

No 13

IN THE

CIRCUIT COURT,

UNION COUNTY, OREGON

EQUITY

Eng Chong

Plaintiff

vs

J M Chapman

Defendant

Docket

Page

W B Sargent
Attorney for Plaintiff

Attorney for Defendant

THE IRWIN ROSSON COMPANY

73127

G N

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Road of Public Easement
Petitioned for by
A. J. Tucker

PETITION FOR ROAD TO LAND NOT REACHED BY ROAD

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned respectfully petitions your Honorable body for the establishment of a public road, 60 feet wide, from his residence on the South-west quarter of Section 29 to a point on the public road in Lot I of Section 30, hereinafter more particularly described, all being in Township I North, Range 40 E.W.M. under the provisions of Sections #6307 et. seq. Lord's Oregon Laws, and in support thereof alleges:-

That I reside on the SW $\frac{1}{4}$ Sec. 29 Tp. I.N.R. 40 E.W.M. in Union County, Oregon, my dwelling being located at or near the SE. corner of the NE $\frac{1}{4}$ of said SW $\frac{1}{4}$ of said Sec. 29;

That my said residence is not reached by any convenient public road heretofore provided for by law, and that it is necessary that the public and your petitioner shall have ingress to and egress from my said residence;

That said road can be conveniently and economically established along the following route:-

Commencing on the lands of petitioner at the NW. corner of SW $\frac{1}{4}$ Section 29, T.I.N.R. 40 E.W.M.; thence running in an easterly direction about 150 yards, thence in a Southwesterly direction about 150 yards, thence in a North-westerly direction to a point about 30 rods East of the NW. corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30 all being, from the starting point, on the lands of Mary Larinda and Irene J. Elliott; thence continuing in a Northwesterly direction through the lands of A.J. Coe through the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 30 to a point about 42 rods S. of the NE. corner of Lot I in NW $\frac{1}{4}$ Sec. 30; thence in a Westerly direction near the dividing line of lands owned by A.J. Coe and E. Meade Elliott a distance of about 26 rods to the County road known as the Clark's Creek County road; the said proposed road following, in the main, a draw from said County road along the proposed route until within about 300 yards of the premises of petitioner.

Dated, February 17th. 1912.

Respectfully submitted,

A. J. Tucker

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

I, A.J. Tucker, being first duly sworn, depose and say: That I am the petitioner who signed the foregoing petition; that I know the contents thereof and the same is true as I verily believe.

Subscribed and sworn to before me this 17th. day of February, 1912.

A. J. Tucker
L. Denham
Notary Public for Oregon.

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

I, _____ being first duly sworn, say
that I am the _____ in the within entitled
_____ that I have read the foregoing
and know the contents thereof, and the same is true as I verily believe.

Subscribed and sworn to before me this _____ day of _____ 191_____

Notary Public for the State of Oregon.

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

I hereby certify that I have compared the foregoing copy of _____ with the
original thereof, and that it is a full, true and correct copy of such original and of the whole thereof.

One of Attorneys for _____

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

Due service of the within _____ by a receipt
of a copy thereof is hereby admitted in Union County, Oregon, this _____
day of _____ 191_____

Attorney for _____

No. _____

In the County Court,

STATE OF OREGON,

For Union County.

C. J. Tucker

Petitioner

vs.

Defendants

Petition for Road to Standard
reached by Road.

Filed July 20 1912

J. H. [Signature]

By bank

L. DENHAM

ATTORNEY FOR Petitioner

ELGIN, OREGON

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~~, *Wednesday*, the 3 day of April, A. D., 1912, 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,

C. A. Galloway, Commissioner
J. M. Selden, Commissioner
ED WRIGHT, Clerk.

F. P. CHILDERS, Sheriff.

WHEN, on Thursday, the 4th day of April, A. D., 1912, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the Petition of
A.J. Tucker, for a Road of Public
Easement.

Now at this time the sworn petition of A.J. Tucker for the establishment of a road of public easement, 60 feet wide, from his residence located at or near the South-east corner of the North-west quarter of the South-west quarter of Section 29, Township 1. North, Range 40 East of the Willamette Meridian to some other public road, for the reason, as in said petition alleged, that his said residence is not reached by any convenient public road heretofore provided by law and that it is necessary that the public and said petitioner shall have ingress to and egress from his said residence;

And the Court having considered the same and decided it is necessary a road of public easement 60 feet wide be established for said purpose and being now fully advised in the premises:

It is hereby Ordered that the Board of County road viewers be and they hereby are appointed and directed to meet at Elgin, Oregon on the 15th day of April 1912 at the office of L. Denham in said City, at the hour of 11 o'clock 9 .M. thereof, and view out and locate a county road, not exceeding sixty feet wide from the residence of A.J. Tucker, the petitioner to some other public road, according to the application of petitioner, a copy of which is hereto attached, marked

"Exhibit A", and to assess the damages to be sustained thereby;

And it is further Ordered that a copy of this Order be served upon each of the persons or person through whose land said road shall pass within thirty days from the date hereof.

(Signed) *H. Henry* Judge
C. A. Galloway Commissioner
J. M. Reeder Commissioner

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

State of Oregon)
County of Union) ^{SS}

I hereby certify that I received the within ORDER of the County Court on the 1st, day of May, 1912, That I served the within ORDER within said County this 3rd, day of May, 1912, on ~~the within named persons~~ Rena Eixx Elliott, Mead Elliott, Laura Elliott, and Andrew Goe, by delivering a true copy thereof prepared and certified to by Ed Wright as County Clerk to Rena Elliott, Mead Elliott, Laura Elliott and Andrew Goe personally and ~~and~~ in person.

Dated at La Graned this 4th. day of May, 1912.

J. P. Childers.....
Sheriff of Union County Oregon.

By *J. C. K. Law*..... Deputy

Fred Wright - 1912

Secretary
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 1st day of May, A. D., 1912, 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,
C. A. Galloway, Commissioner,
_____, Commissioner,
Ed Wright, Clerk,
F. P. Childers, Sheriff.

WHEN, on Thursday, the 2nd day of May, A. D. 1912, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the petition of A. J. Tucker for road of public easement.

It appearing to the court at this time that the report of the Board of County Road Viewers heretofore directed to view and lay out the road of public easement as petitioned for by A.J.Tucker is not in due form of law.

It is therefore CONSIDERED and ORDERED that the Clerk of this Court notify said County Board of Road Viewers to amend their report to conform to law, and it is further ORDERED that this matter be and the same is hereby continued for the term.

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

C.A.Galloway, Commissioner.

In the County Court of the State of Oregon,
For Union County.

In the matter of the Petition of)
A. J. Tucker, for a road of Public)
Easment.)

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

We the undersigned County Road Viewers of the County of Union,
State of Oregon, hereby report as follows;

That in accordance with the direction and orders of the County
Court in the above entitled matter we proceeded to and did meet at
the City of Elgin, Oregon, on the 16 day of April, 1912, at the
Office of L. Denham in said City at the hour of 11 P.M. thereof
and did view out and locate a County Road Sixty feet wide, commen-
cing at the residence of the said A.J. Tucker, the location of which
is more particularly described in the Surveyor's Notes hereto attached,
marked Exhibit "A" and by this reference made a part hereof, thence
according to said survey, to a point on the County Road known as
the Clark's Creek County Road, through and over the lands of the said
A. J. Tucker and Mary Larinda Elliott, Irene J. Elliott, A. J. Coe,
E. Meade Elliott to the point of destination in said survey describ-
ed. That said Road was laid out in the most practicable route from
the point of commencement, and we so laid out said road as to do the
least possible damage to the lands over which it passed. We assess

the damages as follows;

To Mary Larinda Elliott Sixty Dollars \$ 60.00
Irene J. Elliott Sixty Dollars \$ 60.00
A. J. Cee Nothing \$ 0.00
E. Meade Elliott Five Dollars \$ 5.00

Dated June 5th 1912

Respectfully submitted,

Arthur Curtis
Thos. Royster
E. A. Willk

Board of County Road Viewers.

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 4th day of April 1922, 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 A. J. Jackson et al., beg leave to report that on the 16 day of April 1922, 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 established as a public highway of Union county, Oregon; that the same is practicable and would add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be laid out and declared a public highway of said county and that by the location of said road the land of Emma M. Elliott & Irene J. Elliott will be less valuable to the amount of One Hundred and Twenty Five (\$125.00) Dollars

Arthur Curtis
John Boucher
B. A. Willh

Board of County Road Viewers.

IN THE
COUNTY COURT

FOR THE
STATE OF OREGON
FOR
UNION COUNTY

In the matter of the

Paul J. [unclear]

In by [unclear]

Report of [unclear]

FILED
May 2 1913
Lawrence

1913

REPORT OF SURVEYOR.

TO THE HON. COUNTY COURT OF UNION COUNTY.

I, the undersigned, COUNTY SURVEYOR, appointed to survey the county road of public easement petitioned for by A.A.J. Tucker, beg leave to report on the 16th day of April, 1912 in pursuance of said appointment and order I surveyed said proposed road for the whole distance thereof, the following being the field notes of said survey.

Commencing at a point North 41 degrees West twoan eighty hundredths chains from the north west corner of the south west quarter of the south east quarter, Sec. 29 Tp. 1 N.R. 40 E.W.M.

Thence north 45 degrees west $8\frac{73}{100}$ to angle 1. ✓

Thence north 9 degrees west 14.85 chains to angle 2. ✓

Thence west 32.50 chains to angle 3, at a point 30 feet south of the north west corner of the south west quarter of Sec. 29. Tp. 1 N.R. 40 E.W.M.

Thence south 65 degrees west 13.63 chains to angle 4. ✓

Thence north 50 degrees west 26.30 chains to angle 5. ✓

Thence north 15 degrees west 4.30 chains to angle 6. ✓

Thence north 38 degrees west 8.35 chains to angle 7. ✓

Thence north 85 degrees west 8.25 chains to angle 8. ✓

Thence north 57 degrees west 2.42 chains to angle 9. ✓

Thence north 47 degrees west 9.63 chains to angle 10. ✓

Thence south 86 degrees and 30 minutes west 13.40 chains to angle 11. ✓

Thence south 74 degrees west 3 chains to road terminus a point situated in the county road leading from Clark's creek to Wallewa.

Arthur B. Curtis

County Surveyor.

STATE OF OREGON)
COUNTY OF UNION) ss

In the matter of the county road of public easement
petitioned for by A.J. Tucker, I hereby certify that the field notes made
by me are true and correct and that the plat accompanying the same is a true
and correct representation of said road both together in angle and distances.

Arthur Curtis

County Surveyor

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 ~~Wednesday~~ ~~Monday~~, the 5th day of June, A. D., 1912, 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,
Ch. Callaway, Commissioner
ED. WRIGHT, Clerk,

F. P. CHILDERS, Sheriff.

WHEN, on Friday, the 7th day of June, A. D., 1912, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the Petition of)
A.J. Tucker, for a Road of Public)
Easement.)
=====)

Now at this time the petition of A.J. Tucker, on file herein, for a road of public easement, 60 feet wide, under the provisions of Lord's Oregon Laws, Secs. 6307 et. seq. coming on for decision upon the Report of the Board of County Road Viewers;

And the Court having duly considered the same and finding said Report just in all respects; and being now fully advised in the premises:

It is hereby Ordered, Adjudged, and Decreed that the Report of said Board of County Road Viewers be and the same hereby is approved, and confirmed in all respects; that the said road be, and the same hereby is decreed to be a road of public easement and a public County road, and the same hereby is established and Ordered opened in accordance with the report of said Viewers upon the payment of the damages in said Report set forth, and the costs and expenses of this proceeding, and that said road be recorded as such.

J. C. Henry County Judge
Ch. Callaway Commissioner

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

3 In the matter of the Petition of)
4 A. J. Tucker, for a Road of Public)
5 Easement.)

6 Whereas Mary L. Elliott, Irene J. Elliott and E. Meade
7 Elliott and each thereof have appealed to the Circuit Court of
8 the State of Oregon for the County of Union from the order made
9 and entered in the above entitled Court and cause on the 7th
10 day of June A.D. 1912, confirming the report of the Board of County
11 Road Viewers made in said cause on the 5th day of June A.D. 1912,
12 and ordering and directing that the road of public easement pe-
13 titioned for by A. J. Tucker be declared a road of public easement
14 upon the payment of the costs and expenses of location of said
15 road and the damages assessed, and W. B. Hindman

16 Whereas the said Mary L. Elliott, Irene J. Elliott and E.
17 Meade Elliott appeal to the said Court from the assessment of
18 damages made to them by said Board in said order, now, therefore,
19 we, Mary L. Elliott, Irene J. Elliott and E. Meade Elliott, ap-
20 pellants as principals and W. B. Hindman as sure-
21 ty, hereby undertake to Union County, State of Oregon, that
22 the said appellants will pay all costs that may be awarded against
23 said appellants in said cause on said appeal.

24 IN WITNESS WHEREOF We have hereunto set our hands on
25 this 26th day of June A.D. 1912.

28 Irene J. Elliott

29 Mary L. Elliott

30 E. Meade Elliott

31 W. B. Hindman

1 State of Oregon)
2 County of Union) S.S.

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I, W. B. Hindman being duly sworn say that I am the surety on the foregoing undertaking; that I am a resident landholder of the State of Oregon and am worth the sum of \$500.00 over and above all my just debts and liabilities and exclusive of property exempt from execution.

W. B. Hindman

Subscribed and sworn to before me this 26th day of June A.D. 1912.

G. E. Dixon

Notary Public for Oregon.

STATE OF OREGON, }
COUNTY OF UNION, }

ss.

I, _____, being first duly sworn, say:

I am _____ in the above entitled
_____, and that the foregoing _____
is true as I verily believe.

Subscribed and sworn to before me this _____ day of _____ 19____

STATE OF OREGON, }
COUNTY OF UNION, }

ss.

I hereby certify the foregoing to be a true and exact copy of the whole of the original

_____ in the above entitled _____ and court.

Attorney for _____

STATE OF OREGON, }
COUNTY OF UNION, }

ss.

I hereby accept service of a duly certified copy of the above _____

in Union county Oregon, this _____ day of _____ 19____

Amintaking on Appeal
2nd July 12
J. Rawhoe
Dist. Attorney for *Appellee*

County
IN ~~County~~ COURT

FOR _____

UNION COUNTY, OREGON.

*In the Matter
of the Petition
of A. J. Tucker*

PLAINTIFF

*vs.
Frank D
Public Case
Agent,*

DEFENDANT

*Bound on
affidavit*

FILED *July 3-* 19*12*

J. J. [Signature]

LA GRANDE, OREGON

ATTORNEY FOR _____

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

2 In the matter of the Petition of }
3 A. J. Tucker, for a Road of Public }
4 Easement, }

5 To Union County State of Oregon and to F. S. Ivanhoe, Dis-
6 trict Attorney, you and each of you will take notice that Mary
7 L. Elliott, Irene J. Elliott and E. Meade Elliott, and each
8 thereof, hereby appeals to the Circuit Court of the State of Ore-
9 gon for the County of Union, from the order made and entered in
10 the above entitled Court in the above entitled cause on the 7th
11 day of June A.D. 1912, confirming the report of the Board of
12 County Road Viewers made in said cause on the 5th day of June A.D
13 1912, and directing that the said road petitioned for by the said
14 A. J. Tucker be declared a road of public easement upon the pay-
15 ment by the said A. J. Tucker of the costs and expenses of the
16 survey and location of said road and the damages assessed by said
17 Board, to wit, to Mary L. Elliott \$60.00; to Irene J. Elliott
18 \$60.00, and to E. Meade Elliott \$5.00, and which said order is
19 as follows, to wit;


20 "Now at this time the petition of A. J. Tucker, on file
21 herein, for a road of public easement, 60 ft. wide, under the pro-
22 visions of Lord's Oregon Laws, Secs. 6307 et. seq. coming on for
23 decision upon the Report of the Board of County Road Viewers;

24 And the Court having duly considered the same and finding
25 said Report just in all respects; and being now fully advised
26 in the premises;

27 It is hereby Ordered, Adjudged and Decreed that the Report
28 of said Board of County Road Viewers be and the same hereby is
29 approved, and confirmed in all respects; that the said road be,
30 and the same hereby is decreed to be a road of public easement an
31 a public County road, and the same hereby is established and

1 ordered opened in accordance with the Report of said Viewers
2 upon the payment of the damages in said Report set forth, and
3 the costs and expenses of this proceeding, and that said road
4 be recorded as such."

5 And that said parties and each thereof now appeals to
6 the said Circuit Court of the State of Oregon for the County of
7 Union from the said order of confirmation and the whole thereof.

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10 Attorney for Appellants.

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

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

Subscribed and sworn to before me this _____ day of _____ 19____

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

I hereby certify the foregoing to be a true and exact copy of the whole of the original
_____ in the above entitled _____ and court.

Attorney for _____

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

I hereby accept service of a duly certified copy of the above _____
in Union county Oregon, this 26th day of June 19____

Robert P. [Signature]
[Signature]
Attorney for *[Signature]*

original

IN <u>County</u> COURT
FOR _____
UNION COUNTY, OREGON.
In the Matter
of the Estate
of A. J. Proctor
Plaintiff
vs.
Public Trust
Trust
DEFENDANT _____
Molera J. G.
Trust
FILED <u>August 26</u> , 19 <u>33</u>
<i>[Signature]</i>
<i>[Signature]</i>
LA GRANDE, OREGON
ATTORNEY FOR _____

SECOND JUDICIAL DAY.

THURSDAY, MARCH 7th, 1912.

It is therefore CONSIDERED and ORDERED that said William Wigglesworth be and he is hereby appointed such supervisor or road boss for said districts and that he enter upon the discharge of his duties as such road boss upon his filing an approved bond in the sum of \$500.00 as required by law.

In the matter of expediting the county records.

Now at this time comes R. A. Clark who has been heretofore duly employed by this court to expert the records of Union County under a contract duly executed and entered into by said R. A. Clark and by this Court, and asks to be allowed a payment of \$150.00 upon said contract; and it appearing to the court that said R. A. Clark has done a large amount of work on said contract and is entitled to payment thereon.

It is therefore CONSIDERED and ORDERED that the County Clerk be and he is hereby authorized and directed to draw a warrant on the General Fund of the County in favor of said R. A. Clark for the sum of \$150.00, the same to be deducted from the payment due at the completion of said contract.

In the matter of the application of M. W. Mitchell for rebate of taxes.

Now at this time it is ORDERED that this matter be and the same is hereby denied.

In the matter of the petition of A.J. Tucker for road of public easement.

Now at this time it is ORDERED that this matter be and the same is hereby denied.

In the matter of the petition of James L. Woodell et al to grade Sandridge roads.

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

In the matter of the opening of Ballot boxes.

Now at this time, upon application of the County Clerk, it is CONSIDERED and ORDERED that said County Clerk be and he is hereby authorized and directed to open the ballot boxes and prepare the same for the April election.

SECOND JUDICIAL DAY.

THURSDAY, APRIL 4th, 1912.

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. Henry

County Judge.

Commissioner.

C. A. McCloskey

Commissioner.

Thereupon the following proceedings were had, to-wit:

In the matter of the monthly statement of the County Clerk of Scalp Bounty warrants issued.

Comes now Ed Wright, County Clerk, and presents to the Court his statement of Scalp Bounty Warrants issued, together with affidavits and receipts for warrants and scalps of animals on which warrants were allowed, the statement being as follows:

Name of Claimant.	Number of Warrant.	Amount.
Leslie Lindsey,	420	\$ 1.50
J. W. Love,	421	1.50
T. J. Scroggin,	422	18.00
J. J. Brugger,	423	4.50
L. L. Haller,	424	12.00
W. A. Burns,	425	2.00
Clarence Richards,	426	7.50
L. E. Tipton,	427	11.00
Earl Park,	428	1.50
Andrew Christiansen,	429	1.50
Willis Wright,	430	9.00
Albert Rysdam,	431	4.50
Pearl Stiles,	432	1.50
J. C. Magruder,	433	12.50
Alfred Thode	434	4.50
John Young,	435	1.50
W. A. Young,	436	3.00
Jay Lindley,	437	2.00
A. J. Larm,	438	1.50
J. H. Hendricks,	439	3.00
Harry Ruhl,	440	1.50
William Hess,	441	3.00
John Allen,	442	8.00
George C. Cox,	443	3.00
Gust Pfefferkorn,	444	3.00
W. J. Saling,	445	1.50
	Total,	\$124.00

Said statement being in all things regular and according to law, it is ORDERED that the same be and is here now approved.

In the matter of the petition of A. J. Tucker, for a Road of Public Easement.

Now at this time the sworn petition of A. J. Tucker for the establishment of a road of public easement, 60 feet wide, from his residence located at or near the south-east corner of the north-west quarter of the south-west quarter of Section 29, Township 1 North, Range 40 East of the Willamette Meridian to some other public road, for the reason as in said petition alleged, that his said residence is not reached by any

SECOND JUDICIAL DAY.

THURSDAY, APRIL 4th, 1912.

convenient public road heretofore provided by law and that it is necessary that the public and said petitioner shall have ingress to and egress from said residence;

And the court having considered the same and decided it is necessary a road of public easement 60 feet wide be established for said purpose and being now fully advised in the premises:

It is hereby ORDERED that the Board of County Road Viewers be and they hereby are appointed and directed to meet at Elgin, Oregon, on the 15th day of April 1912, at the office of L. Denham in said City, at the hour of 11 o'clock A.M. thereof, and view out and locate a county road, not exceeding sixty feet wide from the residence of A.J. Tucker, the petitioner to some other public road, according to the application of petitioner, a copy of which is hereto attached, marked "Exhibit A" and to assess the damages to be sustained thereby;

And it is further ORDERED that a copy of this order be served upon each of the persons or person through whose land said road shall pass within thirty days from the date hereof.

6/6

In the matter of the proposed County Road petitioned for by Garret Blokland et al.

Now at this time comes Garret Blokland, one of the petitioners herein and asks to have this matter dismissed, and it appearing to the court that the petitioners herein do not desire to proceed with the establishment of said road and that said Garret Blokland has paid the expenses incurred by the County in having said road viewed,

It is therefore CONSIDERED and ORDERED that said matter be and the same is hereby dismissed.

6/6

In the matter of the proposed vacation of County Road petitioned for by Garret Blokland et al.

Now at this time comes Garret Blokland, one of the petitioners herein, and asks to have this matter dismissed, and it appearing to the court that the petitioners herein do not desire to proceed with the vacation of said road and that said Garret Blokland has paid the expenses incurred by the County in viewing said proposed vacation,

It is therefore CONSIDERED and ORDERED that said matter be and the same is hereby dismissed.

In the matter of the application of James L. Woodell et al for grading Sandridge road.

This matter came on to be heard at this time upon the petition of James L. Woodell et al for improvement on the Sandridge road, and it appearing to the court that there is not sufficient money in the General road fund of the county to make such improvements,

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

SECOND JUDICIAL DAY.

THURSDAY, MAY 2nd, 1912.

In the matter of the petition of A. J. Tucker for road of public easement.

It appearing to the court at this time that the report of the Board of County Road Viewers heretofore directed to view and lay out the road of public easement as petitioned for by A. J. Tucker, is not in due form of law.

It is therefore CONSIDERED and ORDERED that the Clerk of this court notify said County Board of Road Viewers to amend their report to conform to law, and it is further ORDERED that this matter be and the same is hereby continued for the term.

In the matter of the application of the Eastern Oregon Light and Power Company for the right to construct, maintain and operate lines and wires for the purpose of conveying electric power and electric current and telephone lines along the public roads and highways and county roads of Union County, Oregon.

This matter coming on for hearing on the petition of the Eastern Oregon Light and Power Company, petitioning this court for the right to construct, maintain and operate telephone lines, and lines and wires for the purpose of conveying electric current along the public roads in Union County, Oregon. And it appearing that the right to construct, operate and maintain said telephone lines should be granted; therefore, it is

CONSIDERED, ORDERED and ADJUDGED that the right to construct, operate and maintain said telephone lines, lines and wires for the purpose of conveying electric current along the public county roads of Union County, Oregon, be, and the same is hereby granted perpetually to the said Eastern Oregon Light and Power Company, in the manner following and with the hereinafter expressed reservations, that is:

That the said Eastern Oregon Light & Power Company, its assigns or successors in interest, assume all liability for any personal injury or damage to property that may arise therefrom; and whenever the county desires to change the line of the road, or roads, over which the said telephone line, or lines, are constructed, operated and maintained, the said Eastern Oregon Light and Power Company, its assigns or successors in interest shall remove the poles upon thirty days (30) notice, and said poles must be placed at the extreme outer side of said road or roads, and where any change is made in said road or roads, the said poles must be placed at the extreme outer edge of said change in said road or roads, and the said lines and the said poles and wires strung thereon must continually be kept in first class condition, and should said poles, or any of them, become unsafe, the said Eastern Oregon Light and Power Company, its assigns or successors in interest, shall replace the said unsafe poles with new ones upon five days notice from the County Court of this county; that said telephone lines and lines and wires for the purpose of conveying electric current shall be constructed along one side only of said county road, and

Provided further: that should it be necessary to string said wires across any road

FIRST JUDICIAL DAY.

WEDNESDAY, JUNE 5th, 1912.

In the matter of the Monthly Allowance for various indigent persons.

Now at this time it appearing to the court that D.W.Souder, Maggie Slagner, Mrs. John Hilderbrandt, Elizabeth A. Garren, Rose Hornbeck, Clara Serles, Mrs. O.Moffitt, Mrs. F.B. Huntley, Mrs. M.A.Tripp, Ella Harris, J.F.Williams, Millie McLachlion, Alfred Banks, Jas. O. Sage, Mrs. Ole Olson are indigent persons and having heretofore applied to this court for a monthly allowance to assist in their maintenance and support; and it further appearing to 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: D.W.Souder, \$15.00; Maggie Slagner, \$10.00; Mrs. John Hildebrandt, \$12.50; Elizabeth A. Garren, \$10.00- Rose Hornbeck, \$20.00; Clara Serles, \$10.00; Mrs. O. Moffitt, \$10.00; Mrs. F.B.Huntley, \$12.50; Mrs. M.A.Tripp, \$10.00; Ella Harris, \$10.00; J.F.Williams, \$12.50; Millie McLachLion \$10.00; Alfred Banks, \$10.00; James O. Sage, \$12.50; Mrs. Ole Olson, \$7.50;

In the matter of the petition of A. J. Tucker for Road of public easement.

Now at this time this matter came on to be heard upon the report of the Board of County Road Viewers for a first reading as provided by law. And the said report having now 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 Monthly Report of the County Treasurer and credits given him.

Comes now John Frawley, County Treasurer of Union County, Oregon, and presents to the court certain vouchers, warrants and receipts showing that he 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 his account for the same.

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

SECOND JUDICIAL DAY.

FRIDAY, JUNE 7th, 1912.

been collected by said Clerk.

It is therefore CONSIDERED and ORDERED that said petition be granted and the Clerk of this court is hereby authorized and directed to draw a warrant on the General Fund of the County for \$7.50 in favor of said H. E. Dixon as a refund of fees so erroneously paid.

In the matter of the cancellation of County Warrants issued more than 7 years prior to the 1st day of July, 1912.

Now at this time comes Ed Wright, County Clerk, and presents to the court a certified list of county warrants which were issued more than seven years prior to July 1st, 1912, and which have not been paid, and asks the court for an order designating a newspaper in which said warrants shall be advertised in accordance with the provisions of an Act of the Legislative Assembly of the State of Oregon, approved Feb'y 25, 1889. And it appearing that the law requires that said warrants be cancelled and that such an order for advertising said warrants should not/be made.

It is therefore CONSIDERED and ORDERED that the Clerk of this court advertise in the La Grande Weekly Observer a list of warrants as certified to this court for four weeks or five successive issues of said paper, notifying all persons that if the same are not presented for payment within sixty days from the 1st day of July, 1912, that said warrant and each of them will be cancelled by this court and that payment thereof will be thereafter refused.

In the matter of noxious weeds.

Now at this time it is ORDERED that the County Clerk notify all Road Supervisors to destroy or cause to be destroyed all noxious weeds existing in the county in the manner provided by law.

In the matter of the petition of A. J. Tucker, for a Road of Public Easement.

Now at this time the petition of A.J.Tucker, on file herein, for a road of public easement, 60 feet wide, under the provisions of Lord's Oregon Laws, Secs. 6307 et seq coming on for decision upon the Report of the Board of County Road Viewers; And the court having duly considered the same and finding said report just in all respects; and being now fully advised in the premises:

It is hereby ORDERED, ADJUDGED and DECREED that the Report of said Board of County Road Viewers be and the same hereby is approved, and confirmed in all respects; that the said road be, and the same hereby is decreed to be a road of public easement

SECOND JUDICIAL DAY.

FRIDAY, JUNE 7th, 1912.

and a public county road, and the same hereby is established and ordered opened in accordance with the report of said Viewers upon the payment of the damages in said report set forth, and the costs and expenses of this proceeding, and that said road be recorded as such.

In the matter of the application Nels Holverson for License to sell liquors in less quantities than one gallon in Hilgard, Oregon.

This matter came on to be heard at this time on the petition of Nels Holverson for a license to sell spirituous, vinous and malt liquors in less quantities than one gallon at Hilgard, Oregon, for a period of six months from the 7th day of June, A. D. 1912, and it appearing to the court that said petition is signed by a majority of the legal voters of Hilgard precinct and that legal notice thereof has been given as is evidenced by the affidavit of publication filed herein; that said notice was published in the La Grande Weekly Observer, a newspaper of general circulation printed and published in La Grande, Union County, Oregon, for the period of five consecutive weeks; that proof of notice being posted during the period of publication in compliance with the requirements of the law governing petitions for such licenses has been filed herein; that the applicant has paid to the Treasurer of Union County, Oregon, the sum of \$200.00, and filed the Treasurer's receipt for same with the Clerk of this Court; that he has filed a good and sufficient bond in the sum of \$1000.00; that no remonstrance or petition against the issuance of said license has been filed herein, and it further appearing to the court that said license should be granted

It is therefore CONSIDERED, ORDERED and ADJUDGED that a license issue to Nels Holverson to sell spirituous, vinous and malt liquors in less quantities than one gallon at Hilgard in Hilgard Precinct, Union County, Oregon, for a period of six months from the 7th day of June, A. D. 1912.

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.

J. B. Kenney
C. P. Holverson

County Judge.

Commissioner.