

IN PROBATE
UNION COUNTY
OREGON

ESTATE OF

Oswald Wolswinkler
Deceased

William Wolswinkler
Administrator

ATTORNEYS

Green & Hess

MANUFACTURED BY
KILHAM STATIONERY & PRINTING CO.
238 S. W. FIFTH AVENUE AT OAK
PORTLAND, OREGON

729

Section "B"
Mt. Emily Forest Road

Ordered open April 3, 1931

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

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

WHEREAS, the United States Forest Service has established and is constructing a road along the summit of Mount Emily, a short distance from La Grande, Oregon, and

WHEREAS, the public convenience, utility and use, demands that a public and county road be located, laid out and established to connect with said road being constructed by said Forest Service, and

WHEREAS, the convenience of such a road is such that this court should of its own motion declare its intention to, and proceed to locate such road, THEREFORE

BE IT RESOLVED, and it is hereby declared to be the intention of the County Court of Union County, Oregon, to locate, lay out and establish a public county road 40 feet 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 1/4 of the NE 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 1/4 of the NE 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.

Done and dated at La Grande, Oregon, January 8th, 1931.

Chas. G. Conner
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 6th 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 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 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, 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;

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, R 38, 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 Tp 2S, R 38, 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.

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 fo the United States and the
Constitution and Laws of the State of Oregon, and will perform the
duties of Road Viewer in viewing Section B. of the Mt. Emily Forest
Road to the best of my ability and understanding, so help me God.

C. C. Welch

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

C. M. Cormick
County Clerk.

State of Oregon }
County of Union } ss.

I, C. E. Kuhn do solemnly swear
that I will support the Constitution fo the United States and the
Constitution and Laws of the State of Oregon, and will perform the
duties of Road Viewer in viewing Section B. of the Mt. Emily Forest
Road to the best of my ability and understanding, so help me God.

C. E. Kuhn

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

C. K. McCormick
County Clerk.

State of Oregon }
County of Union } ss.

I, C. K. Mc Cormick, County Clerk of Union County, Oregon, being first duly sworn say that, on January 17, 1931, I mailed ^{by registered mail} to Mr. Charles Orser a certified copy of the resolution of the County Court of Union County, Oregon, adopted on January 8, 1931, in the matter of the establishment of Section B. Mount Emily Forest Road. That said certified copy of said resolution was placed in an envelope securely sealed, and addressed to Mr. Charles Orser, Glacier Star Route, Bellingham, Washington, c/o Mc Rea's Store. That twenty cents in postage was affixed to the envelope containing said certified copy of said resolution and delivered to the Registry Clerk at the United States Post Office at La Grande, Oregon, and a return receipt for said letter requested. That the return receipt attached hereto is the receipt received by me showing the delivery of said letter.

C. K. Mc Cormick

Subscribed and sworn to before me this 5th day of
March, 1931.

W. G. Leach

County Judge of Union
County, Oregon.

In re establishment of Section B.
of the Mt. Emily Forest Road.

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 the proposed County Road, of which the survey hereto attached is a true and correct description, beg leave to report that on the ^{31st} 4th 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} 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.

L. C. Welch
E. E. Kuhn
W. S. Neal
Board of County Road Viewers.

Filed Mar 21, 1931

State of Oregon }
County of Union } ss.

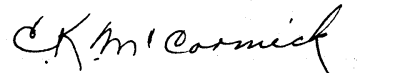
I, Roscoe Neal, being first duly sworn, say that I posted three certified copies of the Resolution of the County Court, which certified copy hereunto attached is a true and correct copy of said resolution, in three public places in said Union County in the vicinity of the road proposed to be established, and therein described, 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 at about the center of the Southwest one-fourth of the Northeast one-fourth of Section 18, Tp. 2 S. R. 38 E. W. M.; and one on a tree along the left hand side of said proposed road 115 feet west of the Northwest corner of the Southwest one-fourth of the Northeast one-fourth of said Section 18, Tp. 2 S. R. 38 E. W. M.

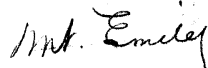
thirty days previous to the time fixed by the County Court for further consideration of said resolution, to-wit: on the 29th day of January 1931, and that thereafter and thirty days previous to the time fixed for further consideration of said resolution, ^{to-wit: January 29, 1931} I posted a certified 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.



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

1931.


County Clerk of Union County,
Oregon.



RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

Sheldon D. Brown

(Signature or Name of addressee)

(Signature of addressee's agent)

Date of delivery *1/28*, 19*31*

FORM 3611

U. S. GOVERNMENT PRINTING OFFICE, 1929

5-6116

Post Office Department

OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 3191
INSURED PARCEL

No. _____

PENALTY FOR PRIVATE USE OF POSTAGE, \$300



DATE OF DELIVERY

1202

Return to _____

County of Clark

(NAME OF SENDER)

Street and Number,
or Post Office Box

Post Office at La Grande, Oregon

State _____

Rev. 3-24

• 4-1116

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

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

WHEREAS, the United States Forest Service has established
and is constructing a road along the summit of Mount Emily, a short
distance from La Grande, Oregon, and

WHEREAS, the public convenience, utility and use, demands
that a public and county road be located, laid out and established to
connect with said road being constructed by said Forest Service, and

WHEREAS, the convenience of such a road is such that this
court should of its own motion declare its intention to, and proceed
to locate such road, THEREFORE

BE IT RESOLVED, and it is hereby declared to be the intention
of the County Court of Union County, Oregon, to locate, lay out and
establish a public county road 40 feet 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 1/4 of the NE 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 1/4 of the NE 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.

Done and dated at La Grande, Oregon, January 8th, 1931.

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

STATE OF OREGON)
County of Union) ^{ss}

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 establishment of Section B of
the Mount Emily Forest Road 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, A.D., 1931.

C. K. McCORMICK, County Clerk,
By *[Signature]* Deputy.

REPORT OF SURVEYOR

To the Honorable County Court,

Union County, Oregon.

I, the undersigned County Surveyor appointed to survey Section "E" of the Mt. Emily Forest Road, beg leave to report that on 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 40 plus 00 which is located West 245 feet from the S. E. Corner of the S. W. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of Section 18 in Twp. 2 S. R. 38 E. W. M. and running thence

Thence	N. 12	Deg. 00	Min.	E 161	feet to	Sta. 41	plus	61
"	N. 14	" 30	"	W 139	" " "	43	"	00
"	N. 31	" 15	"	E 140	" " "	44	"	40
"	N. 2	" 00	"	W 45	" " "	44	"	85
"	S. 34	" 00	"	W 155	" " "	46	"	40
"	S. 11	" 45	"	E 160	" " "	48	"	00
"	S. 35	" 30	"	W 100	" " "	49	"	00
"	S. 44	" 15	"	W 90	" " "	49	"	90

Which said Survey Station 49 plus 90 is located West 400 feet from the said S. E. Corner of the S. W. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of said Section 18 in Twp. 2 S. R. 38 E. W. M.

Thence	S. 44	Deg. 15	Min.	W 150	feet to	Sta. 51	plus	40
"	S. 88	Deg. 30	"	W 33	" " "	51	"	73
"	N. 45	Deg. 30	"	W 117	" " "	52	"	90
"	N. 88	" 00	"	W 110	" " "	54	"	00
"	S. 60	" 30	"	W 100	" " "	55	"	00
"	S. 25	" 00	"	W 155	" " "	56	"	55
"	S. 46	" 30	"	W 131	" " "	57	"	86
"	S. 78	" 00	"	W 214	" " "	60	"	00
"	S. 64	" 15	"	W 166	" " "	61	"	66

Which said Survey Station 61 plus 66 is located South 378 feet from the S. W. Corner of the S. W. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of said Section 18 in Twp. 2 S. R. 38 E. W. M.

Thence	N. 55	Deg. 30	Min.	W. 94	feet to	Sta. 62	plus	50
"	N. 11	" 45	"	E. 110	" " "	63	"	60
"	N. 11	" 00	"	W 105	" " "	64	"	63

Thence N. 73 Deg. 45 Min. E 61 feet to Sta. 65 plus 26

Which said Survey Station 65 plus 26 is located South 97 feet from the S. W. Corner of the S. W. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of said Section 18 in Twp. 2 S. R. 38 E. W. M.

Thence N. 73 Deg. 45 Min. E. 119 feet to Sta. 66 plus 45
 " S. 81 Deg. 30 " E 85 " " " 67 " 30
 " N. 64 " 30 " E 92 " " " 68 " 22
 " N. 22 " 00 " E 50 " " " 68 " 72

Which said Survey Station 68 plus 72 is located East 300 feet from the S. W. Corner of the S. W. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of said Section 18 in Twp. 2 S. R. 38 E. W. M.

Thence N. 22 Deg. 00 Min. E. 201 feet to Sta. 70 plus 73
 " N. 38 Deg. 45 " E 263 " " " 73 " 36
 " N. 24 " 00 " E 328 " " " 76 " 64
 " N. 35 " 00 " E 136 " " " 78 " 00
 " N. 21 " 30 " W 100 " " " 79 " 00
 " N. 44 " 30 " W 163 " " " 80 " 63
 " S. 82 " 00 " W 422 " " " 84 " 85
 " N. 42 " 30 " W 115 " " " 86 " 00
 " S. 15 " 30 " W 256 " " " 88 " 56
 " S. 69 " 15 " W 40 " " " 88 " 96

Which said Survey Station 88 plus 96 is located South 535 feet from the N. W. Corner of the S. W. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of said Section 18 in Twp. 2 S. R. 38 E. W. M.

Thence S. 69 Deg. 15 Min. W. 46 feet to Sta. 89 plus 42
 " N. 46 " 45 " W 81 " " " 90 " 23
 " N. 12 " 00 " E 107 " " " 91 " 30
 " N. 2 " 45 " W 218 " " " 93 " 48
 " N. 7 " 00 " W 173 " " " 95 " 21

Which said Survey Station 95 plus 21 is located West 115 feet from the N. W. Corner of the S. W. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of said Section 18 in Twp. 2 S. R. 38 E. W. M.

Thence N. 30 Deg. 45 Min. E. 138 feet to Sta. 96 plus 59
 " N. 61 " 45 " E 45 " " " 97 " 04

Which said survey Station 97 plus 04 is located North 142 feet from the N. W. Corner of the S. W. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of said Section 18 in Twp. 2 S. R. 38 E. W. M.

Thence N. 61 Deg. 45 Min. E. 160 feet to Sta. 98 plus 64

Thence	N.	Deg.	00	Min.	E.	207	feet	to	Sta.	100	plus	71
"	N.	34	"	30	"	E	63	"	"	"	"	34
"	N.	19	"	30	"	E	184	"	"	"	"	88
"	S.	71	"	30	"	E	328	"	"	"	"	16
"	S.	54	"	00	"	E	69	"	"	"	"	85
"	N.	52	"	00	"	E	115	"	"	"	"	00
"	N.	73	"	30	"	W	100	"	"	"	"	00
"	N.	57	"	15	"	W	175	"	"	"	"	75
"	N.	24	"	30	"	E	125	"	"	"	"	00
"	N.	75	"	30	"	E	200	"	"	"	"	00
"	N.	46	"	45	"	W	100	"	"	"	"	00
"	N.	64	"	00	"	W	100	"	"	"	"	00
"	N.	31	"	15	"	E	170	"	"	"	"	70
"	N.	68	"	30	"	E	130	"	"	"	"	00
"	S.	78	"	00	"	E	82	"	"	"	"	82
"	N.	5	"	45	"	W	173	"	"	"	"	55
"	N.	86	"	00	"	W	110	"	"	"	"	65
"	N.	27	"	30	"	W	55	"	"	"	"	20
"	N.	14	"	45	"	E	125	"	"	"	"	45
"	N.	35	"	00	"	E	20	"	"	"	"	65

Which said Survey Station 124 plus 65 is located West 425 feet from the N. E. Corner of the N. W. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of said Section 18 in Twp. 2 S. R. 38 E. W.M.

Signed Jan 3 1931


County Surveyor.

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 H. G. Couch, County Judge,
W. W. Stevens, Commissioner,
W. R. Ledbetter, Commissioner,
G. K. McCormick, Clerk,
Jesse Breshears, Sheriff.

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

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 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, AM.

H. 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, ~~on the 1st day of April, A.D. 1931, at the same time and place as 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, 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 establishment of Section B of the Mount Emily Forest Road.

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

WHEN, on ^{Friday} ~~Thursday~~, 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 establishment of Section B of the Mount ~~Railly~~ ^{Railly} 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 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.

L. G. Couch County Judge
W. W. Stevens Commissioner
W. R. Ledbetter Commissioner

729

Section "B"

Mt Emily Forest Road.

SECOND JUDICIAL DAY

THURSDAY, JANUARY 8th, 1931

In the matter of the appointment
of a County Engineer.

Now at this time it appearing to the Court that the road improvement program of Union County is so extensive and that the improvement of market roads is required to be done under the direction of a competent engineer, and it further appearing that S. B. Morgan is a competent engineer and qualified to serve as such county engineer,

It is CONSIDERED AND ORDERED that said S. B. Morgan be, and he is, hereby appointed as County Engineer for the term of one year and his salary is hereby fixed at \$225.00 per month.

In the matter of awarding the
contract for auditing of county
records for the year 1930.

Now at this time this matter comes on for the awarding of a contract for the auditing of the county records for the year 1930 and it appearing to the report that the following persons have submitted bids in the following amounts to-wit: Virgil G. DeLap, \$485.00; Daisy Noe, \$500.00; and Chas. R. Logan, \$375.00; and it appearing to the Court that the bid of Chas. R. Logan is the lowest and best bid presented and that the said Chas. R. Logan is a qualified and competent auditor,

It is CONSIDERED AND ORDERED that the contract for the auditing of the county records for the year 1930 be and the same is hereby awarded to said Chas. R. Logan upon his filing a contract and bond to be approved by the court.

In the matter of the application
of Natural Gas Corporation of Oregon
for the right, privilege and franchise
to lay and maintain gas mains and
appurtenances in, under and along
certain streets, roads and highways
in Union County, Oregon.

It appearing to the Court that by instrument of writing dated December 22, 1930, duly executed by Natural Gas Corporation of Oregon, a corporation, that said corporation, as the grantee of a franchise dated December 4, 1930, has unconditionally accepted the order of the County Court granting to it a franchise and all of its terms, provisions and conditions,

It is now ORDERED AND ADJUDGED that the said acceptance be received, approved and filed.

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

WHEREAS, the United States Forest Service has established and is constructing a road along the summit of Mount Emily, a short distance from La Grande, Oregon, and

WHEREAS, the public convenience, utility and use, demands that a public and county road be located, laid out and established to connect with said road being constructed by said Forest Service, and

WHEREAS, the convenience of such a road is such that this court should of its own motion declare its intention to, and proceed to locate such road, therefore

BE IT RESOLVED, and it is hereby declared to be the intention of the County Court of Union County, Oregon, to locate, lay out and establish a public county road 40 feet

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, 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, APRIL 2nd, 1931.

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 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.

In the matter of the application of D. W. Sanford for County Aid.

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

In the matter of the application of Mrs. Samantha Shuey for County Aid.

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

In the matter of the proposed county road petitioned for by John B. Scott, et al.

Comestnowi John B. Scott, one of the petitioners for a 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:

Commencing at a point on the present county road approximately one-eighth mile east of the southwest corner of the northwest quarter of the southwest quarter of section 22, in Township 2 North, Range 40, EWM, thence north and easterly along the most practical survey or route to a point approximately one-eighth mile east of the center of said section 22, near where a large tree stands, intersecting the old unused road running east and west through the east half of said section 22, thence in an easterly direction along the most practical route to the northeast corner of the southeast quarter of said Section 22, intersecting the present county road at such point, being approximately one and one-fourth miles in length. Such road to be sixty feet in width, and is and it appearing to the Court that said petition is signed by more than 12 freeholders of Union County, residing in the road district where the hereinbefore described road is proposed to be located, and that said petition properly specifies the place of beginning, intermediate points and the terminus of said road, and it satisfactorily appearing to the Court that notice of said petition has been given by notices of posting at the place of holding court, to-wit: at the Courthouse in the city of La Grande, Union County, Oregon, and also in 3 public places in the vicinity of said proposed road, to-wit: one on a fence post on the North side of the County Road approximately 1/8 mile east of the SW corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 22, Tp 2NR40, EWM; one on a telephone pole at the forks of the road south of the Scott School House; and one on a tree where the easterly end of said proposed road intersects the present county road; more than 30 days immediately prior to the presentation of said petition to this court notifying all persons that application would be made to this court at its present session and that said notices so posted were in due form and contained the names of the petitioners and that the bond for the costs of this proceeding has been filed; and it further appearing from the affidavit of John B. Scott, one of the petitioners, that true and correct copies of said notices were mailed to Mrs. Carrie Thompson and Mr. H. Stowe, persons whose lands would be affected by said proposed road, more

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.