

No. \_\_\_\_\_

# EQUITY

IN THE  
CIRCUIT COURT  
UNION COUNTY

*Perry E. Lofton*

*Plaintiff*

*Lucille Blanche  
Lofton*

*Defendant*

Docket \_\_\_\_\_

Page *L-4*

*Hugh E. Brady*

*Attorney for Plaintiff*

*Attorney for Defendant*

MADE BY  
KILHAM STATIONERY & PRINTING CO.  
FIFTH AVE. AND OAK ST., PORTLAND, ORE.

142215

\* 728-B

In an alteration of road  
beginning at center of  
N. E.  $\frac{1}{4}$  Sec 5, T. 2 S. R. 39 E.  
and running south  $\frac{1}{2}$  mile  
to center of S. E.  $\frac{1}{4}$  Sec 5.

Ordered altered Apr 3, 1931  
Commissioner's Journal Q  
page 70

1728

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

In the Matter of the Alteration,  
Straightening and Change of Direc-  
tion of That Certain Road Beginning  
at the center of the NE $\frac{1}{4}$  of Section  
5, Tp. 2 S.R. 39 E.W.M. and running  
South one-half mile to the center  
of the SE $\frac{1}{4}$  of said Section 5.

RESOLUTION

-----)

Whereas, the County road running from the center of the  
Northeast quarter of Section 5, Tp. 2 S.R. 39 E.W.M., to the center  
of the Southeast quarter of said Section, is not located with the  
center of said road upon the center line of said quarter sections,  
and varies in its course away from said center line, and it is the  
desire of the owners of said lands and of the County Court to locate  
said road with the center line thereof corresponding with the center  
line of said quarter sections and to change the width thereof from  
fifty feet to forty feet, which change can be made without any cost  
or expense to the County, by reason of the fact that the present  
occupants agree to build the necessary fences and pay all damages  
awarded by the County Court for such re-location, upon the County  
*Surveyor and establishing Corners, & without any cost to County*  
~~Engineer~~, setting the stakes therefor, and

Whereas, it appears that it is for the best interests of  
the County to have such road situated so that the center line of said  
road corresponds with the center line of said quarter sections, and  
to make the width thereof forty feet,

NOW THEREFORE, BE IT RESOLVED that the County road  
heretofore existing and extending from the center point of the  
Northeast quarter of Section 5, Tp. 2 S.R. 39 E.W.M. to the center  
point of the Southeast quarter of said Section 5, be altered and  
straightened, and that said road be located as a strip of land  
twenty feet wide on each side of a straight line extending from the  
center of the Northeast quarter of Section 5, Tp. 2 S. R. 39 E.W.M.

to the center of the Southeast quarter of said Section 5, Tp. 2  
S.R. 39 E.W.M., and that the County Engineer, or a duly qualified  
deputy, post notices of this resolution as required by law, and make  
the necessary surveys, and that such other proceedings be carried  
out and fulfilled as to locate said road as aforesaid.

Dated this 8th day of January, 1931.

W. G. Couch  
County Judge

W. W. Stevens  
Commissioner

H. R. Ledbetter  
Commissioner

REPORT OF SURVEYOR

To the Honorable County Court,  
Union County, Oregon.


I, the undersigned County Surveyor appointed to survey the County road running from the center of the Northeast quarter of Section 5, Twp. 2 S. R. 39 E. W. E. to the center of the Southeast quarter of said Section, beg leave to report that on Feb., 2nd., 1931 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:---

Beginning at Survey Station 0 plus 00 which is located West 1338.4 feet from the S.E. corner of the N. E.  $\frac{1}{4}$  of the S. E.  $\frac{1}{4}$  of Section 5 in Twp. 2 S. R. 39 E. W. E. and running thence

North 2646.4 feet to

Survey Station 26 plus 46.4 which is located East 1328.3 feet from the N. W. corner of the S. W.  $\frac{1}{4}$  of the N. E.  $\frac{1}{4}$  of said Section 5 in Twp. 2 S. R. 39 E. W. E.

Signed Feb. 2nd. 1931

  
County Surveyor.

State of Oregon )  
County of Union ) ss.

I, Roscoe Neal, being first duly sworn, say that I posted thred certified copies of the Resolution of the County Court, which certified copy hereunto attached is a true and correct copy of said resolution, in three public places in said Union County in the vicinity of the road proposed to be altered , and therein described, to- wit: one on a fence post at the center of the Southeast quarter of Section 5, Tp. 2 S. R. 39 E. W. M.; one on a barn located about midway between the center of the Southeast quarter and center of the Northeast quarter of said Section 5, Tp. 2 S. R. 39 E. W. M., and one on a telephone pole at the center of the Northeast quarter of Section 5, Tp. 2. S. R. 39 E. W. M. thirty days previous to the time fixed by the County Court for further consideration of said resolution, to-wit: on the 4th day of March 1931 and that thereafter and thirty days previous to to-wit; February 2, 1931 the time fixed for further consideration of said resolution, I posted a certified copy of said resolution on the bulletin board at the front door of the Court House, in the City of La Grande, Union County, Oregon.

Roscoe Neal

Subscribed and sworn to before me this 4th day of March,  
1931.

C. K. McCormick

County Clerk of Union County,  
Oregon.

Reedman # 224

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

In the Matter of the Alteration,  
Straightening and Change of Direc-  
tion of That Certain Road Beginning  
at the center of the NE $\frac{1}{4}$  of Section  
5, Tp. 2 S.R. 39 E.W.M. and running  
South one-half mile to the center  
of the SE $\frac{1}{4}$  of said Section 5.

RESOLUTION

-----)

Whereas, the County road running from the center of the  
Northeast quarter of Section 5, Tp. 2 S.R. 39 E.W.M., to the center  
of the Southeast quarter of said Section, is not located with the  
center of said road upon the center line of said quarter sections,  
and varies in its course away from said center line, and it is the  
desire of the owners of said lands and of the County Court to locate  
said road with the center line thereof corresponding with the center  
line of said quarter sections and to change the width thereof from  
fifty feet to forty feet, which change can be made without any cost  
or expense to the County, by reason of the fact that the present  
occupants agree to build the necessary fences and pay all damages  
awarded by the County Court for such re-location, upon the County  
*Surveyor establishing the Corners & without any Costs to County*  
Engineer setting the stakes therefor, and

Whereas, it appears that it is for the best interests of  
the County to have such road situated so that the center line of said  
road corresponds with the center line of said quarter sections, and  
to make the width thereof forty feet,

NOW THEREFORE, BE IT RESOLVED that the County road  
heretofore existing and extending from the center point of the  
Northeast quarter of Section 5, Tp. 2 S.R. 39 E.W.M. to the center  
point of the Southeast quarter of said Section 5, be altered and  
straightened, and that said road be located as a strip of land  
twenty feet wide on each side of a straight line extending from the  
center of the Northeast quarter of Section 5, Tp. 2 S. R. 39 E.W.M.

to the center of the Southeast quarter of said Section 5, Tp. 2  
S.R. 39 E.W.M., and that the County <sup>Surveyor</sup> ~~Engineer~~, or a duly qualified  
deputy, post notices of this resolution as required by law, and make  
the necessary surveys, and that such other proceedings be carried  
out and fulfilled as to locate said road as aforesaid.

Dated this 8th day of January, 1931.

W. G. Leach  
County Judge

W. W. Stevens  
Commissioner

H. R. Ledbetter  
Commissioner

STATE OF OREGON)

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

I, C. K. McCormick, County Clerk and Ex-officio Clerk of  
the County Court of Union County, State of Oregon, do hereby certify  
that the foregoing copy of resolution for the alteration, straighten-  
ing and change of direction of that certain road beginning at the  
center of the NE $\frac{1}{4}$  of Section 5, Tp 2 S, R 39, EWM, and running South  
one-half mile to the center of the SE $\frac{1}{4}$  of said Section 5, has been  
compared by me with the original, and it is a correct transcript  
therefrom, and of the whole of such original resolution as the same  
appears of record in my office and in my custody.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed  
the seal of said Court this 17th day of January, AD, 1931.

C. K. McCORMICK, County Clerk,  
By J. Graham Deputy.



BE IT REMEMBERED, That at a regular term of the County Court of the state of Oregon, for the county of Union, sitting for the transaction of county business, begun and held at the Courthouse in the city of La Grande, in said county and state, on Wednesday, the 4th day of March, AD, 1931, the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said court, when were present:

The Honorable U. G. COUCH, County Judge,  
W. W. STEVENS, Commissioner,  
W. R. LEDBETTER, Commissioner,  
C. K. McCORMICK, Clerk,  
JESSE BRESHEARS, Sheriff.

WHEN, on Thursday,, the 5th day of March, A.D., 1931, or the 2nd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of the alteration, straightening and changing of direction of that certain road beginning at the center of the NE $\frac{1}{4}$  of Section 5, Tp2S, R39, EWM, and running south one-half mile to the center of the SE $\frac{1}{4}$  of said Section 5.

Now at this time this matter comes on for further consideration of the resolution passed by this court on January 8th, 1931, declaring its intention to alter, straighten and change the direction of that certain road beginning at the center of the NE $\frac{1}{4}$  of Section 5, Tp2S, R39, EWM, and running south one-half mile to the center of the SE $\frac{1}{4}$  of said Section 5, and establishing as a public highway a strip of land twenty feet wide on each side of a straight line extending from the center of the said NE $\frac{1}{4}$  of Section 5, Tp2S, R39, EWM, and running thence south one-half mile to the center of the SE $\frac{1}{4}$  of said Section 5, and it appearing to the court that notice has been given that further action would be taken upon said resolution at this time by duly certified copies of said resolution being posted at the place of holding county court, to-wit: at the Courthouse in the city of La Grande, Union County, Oregon, and in 3 public places in the vicinity of said road proposed to be altered, straightened and changed, to-wit: one on a barn located about midway between the center of the SE $\frac{1}{4}$  and the center of the NE $\frac{1}{4}$  of said Section 5 Tp2S, R39, EWM; and one on a telephone pole at the center of the NE $\frac{1}{4}$  of Section 5, Tp2S, R39, EWM, more than 30 days previous to the time fixed by the court for further consideration of said resolution as appears by the affidavit of Roscoe Neal, County Surveyor,

It is therefore CONSIDERED AND ORDERED AND ADJUDGED that Roscoe Neal, County Surveyor, C. C. Welch and C. E. Kuhn, two qualified and disinterested freeholders of Union County, be and they are, hereby appointed and constituted as a board of county road viewers for the purpose of viewing that road proposed to be altered, straightened and changed.

It is further ordered that said board of road viewers view said road and file their report not less than 10 days prior to April 2, 1931.

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

State of Oregon }  
County of Union } ss.

I, C. C. Welch

do solemnly swear that

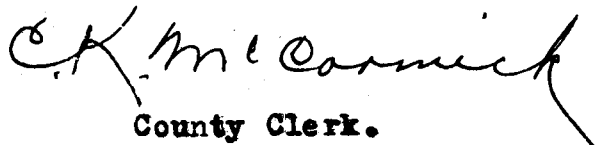
I will support the Constitution of the United States and the Constitution and Laws of the State of Oregon, and will perform the duties of Road Viewer in viewing that certain road beginning at the center of the NE $\frac{1}{4}$  of Section 5, Tp. 2 S. R. 39 E. W. M., and running South one-half mile to the center of the SE $\frac{1}{4}$  of said Section 5.

to the best of my ability and understanding, so help me God.



Subscribed and sworn to before me this 21st day of

March, 1931.

  
County Clerk.

State of Oregon )  
County of Union ) ss.

I, C. E. Kuhn

do solemnly swear that

I will support the Constitution of the United States and the Constitution and Laws of the State of Oregon, and will perform the duties of Road Viewer in viewing that certain road beginning at the center of the NE $\frac{1}{4}$  of Section 5, Tp. 2 S. R. 39 E. W. M., and running South one-half mile to the center of the SE $\frac{1}{4}$  of said Section 5.

to the best of my ability and understanding, so help me God.

C. E. Kuhn

Subscribed and sworn to before me this 21st day of  
March, 1931.

C. M. Carmick

County Clerk.

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 March, 1931, instructed to view and lay out that portion of County Road # 224, proposed to <sup>be</sup> altered and changed, of which the survey hereto attached is a true and correct description, beg leave to report that on the 21st day of March, 1931, pursuant to said order, we proceeded to view out said proposed alterations and changes for the whole distance thereof, and that in our opinions said proposed changes should be made, and that the same are practicable. We therefore recommend that said changes and alterations be made and that no damages be allowed to owners of any of the land affected by said proposed changes and alterations.

C. C. Welch  
G. E. Kuhn  
Russell Neal

Board of County Road viewers.

Filed Mar 21, 1931

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 courthouse in the city of La Grande, in said county and state, on Wednesday, the 1st day of April, A.D., 1931, the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable U. G. Couch, County Judge,  
W. W. Stevens, Commissioner,  
W. R. Ledbetter, Commissioner,  
C. K. McCormick, Clerk,  
Jesse Breshears, Sheriff.

WHEN, on Wednesday, the 1st day of April, AD, 1931, or the 1st judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of the alteration, straightening and changing of direction of that certain road beginning at the center of the NE $\frac{1}{4}$  of Section 5, Tp 2S, R39, EWM, and running south one-half mile to the center of the SE $\frac{1}{4}$  of Section 5.

Now at this time the above entitled matter comes on to be heard for the first reading of the Road Viewers' report, and said report having been publicly read,

It is CONSIDERED AND ORDERED that this matter be, and the same is, hereby continued until Thursday, April 2nd, 1931, at 9:00 o'clock, A.M.

*U. G. Couch* County Judge  
*W. W. Stevens* Commissioner  
*W. R. Ledbetter* 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 courthouse in the city of La Grande, in said county and state, on Wednesday, the 1st day of April, A.D., 1931, the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable U. G. Couch, County Judge,  
W. W. Stevens, Commissioner,  
W. R. Ledbetter, Commissioner,  
C. K. McCormick, Clerk,  
Jesse Breshears, Sheriff.

WHEN, on Thursday, the 2nd day of April, AD, 1931, or the 2nd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of the alteration, straightening and changing of direction of that certain road beginning at the center of the NE $\frac{1}{4}$  of Section 5, Tp 2S, R39, EWM, and running south one-half mile to the center of the SE $\frac{1}{4}$  of Section 5.

Now at this time the above entitled matter comes on to be heard for the second reading of the Road Viewers' report, and said report having been publicly read,

It is CONSIDERED AND ORDERED that this matter be, and the same is, hereby continued until Friday, April 3rd, 1931, at 9:00 o'clock, A.M.

*U. G. Couch* County Judge  
*W. W. Stevens* Commissioner  
*W. R. Ledbetter* 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 Courthouse in the city of La Grande, in said county and state, on Wednesday, the 1st day of April, A.D. 1931, ~~the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:~~

The Honorable U. G. Couch, County Judge,  
W. W. Stevens, Commissioner,  
W. R. Ledbetter, Commissioner,  
C. K. McCormick, Clerk,  
Jesse Breshears, Sheriff.

WHEN, on Friday, the 3rd day of April, A.D., 1931, or the 3rd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of the alteration, straightening and changing of direction of that certain road beginning at the center of the NE $\frac{1}{4}$  of Section 5 Tp 2SR39, EWM, and running south one-half mile to the center of the SE $\frac{1}{4}$  of said Section 5.

Now at this time the above entitled matter comes on for action on the report of the board of county road viewers heretofore appointed to view the above entitled road, said report being in words and figures as follows, to-wit:

"To the Honorable County Court for Union County, Oregon:

The undersigned Board of County Road Viewers, heretofore on the 4th day of March, 1931, instructed to view and lay out that portion of County Road #224, proposed to be altered and changed, of which the survey hereto attached is a true and correct description, beg leave to report that on the 21st day of March, 1931, pursuant to said order, we proceeded to view out said proposed alterations and changes for the whole distance thereof, and that in our opinions said proposed changes should be made, and that the same are practicable. We therefore recommend that said changes and alterations be made and that no damages be allowed to owners of any of the land affected by said proposed changes and alterations.

C.C. Welch  
C.E. Kuhn  
Roscoe Neal,  
Board of County Road Viewers"

and said report having been read in open court on 2 different days of the present term immediately prior to this date, and it appearing to the court that the report of said board of road viewers is favorable to the proposed alteration of said road and recommends that said alteration be made, and all the proceedings herein appearing to be regular and according to law and no remonstrance or claim for damages having been filed herein, and there having been no cause shown why said proposed alteration should not be made,

It is therefore CONSIDERED AND ORDERED that the report of the board of road viewers be placed on record and that the proposed changes in said road be made.

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

428-B



SECOND JUDICIAL DAY

THURSDAY, AUGUST 7th, 1930

pension,

It is CONSIDERED AND ORDERED that said application be and the same is hereby allowed and the County Clerk is hereby authorized and directed to draw a warrant in the sum of \$35.00 each month on the general fund of the county in favor of the said Florence T. Houx until the further order of the court.

In the matter of the application  
of Mrs. L.A. Moore for County Aid.

Now at this time this matter comes on for consideration of the application of Mrs. L. A. Moore for county aid and it appearing to the Court from said application that the applicant is of the age of 67 years and by reason of her advanced age is unable to work and earn a livelihood; that she has no relatives or friends who are able or willing to assist her; and the Court having considered said application and being advised in the premises,

It is CONSIDERED AND ORDERED that said application be granted and said Mrs. L. A. Moore is hereby allowed the sum of \$12.50 per month as county aid until the further order of this court.

In the matter of the petition of  
C. L. McKinnis, et al., for the  
designation and establishment of  
a market road.

Now at this time it is ORDERED that the above entitled matter be and the same is hereby continued until the January term of 1931 of this Court.

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

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

SECOND JUDICIAL DAY

THURSDAY, JANUARY 8th, 1931

in width upon the following route or line, to-wit:

Beginning at a point approximately 245 feet west of the SE corner of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 18 in Twp 2 S, R 38, EWM, and running thence in a general northerly direction along the most practicable grade and route to the north line of said section 18, and terminating approximately 425 feet west of NE corner of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 18 in Tp 2 S, R 38, EWM;

BE IT FURTHER RESOLVED that this resolution will be further considered and further action taken thereon on Thursday, March 5th, 1931, at 10:00 A.M.

In the matter of the alteration, straightening and change of direction of that certain road beginning at the center of the NE $\frac{1}{4}$  of section 5, Tp 2 S, R 39, EWM, and running south one-half mile to the center of the SE $\frac{1}{4}$  of said Section 5.

WHEREAS, the County road running from the center of the Northeast quarter of section 5, tp 2 S, R 39 EWM, to the center of the southeast quarter of said section, is not located with the center of said road upon the center line of said quarter sections, and varies in its course away from said center line, and it is the desire of the owners of said lands and of the County Court to locate said road with the center line thereof corresponding with the center line of said quarter sections and to change the width thereof from fifty feet to forty feet, which change can be made without any cost or expense to the county, by reason of the fact that the present occupants agree to build the necessary fences and pay all damages awarded by the County Court for such re-location, upon the County Surveyor, and establishing corners & without any cost to county, setting the stakes therefor, and

WHEREAS, it appearing that it is for the best interests of the county to have such road situated so that the center line of said road corresponds with the center line of said quarter sections, and to make the width thereof forty feet,

NOW THEREFORE, BE IT RESOLVED that the county road heretofore existing and extending from the center point of the Northeast quarter of Section 5, Tp 2 S, R 39, EWM, to the center point of the southeast quarter of said section 5, be altered and straightened, and that said road be located as a strip of land twenty feet wide on each side of a straight line extending from the center of the northeast quarter of section 5, Tp 2 S, R 39, EWM, to the center of the southeast quarter of said section 5, Tp 2 S, R 39 EWM, and that the County Engineer, or a duly qualified deputy, post notices of this resolution as required by law, and make the necessary surveys, and that such other proceedings be carried out and fulfilled as to locate said road as aforesaid.

In the matter of the petition of C. L. McKinnis, et al., for the designation of a market road.

Now, at this time this matter comes on for consideration of the application of C. L. McKinnis, et al., for the designation of the following described road as a market road and the improvement of same under the market road act, to-wit: Commencing at a point approximately 20 rods west of the southeast corner of the northwest quarter of section 35, Tp 1 N, Range 38 EWM, running thence west one and three fourth miles ( $1\frac{3}{4}$ ) to the southwest corner of southeast quarter of northeast quarter of section 33, Tp 1 N, Range 38 EWM, thence due south one and one half miles ( $1\frac{1}{2}$ ) to the southwest corner of the southeast quarter of southeast quarter section 4, Tp 1 S, Range 38 EWM, thence East one fourth mile ( $\frac{1}{4}$ ) to the corner common to sections 3, 4, 9 and 10, Tp 1 S, Range 38, EWM, and the Court having considered said application and being of the opinion that said road would benefit a number of people residing in the vicinity thereof,

SECOND JUDICIAL DAY

THURSDAY, JANUARY 8th, 1931

It is CONSIDERED AND ORDERED that said road be and the same is hereby designated as a market road of Union County.

In the matter of the application of Zelma Samuelson for a mother's pension.

Now at this time it appearing to the Court that the County Judge, acting as Juvenile Judge, has allowed Zelma Samuelson the sum of \$20.00 per month as a mother's pension,

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

In the matter of the application of John Garrett for County Aid.

Now at this time this matter comes on to be heard upon the application of John Garrett for county aid and it appearing to the court from said petition that the said John Garrett is of the age of 76 years and by reason of his physical condition is unable to earn a livelihood, and it further appearing that said John Garrett has no relatives or friends who are able or willing to support him and the Court being fully advised in the premises,

It is CONSIDERED AND ORDERED that an allowance of \$10.00 per month as County Aid be granted to the said John Garrett until the further orders of this Court.

In the matter of the application of William Wilkinson for a dance hall license.

Now at this time this matter comes on for the consideration of the application of William Wilkinson, for a dance hall license to conduct a dance hall at Telocaset, Oregon, and it appearing to the Court that said application complies with the requirements of law relative thereto, but that the applicant has not filed a bond as required by law,

It is CONSIDERED AND ORDERED that said application be granted upon the filing of a bond in the sum of \$500.00 as required by law and in the prescribed form to be approved by the Court, and the payment of the fee prescribed by law.

In the matter of the application of the Sheriff for authority to issue Certificates of Delinquency to private persons.

Now at this time the above entitled matter comes on to be heard upon the application of Jesse Breshears, Sheriff of Union County, for authority to issue certificates of delinquency for the year 1928 delinquent taxes, to private persons, and it appearing to the Court that section 4341 Oregon Laws, provides that the permission of the County Court must first be had before certificates of delinquency can be issued to private persons,

It is therefore CONSIDERED AND ORDERED that the Sheriff be, and he is hereby authorized to issue certificates of delinquency for 1928 taxes to private parties.

Thereupon it was ORDERED that Court be now adjourned until Friday, January 23rd, 1931, at 9:00 o'clock, A.M.

SECOND JUDICIAL DAY

THURSDAY, MARCH 5th, 1931.

blade bits is hereby awarded to said firm.

In the matter of the establishment of Section "B" of the Mount Emily Forest Road.

Now at this time this matter comes on for further consideration of the resolution passed by this court on January 8th, 1931, declaring its intention to establish Section B of the Mount Emily Forest Road between the following points and along the following line to-wit:

Beginning at a point approximately 245 feet west of the SE corner of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 18 in Twp 2 S, R38, EWM, and running thence in a general northerly direction along the most practicable grade and route to the north line of said section 18, and terminating approximately 425 feet west of N.E. corner of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said section 18 in Tp 2S, R38, EWM;

and it appearing to the Court that notice has been given that further action would be taken upon said resolution at this time by duly certified copies of said resolution being posted at the place of holding county court, to-wit: at the Courthouse in the city of La Grande, Union County, Oregon; and in 3 public places in the vicinity of that portion of said road proposed to be established, to-wit: one on a tree at the beginning of said proposed road, one on a tree at the left hand side of said road about the center of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 18, Tp 2S, R38, EWM, and one on a tree at the left hand side of said proposed road about 115 feet west of the northwest corner of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Sec. 18, Tp2s, R38, EWM, more than 30 days previous to the time fixed by the court for further consideration of the said resolution, to-wit: on the 29th day of January, 1931; and it further appearing from the affidavit of C. K. McCormick, County Clerk, that a true copy of said notice and resolution as posted was mailed to Charles Orser, the only record owner of the land which will be affected by said proposed road and that said copy of said notice was received by the said Charles Orser which is more fully shown by the return receipt of the Postoffice Department and which is on file herein,

It is therefore CONSIDERED, ORDERED AND ADJUDGED that Roscoe Neal, County Surveyor, C. C. Welch and C. E. Kuhn, 2 qualified and disinterested free-holders of Union County, be and they are hereby appointed and constituted as a board of county road viewers for the purpose of viewing that portion of said proposed road to be established.

It is FURTHER ORDERED that said Board of Road viewers view said road and file their report not less than 10 days prior to April 2nd, 1931.

In the matter of the alteration, straightening and changing of direction of that certain road beginning at the center of the NE $\frac{1}{4}$  of Section 5, Tp2S, R39, EWM, and running south one-half mile to the center of the SE $\frac{1}{4}$  of said Section 5.

Now at this time this matter comes on for further consideration of the resolution passed by this court on January 8th, 1931, declaring its intention to alter, straighten and change the direction of that certain road beginning at the center of the NE $\frac{1}{4}$  of Section 5, Tp2S, R39, EWM, and running south one-half mile to the center of the SE $\frac{1}{4}$  of said Section 5, and establishing as a public highway a strip of land twenty feet wide on each side of a straight line extending from the center of the said NE $\frac{1}{4}$  of Section 5, Tp2S, R39, EWM, and running thence south one-half mile to the center of the SE $\frac{1}{4}$  of said Section 5, and it appearing to the court that notice has been given that further action would be taken upon said resolution at this time by duly certified copies of said resolution being posted

SECOND JUDICIAL DAY

THURSDAY, MARCH 5th, 1931.

at the place of holding county court, to-wit: at the Courthouse in the city of La Grande, Union County, Oregon, and in 3 public places in the vicinity of said road proposed to be altered, straightened and changed, to-wit: one on a barn located about midway between the center of the SE $\frac{1}{4}$  and the center of the NE $\frac{1}{4}$  of said Section 5, Tp2S, R39, EWM; and one on a telephone pole at the center of the NE $\frac{1}{4}$  of Section 5, Tp2S, R39, EWM, more than 30 days previous to the time fixed by the court for further consideration of said resolution as appears by the affidavit of Roscoe Neal, County Surveyor,

It is therefore CONSIDERED AND ORDERED AND ADJUGED that Roscoe Neal, County Surveyor, C. C. Welch and C. E. Kuhn, two qualified and disinterested freeholders of Union County, be and they are, hereby appointed and constituted as a board of county road viewers for the purpose of viewing that road proposed to be altered, straightened and changed.

It is further ordered that said board of road viewers view said road and file their report not less than 10 days prior to April 2, 1931.

In the matter of the application  
of Pleasant Grove Grange No. 475  
for a Dance Hall Permit.

Now at this time is presented to the Court the petition of Rock Wall Grange for a license to conduct a Dance Hall at about 3 miles north of Elgin, and it appearing to the Court that said application is in due form and signed by 12 freeholders residing in the School District in which the dance hall is located and it further appearing to the Court that the applicant has filed a good and sufficient bond as required by law in the sum of \$500.00, and it further appearing to the court that the applicant will run an orderly house,

It is CONSIDERED AND ORDERED that the County Clerk be and he is hereby authorized and directed to issue a Dance Hall License to the said Rock Wall Grange upon payment of the fee required by law.

In the matter of the petition of  
W. H. Bohnenkamp Company for  
issuance of a new warrant in lieu  
of a lost warrant.

Now at this time this matter comes on to be heard upon the application of W. H. Bohnenkamp Company for the issuance of a new warrant in lieu of General Road Fund Warrant No. 856, Series 1930, in the sum of \$23.10, and it appearing to the court that said warrant was mailed by the County Clerk to the said W. H. Bohnenkamp Company at La Grande, Oregon, but that same was never received by the said W. H. Bohnenkamp Company; that said warrant has not been presented to the County Treasurer for payment and that said warrant is lost; and it further appearing that said W. H. Bohnenkamp Company has filed a good and sufficient bond indemnifying the county against any loss which may arise on account of the payment of said lost warrant,

It is therefore CONSIDERED AND ORDERED that the County Clerk be and he is hereby authorized and directed to draw another warrant on the General Road fund of the county in the sum of \$23.10 in favor of the said W. H. Bohnenkamp Company in lieu of the lost warrant.

FIRST JUDICIAL DAY

WEDNESDAY, APRIL 1st, 1931.

In the matter of the alteration, straightening and changing of direction of that certain road beginning at the center of the NE $\frac{1}{4}$  of Section 5, Tp2S, R39, EWM, and running south one-half mile to the center of the SE $\frac{1}{4}$  of Section 5.

Now at this time the above entitled matter comes on to be heard for the first reading of the Road Viewers' Report, and said report having been publicly read,

It is CONSIDERED AND ORDERED that this matter be, and the same is, hereby continued until Thursday, April 2nd, 1931, at 9:00 o'clock, A.M.

In the matter of the establishment of Section "B" of the MountyEmily Forest Road.

Now at this time the above entitled matter comes on to be heard for the first reading of the Road Viewers' Report, and said report having been publicly read,

It is CONSIDERED AND ORDERED that this matter be, and the same is, hereby continued until Thursday, April 2nd, 1931, at 9:00 o'clock, A.M.

In the matter of vacating that part of Hall Street extending from the Northeasterly side of Jefferson Avenue to the Southwest boundary line of the O-W R & N Company's right of way, which part of Hall Street lies between lot 11, Block 3, and Lot 1, Block 4 of "Carr's Subdivision of Blocks 13 and 14 of Honan's Addition to the city of La Grande, Union County, Oregon.

The verified petition of Fletcher Oil Company, a corporation, Maude M. Johnson, and Oregon-Washington Railroad & Navigation Company, a corporation, being owners of all the land adjoining and abutting upon that portion of Hall Street above described and which has been petitioned to be vacated, to vacate all that part of Hall Street extending from the northeasterly side of Jefferson Avenue to the Southwest boundary line of the O-WR & N Company's right-of-way, which part of Hall Street lies between Lot 11, Block 3, and Lot 1, Block 4 of Carr's Subdivision of Blocks 13 and 14 of Honan's Addition to the city of La Grande, Union County, Oregon, together with the consent of said petitioners as owners of the abutting and adjoining property to that part of Hall Street above described and petitioned to be vacated, coming on before the court for consideration, and it appearing to the court that notice of the pendency of said petition should be issued and posted,

It is therefore CONSIDERED AND ORDERED that the County Clerk of Union County, Oregon, forthwith issue notice of the pendency of said petition, requiring all persons having objections to the vacating of said street to file same with the County Clerk of Union County, Oregon, on or before Thursday, the 7th day of May, 1931, at the hour of ten o'clock, AM.

It is Further ORDERED that the Sheriff of Union County, Oregon, post three copies of the Clerk's notice, containing a description of the property to be vacated, in three of the most public and conspicuous places within the limits of said platted acreage, and one on the bulletin board at the front door of the courthouse in La Grande, Union County, Oregon.

Thereupon it was ORDERED that Court be now adjourned until Thursday, April 2nd, 1931, at 9:00 o'clock, A.M.

SECOND JUDICIAL DAY

THURSDAY, APRIL 2nd, 1931.

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.

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

Whereupon the following proceedings were had, to-wit:

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

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

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

209 General Fund Warrants	\$7,263.78
142 Road Fund Warrants	5,015.35
155 Market Road Fund Warrants	7,421.60
7 Dog Fund Warrants	415.00
6 Prohibition Enforcement Fund Receipts	296.70
1 Fire Patrol Fund Receipt	274.36
1 Game Fund Receipt	97.00
1 School Fund Receipt	323.20
1 Elementary School Fund Receipt	147.50
7 Special Fund Receipts, Cities	3,258.40
39 Special Fund Receipts, School Districts	<u>8,713.76</u>
Total	\$33,226.65

In the matter of the alteration, straightening and changing of direction of that certain road beginning at the center of the NE $\frac{1}{4}$  of Section 5, Tp2S, R39, EWM, and running south one-half mile to the center of the SE $\frac{1}{4}$  of Section 5.

Now at this time the above entitled matter comes on to be heard for the second reading of, the Road Viewers' report, and said report having been publicly read,

It is CONSIDERED AND ORDERED that this matter be, and the same is, hereby continued until Friday, April 3rd, 1931, at 9:00 o'clock, A.M.

THIRD JUDICIAL DAY

FRIDAY, APRIL 3rd, 1931.

Court met pursuant to adjournment.

Present: Same officers as on last Judicial Day.

Due proclamation of the opening of Court having been made, the Journal of the last day's proceedings was read, approved, and is here now signed.

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

Whereupon the following proceedings were had, to-wit:

728 B  
 In the matter of the alteration, straightening and changing of direction of that certain road beginning at the center of the NE $\frac{1}{4}$  of Section 5, Tp 2SR39, EMM, and running south one-half mile to the center of the SE $\frac{1}{4}$  of said Section 5.

Now at this time the above entitled matter comes on for action on the report of the board of county road viewers heretofore appointed to view the above entitled road, said report being in words and figures as follows, to-wit:

"To the Honorable County Court for Union County, Oregon:

The undersigned Board of County Road Viewers, heretofore on the 4th day of March, 1931, instructed to view and lay out that portion of County Road #224, proposed to be altered and changed, of which the survey heretofore attached is a true and correct description, beg leave to report that on the 21st day of March, 1931, pursuant to said order, we proceeded to view out said proposed alterations and changes for the whole distance thereof, and that in our opinions said proposed changes should be made, and that the same are practicable. We therefore recommend that said changes and alterations be made and that no damages be allowed to owners of any of the land affected by said proposed changes and alterations.

C. C. Welch,  
 C. E. Kuhn,  
 Roscoe Neal,  
 Board of County Road Viewers"

and said report having been read in open court on 2 different days of the present term immediately prior to this date, and it appearing to the court that the report of said board of road viewers is favorable to the proposed alteration of said road and recommends that said alteration be made, and all the proceedings herein appearing to be regular and according to law and no remonstrance or claim for damages having been filed herein, and there having been no cause shown why said proposed alteration should not be made,

It is therefore CONSIDERED AND ORDERED that the report of the board of road viewers be placed on record and that the proposed changes in said road be made.

729  
 In the matter of the establishment of Section "B" of the Mount Emily Forest Road.

Now at this time the above entitled matter comes on for action upon the report of the board of county road viewers heretofore appointed to view the above entitled road, said report being in words and figures as follows, to-wit:

"To the Honorable County Court for Union County, Oregon;

The undersigned board of county road viewers, heretofore on the 4th day of March, 1931, instructed to view and lay out the proposed county road, of which the survey hereto attached is a true and correct description, beg leave to report that on the 21st day of March, 1931, pursuant to 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; that the same is practicable, and would add to the convenience of the householders residing in the vicinity thereof and the general public. We therefore recommend that said proposed road be laid out and declared a public highway of said county.

We have further determined that the premises through which said proposed



THIRD JUDICIAL DAY

FRIDAY, APRIL 3rd, 1931.

road is located will be rendered no less valuable by reason of the location said proposed road, and we recommend that no damages be allowed the owners of said premises.

C. C. Welch  
C. E. Kuhn  
Roscoe Neal  
Board of County Road Viewers."

and said report having been read in open court on 2 different days of the present term immediately prior to this date, and it appearing to the court that the report of the board of road viewers is favorable and the said report recommends that said proposed road be established as a county road and declared to be a public highway of Union County, Oregon, and all proceedings appear to be legal and according to law and no remonstrance or claim for damages having been filed herein, and there having been no cause shown why said proposed road should not be established, and the Court being satisfied from said report of the viewers that said road will be a public utility.

It is therefore CONSIDERED AND ORDERED that the report of the board of road viewers be placed on record and that the Surveyor's profile and plat of said proposed road and the field notes of the Surveyor thereof be placed on record in the book of road plats of Union County, Oregon, and the said proposed road declared to be a public utility of Union County, and opened up and placed in condition for travel.

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

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