

No \_\_\_\_\_

# EQUITY

IN THE  
CIRCUIT COURT  
UNION COUNTY

*Willetta Adams*

Plaintiff

*George E. Adams*

Defendant

Doc't \_\_\_\_\_

Page

*6-7*

*Thugh E. Brady*

Attorney for Plaintiff

Attorney for Defendant

# 717

In re proposed road  
petitioned for by  
J. F. Galloway et al

Ordered opened Aug 5, 1926

# 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 proposed to be, respectfully petition your honorable body to lay out, alter and establish a County Road within said county, on the following line or route, to-wit:

Beginning at a point in the county road about 65 rods East of the Northwest corner of the Northeast quarter of Section 3, in Township 1 North, Range 39 East Willamette Meridian, in Union County, Oregon, thence East some 28 rods to the East side of a draw running South; thence South approximately along the telephone line about 70 rods; thence Southeasterly about 65 rods to near the forks of a small branch; thence southerly down a draw and ridge about 50 rods to the narrowest place in Gorden Creek, which is about 32 rods West and 16 rods North of the S.E. corner of NE 1/4 of Said Section 3, Township and Range; thence in a southerly direction about 18 rods to a point on the Jake Hallgarth-Galloway line fence about 24 rods West of said S.E. Corner of NE 1/4 of said Section 3, Township and Range; thence about 50 rods in a South Southwesterly direction through said Jake Hallgarth's pasture and along the East fence of said pasture, and the telephone line to about the Southeast corner of said pasture; thence West about 5 rods to crest of ridge and South 20 rods along ridge; thence Southwest about 40 rods to end of present lane, which was established in 1911 leading to Elgin, and being at about the center of the S.E. 1/4 of said Section 3 Twp. and Range, and about 3/4 mile south of the point of beginning.

~~STATES:~~

Or if this above proposed route is not satisfactory, then by any other direct route from the point named as the narrowest place in Gorden Creek, above, through the said Jake Hallgarth lands to the point named above as the end of present lane, and selected by the viewers.

Width of Right of way to be Sixty feet wide.

This proposed road will shorten the distance per round trip to Elgin of those parties living North of the point of beginning or the North line of said Section 3, of some 2 1/2 miles each round trip, and there are some 40 families living North of said proposed road whose trading point is Elgin.

And will give several farms direct access to Elgin which are not now served by any county road, directly.

And in duty bound, your petitioners will ever pray, Etc.

*W*

NAME

NAME

J. F. T. Galloway  
Mrs. E. A. Galloway  
James M. Oke  
John Fraasier  
H. P. Weatherspoon  
J. B. Weatherspoon  
C. E. Moore  
Leora Moore  
S. E. Harris  
J. M. Beaghan  
W. H. Townsend  
L. K. Kalfs  
J. M. Oke  
Earl Moore

Roy E. Townsend  
A. J. Grand  
R. W. Thomas  
H. W. Gurt  
F. L. Smith  
George Dan  
James Darr  
Geo. W. Shaw  
Andrew Christiansen  
H. J. Jerry  
Cyber Rush  
Bert Barrhord  
Wm. Alexander

# 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 proposed to be, respectfully petition your honorable body to lay out, alter and establish a County Road within said county, on the following line or route, to-wit:

Beginning at a point in the county road about 65 rods East of the Northwest corner of the Northeast quarter of Section 5, in Township 1 North, Range 59 East Willamette Meridian, in Union County, Oregon, thence East some 25 rods to the East side of a draw running South; thence South approximately along the telephone line about 70 rods; thence Southeasterly about 65 rods to near the forks of a small branch; thence southerly down a draw and ridge about 50 rods to the narrowest place in Gordon Creek, which is about 32 rods West and 16 rods North of the S.E. corner of NE $\frac{1}{4}$  of Said Section 5, Township and Range; thence in a southerly direction about 12 rods to a point on the Jake Hallgarth-Galloway line fence about 24 rods West of said S.E. Corner of NE $\frac{1}{4}$  of said Section 5, Township and Range; thence about 50 rods in a South Southwesterly direction through said Jake Hallgarth's pasture and along the East fence of said pasture, and the telephone line to about the Southeast corner of said pasture; thence West about 5 rods to crest of ridge and South 20 rods along ridge; thence Southwest about 40 rods to end of present lane, which was established in 1911 leading to Elgin, and being about the center of the S.E.  $\frac{1}{4}$  of said Section 5, Twp. and Range, and about  $\frac{3}{4}$  mile south of the point of beginning.

THENCE:

Or if this above proposed route is not satisfactory, then by any other direct route from the point named as the narrowest place in Gordon Creek, above, through the said Jake Hallgarth lands to the point named above as the end of present lane, and selected by the viewers.

Width of Right of way to be Sixty feet wide.

This proposed road will shorten the distance per round trip to Elgin of those parties living North of the point of beginning or the North line of said Section 5, of some 2 $\frac{1}{2}$  miles each round trip, and there are some 40 families living North of said proposed road whose trading point is Elgin.

And will give several farms direct access to Elgin which are not now served by any county road, directly.

And in duty bound, your petitioners will ever pray, Etc.

NAME

NAME

A. G. Vanderwort	E. H. Robinson
Herb. Gaudes	William E. Brownell, M.D.
D. N. Townsend	
W. H. Gelp	
Albert Adams	
E. C. Cates	
Mrs. J. Robinson	
R. L. Jones	
W. W. Binfers	
Julius C. May	
E. S. Robinson	

See attached  
County Road petition  
for by J. F. Gallaway  
et al.

Petition

Filed May 5, 1926  
O. K. M. Connick  
County Clerk

4/5/26

# BOND OF ROAD PETITIONERS

Know All Men By These Presents, That we, J. F. T. Galloway  
principal, and Mrs. E. A. Galloway as sureties, residents of  
Union County, State of Oregon, are held and firmly bound unto the said County of Union in the penal  
sum of Two Hundred Dollars (\$200) lawful money of the United States, for the payment of which  
well and truly to me made we bind ourselves, our heirs, executors, administrators, and assigns for-  
ever firmly by these presents.

The condition of the above obligation is such that whereas,  
J. F. T. Galloway and others have petitioned the County Court of  
said County of Union, at the May term, 1926, thereof, for a County Road, described

in the petition and notice hereto annexed, as follows: Beginning at a point in the county  
road about 65 rods East of the northwest corner of the northeast quarter  
of Section 3, in Township 1 North; Range 39 East Willamette Meridian,  
in Union County, Oregon, thence East some 28 rods to the East side of  
a draw running South; thence South approximately along the telephone  
line about 70 rods; thence Southeasterly about 65 rods to near the  
forks of a small branch; thence southerly down a draw and ridge about  
50 rods to the narrowest place in Gorden Creek; which is about 32 rods  
West and 16 rods North of the S.E. corner of NE $\frac{1}{4}$  of said Section 3,  
Township and Range; thence in a southerly direction about 18 rods to a  
point on the Jake Hallgarth-Galloway line fence about 24 rods West of  
said S.E. Corner of NE $\frac{1}{4}$  of said Section 3, Township and Range; thence  
about 50 rods in a Southwesterly direction through said Jake  
Hallgarth's pasture and along the East fence of said pasture; thence  
West about 5 rods to crest of ridge and South 20 rods along ridge; thence  
Southwest about 40 rods to end of present lane, which was established in  
1911, if the above named Sec. 3, Twp. and Range, and about  $\frac{3}{4}$  mile South of  
point of beginning.

J. F. T. GALLOWAY  
or the petitioners for said road shall well and truly pay or cause to be paid to the said County of  
Union, all costs and expenses that may be incurred by the said County of Union by reason of the view  
or review of said road, in case the prayer of the petitioners be not granted or allowed, then that  
this obligation shall be void, otherwise to remain in full force and virtue.

Witness our hands and seals this 5th day of April 1926

Signed, sealed and delivered in

the presence of:

*Jesse Crum*  
*Hellie F. Crum*

J. F. T. Galloway (Seal)  
Mrs. E. A. Galloway (Seal)  
(Seal)

State of Oregon, }  
County of Union } ss.

We, J. F. T. Galloway and

Mrs. E. A. Galloway being duly sworn, depose and say, each for himself,

that I am a resident of said County and State, and a householder therein, and am worth the sum of  
Four Hundred Dollars (\$400) over and above all my just debts and legal liabilities, and exclusive  
of property exempt from execution. So help me God.

J. F. T. Galloway  
Mrs. E. A. Galloway

Subscribed and sworn to before me this 5 day of April 1926

NOTARY PUBLIC FOR OREGON  
My Commission Expires Jan. 25, 1927

*Jesse Crum*

Are proposed  
County Road petitions  
for by J. J. Galloway  
et al

Bond

Feb 1925, 1926  
O. Kimbrough  
County Road

4/5/26

STATE OF OREGON, }  
County of Union: } ss.

I, J. F. T. Galloway 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 a gate at the north terminus of the proposed road; One on a telephone pole at the north end of Main St. in Elgin, Oregon, where said Main street connects with the lane connecting with the proposed road; One on an electric light pole in the front of the Hill Hardware Store on east side of Front Street in the City of Elgin, Union County, Oregon

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the 5th day of April 1926, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 5th day of April 1926, 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 LeGrande in said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

Subscribed and sworn to before me this 5th day of April 1926.

J. F. T. Galloway  
Jesse Quinn

NOTARY PUBLIC FOR OREGON  
My Commission Expires Jan. 25, 1928



# 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, will at the next session of the County Court for Union county, Oregon, to-wit: on Wednesday, the 5th day of May A. D., 1926, respectfully present to said court a petition praying said court to lay out, alter and establish a County Road within said county, on the following line, or route, to-wit:

Beginning at a point in the county road about 65 rods East of the Northwest corner of the Northeast quarter of Section 3, in Township 1 North, Range 39 East Willamette Meridian, in Union County, Oregon; thence East some 28 rods to the East side of a draw running South, thence South approximately along the telephone line about 70 rods; thence southeasterly about 65 rods to near the forks of a small branch; thence southerly down a draw and ridge about 50 rods to the narrowest place in Gordon Creek, which is about 32 rods west and 16 rods North of the SE corner of NE $\frac{1}{4}$  of said Section 3, Township and Range; thence in a Southerly direction about 18 rods to a point on the Jake Hallgarth-Galloway line fence about 24 rods West ~~W~~ of said S.E. Corner of NE $\frac{1}{4}$  of said Section 3, Township and Range; thence about 50 rods in a South southwesterly direction through said Jake Hallgarth's pasture and along the East fence of said pasture, and the telephone line to about the Southeast corner of said pasture; thence West about 5 rods to crest of ridge and South 20 rods along ridge; thence Southwest about 40 rods to end of present lane, which was established in 1911 leading to Elgin, and being at about the center of the S.E. $\frac{1}{4}$  of said Section 3, Twp. and Range, and about 3/4 mile south of the point of beginning.

Or if this above proposed route is not satisfactory, then by any other direct route from the point named as the narrowest place in Gordon Creek, above, through the said Jake Hallgarth lands to the point named above as the end of present lane, and selected by the viewers.

Width of Right of Way to be Sixty feet wide.

Dated at Elgin Oregon, the 5th day of April A. D., 1926

NAMES	NAMES
J. F. T. Galloway	James Darr
Mrs. E. A. Galloway	Geo. McShain
James M. Oke	Andrew Christiansen
John A. Frasier	W. J. Henry
H. H. Weatherspoon	Cyrus Rush
F. B. Weatherspoon	Geo. Barnhart
G. E. Moore	Wm. C. Alexander
Dora Moore	A. J. Vandervort
S. E. Harris	Herb Graves
J. M. Croghan	D. W. Townsend
W. H. Townsend	W. H. Culp
C. H. Haefs	Albert Ohms
J. M. Darr	C. G. Gates
Earl Moore	Mrs. F. S. Robinson
Roy E. Townsend	R. A. Ohms
A. Thomas	W. W. Binford
R. W. Thomas	Julius C. Hug
H. W. Gent	F. S. Robinson
F. M. Smith	E. H. Robinson
George Darr	William E. Brownell, M.D.

4/5/26

When prepared  
County Road petition  
for by J. J. Freeman  
et al

Approved of County  
Highways

Filed May 5, 1926  
J. H. M. @ Amherst  
County Clerk

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 5th day of May, A. D., 1926, 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 U. G. Couch, County Judge,  
John Wells, Commissioner,  
W. W. Stevens, Commissioner,  
C. K. McCormick, Clerk,  
Jesse Breshears, Sheriff.

WHEN, on Thursday, the 6th day of May, A. D. 1926, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed County Road petitioned for by J. F. T. Galloway, et al.

Comes now J. F. T. Galloway, 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 in the county road about 65 rods East of the Northwest corner of the Northeast quarter of Section 3, in Township 1 North; Range 39 East Willamette Meridian, in Union County, Oregon; thence East some 28 rods to the East side of a draw running South, thence South approximately along the telephone line about 70 rods; thence southeasterly about 65 rods to near the forks of a small branch; thence southerly down a draw and ridge about 50 rods to the narrowest place in Garden Creek, which is about 32 rods west and 16 rods North of the SE corner of NE $\frac{1}{4}$  of said Section 3, Township and Range; thence in a southerly direction about 18 rods to a point on the Jake Hallgarth-Galloway line fence about 24 rods west of said SE corner of NE $\frac{1}{4}$  of said Section 3, Township and Range; thence about 50 rods in a south southwesterly direction through said Jake Hallgarth's pasture and along the East fence of said pasture, and the telephone line to about the Southeast corner of said pasture; thence West about 5 rods to crest of ridge and south 20 rods along ridge; thence southwest about 40 rods to end of present lane, which was established in 1911 leading to Elgin, and being at about the center of the SE $\frac{1}{4}$  of said section 3, Twp and Range, and about 3/4 mile south of the point of beginning.

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 Courthouse in the city of La Grande, Union County, Oregon, and also in three public places in the vicinity of said proposed road, to-wit: One on a gate at the north terminus of the proposed road; one on a telephone pole at the north end of Main Street in Elgin, Oregon, where said Main Street connects with the

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 2nd day of June, A. D., 1926, 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 U. G. Couch, County Judge,  
John Wells, Commissioner,  
W. W. Stevens, Commissioner,  
C. K. McCormick, Clerk,  
Jesse Breshears, Sheriff.

WHEN, on Thursday, the 3rd day of June, A. D. 1926, or the second Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed  
County Road petitioned for by  
J.F.T.Galloway, et al.

Now at this time this matter comes on for the consideration of the report of the Board of County Road Viewers heretofore appointed to view said road and it appearing to the Court that, since the filing of the report, the viewers have come into possession of further information regarding the benefits to be derived from said road,

It is therefore CONSIDERED AND ORDERED that the Viewers' report be denied and the said viewers allowed until June 25th, 1926, in which to file another report.

U. G. Couch, County Judge,  
John Wells, Commissioner,  
W. W. Stevens, Commissioner.

the lane connecting with the proposed road; one on an electric light pole in the front of the Hill Hardware Store on east side of Front Street in the city of Elgin, 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 its present session 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 filed,

It is therefore ORDERED that S. B. Morgan, County Roadmaster, A. C. Glenn and Wm. Ruckman, constituting a Board of County Road Viewers, be and they are hereby directed to meet at Elgin, Oregon, on Friday, May 14th, 1926, at 10:00 AM, and proceed to survey, view and lay out said proposed road according to law, and that said Board of County Road Viewers file its report with this Court not later than May 22nd, 1926.

U. G. Couch                      County Judge,

John Wells                      Commissioner,

W. W. Stevens                  Commissioner.

OATH OF COUNTY ROAD VIEWERS.

STATE OF OREGON)

County of Union) <sup>ss</sup>

I, A. C. Glenn , do solemnly swear that I will support the Constitution of the United States and the Constitution and Laws of the State of Oregon and that I will perform the duties of Road Viewer in viewing the proposed road petitioned for by J. F. T. Galloway, et al., to the best of my ability and understanding. So help me God.

A. C. Glenn

Subscribed and sworn to before me this 24th day of May,  
A.D., 1926.

S. B. Morgan  
County Roadmaster.

OATH OF COUNTY ROAD VIEWERS.

STATE OF OREGON)

County of Union) <sup>SS</sup>

I, W. E. Ruckman, do solemnly swear that I will support the Constitution of the United States and the Constitution and Laws of the State of Oregon and that I will perform the duties of Road Viewer in viewing the proposed road petitioned for by J. F. T. Galloway, et al., to the best of my ability and understanding. So help me God.

W. E. Ruckman

Subscribed and sworn to before me this ~~20th~~ day of May,

A.D., 1926.

S. B. Mason  
County Recorder.

# 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 Third day of June 1926, instructed to view, lay out and alter the proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by J. F. T. Gallaway et al., beg leave to report that on the Tenth day of June, 1926, 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 be laid out and established as a public highway of Union County, Oregon; that the same is practicable and would add to to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be be laid out and declared a public highway of said county said County

to furnish all culverts and bridge material and fence right of way thru Jake Hallgrath's place, and to furnish fencing material thru J. F. T. Gallaway's place.

The petitioners to pay \$200.00 for right of way and damages thru Jake Hallgrath's place, to build fence thru J. F. T. Gallaway's place, to put in all culverts and build the bridge, and to grade the road from the beginning to the end in such a manner as to be accepted by the County Court of Union County, Oregon.

W. E. Ryckman  
A. C. Glenn  
S. M. Morgan

} Board of County  
Road Viewers.



On the matter of the  
proposed road petition  
for the J. D. V. Callaway  
et al.

Review amended report

Filed June 25-1926  
E. M. Gorman, Clerk  
by E. J. Johnson, Deputy

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 7th day of July, A. D., 191<sup>26</sup>, 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 U. G. Couch, County Judge,  
John Wells, Commissioner,  
W. W. Stevens, Commissioner,  
C. K. McCormick, Clerk,  
Jesse Breshears, Sheriff.

WHEN, on Wednesday, the 7th day of July, A. D. 191<sup>26</sup>, or the 1st Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed county road petitioned for by J.F.T.Galloway, et al.

Now at this time the above entitled matter comes on to be heard upon the amended report of the Board of County Roadviewers heretofore appointed to view said road, and same having been publicly read, the same was continued until tomorrow for further action.

U. G. Couch, County Judge,  
John Wells, Commissioner,  
W. W. Stevens, Commissioner.

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 7th day of July, A. D., 1926, 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 U. G. Couch, County Judge,  
John Wells, Commissioner,  
W. W. Stevens, Commissioner,  
C. K. McCormick, Clerk,  
Jesse Breshears, Sheriff.

WHEN, on Thursday, the 8th day of July, A. D. 1926, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed county road petitioned for by J.F.T.Galloway, et al.

Now at this time the above entitled matter comes on to be heard for the 2nd reading of the amended report of the Board of County Road Viewers, and said report having been publicly read for the 2nd time, said matter was continued until tomorrow for final action.

U. G. Couch, County Judge,  
John Wells, Commissioner,  
W. W. Stevens, Commissioner.

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 7th day of July, A. D., 191<sup>26</sup>, 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 U. G. Couch, County Judge,  
John Wells, Commissioner,  
W. W. Stevens, Commissioner,  
C. K. McCormick, Clerk,  
Jesse Breshears, Sheriff.

WHEN, on Friday, the 9th day of July, A. D. 191<sup>26</sup>, or the 3rd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed County Road petitioned for by J.F.T.Galloway, et al.

Now at this time the above entitled matter comes on for final action upon the amended report of the County Road Viewers heretofore filed herein and it appearing to the Court that Jake Hallgarth desires to file a claim for damages on account of said proposed road but that due to a misunderstanding as to the time allowed by law for filing such claim the same has not been filed,

It is therefore CONSIDERED AND ORDERED that final action on the amended report of the Board of County Road Viewers be and the same is hereby continued until August 5th, 1926, for the purpose of allowing said Jake Hallgarth to file a claim for damages.

U. G. Couch, County Judge,  
John Wells, Commissioner,  
W. W. Stevens, Commissioner.

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

In the Matter of the Proposed )  
County Road Petitioned for by ( )  
J. F. T. Galloway, et al. )

PETITION FOR DAMAGES.

-----  
Comes now Jake Hallgarth, and respectfully shows to the  
County Commissioners of Union County, Oregon, to-wit:-

That the undersigned petitioner is the owner of the follow-  
ing described real property, to-wit:-

The Northeast Quarter of the Southeast Quarter of  
Section 3, Twp. 1 N. R. 39, East Willamette Meridian,  
in Union County, Oregon.

That heretofore J. F. T. Galloway, et al, petitioned the County  
Commissioners of Union County, Oregon, for a road, that is to estab-  
lish a County road through the lands of petitioner, which road would  
run through the lands of petitioner as follows, to-wit:-

Beginning at a point on the Jake Hallgarth-Galloway line  
fence about 24 rods West of the Southeast corner of the  
Northeast Quarter of said Section 3, Twp. 1 N. R. 39,  
E.W.M., thence about 50 rods in a Southwesterly direction  
through said Jake Hallgarth pasture and along the East  
fence of said pasture and the telephone line to about the  
Southeast corner of said pasture; thence West about 5 rods  
to crest of ridge and South 20 rods along ridge; thence  
Southwest about 40 rods to end of present lane which was  
established in 1911, leading to Elgin, being about the  
center of the Southeast Quarter of said Section 3, said  
Township and Range.

That in accordance with Section 4549 Oregon Laws, I hereby  
file my petition for damages, to be damages that will be occasioned by  
the establishment of said road if established.

In the first place, said road would take about three acres  
of my land; in the second place, said road as proposed would run  
through my grain field and furthermore would cut for the last 40 rods  
a portion of my land into a triangle some 40 rods long and about 12  
rods wide at the end and terminating in a point at the West end of  
said road where it leaves my land; that the effect of this triangle  
would be to render it impossible for me to derive any particular use  
from this tract of land, and would result in depriving me of the land

1.

GREEN & HESS  
ATTORNEYS AT LAW  
LA GRANDE, ORE.

contained within said triangle, containing in the neighborhood of an acre and a half of ground in this place; that said land is worth in the neighborhood of \$110.00 per acre; that John Hug formerly owned said land and paid around \$110.00 per acre for the same, and it cost Jake Hallgarth, the undersigned present owner, \$110.00 per acre.

Furthermore, said road as proposed leaves a piece of land North of said triangle in an oblong shape about 20 rods wide on the East end and about 16 rods wide on the West end and about 40 rods long, which renders it inconvenient to utilize said land to the best advantage.

That I own in the neighborhood of 40 acres East of said proposed road, and the establishment of the same would be to cut this land entirely off from water, as my water trough and water is located on the West side of said proposed road; that there is no stream running through said land to the East of said road, and this would deprive me of the use of said land for pasturing stock, and would lessen the value of said lands lying to the East of said road in the sum of \$500.00<sup>OR</sup> more.

That if said road is run through my land, cutting the same up into parcels, the whole piece and the market value thereof will be damaged in the further sum of \$500.00 as a whole. In summary, therefore, I hereby petition the County Court for damages in the total aggregate sum of \$1,495.00 and summarize my damages as follows, to-wit:-

To loss of 4½ acres of ground, including road and triangle, at \$110.00 per acre.....	\$ 495.00
To injury to some 40 acres of my land lying East of the proposed road, by reason of less of water.....	500.00
To injury to entire place by reason of cutting up of said land into parcels by said road....	<u>500.00</u>
Total.....	\$1,495.00.

WHEREFORE, the undersigned hereby petitions the County Commissioners of Union County, Oregon, to allow this petitioner the sum of \$1,495.00 as damages for the establishment of said road, if

GREEN & HESS  
ATTORNEYS AT LAW  
LA GRANDE, ORE.

established as proposed and according to the "NOTICE OF ROAD PETITION" posted, but on the other hand, if said road as finally established follows the line of my fence as surveyed in this matter on or about July 2, 1926, and said proposed road is cut down to 40 feet in width in place of 60 feet in width for the entire distance through my land, and in the event a culvert is constructed without expense to me under said road suitable for the passage of stock, and in case fences are constructed with convenient gates on both sides of the road, then in such event my damages would be lessened \$895.00.

Jake Hallgarth  
Petitioner.

State of Oregon,) )  
County of Union,) ) SS.

I, Jake Hallgarth, being first duly sworn, on oath say:-  
That I am the petitioner above named, and that the foregoing petition for damages is true, as I verily believe.

Jake Hallgarth

Subscribed and sworn to before me this 14th day of July, 1926.

Joe Green  
Notary Public for Oregon,  
My Commission Expires Aug. 19, 1927.

STATE OF OREGON }  
COUNTY OF UNION } ss

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

Subscribed and sworn to before me this the \_\_\_\_\_ day of \_\_\_\_\_ 192\_\_

By Commission expires \_\_\_\_\_ 192\_\_ Notary Public for Oregon

COUNTY OF UNION }  
STATE OF OREGON } ss

I hereby certify the foregoing to be a true and exact copy of the whole of the original  
\_\_\_\_\_ in the above entitled cause \_\_\_\_\_ and court  
La Grande Oregon dated this \_\_\_\_\_ day of \_\_\_\_\_ 192\_\_

One of Attorneys for

STATE OF OREGON }  
COUNTY OF UNION } ss

Due service of the foregoing \_\_\_\_\_ is hereby accepted in  
Union County Oregon this \_\_\_\_\_ day of \_\_\_\_\_ 192\_\_ by receiving a copy thereof,  
duly certified to be such by \_\_\_\_\_ attorney for \_\_\_\_\_

Attorney for \_\_\_\_\_

STATE OF OREGON }  
COUNTY OF UNION } ss

I hereby certify that I made service of the foregoing \_\_\_\_\_  
on the \_\_\_\_\_ by depositing a duly certified copy thereof with postage thereon pre-  
paid in the postoffice at La Grande Oregon on the \_\_\_\_\_ day of \_\_\_\_\_ 192\_\_  
enclosed in an envelope addressed to \_\_\_\_\_ Attorney

Oregon

One of Attorneys for



No. \_\_\_\_\_  
Law  
County  
Criminal

In the COUNTY \_\_\_\_\_ Court

OF THE  
STATE OF OREGON  
FOR

Union County

In the Matter of the Proposed  
County Road Petitioned  
for by J. F. F. Galloway,  
et al.

vs  
Plaintiff

Defendant

PETITION FOR DAMAGES

Filed July 16 1926

*W. H. Carnick*

By \_\_\_\_\_  
Deputy

From the Law Offices of  
**GREEN & HESS**  
LA GRANGE, ORE  
Attorneys for Petitioner - State

W. H. Carnick

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 4th day of August, A. D., 1926, 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 U. G. Couch, County Judge,  
John Wells, Commissioner,  
W. W. Stevens, Commissioner,  
C. K. McCormick, Clerk,  
Jesse Breshears, Sheriff.

WHEN, on Thursday, the 5th day of August, A. D. 1926, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed County Road petitioned for by J.F.T.Galloway, et al.

Now at this time the above entitled matter comes on for final action upon the amended report of the Board of County Road Viewers heretofore filed herein, said report having been publicly read on two separate days of this Court, to-wit: July 7th and 8th and continued until this time for final action thereon, said amended report being in words and figures, 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 third day of June, 1926, instructed to view, lay out and alter the proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by J.F.T.Galloway, et al., beg leave to report that on the tenth day of June, 1926, 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, said county to furnish all culverts and bridge material and fence right of way through Jake Hallgarth's place, and to furnish fencing material through J.F.T.Galloway's place. The petitioners to pay \$200.00 for right of way and damages through Jake Hallgarth's place, to build fence through J.F.T. Galloway's place, to put in all culverts and build the bridge, and to grade the road from the beginning to the end in such a manner as to be acceptable by the County Court of Union County, Oregon.

W. E. Ruckman )  
A. C. Glenn ) Board of County  
S. B. Morgan ) Road Viewers."

and it appearing to the Court that the amended report of said Board of County Road Viewers is favorable and that they recommend that said proposed road be established as a County Road and declared a public highway of Union County, Oregon; and it further appearing to the Court that Jake Hallgarth has filed a claim herein in the sum of \$1495.00 for damages which he alleges will result to his land by reason of the construction of said proposed road; and it further appearing that the petitioners herein and the said Jake Hallgarth have compromised said claim by agreeing to pay the said Jake Hallgarth the sum of \$400.00 and to construct a cattle pass under said road and to reduce the width of said road to 40 feet; and no further claim for damages having been filed and no cause having been shown by any other person why said proposed road should not be declared a public highway and ordered opened; and the Court now being satisfied from the report of the viewers that said road will be a public utility;

It is therefore CONSIDERED AND ORDERED that said proposed road be established 40 feet in width and along the line described in the petition therefore upon the payment to the said Jake Hallgarth of the sum of \$400.00 by the said petitioners and the construction of a cattle pass under said road through the premises of the said Jake Hallgarth.

It is FURTHER ORDERED that Union County furnish the material for said cattle pass and that the petitioners bear all the expense of the construction of said cattle pass, the installation of all culverts and bridges and the grading of said road.

U. G. Couch, County Judge,

John Wells, Commissioner,

W. W. Stevens, Commissioner.

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 2nd day of March, A. D., 19<sup>27</sup>, 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 U. G. Couch, County Judge,  
W. W. Stevens, Commissioner,  
W. R. Ledbetter, Commissioner,  
C. K. McCormick, Clerk,  
Jesse Breshears, Sheriff.

WHEN, on Thursday, the 3rd day of March, A. D. 19<sup>27</sup>, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed county road petitioned for by J.F.T.Galloway, et al.

Now at this time, it appearing to the Court that the proceedings in the above entitled matter have been approved by the District Attorney,

It is CONSIDERED AND ORDERED that the County Engineer proceed to construct said road according to the agreement of the petitioners, and the County Clerk is hereby authorized and directed to draw a warrant on the General Road Fund of the County in favor of Jake Hallgarth in the sum of \$400.00 in payment for a right-of-way for said road for damages on account of the construction thereof.

U. G. Couch, County Judge,  
W. W. Stevens, Commissioner,  
W. R. Ledbetter, Commissioner.

#919

SECOND JUDICIAL DAY

THURSDAY, MAY 6th, 1926.

Hilgard Precinct:	School House
Hot Lake Precinct:	Hot Lake Sanatorium
Imbler Precinct:	Stringham Building
Island Precinct:	Caldwell Shoe Shop
Kamela Precinct:	School House
La Grande Precinct No. 1:	Frank Cleavinger residence, 502 3rd St.
" " " 2:	City Hall
" " " 3:	W. A. Moss residence, 2105 Cedar St.
" " " 4:	Lane Chapel
" " " 5:	F. E. Wood residence
" " " 6:	Tom Strands residence, Portland & Cove Sts.
" " " 7:	C. E. Coughenower residence, 1604 Wash St.
" " " 8:	Court House
" " " 9:	Presbyterian Church
" " " 10:	First M. E. Church
" " " 11:	C. H. Gasset residence, 1904 3rd St.
" " " 12:	Harris Hall
" " " 13:	Church of God.
Palmer Precinct:-	F. L. Baker's Store.
Perry Precinct:-	Community Hall
Powder No. 1 Precinct:-	City Hall
Powder No. 2 Precinct:-	School House
Starkey Precinct:-	School House
Summerville Precinct:-	Masonic Hall
Union Precinct No. 1:-	Old Scout Place
" " " 2:-	City Hall
" " " 3:-	North Union School House
" " " 4:-	Union Hotel

In the matter of the acceptance of the deed of the heirs of Freeman S. Ladd, deceased, for a road right-of-way.

Now at this time is presented to the Court the deed of the heirs of the estate of Freeman S. Ladd, deceased, for a strip of land to be used as a right-of-way for the Mount Glenn Market Road, and it appearing to the Court that it is necessary for the County to acquire said land for use in the construction of said road,

It is therefore CONSIDERED AND ORDERED that said deed be and the same is hereby accepted and the County Clerk is hereby authorized and directed to draw a warrant in favor of Margaret Wagner, Executrix of the estate of Freeman S. Ladd, deceased, in the sum of \$400.00 in payment therefor.

In the matter of the proposed County Road petitioned for by J. F. T. Galloway, et al.

Comes now J. F. T. Galloway, 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 in the county road about 65 rods East of the Northwest corner of the Northeast quarter of Section 3, in Township 1 North, Range 39 East Willamette Meridian, in Union County, Oregon; thence East some 28 rods to the East side of a draw running South, thence south approximately along the telephone line about 70 rods; thence southeasterly about 65 rods to near the forks of a small branch; thence southerly down a draw and ridge about 50 rods to the narrowest place in Gordon Creek, which is about 32 rods west and 16 rods North of the SE corner of NE $\frac{1}{4}$  of said Section 3, Township and Range; thence in a southerly direction about 18 rods to a point on the Jake Hallgarth-Galloway line fence about 24 rods west of said S.E. corner of NE $\frac{1}{4}$  of said Section 3, Township and Range; thence about 50 rods in a south southwesterly direction through said Jake Hallgarth's pasture and along the East fence of said pasture, and the telephone line to about the Southeast corner of said pasture; thence West about 5 rods to crest of ridge and south 20 rods along ridge; thence southwest about 40 rods to end of present lane, which was established in 1911 leading to Elgin, and being at about the center of the SE $\frac{1}{4}$  of said Section 3, Twp and Range, and about 3/4 mile south of the point of beginning.

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 Courthouse in the city of La Grande, Union County,

SECOND JUDICIAL DAY

THURSDAY, MAY 6th, 1926.

Oregon, and also in three public places in the vicinity of said proposed road, to-wit: One on a gate at the north terminus of the proposed road; one on a telephone pole at the north end of Main Street in Elgin, Oregon, where said Main Street connects with the lane connecting with the proposed road; one on an electric light pole in the front of the Hill Hardware Store on east side of Front Street in the city of Elgin, 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 its present session 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 filed,

It is therefore ORDERED that S. B. Morgan, County Roadmaster, A. C. Glenn and Wm. Ruckman, constituting a Board of County Road Viewers, be and they are hereby directed to meet at Elgin, Oregon, on Friday, May 14th, 1926, at 10:00 AM, and proceed to survey, view and lay out said proposed road according to law, and that said Board of County Road Viewers file its report with this Court not later than May 22nd, 1926.

In the matter of opening the bids for the grading of a section of the Hunter Lane Market Road and the Alicel-Lower Cove Market Road.

Now at this time it is ORDERED that the time for the opening of bids for Unit B of the the grading of Hunter Lane-Pleasant Grove Market Road and the Becker Corner-Warm Creek Market Road be and the same is hereby continued until May 15th, 1926, at 2 PM.

In the matter of the vacation of a portion of County Road No. 324.

Now at this time, it appearing to the Court that the County Engineer has viewed the portion of the above-named road proposed to be vacated and has filed his written report recommending that said road be vacated,

It is therefore CONSIDERED AND ORDERED that July 8th, 1926, at 10:00 A.M., and the County Court Room in the city of La Grande, Oregon, be fixed as the time and place for hearing the resolution of the Court, and the County Clerk is hereby directed to give notice of said hearing for the time and in the manner provided by law.

In the matter of the vacation of a portion of County Road No. 579.

Now at this time, it appearing to the Court that the County Engineer has viewed the portion of the above-named road proposed to be vacated and has filed his written report recommending that said road be vacated,

It is therefore CONSIDERED AND ORDERED that July 9th, 1926, at 10:00 AM, and the County Court Room in the city of La Grande, Oregon, be fixed as the time and place for hearing the resolution of the Court, and the County Clerk is hereby directed to give notice of said hearing for the time and in the manner provided by law.

In the matter of the vacation of a portion of County Road No. 238.

Now at this time, it appearing to the Court that the County Engineer has viewed the portion of the above named road proposed to be vacated and has filed his

SECOND JUDICIAL DAY

THURSDAY, JUNE 3rd, 1926.

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.

*W. G. Couch* County Judge,  
*W. W. Stevens* Commissioner,  
Commissioner.

Whereupon the following proceedings were had, to wit:

In the matter of the petition of John Spain, et al., for the appointment of a suitable person to geld certain animals as provided for by Section 9401, O.L.

Now at this time is presented to the Court the petition of John Spain, et al., for the appointment of F. S. Bunnell as a suitable person to geld animals running at large in violation of the provisions of Section 9401, O.L., and it appearing to the Court that the signers of said petition are residents of Antelope Precinct and that F. S. Bunnell is a suitable person to be appointed,

It is therefore CONSIDERED AND ORDERED that F. S. Bunnell be and he is hereby appointed to geld animals found running at large in Antelope Precinct in violation of the provisions of Section 9401, O.L.

In the matter of the proposed County Road petitioned for by J.F.T.Galloway, et al.

Now at this time this matter comes on for the consideration of the report of the Board of County Road Viewers heretofore appointed to view said road and it appearing to the Court that, since the filing of the report, the viewers have come into possession of further information regarding the benefits to be derived from said road,

It is therefore CONSIDERED AND ORDERED that the Viewers' report be denied and the said viewers allowed until June 25th, 1926, in which to file another report.

In the matter of opening of bids for the surfacing of North Spruce Street, Unit A Mount Glenn Market Road, Road District No. 3 May Park

Now at this time this matter comes on for the opening of bids for the surfacing of North Spruce Street, Unit A Mount Glenn Market Road and Road District No. 3 in May Park, and it appearing to the Court that 3 bids have been filed and the bidders being present said bids were ordered opened and read by the County Clerk and found to be as follows:

Bidder	Type A	Type B
C. R. Seitz . . . . .	\$7,610.40	\$6,523.20
H. J. Hildeburn . . . . .	11,889.00	7,382.80
E. B. Bishop . . . . .	-----	8,628.00

and the Court having considered said bids, finds that the bids of C. R. Seitz for Alternate Type of surfacing "A" are the lowest and best bids presented for said projects,

It is CONSIDERED AND ORDERED that the bids of C. R. Seitz for each of said projects be and the same are hereby accepted and the County Engineer is hereby



FIRST JUDICIAL DAY

WEDNESDAY, JULY 7th, 1926.

In the matter of the proposed County road petitioned for by J. F. T. Galloway, et al.

Now at this time the above entitled matter comes on to be heard upon the amended report of the Board of County Road-viewers heretofore appointed to view said road, and same having been publicly read, the same was continued until tomorrow for further action.

Thereupon the Journal of today's proceedings was read, approved, and it is here now signed, and it was ORDERED that Court be now adjourned until Thursday, July 8th, 1926.

SECOND JUDICIAL DAY

THURSDAY, JULY 8th, 1926.

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.

*W. G. Couch*

County Judge,

*W. W. Stevens*

Commissioner,

Commissioner.

Whereupon the following proceedings were had, to-wit:

In the matter of the application of Amelia Hilderbrandt for the issuance of a new warrant in lieu of a lost warrant.

Now at this time this matter comes on to be heard upon the application of Amelia Hilderbrandt for the re-issuance of General Fund Warrant No. 946, Series 1926, in the sum of \$12.50, and it appearing to the Court that said warrant was mailed by the County Clerk to the said Amelia Hilderbrandt, at Cove, Oregon, but that same was received by the said Amelia Hilderbrandt and lost by her; that said warrant has not been presented to the County Treasurer for payment and that said warrant was lost; and it further appearing that the said Amelia Hilderbrandt has filed a good and sufficient bond indemnifying the County against any loss which may arise on account of the payment of said warrant,

It is therefore CONSIDERED AND ORDERED that the County Clerk be and he is hereby authorized and directed to draw another warrant on the General Fund of the County in the sum of \$12.50 in lieu of said lost warrant.

It is FURTHER ORDERED that the County Clerk and the County Treasurer make proper entries upon the books of their respective offices showing the cancellation of said Warrant No. 946, Series 1926, drawn on the General Fund.

In the matter of the resignation of J. H. Barnes as Constable of the Elgin Justice of the Peace and Constable District.

Now at this time is presented to the Court the resignation of J. H. Barnes as Constable of the Elgin Justice of the Peace and Constable District, and it appearing to the Court that on account of the advanced age and ill health of the said J. H. Barnes that he is no longer able to perform the duties of the office of Constable of said District,

It is CONSIDERED AND ORDERED that his resignation be and the same is hereby accepted and that the same become effective at once.

In the matter of the proposed county road petitioned for by J. F. T. Galloway, et al.

Now at this time the above entitled matter comes on to be heard for the 2nd reading of the amended report of the Board of County Road Viewers, and said report having been publicly read for the 2nd time, said matter was continued until tomorrow for final action.

In the matter of the monthly report of the County Treasurer and credits given her.

Comes now Florence Bacon, County Treasurer of Union County, Oregon, and

THIRD JUDICIAL DAY

FRIDAY, JULY 9th, 1926.

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.

*W. G. Couch*

County Judge,

*W. W. Stevens*

Commissioner,

Commissioner.

Whereupon the following proceedings were had, to-wit:

In the matter of the proposed County Road petitioned for by J. F. T. Galloway, et al.

Now at this time the above entitled matter comes on for final action upon the amended report of the County Road Viewers heretofore filed herein and it appearing to the Court that Jake Hallgarth desires to file a claim for damages on account of said proposed road but that due to a misunderstanding as to the time allowed by law for filing such claim the same has not been filed,

It is therefore CONSIDERED AND ORDERED that final action on the amended report of the Board of County Road Viewers be and the same is hereby continued until August 5th, 1926 for the purpose of allowing said Jake Hallgarth to file a claim for damages.

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

*W. G. Couch*

County Judge,

*W. W. Stevens*

Commissioner,

Commissioner.

SECOND JUDICIAL DAY

THURSDAY, AUGUST 5th, 1926.

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.

*H. G. Couch* County Judge,  
*W. W. Stevens* Commissioner,  
 Commissioner.

Whereupon the following proceedings were had, to-wit:

In the matter of the monthly report of the County Treasurer and credits given her.

Comes now Florence Bacon, County Treasurer of Union County, Oregon, and presents to the Court certain vouchers, warrants, and receipts showing that she has paid out of the various funds of the County certain sums of money. And it appearing to the Court from an examination of said vouchers and warrants that the sums have been duly paid out of the funds applicable thereto, that the warrants were regularly issued on the order of the Court, and that the Treasurer should have credit upon her account for the same,

It is therefore ORDERED that said vouchers, receipts, etc., be filed and the Treasurer be given credit therefor as follows:

290 General Fund Warrants	\$ 6,954.21
106 Road Fund Warrants	3,680.80
58 Market Road Fund Warrants	10,377.47
7 Prohibition Enforcement Receipts	598.10
1 Road Bond Interest Fund Receipt	25,550.00
1 High School Fund Receipt	3,022.20
1 County School Fund Receipt	13,417.80
1 Elementary School Fund Receipt	7,050.00
7 Spl Cities, receipts	16,643.89
19 Spl School Dist. Receipts,	<u>16,626.89</u>
	\$103,921.36

In the matter of the resignation of D. N. Baird as Janitor of the Court House.

Now at this time is presented to the Court the resignation of D. N. Baird as Janitor of the Court House and it appearing to the Court that on account of ill health said D. N. Baird is unable to perform the duties of said janitor,

It is CONSIDERED AND ORDERED that his resignation be and the same is hereby accepted, and that Sam Moore be and he is hereby appointed to fill the vacancy occasioned by the resignation of the said D. N. Baird and that his salary be fixed at \$90.00 per month and to become effective as of August 1st, 1926.

7/7

In the matter of the proposed County Road petitioned for by J. F. T. Galloway, et al.

Now at this time the above entitled matter comes on for final action upon the amended report of the Board of County Road Viewers heretofore filed herein, said report having been publicly read on two separate days of this Court, to-wit: July 7th and 8th and continued until this time for final action thereon, said amended report being in words and

SECOND JUDICIAL DAY

THURSDAY, AUGUST 5th, 1926.

figures, 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 third day of June, 1926, instructed to view, lay out and alter the proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by J. F. T. Galloway, et al., beg leave to report that on the tenth day of June, 1926, 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, said county to furnish all culverts and bridge material and fence right of way through Jake Hallgarth's place, and to furnish fencing material through J. F. T. Galloway's place. The petitioners to pay \$200.00 for right of way and damages through Jake Hallgarth's place, to build fence through J. F. T. Galloway's place, to put in all culverts and build the bridge, and to grade the road from the beginning to the end in such a manner as to be acceptable by the County Court of Union County, Oregon.

W. E. Ruckman	}	Board of County Road Viewers."
A. C. Glenn		
S. B. Morgan		

and it appearing to the Court that the amended report of said Board of County Road Viewers is favorable and that they recommend that said proposed road be established as a County Road and declared a public highway of Union County, Oregon; and it further appearing to the Court that Jake Hallgarth has filed a claim herein in the sum of \$1495.00 for damages which he alleges will result to his land by reason of the construction of said proposed road; and it further appearing that the petitioners herein and the said Jake Hallgarth have compromised said claim by agreeing to pay the said Jake Hallgarth the sum of \$400.00 and to construct a cattle pass under said road and to reduce the width of said road to 40 feet; and no further claim for damages having been filed and no cause having been shown by any other person why said proposed road should not be declared a public highway and ordered opened; and the Court now being satisfied from the report of the Viewers that said road will be a public utility,

It is therefore CONSIDERED AND ORDERED that said proposed road be established 40 feet in width and along the line described in the petition therefore upon the payment to the said Jake Hallgarth of the sum of \$400.00 by the said petitioners and the construction of a cattle pass under said road through the premises of the said Jake Hallgarth.

It is FURTHER ORDERED that Union County furnish the material for said cattle pass and that the petitioners bear all the expense of the construction of said cattle pass, the installation of all culverts and bridges and the grading of said road.

In the matter of the opening of bids for the surfacing of Unit A of the Alicel-Lower Cove Market Road.

Now at this time this matter comes on for the opening of bids for the surfacing of Unit A of the Alicel-Lower Cove Market Road and it appearing to the Court that 5 bids have been filed for said work and the bidders or their representatives being present said bids were ordered opened and read by the County Clerk and found to be as follows:

BIDDER	ALTERNATE "A"	ALTERNATE "B"
Joslin & McAlister	\$31,116.00	\$33,340.00
C. R. Seitz		33,264.00
Logan Bros.		32,574.20
J. C. Compton	42,157.00	
Homer Johnson	35,060.00	

and the Court having considered said bids, finds that the bid of Josling & McAlister for

SECOND JUDICIAL DAY

THURSDAY, MARCH 3rd, 1927.

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.

*W. G. Couch* County Judge,  
*W. W. Stevens* Commissioner,  
*H. R. Ledbetter* Commissioner.

Whereupon the following proceedings were had, to-wit:

In the matter of the monthly report of the County Treasurer and credits given her.

Comes now Florence Bacon, County Treasurer of Union County, Oregon, and presents to the Court certain vouchers, warrants, and receipts showing that she has paid out of the various funds of the County certain sums of money. And it appearing to the Court from an examination of said vouchers and warrants that the sums have been duly paid out of the funds applicable thereto, that the warrants were regularly issued on the order of the Court, and that the Treasurer should have credit upon her account for the same,

It is therefore ORDERED that said vouchers, receipts, etc., be filed and the Treasurer be given credit therefor as follows:

122 General Fund Warrants	\$5,931.03
63 Road Fund Warrants	1,764.25
36 Market Road Warrants	1,353.88
4 Prohi Enforcement Fund Receipts	374.40
1 County School Fund Receipts	199.50
1 Elementary School Fund Receipts	141.00
7 Special School Tax Receipts	<u>169.80</u>
	\$9,933.86

In the matter of the approval of the bond of Alex Slater as Constable of the Union District.

Now at this time is presented to the Court the official bond of Alex Slater as Constable of the Union Justice of the Peace and Constable District and it appearing to the Court that said bond is in due form and in the sum required by law, and it appearing that the sureties thereon are sufficient,

It is CONSIDERED AND ORDERED that said bond be and the same is hereby approved.

In the matter of the proposed County Road petitioned for by J.F.T.Galloway, et al.

Now at this time, it appearing to the Court that the proceedings in the above entitled matter have been approved by the District Attorney,

It is CONSIDERED AND ORDERED that the County Engineer proceed to construct said road according to the agreement of the petitioners, and the County Clerk is hereby authorized and directed to draw a warrant on the General Road Fund of the County in favor of Jake Hallgarth in the sum of \$400.00 in payment for a right-of-way for said road for damages on account of the construction thereof.

SECOND JUDICIAL DAY

THURSDAY, DECEMBER 8th, 1927.

That the Eastern Oregon State Normal School has been located upon the following described property, to-wit:

A plot of ground lying on the brow of the hill bounded by Eighth Street, L Street, Hill Street and the lands of the La Grande Masonic Cemetery Association;

That in order to secure said site the city of La Grande has exchanged said lots for said Normal School Site, reserving to itself Blocks 2 and 3, Connordale for a City Park, and has petitioned for the cancellation of said taxes, and School District No. 1 and the city of La Grande authorize the cancellation in so far as their interests are affected.

Now therefore, be it RESOLVED that the taxes standing upon the records of Union County, Oregon, as due upon said lots, be and the same are hereby are remitted and cancelled and the sheriff is hereby authorized and directed to note upon the tax roll for said tax years the cancellation and remission of said taxes.

In the matter of the acceptance of the deed of Elizabeth A. Galloway for a right-of-way for a County Road.

Now at this time is presented to the Court the deed of Elizabeth A. Galloway to a strip of land 60 feet in width in the Northeast Quarter of Section 3, Township 1 North, Range 39 EWM, as a right-of-way for that certain county road petitioned for by J. F. T. Galloway, et al., and it appearing to the Court that said right-of-way is necessary as a part of said road,

It is CONSIDERED AND ORDERED that said deed be and the same is hereby accepted.

In the matter of the application of Sarah Egger for County Aid.

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

Thereupon it was ORDERED that Court be now adjourned until Friday, December 9th, 1927, at 9:00 O'Clock, A.M.