

N. 696

IN THE MATTER OF A  
**COUNTY ROAD**

DEFINITION OF

*John Baxter*

et al

Beginning at *SE corner of the*  
*Sec 14 of S 6 1/4 of Sec 15*  
*Tp 3 S R 40 Qwm.*

Petition filed *July 6* 1920

Affidavit of Posting filed *July 6* 1920

Bond filed *July 6* 1920

Order Appointing Viewers and Surveyor  
 made *July* Term, 1920

Page *457* Vol. *457* Commissioners Journal

Oaths filed 1

Viewers Reports filed *July 30* 1920

Viewers Reports filed 1

Order of Court made *Dec 3rd* 1920

all the foregoing to be filed with the clerk of the court

MANUFACTURED BY  
**BUSHONG & CO**  
 OFFICE BANK AND COUNTY SUPPLIES  
 PORTLAND ORE

# 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 the southeast corner of the southwest quarter of the southeast quarter of Section 15, Tp. 3 S. R. 40. N.W.M., running thence north five-eighths of a mile to the northeast corner of the southeast quarter of the southwest quarter of the northeast quarter of said Section 15, said road being 40 feet wide, being 20 feet on each side of the center of said line.....

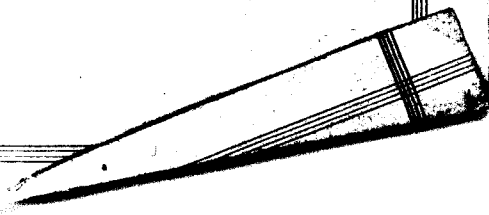
And in duty bound, your petitioners will ever pray, &c.

NAMES:

J. W. Baxter  
F. L. Baxter  
J. H. Allen  
J. W. Collins  
Karl J. Starkland  
B. H. Bell  
C. K. Snellper  
A. A. Miller  
S. O. Miller  
Lewis Beck  
O. S. Smith  
R. J. Barker  
J. M. Mitchell  
J. E. Wendell  
Joe Selak  
Ed. Simmons  
Ed. Edwards  
N. L. Howarty  
E. J. Roberts  
Joe Retel

NAMES:

E. M. Stackman



CURT

SON

UNTY

of

Approved County

and returned

for my full Register  
check

Return

FILED July 6 1930

at M. L. Lammick  
05

5 21

# BOND OF ROAD PETITIONERS

Know All Men by These Presents, That we, L M Stackland

and F L Baxter of the County of Union and State of Oregon, are held and firmly bound unto said County of Union in the full sum of <sup>Two</sup> ~~ONE~~ HUNDRED DOLLARS (<sup>200.00</sup> ~~\$100.00~~) the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents.

Signed this 6th day of July A. D., 1920

Now, the conditions of the above obligation are such, that whereas, Jed Baxter

and others have petitioned the County Court of said County of Union, at the July term, 1920, thereof for a County Road, described

in the petition and notice hereto annexed, as follows: Beginning at the southeast corner of the southwest quarter of the southeast quarter of Section 15, Tp. 3 S. R. 40 E. W. M., running thence north five-eighths of a mile to the northeast corner of the southeast quarter of the southwest quarter of the northeast quarter of said Section 15, said road being 40 feet wide, being 20 feet on each side of the center of said line.

Now, if the above named Jed Baxter

shall well and truly pay, or cause to be paid, all costs and expenses that may be incurred 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.

L M Stackland (Seal)  
F L Baxter (Seal)

STATE OF OREGON, } ss.  
County of Union

I, L M Stackland and F L Baxter each for himself, say

I am worth the sum of <sup>Four</sup> ~~TWO~~ HUNDRED DOLLARS, (<sup>400.00</sup> ~~\$200.00~~) over and above all debts and liabilities and property exempt from execution; that I am a resident householder in said county and State.

L M Stackland  
F L Baxter

Subscribed and sworn to before me this 6th day

of July A. D., 1920

C M Council  
County Clerk

BOARD OF ROAD BUILDERS

From All then by these persons...  
...  
...

COUNTY COURT FOR THE STATE OF OREGON FOR UNION COUNTY	
<i>In the matter of the</i>	
<i>Proposed Security</i>	
<i>Road put down</i>	
<i>for the road between</i>	
<i>and</i>	
<i>Bond</i>	
FILED June 6 1920	
<i>at the court</i>	
<i>at the court</i>	
Deputy	

Sum of the above...

...  
...  
...

# 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 7th day of July A. D. 1920 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 the southeast corner of the southwest quarter of the southeast quarter of Section 15, Tp. 3 S.R. 40 E.W.M., running thence north five-eighths of a mile to the northeast corner of the southeast quarter of the southwest quarter of the northeast quarter of said Section 15, said road being 40 feet wide, being 20 feet on each side of the center of said line.

Dated at Cave Oregon, the 6th day of June A. D. 1920.

NAMES	NAMES
<i>J. W. Baxter</i>	<i>G. H. Simmons</i>
<i>F. S. Baxter</i>	<i>Ed. Edwards</i>
<i>J. H. Allen</i>	<i>M. L. Fougater</i>
<i>J. W. Parris</i>	<i>E. J. Roberts</i>
<i>Carl J. Stackland</i>	<i>Joe Ketch</i>
<i>B. H. Bell</i>	<i>E. M. Stackland</i>
<i>S. V. Smedley</i>	
<i>J. H. Miller</i>	
<i>J. P. Miller</i>	
<i>Lewis Peck</i>	
<i>A. S. Smith</i>	
<i>R. J. Barker</i>	
<i>J. M. Mitchell</i>	
<i>E. W. Marshall</i>	
<i>J. W. Selah</i>	

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

I, F. L. Baxter 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 an electric light pole at the

beginning of said proposed road; one on a fence post at the terminus of said proposed road, and one on an electric light pole in the town of Cove, Oregon

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the 6th day of June 1920, and that thereafter and thirty days previous to the presentation of said road

~~petition therein mentioned, to-wit: On the \_\_\_\_\_ day of \_\_\_\_\_ 190, 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 Union, in said County and State, and that said notices remained posted thirty days previous~~

to the presentation of said petition as I verily believe.

F. L. Baxter

Subscribed and sworn to before me this 6th day of July, 1920.

D. K. McCormick  
County Clerk

IN THE  
COUNTY COURT

STATE OF GEORGIA  
COUNTY

For the year of 1905

Approved County

Book returned

for by Paul Boyer

that

Officers of County  
practice

REED July 6 1905

OK the Commis  
Clerk

Deposited



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

I, E. M. Stackland

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

~~which the notice hereto 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~~

~~Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the~~ on the 6th day  
of June 1920, and that thereafter and thirty days previous to the presentation of said road  
petition therein mentioned, to-wit: ~~On the~~ the attached day of ~~190~~, I posted a true and  
correct copy of ~~said~~ the attached 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 ~~Union~~ La Grande, in said County and State, and that said notices remained posted thirty days previous  
to the presentation of said petition as I verily believe.

E. M. Stackland

Subscribed and sworn to before me this 6th day of July 1920.

R. M. Carnack  
County Clerk

IN THE  
COUNTY COURT

FOR THE  
STATE OF OREGON  
IN  
UNION COUNTY

In the matter of the

*Proposed County*

*Road petitioned*

*for by Joel Baxter*

*et al.*

*Attendants of posting  
of notice*

FILED *July 6 1926*

*Wm. Carmick*  
Clerk

*Dwight*

# 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 7th day of July 1920, 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. W. Baxter et al., beg leave to report that on the 24th day of July, 1920, in pursuance with said order, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinions said proposed road should be laid out and established as a public highway of Union County, Oregon; that the same is practicable and would add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be laid out and declared a public highway of said county and that the road be 30 feet in width and with this width the following damages be paid; Mrs. Shappett 0.45 acres used for road running thro her property and cutting same in two, \$135.00 and that no other damages be awarded.

*D. J. McHale*  
*J. W. Sully*  
*E. M. Baker*

} Board of County  
Road Viewers.

Invoice prepared  
County Road Section  
for the year September

Report of Revenue

Filed June 30, 1930  
C. K. M. Council  
County Clerk

**San. J. McKellan**

ROOM 12 LA GRANDE NATN'L BANK BLDG.

LA GRANDE, OREGON

July 30, 1920

To The Coutny Court,  
Union County, Oregon.

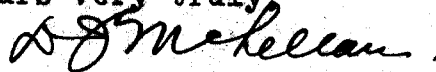
Gentlemen:

Following are field notes on the County Road petitioned for  
by J. W. Baxter et al.

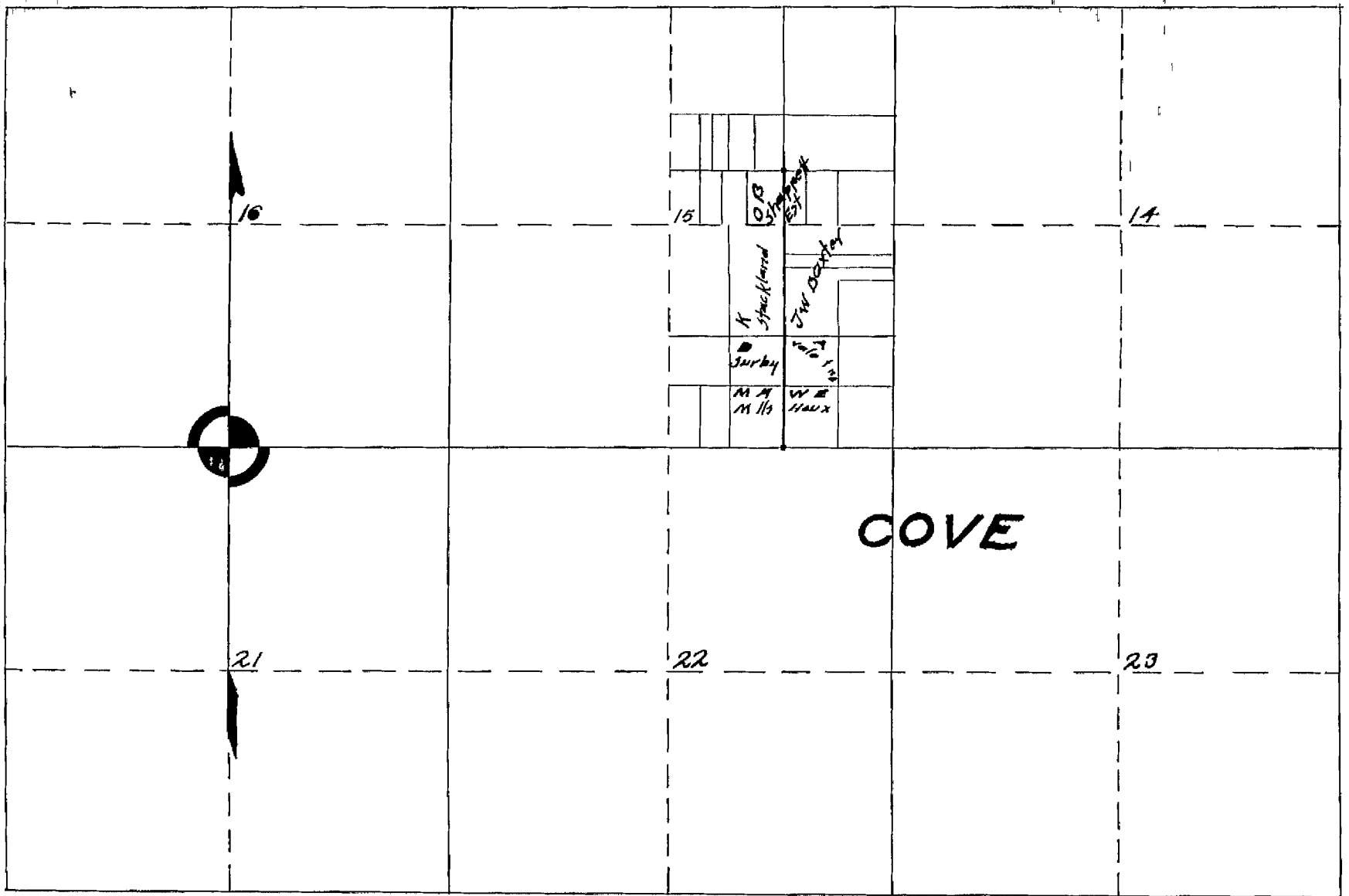
Beginning at a point 1320 feet west of the S.E. Cor. Sec.  
15, T 3 S R 40 FWM running thence north 3340 feet to the center of  
County road being the N.E. Cor. - S.E.  $\frac{1}{4}$  - S.W.  $\frac{1}{4}$  N.E.  $\frac{1}{4}$  Sec. 15 T 3 S  
R. 40 FWM.

Attached is tracing and blue print covering said road.

Yours very truly,



County Surveyor.



J. McCallan  
 1915

Beginning at a point 1320 ft from sec cor of sec  
 14, 15 22+23 thence running N along the  $\frac{1}{2}$  line  
 3340 ft to the NE cor of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$   
 of sec 15 and there terminating

J. McCallan  
 County Surveyor  
 7/23/20

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

In the matter of the proposed  
County Road, petitioned for by  
J. W. Baxter et al. }

To the County Court of Union County, Oregon.

Gentlemen:-

You are hereby notified that if the proposed County Road, petitioned for by J. W. Baxter et al. is layed out and established as proposed and recommended by the Board of County Road Viewers, I will be damaged to the amount of \$100.00 on account of the loss of one-third of an acre of land, and that I hereby claim damages in said amount.

I,

Respectfully submitted,

*James E. Mills*

Cove, Oregon.

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

IN the presence of the undersigned  
Judge of the Court, the following  
deed was read and approved.

That the said deed, being of legal force and effect,  
is hereby confirmed.

For the purpose of recording the same in the public records of Brown County, Oregon.

<p>FILED          Aug 25 1920  <i>at the command</i>  <i>of the Court</i></p>	<p><i>Claim of James          E. Howell for damages</i></p>	<p><i>by Paul R. B. [unclear]</i></p>	<p><i>Paul Peterson and [unclear]</i></p>	<p><i>Proposed County</i></p>	<p><i>Proposed County</i></p>	<p>CLERK OF THE          COUNTY COURT          STATE OF OREGON          FOR          BROWN COUNTY</p>
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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 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. 1920, 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. F. Phy, County Judge

C. A. Galloway, Commissioner

W. J. Townley, Commissioner

C. K. McCormick, Clerk,

Lee Warnick, Sheriff

WHEN, on Thursday, the 8th day of July A. D. 1920, 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. W. Baxter, et al.

0 - 457

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Comes now J. W. Baxter, one of the petitioners for the above named proposed County Road, and presents to the Court the petition of himself and others, praying for the location and establishment of a County Road, described as follows, to-wit:

Beginning at the Southeast corner of the Southwest quarter of the Southeast quarter of Section 15, Tp. 3, S. R. 40 E.W.M., running thence North five-eighths of a mile to the northeast corner of the Southeast quarter of the Southwest quarter of the Northeast quarter of said Section 15, said road being 40 feet wide, being 20 feet on each side of the center of said line.

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 from the affidavits of posting

on file in this matter that notice has been given by advertisement posted at the place of holding County Court, to wit:- At the Court House, in the City of La Grande, Union County, Oregon, and also in three public places in the vicinity of said proposed road, to wit,- one on an electric light pole at the beginning of said proposed road; one on a fence post at the terminus of said proposed road, and one on an electric light pole in the town of Cove, Oregon, for more than thirty days immediately prior to the presentation of said petition to this court, notifying all persons concerned that application would be made to this court, at the present session, to wit: July 7th, 1920 and that the notices so posted were in due form and duly signed by the petitioners and that a bond for the cost of this proceeding has been duly given.

It is therefore ORDERED that Dan J. McLellan, County Surveyor, and George Baker, and J. W. Sills constituting the Board of County Road Viewers be, and they are hereby directed to meet at Cove, Oregon, on Tuesday, July 20th, 1920 at 9 o'clock A. M. and proceed to survey, view and lay out said road according to law.

It is FURTHER ORDERED that said Board of County Road Viewers file its report with the Clerk of this Court on or before July 23rd, 1920.

(Sd) J. F. Phy, County Judge

C. A. Galleway, Commissioner

W. J. Townley, Commissioner

1 In the County Court of the State of Oregon for the County  
2 of Union; sitting as a Board of County Commissioners

3 In the matter of the road  
4 petitioned for by J. W. Baxter et-als

5 Now at this time comes Mrs Sarah Shappa t by the unde  
6 signed her attorney, and shows to the court:

7 That the said Sarah Shappat is the widow of O. B. Shappat de  
8 ceased who died seized of a tract of land situated in Section  
9 15 Tp. 3 South of Range 4a E. W. M. consisting of eleven acres  
10 which said tract is now owned by the ~~the~~ minor children of said  
11 O. B. Shappat deceased with a dower interest therein possessed  
12 by said Sarah Shappat; that the proposed road petitioned for by  
13 J. W. Baxter et-als now pending before the court and the line  
14 of survey thereof passes through the center of the said tract  
15 which tract is devoted to fruit and vegetables and is all in  
16 cultivation thereto; that the laying out and establishing of  
17 said road would be of great damage to the said tract other than  
18 the mere taking of the land; and would be greatly in excess of  
19 the amount found by the Honorable viewers, who viewed and report  
20 ed upon said road; that Mrs. Shappat has been in the hospital  
21 at Hot Lake by reason of injuries received and by reason  
22 thereof counsel has not had an opportunity to secure from her  
23 such information as would form the basis of a detailed showing  
24 concerning her claim for damages, and since his employment coun  
25 sel has not had an opportunity to examine the premises so as  
26 to make an intelligent showing in the matter, but counsel says  
27 from information from others that Mrs. Shappat will be able  
28 to show first, that a highway is unnecessary through these  
29 premises in order to accommodate the public travel, and second  
30 that the damages incurred to said premises is very greatly in  
31 excess of that allowed by the said Viewers, and for the purpose  
32 of getting necessary information in order to make a complete  
33 showing to the court, and pending the recovery of Mrs. Shappa  
34 from her said injuries so as to enable her to attend to such  
business, counsel asks the court that this matter be continued  
to the October Term of the Court.

*B. F. Wilson*  
Attorney for objector, Sarah Shappat.

in the County Court of  
State of Oregon  
for Lincoln County  
Seeing as Board of  
Social & Community

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In the meeting as had  
followed for by J. M.  
Rufles et al

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Notice for con  
tinuance

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Quincy

Filed Sept, 1950  
at K. M. Carmick  
County Clerk

D. F. Wilson  
Attorney for Plaintiff  
Shawspool, Appellee

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

2 In the matter of the proposed

3 County road petitioned for by

4 J. W. Baxter et-als

5  
6 Now at this time comes Mrs. Sarah A. Shappat in her own  
7 right as the widow of O. B. Shappat deceased as well as ~~for~~Guardian  
8 dian for Edith Shappat and Ethel Shappat minor heirs of said O. B.  
9 Shappat deceased and Opal Shappat and represents to the court:-

10 That the said Sarah A. Shappat is the widow of O. B. Shappat deceased  
11 and Opal Shappat, Edith Shappat and Ethel Shappat are the children  
12 of said O. B. Shappat deceased, and that by reason thereof are  
13 the heirs at law of said O. B. Shappat deceased.

14 That as such heirs at law of O. B. Shappat deceased said Sarah A.  
15 Shappat, Opal Shappat, Edith Shappat and Ethel Shappat are the owners  
16 of the following described lands viz;

17 The E 1/2 of the S E 1/4 of the S W 1/4 of the N E 1/4 and the W 1/2  
18 of the S W 1/4 of the S E 1/4 of the N E 1/4 of Sec. 15 Township  
19 3 South of Range 4e E. W. M. containing ten acres more or less and  
20 also a strip along the west side of the above described tract containing  
21 one acre.

22 That the said lands and the whole thereof is in a high state of cultivation  
23 in the midst of the fruit belt of Cove, Union County,  
24 Oregon about one and one half miles distant from the town of Cove.

25 That the east portion of the said tract is devoted at present to  
26 the growing of alfalfa and the west portion thereof to the growing  
27 of various kinds of fruit from tree and vine as well as garden  
28 vegetables. That the whole of said tract is adapted to intensive  
29 cultivation to any kind of fruit or vegetables grown in Union  
30 County, Oregon, said lands being rented at the present time at the  
31 rental of \$25<sup>are</sup>.00 per year and of the value of \$4000.00 at least

32 That the laying out and establishing of the road above described  
as petitioned for by J. W. Baxter et-als would cut this tract in two

1 parts with about five acres on one side of the center line of said  
2 proposed road and about six acres on the other side thereof.

3 That the laying out and establishing of said proposed road would  
4 cause these claimants great and continuing damage to the said  
5 tract in some respects inestimable, as follows:

6 The same would require 96.8 square rods of land of the reason-  
7 able value of the sum of \$242.00

8 That the same would require the building and maintaining of eighty  
9 rods of fencing which would cost at least \$125.00 to erect in the  
10 first instance, and at least \$15.00 per year to maintain.

11 That two gates would have to be erected and put in and maintained  
12 at a cost in the first instance of not less than \$40.00.

13 That the inconveniences created by the said proposed road in the  
14 operation of the said farm would diminish the rental value thereof  
15 not less than \$50.00 per year.

16 That the said inconveniences would consist of loss of time in  
17 being restricted to gate ways in going from one portion of the tract  
18 to the other; the opening of gates and keeping in repair said gate  
19 ways and fences; and the same would be a perpetual inconvenience  
20 on account of which, and the loss of rental value these claimants  
21 would be damaged not less than \$500.00

22 Claimants therefore allege that the total damage to said tract  
23 by the laying out, establishing and opening of said proposed road  
24 would be a sum not less than \$1027.00; which sum claimants here

25  
26 now make claim for. That map attached truly  
27 shows public roads and roadways in that  
28 section.

29 Sarala A Shappat  
30 Opal Shappat  
31 Sarala A Shappat  
32 Guardian for Keith and  
thel Shappat

1  
2 State of Oregon

3 County of Union ss.

4 I Sarah A. Shappat being first duly sworn say I am one of  
5 the parties claimant named in the foregoing claim and subscribing  
6 to the same; that the facts set forth in said statement of claim  
7 are true as I verily believe.

8 Sarah A. Shappat

9 Subscribed and sworn to before me this Oct. 4th. 1920

10 B. F. Wilson  
11 Notary Public for Oregon

12 This is to certify that I served the foregoing  
13 Claim with map attached on this Oct 4<sup>th</sup> 1920 on the part  
14 J. W. Barber by mailing to said J. W. Barber a true  
15 copy thereof at Coos Bay Oregon his post office address  
16 the same being duly enveloped & sealed & postage fully  
17 prepaid thereon & the same deposited in the U.S. Mail at  
18 the post office at Union Oregon this 4<sup>th</sup> day of Oct. 1920  
19 Dated at Union Ore, Oct. 4<sup>th</sup> 1920

20 B. F. Wilson,  
21 'Att'y for Claimants'

Public Highway

Emb...  
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R...  
K...

S...  
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A A ...

Public Highway

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Roadway

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A H ...

A H ...

D...  
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C...  
P...

Amy ...

Ann ...

A H ...

R...  
S...

A H ...  
M...

J...  
H...

B...  
S...

A...

Public Highway

Public Highway

Roadway



In the County Court  
State of Oregon  
for Marion County

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In the matter of the  
and petitioned for  
by J. M. Rappert et. al.

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Claim for damages  
David & Elizabeth et. al.

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Filed Oct 5, 1920  
at K. M. Edmund  
County Clerk

J. F. McLeod  
Attorney for Plaintiff

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 December, A. D., 1920, 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. E. Phy, County Judge,  
\_\_\_\_\_, Commissioner,  
W. J. Townley, Commissioner,  
C. K. McCormick, Clerk,  
Lee Warnick, Sheriff.

WHEN, on Friday, the 3rd day of December, A. D. 1920, or the \_\_\_\_\_ Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed road petitioned for by J. W. Baxter et al.

O - 510

This matter came on to be heard at this time on the report of the Board of County Road Viewers heretofore appointed to view said road, said report having been publicly read on two previous days of this term, to-wit, - December 1st, and 2nd, the same being in words and figures as follows, to-wit:

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

To the Honorable County Court for Union County, Oregon.

The undersigned Board of County Road Viewers, heretofore on the 7th day of July 1920, 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. W. Baxter et al, beg leave to report that on the 24th day of July 1920, in pursuance with said order, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinions said proposed road should be laid out and established as a public highway of Union County, Oregon; that the same is practicable and would add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be laid out and declared a public highway of said county and that the road be 30 feet in width ~~sufficiency~~ and with this width the following damages be paid; Mrs. Shappett 0.45 acres used for road running thro her property and cutting same in two, \$135.00 and that no other damages be awarded.

D. J. McLellan  
J. W. Sillis  
G. M. Baker  
Board of County Road Viewers

And it appearing to the court that the report of the 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, and no remonstrance having been filed, and all claims for damages filed on account of said proposed road having been disposed of,

It is therefore CONSIDERED AND ORDERED that the report of the Board of County Road Viewers be accepted, and that said proposed road be declared a public highway upon the payment/into court by the petitioners/ of the sum of \$150.00 as damages for the benefit of Sarah A. Shappat.

(Sd) J. F. Phy, County Clerk

W. J. Townley, Commissioner

*Boxter Road*

and it appearing to the court that the 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, and no recommendations having been filed, and all claims  
for damages filed on account of said proposed road having been dis-  
posed of,

It is therefore ORDERED AND DECREED that the report of the  
Board of County Road Viewers be accepted, and that said proposed road  
be declared a public highway upon the payment of the sum of \$150.00  
as damages for the benefits of third parties.

W. A. Yarnall, County Clerk  
J. E. Smith, 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 \_\_\_\_\_ day of \_\_\_\_\_, A. D., 191\_\_\_\_, 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. F. Phy \_\_\_\_\_, County Judge,  
\_\_\_\_\_, Commissioner,  
W. J. Townley \_\_\_\_\_, Commissioner,  
C. K. McCormick \_\_\_\_\_, Clerk,  
Lee Warnick \_\_\_\_\_, Sheriff.

WHEN, on Friday \_\_\_\_\_, the 3rd day of December, A. D. 1920  
191\_\_\_\_, or the \_\_\_\_\_ 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. W. Baxter et al.

0 - 510

Now at this time the above entitled matter comes on to be heard upon the claim of James E. Mills in the sum of \$100.00 as damages on account of the proposed road petitioned for by J. W. Baxter et al, and the court having considered said claim,

It is CONSIDERED AND ORDERED that the same be and is hereby dis-  
allowed.

(Sd) J. F. Phy, County Judge

W. J. Townley, 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 \_\_\_\_\_ day of \_\_\_\_\_, A. D., 191\_\_\_\_, 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. F. Phy, County Judge,  
C. A. Galloway, Commissioner,  
W. J. Townley, Commissioner,  
C. K. McCormick, Clerk,  
Lee Warnick, Sheriff.

WHEN, on Tuesday, the 9th day of November, A. D. 1920, ~~191~~, or the \_\_\_\_\_ Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed road petitioned for by J. W. Baxter et al.

0-504

Now at this time the above entitled matter comes on to be heard upon the claim of Sarah A. Shappat et al in the sum of \$1027.00 for damages on account of the establishment of the proposed road petitioned for by J. W. Baxter et al, and the court having considered said claim and being fully advised in the premises, finds that if said road is laid out and established as proposed, the claimants will be damaged as follows:- loss of land, \$125.00; fencing \$125.00; Gates \$25.00; general damages \$125.00, aggregating the sum of \$400.00, and that the benefits ~~be~~ derived by the claimants on account of said proposed road will be nothing .

It is therefore CONSIDERED AND ORDERED that the sum of \$250.00 be set aside from the General Road Fund of Union County for a period of twelve months and to be paid to Sarah A. Shappat, when the petitioners for said road have paid into the County Treasury the sum of \$150.00, the balance of the damages hereby found due the said Sarah A. Shappat. It is FURTHER ORDERED that the Viewers Report and the claim of J. E. Mills for damages be and the same is hereby continued for the term.

(31) J. F. Phy, County Judge  
C. A. Galloway, Commissioner  
W. J. Townley, Commissioner

To the County Court of Union County,

Gentlemen:

I, the undersigned, J. E. Mills, being first duly sworn say that I am a resident and land owner of Cove, Union County, Oregon, and that my land adjoins the proposed Baxter Road, recently petitioned for, and recently ordered open, upon payment of certain damages to Mrs. O. B. Shappat.

I further say that I filed a claim for damage to my land by reason of said road being located on the East side thereof. Said claim for damage was for a strip of land 20 feet wide and 40 rods long, approximating one-third of an acre. I have just finished paying \$300 an acre for said land, and believe that I am justly entitled to payment for the one-third of an acre required in said new road.

My property now fronts on the County road, and I do not require another road for my purpose, and in this case, I should be paid for the land taken from me, for the convenience and purposes of other people.

I further say that at the time I filed my claim with the County Clerk, he advised me that it was not necessary to do anything further in said matter, that said claim would be considered without any further appearance, and consequently I paid no attention to the further proceedings in connection with the opening of said road, believing that my claim would be paid whenever said road was considered. I did not know of the time when said road was coming up for consideration, and I now find that said road has been ordered open, without the payment of my claim.

I am further advised that a number of other parties interested in having said road opened, appeared at the time the County Court passed upon said matter, and that said other parties, advised the Court that no damage should be paid to me, and that the opening of said road would be a benefit to my property. On account of the advise given me by the Clerk at the time said claim was filed, I did not know that I should have appeared to defend my rights.

I am now asking the Court, that, as a matter of justice as between the citizens and residents of the Community in which said road is located, that my claim for \$100.00 originally asked for, be allowed and paid.

J. E. Mills

Subscribed and sworn to before me this 22nd day of December, 1920.

Rodney H. Hatcher  
Notary Public for Oregon.

My Commission expires

Apr 24, 1924



Exam of J. E. Mills  
for damages and  
account of road  
petition for pay,  
Jed. Boston et al.

Filed Dec 23, 1920  
@ H. M. O'Connell  
County Clerk

To the County Court of Union County, Oregon;-

We, the undersigned citizens and tax payers of the town of Cove and vicinity, have read the petition hereunto attached, marked exhibit "A" and made a part of this petition, and from our best knowledge and belief, are of the opinion that the statements therein made are true and correct.

We believe that the new proposed road known as the Baxter road, and which has been allowed by the county court to date, is of no benefit to said J. E. Mills, but on the contrary is a great damage to him; that the said Mills now has access to a public road, and the new proposed road is of no benefit to him whatsoever; that said new road takes one third acre of his land, and that said land is of the reasonable value of \$300.00 per acre and either the petitioners for said new Baxter road, or those who are benefited by said new road, or the county Court should pay said Mills the damages due him on account of said new road in the sum of \$100.00.

W. L. Richards

Chas. Conklyn

Gas Simpson

Rose Petel

W. E. Houff

T. H. Daniel

L. D. Howt

E. M. Ogilvie

William Shaw

Clarence Richards

Wayne Fisher

E. A. Bell

Ben DeBorde

Harold Borde

J. F. LaBorde

B. F. Bell

J. W. Selate

J. E. Houff + Son

G. H. Simmons

James Watson

M. J. Duffey

J. H. De Haas

Ben Duffey

Joe Petel

R. J. KITCHEN  
ATTORNEY-AT-LAW  
LA GRANDE, OREGON

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Exhibit "A"

To the County Court of Union County,

Gentlemen:

I, the undersigned, J. E. Mills, being first duly sworn, say that I am a resident and land owner of Cove, Union County, Oregon, and that my land adjoins the proposed Baxter Road, recently petitioned for, and recently ordered open, upon payment of certain damages to Mrs. O. B. Shappat.

I further say that I filed a claim for damage to my land by reason of said road being located on the East side thereof. Said claim for damage was for a strip of land 20 feet wide and 40 rods long, approximating one-third of an acre. I have just finished paying \$300 an acre for said land, and believe that I am justly entitled to payment for the one-third of an acre required in said new road.

My property now fronts on the County road, and I do not require another road for my purpose, and in this case, I should be paid for the land taken from me, for the convenience and purposes of other people.

I further say that at the time I filed my claim with the County Clerk, he advised me that it was not necessary to do anything further in said matter, that said claim would be considered without any further appearance, and consequently I paid no attention to the further proceedings in connection with the opening of said road, believing that my claim would be paid whenever said road was considered. I did not know of the time when said road was coming up for consideration, and I now find that said road has been ordered open, without the payment of my claim.

I am further advised that a number of other parties interested in having said road opened, appeared at the time the County Court passed upon said matter, and that said other parties, advised the Court that no damage should be paid to me, and that the opening of said road would be a benefit to my property. On account of the advise given me by the Clerk at the time said claim was filed, I did not know that I should have appeared to defend my rights.

I am now asking the Court, that, as a matter of justice as between the citizens and residents of the Community in which said road is located, that my claim for \$100.00 originally asked for, be allowed and paid.

J. E. Mills

Subscribed and sworn to before me this 22nd day of December, 1920.

James Fisher  
Notary Public for Oregon.

My Commission expires

Dec 27, 1924

In re proposed  
County Road petition  
for lay out by  
et al.

Affidavits and Statements  
in support of claim  
of J. E. Smith

Filed Dec 29, 1920

J. H. McCormick  
County Clerk

SECOND JUDICIAL DAY

THURSDAY, JULY 8th, 1920

In the matter of the application of Mrs. Rudolphine Harm, for cancellation of taxes.

Now at this time this matter comes on to be heard on the application of Mrs. Rudolphine Harm for the cancellation of the taxes charged against her property for the year 1919 in the sum of \$57.81, and it appearing to the Court from said petition that the petitioner is a widow of the age of 74 years and on account of poor health is unable to earn the money with which to pay said taxes; that the property herein described is the only property owned by her and is used as a home, and that her only income is from the rent of a portion of said property.

It is therefore CONSIDERED AND ORDERED that said application be allowed and the County Clerk is hereby authorized and directed to draw a warrant on the General Fund of Union County in favor of Lee Warnick as Sheriff for the amount of said taxes.

In the Matter of the Monthly Statement of the County Clerk for Scalp Bounty warrants issued.

Comes now C. K. McCormick, County Clerk, and presents to the Court his statement of Scalp Bounty Warrants issued, together with affidavits and receipts for warrants, and said statement being in all things regular and according to law,

It is therefore ORDERED that the same be and is here now approved.

In the matter of the establishment of a County Library Service.

Now at this time it is ORDERED that this petition be and the same is hereby denied for this year.

In the matter of the application of the Home Independent Telephone Co. for repayment of taxes.

Now at this time it is ORDERED that this matter be and the same is hereby referred to the Tax Collector for verification.

In the matter of the proposed County Road petitioned for by J. W. Baxter, et al.

Comes now J. W. Baxter, one of the petitioners for the above named proposed County Road and presents to the Court the petition of himself and others, praying for the location and establishment of a County Road, described as follows, to wit:

Beginning at the Southeast corner of the Southwest quarter of the Southeast quarter of Section 15, Tp. 3, S.R. 40 E.W.M., running thence North five-eighths of a mile to the northeast corner of the Southeast quarter of the Southwest quarter of the Northeast quarter of said Section 15, said road being 40 feet wide, being 20 feet on each side of the center of said

SECOND JUDICIAL DAY

THURSDAY, JULY 8th, 1920

line.

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 from the affidavits of posting on file in this matter that notice has been given by advertisement posted at the place of holding County Court, towit:- At the Court House, in the City of La Grande, Union County, Oregon, and also in three public places in the vicinity of said proposed road, towit,- one on an electric light pole at the beginning of said proposed road; one on a fence post at the terminus of said proposed road, and one on an electric light pole in the town of Cove, Oregon, for more than thirty days immediately prior to the presentation of said petition to this Court, notifying all persons concerned that application would be made to this court, at the present session, towit: July 7th 1920 and that the notices so posted were in due form and duly signed by the petitioners and that a bond for the cost of this proceeding has been duly given.

It is therefore ORDERED that Dan J. McLellan, County Surveyor, and George Baker, and J. W. Sills constituting the Board of County Road Viewers be, and they are hereby directed to meet at Cove, Oregon, on Tuesday, July 20th, 1920 at 9 o'clock A.M., and proceed to survey, view and lay out said road according to law. It is FURTHER ORDERED that said Board of County Road Viewers file its report with the Clerk of this Court on or before July 23rd, 1920

In the matter of the employment of a Traffic Officer jointly with the City of La Grande.

Now at this time it appearing to the Court that many persons within Union County are violating the traffic laws of the State, and are endangering the lives of themselves and others, and it further appearing that the City of La Grande is willing to cooperate with Union County in the employment of a special officer to apprehend violators of the traffic laws,

It is therefore CONSIDERED AND ORDERED that Union County cooperate with the City of La Grande in the employment of a special traffic officer to the extent of paying \$62.50 per month until October 31st, 1920 to apply on the salary of said officer.

In the Matter of Establishing by Resolution the Cove Cut-Off Road.

Now at this time the above entitled matter comes on to be heard upon the Resolution heretofore passed by this Court on June 7th, 1920 declaring its intention to lay out and establish a county road upon the following described line or route, towit:

Beginning at the Southwest corner of Section 15, Twp. 3, South, Range 39 E.W.m., in Union County, Oregon, the middle line of said proposed road shall run thence in a northeasterly direction to a point on the center line passing through said sections 14 and 15, 660 feet east of the center of said Section 15, thence along said center line through said sections 15 and 14 to the present county road between La Grande and Cove, to a point 660 feet east of the center

SECOND JUDICIAL DAY

THURSDAY, AUGUST 5th, 1920

In the matter of the proposed County Road petitioned for by Geo. Baxter et al.

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

In the matter of the application of James S. Burford for refund of taxes.

Now at this time it is ORDERED that this matter be and the same is hereby referred to the Tax Collector for verification.

In the matter of the proposed County Road petitioned for by Chas. D. Johnson et al.

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

In the matter of the application of Wm. Banton for the reissuance of a new warrant for lost warrant.

Now at this time this matter came on for hearing upon the application of Wm. Banton for the reissuance of lost County Warrants No. 2116, 2306 and 2307, Series 1920, in the sum of \$45.00, \$7.50 and \$3.00 respectively, for work on roads, and it appearing to the Court that said County Warrants have been lost or destroyed and have never been presented to the Treasurer for payment, and that said applicant has filed a good and sufficient bond with the Clerk of this court indemnifying the County against any loss which may arise through the presentation of said lost warrants,

It is therefore CONSIDERED AND ORDERED that the County Clerk be and he is hereby directed to draw a warrant on the General Fund of the county in favor of said Wm. Banton, in the sum of \$55.50 in lieu of said lost warrant, and it is FURTHER ORDERED that said County Warrants No. 2116, 2306 and 2307, Series 1920, be and the same are hereby canceled, and the Clerk of this Court is hereby directed to make the necessary entries upon his record in accordance herewith.

In the matter of the claim of G. W. De Lay for indemnity for diseased cattle slaughtered under the provision of Chap. 413, Laws of 1919.

Now at this time is presented to the Court the claim of G. W. De Lay in the sum of \$75.00 as indemnity for one registered cow and one registered heifer slaughtered under the provisions of Chap. 413, Laws of 1919, and it appearing to the court from the certificate of Dr. C.M. Riley, the veterinarian supervising the slaughter that said animal was killed on April 22,



SECOND JUDICIAL DAY

THURSDAY, SEPTEMBER 2nd, 1920

In the matter of the application of the Home Independent Telephone Co. for rebate of taxes.

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

In the matter of the proposed County Road petitioned for by J. W. Baxter et al.

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

In the matter of the proposed County Road petitioned for by Chas. D. Johnson et al.

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

In the matter of the application of James S. Burford for refund of Taxes.

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

In the matter of the application of James A. Bugg for cancellation of taxes.

Now at this time this matter came on to be heard upon the application of James A. Bugg for the cancellation of a portion of the taxes levied against the improvements located on Lot 1, Block 47, of Chaplin's Addition to the City of La Grande, Oregon for the year 1918, and it appearing to the court from said petition that the said James A. Bugg was the owner of the above described real property, together with the improvements situated thereon on March 1st, 1918; that on said date said property was assessed by the Assessor of Union County and thereafter taxes were levied upon same; that during the month of May, 1918, the house was burned to such an extent that it could not be used as a dwelling by the petitioner, and that the said petitioner lost the use of said house for the remainder of the year 1918, and it appearing to the Court that it would be just and equitable to cancel a portion of the taxes assessed against said property,

It is therefore CONSIDERED, ORDERED AND ADJUDGED that the said James A. Bugg be and he is hereby relieved from the payment of said taxes to the extent of \$35.55 and the County Clerk is hereby authorized and directed to draw a warrant on the general fund of the county in favor of the Sheriff of Union County for said amount, the same to be applied upon the taxes of the said James A. Bugg as aforesaid.

FIRST JUDICIAL DAY

WEDNESDAY, OCTOBER 6th, 1920

\$10.00; D. W. Souder \$15.00; Sarah Thomson \$7.50; Susie Trott \$10.00; John Vans \$10.00; and Mrs. Robt. Wilkinson \$5.00.

In the matter of the proposed  
County Road petitioned for by  
J. W. Baxter et al.

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

In the matter of the approval  
of Widows Pensions.

Now at this time is presented to the Court the order of the Juvenile Court awarding to Mrs. Jennie Hodgkins, the sum of \$10.00 per month as a Widows Pension under the provisions of the Widows Pension law; and it appearing to the Court that said order is in conformity with law,

It is therefore CONSIDERED AND ORDERED that the same be approved and the Clerk of this Court is hereby directed to issue a warrant accordingly until the further orders of the Court.

Thereupon it was ORDERED that Court be now adjourned until Wednesday, October 13th, 1920 at 9 o'clock A. M.

SECOND JUDICIAL DAY

THURSDAY, NOVEMBER 4th, 1920

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:

527 County Warrants	30852.40
56 Market Road Warrants	8594.15
1 Receipt State Taxes	46696.10
1 Receipt Game Law	37.50
2 Receipts from Cities	634.08
25 Receipts from School Districts	80203.30
2 Receipts Library Fund	471.43
	<u>\$ 167488.96</u>

In the Matter of the Monthly Statement of the County Clerk for Scalp Bounty warrants issued.

Comes now C. K. McCormick, County Clerk, and presents to the Court his statement of Scalp Bounty Warrants issued, together with affidavits and receipts for warrants, and said statement being in all things regular and according to law,

It is therefore ORDERED that the same be and is here now approved.

In the matter of the application of the Home Independent Telephone Co. for refund of taxes.

Now at this time this matter is ORDERED to be and is hereby continued until Tuesday, November 9th, 1920.

In the matter of the proposed County Road petitioned for by J. W. Baxter et al.

Now at this time it is ORDERED that this matter be and the same is hereby continued until Tuesday, November 9th, 1920.

In the matter of the application of James S. Burford for refund of Taxes.

Now at this time it is ORDERED that this matter be and the same is hereby continued until Tuesday, November 9th, 1920.

THIRD JUDICIAL DAY

TUESDAY, NOVEMBER 9th, 1920

In the matter of the proposed  
County road petitioned for by  
J. W. Baxter et al.

Now at this time the above entitled matter comes on to be heard upon the claim of Sarah A. Shappat et al in the sum of \$1027.00 for damages on account of the establishment of the proposed road petitioned for by J. W. Baxter et al, and the court having considered said claim and being fully advised in the premises, finds that if said road is laid out and established as proposed, the claimants will be damaged as follows:- Loss of land \$125.00, fencing \$125.00, Gates \$25.00, general damages \$125.00, aggregating the sum of \$400.00, and that the benefits derived by the claimants on account of said proposed road will be nothing

It is therefore CONSIDERED AND ORDERED that the sum of \$250.00 be set aside from the General Road Fund of Union County for a period of twelve months and to be paid to Sarah A. Shappat, when the petitioners for said road have paid into the County Treasury the sum of \$150.00, the balance of the damages hereby found due the said Sarah A. Shappat. It is FURTHER ORDERED that the Viewers Report and the claim of J. E. Mills for damages be and the same is hereby continued for the term.

In the matter of the application  
of Mrs. Bertha Moreland for cancel-  
lation of tax lien.

Now at this time this matter comes on to be heard upon the application of Mrs. Bertha Moreland for the cancellation of an alleged tax lien against Lots 19 and 20 in Block 5, Predmore's Addition to La Grande, Oregon, and the Court having considered said petition,

It is CONSIDERED AND ORDERED that said application be and the same is hereby allowed.

Thereupon it was ORDERED that Court be now adjourned until Monday, November 22nd, 1920 at 9 o'clock A. M.

THIRD JUDICIAL DAY

FRIDAY, DECEMBER 3rd, 1920

ing the years 1913 to 1919 inclusive the sum of \$20.59

It is therefore CONSIDERED AND ORDERED that said application be and the same is hereby granted and the County Clerk is hereby authorized and directed to draw a warrant on the General Fund of the County in the sum of \$20.59 in favor of the said James S. Burford as a refund for said taxes so erroneously collected.

In the matter of the proposed  
County Road petitioned for by  
J. W. Baxter et al.

Now at this time the above entitled matter comes on to be heard upon the claim of James E. Mills in the sum of \$100.00 as damages on account of the proposed road petitioned for by J. W. Baxter et al, and the court having considered said claim,

It is CONSIDERED AND ORDERED that the same be and is hereby disallowed.

In the matter of the proposed  
County Road petitioned for by  
J. W. Baxter et al.

This matter came on to be heard at this time on the report of the Board of County Road Viewers heretofore appointed to view said road, said report having been publicly read on two previous days of this term, to wit, - December 1st and 2nd, the same being in words and figures as follows, to wit:

REPORT OF BOARD OF COUNTY ROAD VIEWERS

To the Honorable County Court for Union County, Oregon.

The undersigned Board of County Road Viewers, heretofore on the 7th day of July 1920, 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. W. Baxter et al, beg leave to report that on the 24th day of July 1920, in pursuance with said order, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinions said proposed road should be laid out and established as a public highway of Union County, Oregon; that the same is practicable and would add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be laid out and declared a public highway of said county and that the road be 30 feet in width and with this width the following damages be paid; Mrs. Shappett 0.45 acres used for road running thro her property and cutting same in two, \$135.00 and that no other damages be awarded.

D. J. McLellan  
J. W. Sills  
G. M. Baker  
Board of County Road Viewers

And it appearing to the court that the report of the 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, and no remonstrance having been filed, and all claims for damages filed on account of said proposed road having been disposed of,

It is therefore CONSIDERED AND ORDERED that the report of the Board of County Road Viewers be accepted, and that said proposed road be declared a public highway upon the payment

THIRD JUDICIAL DAY

FRIDAY, DECEMBER 3rd, 1920

into court by the petitioners of the sum of \$150.00 as damages for the benefit of Sarah A. Shappat.

In the matter of the proposed County Road petitioned for by C. C. Cates, et al.

Now at this time it appearing to the Court that the Board of County Road Viewers heretofore appointed on October 13th, 1920, to survey, view and lay out the above entitled road, did not meet on the date set and failed to file their report on October 25th, 1920 as required in said order appointing said viewers,

It is therefore ORDERED that D. J. McLellan, County Surveyor, C. E. Moore and J. M. Darr be and they are hereby re-appointed as a Board of County Road Viewers and are hereby directed to meet at the beginning of said road on Wednesday, December 15th, 1920 at 10 A. M. and proceed to survey, view and lay out said proposed road according to law, or on failure to meet on said day, then within ten days thereafter. It is FURTHER ORDERED that said Board of County Road Viewers file its report with the Clerk of this Court on or before Saturday, December 25th, 1920.

697 In the matter of the establishment of the Cove Cut-Off Road by Resolution.

Now at this time the above entitled matter comes on to be heard upon the report of the Board of County Road Viewers, said report being in words and figures as follows, towit:

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 November, 1920, 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 resolution of the County Court (Cove Cut-off Road) beg leave to report that on the 19th day of November, 1920, in pursuance with said order, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinions said proposed road should be laid out and established as a public highway of Union County, Oregon; that the same is practicable and would add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be laid out and declared a public highway of said county, and that no damages be allowed to any of the land owners thro whose land the road runs, but that the County construct all necessary fences. On T. H. Schwebke's land we recommend that two gates be put in the fences to allow passage from one field to another divided by this road and that by means of an underground crossing or thro arrangement between the County Court and A. B. Conley or the owner of the S.E.¼ of Sec. 15, Twp. 3, S. R. 39 E.W.M.; the stock belonging to T. H. Schwebke may get to water without opening and closing gates.

D. J. McLellan  
W. D. Hanks  
C. J. Black

Board of County Road Viewers

SIXTH JUDICIAL DAY

MONDAY, DECEMBER 27th, 1920

In the matter of the claim of J. E. Mills for damages on account of the proposed County Road petitioned for by J. W. Baxter et al.

Now at this time the above entitled matter comes on to be heard for further consideration of the claim of J. E. Mills in the sum of \$100.00 as damages for the loss of land on account of the proposed county road petitioned for by J. W. Baxter et al, and it appearing to the court from the showing made by the claimant that he would be damaged in the amount claimed in the event that said proposed road is opened,

It is CONSIDERED AND ORDERED that said claim be and the same is hereby allowed and the County Clerk is hereby authorized and directed to draw a warrant on the General Fund in the sum of \$100.00 in favor of the said J. E. Mills upon proper showing that said proposed road has been opened.

In the matter of the payment for right of way for the Old Oregon Trail Highway across the land of Chris Johnson.

Now at this time the above entitled matter comes on to be heard upon the report of the Board of Arbitrators heretofore appointed by this court to adjust the matter of damages with Chris Johnson for the taking of a portion of his land necessary as a right of way for the Old Oregon Trail Highway, which report is in words and figures as follows:

North Powder, Ore., Dec. 23, 1920.

KNOW ALL MEN BY THESE PRESENTS, that we, Thomas Brasher, acting for Union County, Albert Olsen acting for the owners, and C. J. Forsstrom, chosen by said Thomas Brasher and Albert Olsen as the third arbitrator, arbitrators in the matter of the right-of-way for State Highway across the Chris Johnson or Johnson Estate property, find as follows:

That the owners are damaged to the extent of \$750.00 and shall be paid the said sum of \$750.00 for said right-of-way, Provided however, that there shall be left a right of way for road purposes either public or private, on the North side of the O.W.R. & N. Company's R.R. right of way, to allow access from and to the Chris Johnson or North Powder M. & M. Company ice pond.

IN WITNESS WHEREOF, we the undersigned arbitrators hereunto set our hands at North Powder, Oregon, this 23rd day of December, 1920.

Thos. Brasher  
For Union County

Albert Olsen  
For the owners

C. J. Forsstrom  
Third arbitrator.

And it appearing to the court that the amount of damages agreed upon by the arbitrators is just and equitable,

It is CONSIDERED AND ORDERED that the report of the Board of Arbitrators be and the same is hereby adopted and, the County Clerk is hereby authorized and directed to draw a warrant on the General Fund of the County in favor of the said Chris Johnson in the sum of \$750.00

SECOND JUDICIAL DAY.

THURSDAY, JULY 7TH, 1921.

In the Matter of the Acceptance of a Deed from the Mount Emily Timber Co. for a right-of-way for the Old Oregon Trail Highway between Kamela and Hilgard.

Now at this time is presented to the Court a deed from the Mount Emily Timber Company for a right-of-way for the Old Oregon Trail through Sections 7, 18, 17, 20, 21, 22, 27, 26, and 25 in Tp 2 SR 36, and Section 31, TP 2 SR 37 E.W.M., and it appearing to the Court that said deed is in due form and that it is necessary for Union County to acquire said right-of-way to be used in connection with its highway system,

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

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

Now at this time the above entitled matter comes on to be heard for the payment of the claims of Sarah A. Shappat and J. E. Mills for damages on account of said proposed road and it appearing to this court that the County Court of Union County, on November 9th, 1920, upon consideration of the claim of the said Sarah A. Shappat, found that she would be damaged in the sum of \$400.00: that the said Court at that time directed that the sum of \$250.00 be set aside from the general road fund of the County for a period of twelve months and that same be paid to her upon the petitioners of said road paying into the treasury of the County the sum of \$150.00 the balance of said damages, and

It further appearing that on December 27th, 1920 the claim of J. E. Mills was allowed in the sum of \$100.00 and ordered paid upon the opening of said proposed road. That the petitioners have paid into the County Treasury the sum of \$150.00 as required by the Court, and that said road should now be opened,

It is therefore CONSIDERED AND ORDERED that the County Clerk be and he is hereby authorized and directed to draw warrants on the General Road Fund of the County in the sum of \$400.00 in favor of Sarah A. Shappat, and in the sum of \$100.00 in favor of J. E. Mills in payment of said 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.

*H. S. Couch* County Judge,  
*C. A. Harrocy* Commissioner,  
*J. H. Schuman* Commissioner.