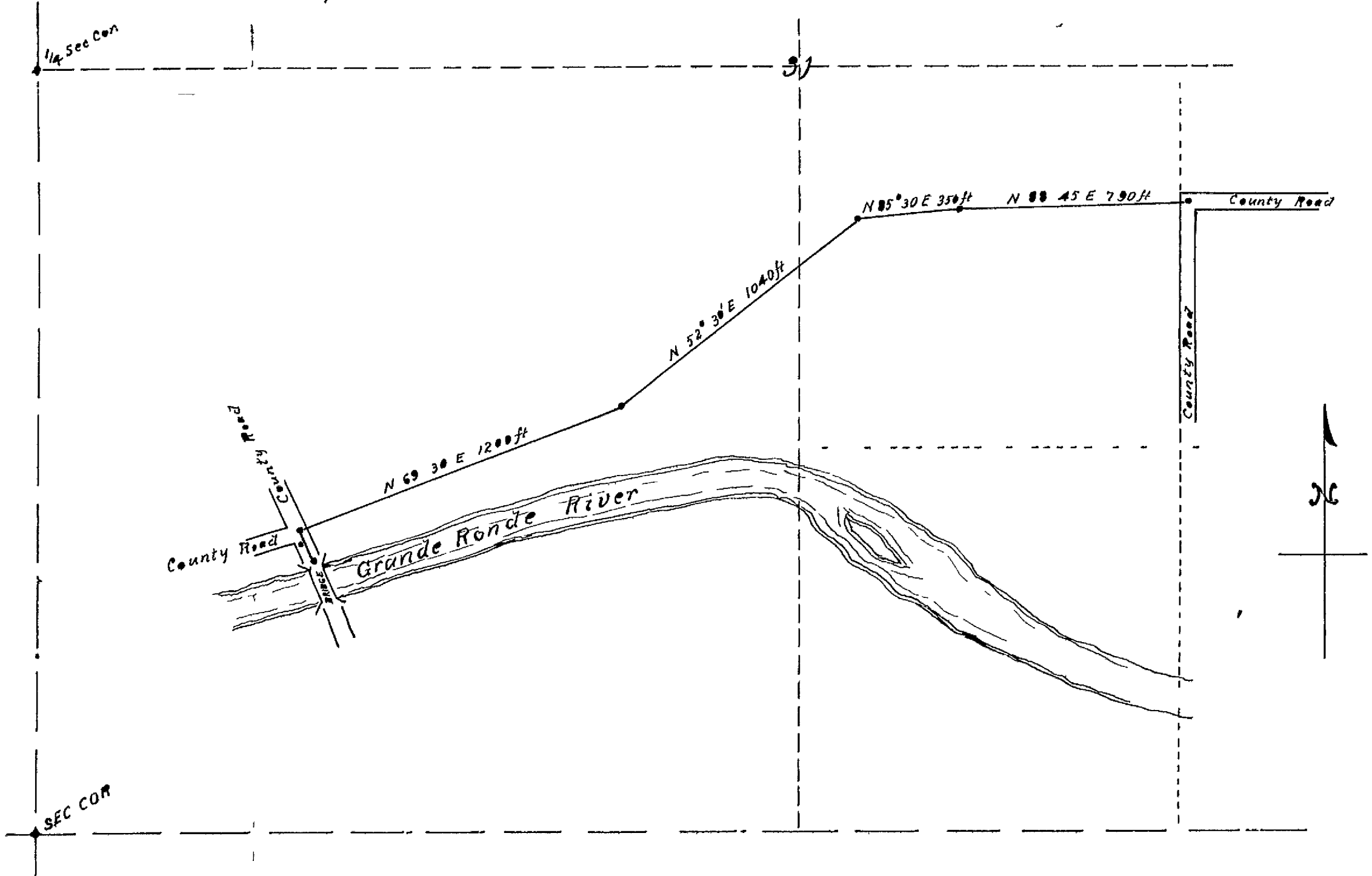
The undersigned Board of County Road Viewers, heretofore on the 12th day of October 1907, instructed to view, lay out and alter the ^{vacation of} proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by L. Oldenburg et al., beg leave to report that on the 31st day of October 1907, in pursuance with said order, we proceeded to view out said ^{vacation of} proposed road for the whole distance thereof, and that in our opinions said ^{vacation of} proposed road should ~~be laid out~~ allowed established as a ~~public highway of Union County, Oregon;~~ that the same ~~is~~ not practicable and would ^{not} add ~~to~~ to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said ^{vacation of} proposed road be allowed ~~laid out~~ ~~declared a public highway of said county.~~

C. R. Thornton
Thos. Brasher
B. Logsdon

Board of County
Road Viewers.

PROPOSED VACATION OF COUNTY ROAD NO 67
PETITIONED FOR BY LOLDENBURG, et al
Scale 1 in = 400 ft

Sec 31, Tp 2 S, R 38, E W M



IN THE
County Court
OF THE

State of Oregon

For the County of Union

9071
4847
71-13

*Some proposed
vacation of a
County Road
mentioned for
by J. Oldenburg
et al.*

Report of Newer

*Filed Nov 6, 07
J. B. Gilham
Clerk*

FOURTH JUDICIAL DAY.

SATURDAY, OCTOBER 6th, 1906.

timed for the term.

In the Matter of the petition of
L. Oldenburg et al. for the vaca-
tion of a public Road.

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 application of
Peter Jacobs for return of money paid
at Tax Lien Sale for year 1901.

Now at this time this matter came on to be heard upon the application of
Peter Jacobs for an order of the Court refunding the sum of \$27.00, the same being the
price paid for land purchased at the Sale of Tax Liens held on the 5th day of July 1906.

It appears from the petition herein that on the 5th day of July, 1906, said
petitioner purchased from Union County a certain tax lien, which appeared to be a lien
upon certain property owned by the Mahaffey Estate, but upon further investigation by
the petitioner, it is found that the original assessment was erroneous and should not
have been made. And after due consideration, the Court finds that said original assess-
ment was erroneous, and that by reason thereof, said tax-lien sale is void, and that the
petitioner should have his money so paid on said tax-lien sale returned.

It is therefore CONSIDERED and ORDERED that the County Clerk is hereby au-
thorized and directed to issue a warrant in favor of Peter Jacobs for the sum of \$27.00,
the same being the amount paid on said purchase and expense of placing Sheriff's deed
upon record.

In the Matter of the application of
Mrs. Mary C. Little for a rebate of
taxes for the year 1905.

Now at this time this matter came on to be heard upon the application of
Mary C. Little for a rebate of taxes for the year 1905, from which it appears that she
is the owner of 35 by 240 feet off the North side of Lots 7 and 8, Block 3, and all of
Lot 2, Block 4, Original Town of La Grande, Oregon, and that she is an old lady, wholly
dependent upon others for her support, and that it will be impossible for her to pay said
taxes for the year above named. And it further appearing to the Court that the taxes for
said year amounts to the sum of \$8.01. And after due consideration, and the Court being

FIRST JUDICIAL DAY.

WEDNESDAY, NOVEMBER 7th, 1906.

✓ In the matter of the claim for damages by Ollie B. McMurray.

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 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 application of E. Rosenbaum for adjustment of taxes for the year, 1905.

Now at this time this matter came on to be heard on the application of E. Rosenbaum for the cancellation of the taxes against the personal property assessed to him for the year 1905.

It appears from the petition herein, that in the spring of 1905, said petitioner was the owner of a certain stock of dry goods, clothing, etc. the same being in a store room in La Grande, Oregon, and thereafter on the 1st day of March, 1905, the assessor of Union County, Oregon, assessed said stock of goods in the value of \$3000.00, and that thereafter the County Clerk extended the taxes upon said assessment, and that the same amounted to the sum of \$133.50, and that on or before the First day of April, 1906, before said taxes became delinquent for said year, 1905, the first half of said taxes were paid.

That on and after the payment of the first half of said taxes, said stock of goods were offered for sale, and that thereafter the said stock of goods were placed in the hands of three receivers, and that all of said goods were sold.

And it further appearing to the Court that the last half of said taxes remain upon the tax roll for the year 1905, as unpaid, and that the stock of goods have passed from the possession of the petitioner herein.

And after due consideration, and the Court being now fully advised in the premises, believes that said petition should be denied.

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

Thereupon it was ORDERED that Court be now adjourned until tomorrow morning, November, 8th, 1906, at 9 o'clock.

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.

FIRST JUDICIAL DAY.

WEDNESDAY, FEBRUARY 6th, 1907.

C.E. Moore,	R.D. #1.	Claud Childers,	R.D. #12.	Joseph Puckett,	R.D. #25.
W.M. Porter,	R.D. #2.	R.E. Jeffries,	R.D. #13.	F.P. Hoke,	R.D. #27.
S.M. Goff,	R.D. #3.	C.S. Hawes,	R.D. #15.	Frank Hempe	R.D. #28.
J.B. Breshears,	R.D. #4.	W.S. McMillan,	R.D. #16.	L.C. Grout,	R.D. #29.
Ira Stewart,	R.D. #5.	W.S. Montgomery,	R.D. #18.	L. Klinefelter,	R.D. #30.
J.A. Tracey,	R.D. #6.	E.T. Peebler,	R.D. #19.	W.M. Wigglesworth,	R.D. #31.
John Meyer,	R.D. #7.	E.Z. Carbine,	R.D. #20.	M.L. Hulse,	R.D. #34.
S.N. Smith,	R.D. #9.	C.E. Golden,	R.D. #21.	John Hug,	R.D. #35.
E.B. Long,	R.D. #10.	George Chadwick,	R.D. #24.	Hermann Vehrs,	R.D. #37.
				F.O. Harryman,	R.D. #38.

In the Matter of platting the
Town of Minam.

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
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 appointment
of a County Physician for the en-
suing year.

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 Annual Re-
port of J.W. Oliver, Commander
of O.P. Morton Post #36, G.A.R.

Now at this time is presented to the Court the annual report of J.W. Oliver, as Commander of O.P. Morton Post #36, G.A.R., and it appearing to the Court that said

FIRST JUDICIAL DAY.

WEDNESDAY, MARCH 6th, 1907.

Town of Minam, situated in Union County, for approval together with the dedication of the same.

And it appearing to the Court that said plat has been properly certified to by L.A. Pickler, Civil Engineer, and that the same has been approved by the County Assessor and County Surveyor as by law required,

It is therefore ORDERED by the Court, that said plat be and the same is hereby approved, and ordered placed in the Record of Town Plats, of Union County, Oregon.

In the Matter of the appointment
of a Supervisor of Road Dist.No.27.

Now at this time it appearing to the Court that heretofore the Court appointed R. E. Hoke as Supervisor of Road District No.27, and that said appointee has refused to qualify as such officer, and that it is important that some fit and proper person be appointed without delay.

And it further appearing to the Court, that the residents of said District have recommended the appointment of H.E. Redman to said office,

It is therefore ORDERED by the Court that H.E. Redman, be and he is hereby appointed Supervisor of Road District No.27, and that he enter upon his duties as such upon his taking the oath of office and filing in this Court an approved undertaking as required by law.

In the Matter of approving the
bonds of various Road Supervisors.

Now at this time is presented the bonds of various Road Supervisors for the approval of the Court. And it appearing to the Court that said bonds are in all things regular and according to law, that the sureties thereon have qualified and are satisfactory to the Court,

It is therefore ORDERED by the Court that the bonds of M.D. Sanderson, Supervisor of R.D. No.8, O.P. Kingsley, Supervisor of R.D. No.14, John Murray, Supervisor R.D. No.22, J.J. Conley, Supervisor of Road Dist. No.23, and R.M. Duncan, Supervisor of Road Dist. No.32, be and they are hereby approved and ordered placed on file.

In the Matter of the proposed vaca-
tion of a County Road petitioned
for by L. Oldenburg, et al.

Now at this time, it is ORDERED by the Court that

FIRST JUDICIAL DAY.

WEDNESDAY, MARCH 6th, 1907.

this matter be and the same is hereby continued for the term.

In the Matter of the appointment
of a Superintendant of the Poor
Farm for the ensuing year.

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 appearing to the Court that heretofore the Court approved the report of the Board of County Road Viewers, wherein they assessed the damages sustained by Ate Vandermeulen caused by the establishment of said proposed road across his premises, in the sum of \$50.00. And it further appearing to the Court that thereafter said petitioners paid into Court the sum of \$25.00, and have failed and neglected to pay the remainder of said damages into Court.

And it further appearing to the Court, that this matter has been continued from time to time for many months awaiting the payment of the remainder of said damages, and the Court being now fully advised in the premises,

It is therefore ORDERED by the Court, that said petition be and the same is hereby denied and the proceedings herein dismissed, and the County Clerk is hereby authorized and directed to refund to said petitioners the money already paid into Court.

And it appearing to the Court that the petitioner herein gave a good and sufficient undertaking with P.A. McDonald as surety thereon, to pay all costs and expenses incurred by reason of the view of said proposed road, in case the prayer of said petitioners be not granted,

It is therefore ORDERED and ADJUDGED by the Court that Union County have and recover of and from D. McDonald, the petitioner herein, and P.A. McDonald, his surety thereon, the sum of \$_____ and that execution issue therefor.

In the Matter of the Monthly allowance
for the various indigent persons.

Now at this time it appearing to the Court that George May, D.W. Souder, Maggie Slagner, John Hilderbrandt, Emma Crawford, John Evers and Fred Nodine are indigent persons

FIRST JUDICIAL DAY.

WEDNESDAY, APRIL 3rd, 1907

the Court that they are residents of Union County, that they have not sufficient means to wholly provide for their needs, that they have no friends or relatives who are able or willing to assist them, and after due consideration, the Court believes that they are deserving persons and should have an allowance made them.

It is therefore CONSIDERED and ORDERED By the Court that the County Clerk be and he is hereby authorized and directed to issue warrants on the General Fund of the County for the amounts set opposite their respective names, to-wit:

George May,	\$8.00
D.W. Souder,	10.00
Maggie Slagner,	12.00
John Hilderbrandt,	15.00
Emma Crawford,	12.00
John Evers,	12.00
Fred Nodine,	15.00
J.M. Eaton,	15.00

In the Matter of the proposed 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 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 appointment of a Supervisor for Road District No. 11.

Now at this time it appearing to the Court, that a vacancy exists in the office of Road Supervisor for Road District No. 11, and that it is necessary that some person be appointed without delay. And it appearing to the Court, that the residents of said district have recommended L.E. Ryder, for appointment to said office.

It is therefore ORDERED by the Court, that L.E. Ryder, be and he is hereby ap-

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.

SATURDAY, OCTOBER 12th, 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 the Last Day's proceedings was read, approved and is here now signed.

J. B. Murray County Judge.

J. M. Selder Commissioner.

J. Ben Brown Commissioner.

Thereupon the following proceedings were had, to-wit:

In the Matter of the proposed vacation of County Road No. 67, petitioned for by L. Oldenburg, et. al.

Now at this time comes L. Oldenburg, one of the petitioners for the above proposed vacation of a portion of Road No. 67, and presents to the Court the petition of himself and others praying for said vacation, more particularly described as follows: That part of the County Road leading from Ora Dell to the Proebstel Bridge Road on the North side of Grande Ronde River, which runs through the N.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ and the S.W. $\frac{1}{4}$ of Sec. 31 in Twp. 2, S.R. 38, E.W.M. All that portion of Road No. 67 commencing at the North end of the Ora Dell Bridge, and ending at the east line of the N.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Sec. 31, in Township 2, S.R. 38, E.W.M.

And it appearing to the Court that said petition is signed by more than twelve free holders of this County, residing in the Road District where the hereinbefore described vacation is proposed to be made, and that said petition properly specifies the place of beginning and place of termination of said proposed vacation. And it satisfactorily appearing to the Court that notice has been given by advertisement at the place of holding Court, to-wit: At the Court House in the City of La Grande, Oregon, and also in three public places in the vicinity of said proposed vacation, 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, and that the 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 said bond is here now approved by this Court.

It is therefore ORDERED by the Court that C.R. Thornton, Deputy County Surveyor, and Thomas Brasher and B. Logsdon, constituting the Board of County Road Viewers be, and they are hereby directed to meet at the beginning of said proposed vacation on the 28th day of October, A.D., 1907, at the hour of 10 o'clock in the forenoon of said day, or within five days thereafter and proceed to survey and view out said proposed vacation according to law.

FIRST JUDICIAL DAY.

THURSDAY, JANUARY 2nd, 1908.

have no friends or relatives who are able or willing to assist them, and after due consideration, the Court believes that they are deserving persons and should have an allowance made them,

It is therefore CONSIDERED and ORDERED by the Court that the County Clerk be, and he is hereby authorized and directed to issue warrants on the General Fund of the County for the amounts set opposite their respective names, to-wit: D.W.Souder, \$15.00; Maggie Slagner, \$12.00; John Hilderbrand, \$15.00; Emma Crawford, \$12.00; John Evers, \$12.00; Eliza Nodine, \$10.00.

In the Matter of the Proposed County Road petitioned for by J.B.Thomson,etal.

This matter came on to be heard on this 2d day of January, A.D. 1908, on the report of the Board of County Road Viewers heretofore made and filed herein, and said report having been read in open Court for the first time, the same is held over for a second reading upon another day of this term of Court.

In the Matter of the Monthly appropriation for the Boys and Girls Aid Society of Portland,Oregon.

Now at this time it appearing that the Court has heretofore made an order appropriating the sum of \$10.00 per month for the use and maintenance of the Boys and Girls Aid Society of Portland, Oregon, and said amount having been paid said Society up to and including the month of September, 1907,

It is therefore ORDERED that the Clerk of this Court draw a warrant on the Contingent Fund for the sum of \$30.00 in payment of said monthly appropriation for the months of October, November and December, 1907.

In the Matter of the proposed Vacation of a portion of the County Road petitioned for by L.Oldenburger et al.

This matter came on to be heard on this January 2nd, 1908, on the Report of the Board of County Road Viewers heretofore made and filed herein, and said report having been read in open Court for the first time, is held over for further consideration on another day of this term of Court.

Thereupon it was ORDERED that Court be now adjourned until tomorrow morning, January 3rd, 1908, at 9 o'clock A.M.

THIRD JUDICIAL DAY.

SATURDAY, JANUARY 4th, 1908.

Road Fund,	3.5 Mills,	\$22,703.79
Outstanding Road Warrant Fund,	3.3 Mills,	21,407.00
School Fund,	6 Mills,	38,903.75
Contingent Fund,	.5 Mills,	3,241.97
Library Fund,	.1 Mills,	648.39

In the Matter of the Proposed
 Vacation of a Portion of the County Road
 petitioned for by L. Oldenburg et al.

This matter came on to be heard on this January 4th, 1908, on the petition and remonstrances filed herein, and upon the petition of five of the remonstrators to have their names stricken off of said remonstrance and urging the County Court to allow the prayer of the petition and vacate the portion of road as prayed for in the petition.

And it appearing to the Court from said petition of the remonstrators that Kate R. Hanley, H. J. Young, Carolyn R. Rynearson, C. J. Black and D. H. Procter have directed the County Court to strike their names off of said remonstrance and not count them thereon,

It is CONSIDERED and ORDERED by the Court that said petition be allowed and that said names be and the same are hereby stricken off of said remonstrance and not counted thereon.

And it appearing to the Court that there are remaining on said remonstrance only ten remonstrators and that there are names of thirteen freeholders of Union County, residing in the road district where said portion of County Road is located, and that said remonstrance ought to be overruled and denied,

It is therefore CONSIDERED and ORDERED by the Court that said remonstrance be and the same is hereby overruled and denied.

And it appearing further to the County Court from the record herein that the petitioners have asked for the vacation of that portion of the County Road described as follows, to-wit: That part of the County Road leading from Oro Dell to the Proebstel Bridge road on the north side of Grande Ronde River, which runs through the N.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ and the S.W. $\frac{1}{4}$ of Sec. 31, in Township 2 South of Range 38 E.W.M., and more particularly described as follows, to-wit: Commencing at the north end of the Oro Dell bridge, and ending at the east line of the N.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of said Sec. 31, in Tp. 2 S.R. 38, E.W.M., in Union County, Oregon. And that the Board of County Road Viewers heretofore appointed did, on the 31st day of October, 1907, view said portion of road proposed to be vacated and make their report thereon as follows, 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 12th day of October, 1907, instructed to view, lay out and alter the proposed vacation of county road,

THIRD JUDICIAL DAY.

SATURDAY, JANUARY 4th, 1908.

of which the survey hereto attached is a true and correct description, as petitioned for by L. Oldenburg et al., beg leave to report that on the 31st day of October, 1907, in pursuance with said order, we proceeded to view out said proposed vacation of road for the whole distance thereof, and that in our opinions said proposed vacation of road should be allowed; that the same not practicable and would not add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed vacation of road be allowed.

(Signed) C.R. Thornton)	Board of County Road
)	
Thos. Brasher.)	Viewers.
)	
B. Logsdon.)	

And said report having now been read on two different days of this term of Court, and the Court being fully advised in the premises, and there being no claim for damages filed herein nor any remonstrances except the one heretofore overruled and denied by this Court,

It is therefore CONSIDERED, ORDERED and ADJUDGED by the Court that said report of the Board of County Road Viewers be approved and placed on record and that the petition for the vacation of the same be, and the same is hereby granted and that said portion of County road be, and the same is hereby vacated and held for naught.

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 is hereby continued for the term.

Thereupon it was ORDERED that Court be now adjourned until Monday morning, January 6th, 1908, at 9 o'clock A.M.

SECOND JUDICIAL DAY.

THURSDAY, MAY 5th, 1910.

In the Matter of the Proposed Vacation of a Portion of a County road petitioned for by L. Oldenburg et al.

Whereas the Circuit Court of the State of Oregon for Union County upon reviewing the above entitled proceeding on a writ of review, has issued and caused to be filed in this court a mandate in words and figures as follows:

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

Mrs. Wm. Rynearson and
Bart Owsley, Plaintiffs,

vs.

Union County, Oregon,
Defendant.

Now at this time this cause came on for hearing on the motion of the plaintiff for a mandate. And it appearing to the Court that the following judgments have been entered in this Court in the above entitled proceedings to-wit:

"Now at this time this matter come on for hearing, the plaintiff appearing by Eugene Ashwill and the defendant appearing by F.S.Ivanhoe, District Attorney, and Ramsey and Oliver, and the Court being fully advised in the premises finds: that the county judge and two commissioners of Union County, Oregon, sitting as a Commissioners Court for Union County, Oregon, exercised its functions erroneously and exceeded its jurisdiction to the injury of the substantial rights of the plaintiffs, in the matter of the vacation of a county road petitioned for by L. Oldenburg et al, a record of which is certified up with the writ of review herein. It is therefore ordered and adjudged that this writ^{of review} be sustained and that said order vacating said road, which order is date the 4th day of Jan. 1908, be set aside and vacated, and that a mandate issue to the county court directing him to vacate and set aside the order vacating said road. That the foregoing order was made and entered of record and signed by Judge H.J.Bean presiding judge on the 10th day of Spt. 1909.

That on the 6th day of August, 1909, the foregoing judgment was duly and regularly affirmed by the Circuit Court of the State of Oregon for Union County, in accordance with a mandate of the Supreme Court of the State of Oregon.

Now therefore the County Court of the State of Oregon for Union County is by this mandate directed to make and enter in said County Court of the State of Oregon for Union County, an order in conformity to and in accordance with the order herein described.

Dated at La Grande, Union County, Ore. this 28 day of March, 1910.

J. W. Knowles, Circuit Judge.

It is therefore ORDERED, ADJUDGED and DECREED by this Court that the order of this Court in the above entitled matter, made and entered on the 4th day of Jan. 1908, in Book L pages 566 and 567 of the Commissioners Journals of Union County, Oregon, purporting to vacate a portion of a county road described in the above entitled proceeding, be, and the said order is hereby vacated, set aside and annulled.

And the road supervisor of Road District No. 20 of Union County, Oregon, is here-

SECOND JUDICIAL DAY.

THURSDAY, MAY 5th, 1910.

by directed to remove and cause to be removed all obstructions and encroachments from said road attempted to be vacated in the above entitled proceedings, and to cause said road to be opened to public travel.

In the Matter of the Proposed
County Road petitioned for by
S. L. Burnaugh, et al.

Comes now S. L. Burnaugh, 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 a point on the County road as now established about $13\frac{1}{2}$ rods north of the northwest corner of Elgin Cemetery where is located a stake marked "Stake B", thence east across Clark's Creek, thence following the bank of said Creek exposed to the east and north as near as practicable to said Creek a distance of about one mile to a point on the county road as now established where is located a stake marked "Stake A" and being about 57 rods in a northwesterly direction from S. L. Burnaugh barn, and also,

Vacate that portion of the Clark's Creek road as now established commencing at the northwest corner of Elgin Cemetery and terminating at the point of intersection with the road above proposed.

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 on the county bridge about eleven rods north of the northwest corner of Elgin Cemetery and at the point of commencement of road as described in the petition; one on a post at Barnes & Son old mill site and being near the center of the road proposed as described in the petition therefor, and being on the present county road; and one on a fence at the terminus of the proposed road as described in the petition being at its intersection with the county road as now established, 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 the 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.

It is therefore ORDERED that Arthur Curtis, County Surveyor, and Thos Brasher and _____ constituting the Board of County Road Viewers, be, and they are hereby directed to meet at Elgin, Oregon, on the 16th day of May, 1910, at the hour of 1 o'clock P.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. E. Sherman et al.

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