

IN PROBATE

UNION COUNTY
OREGON

ESTATE OF

Wm. H. Schroeder
Deceased

Benjamin W. Schroeder
Executor

ATTORNEYS

H. E. Dixon

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

#735

In the matter of
establishing a road
at Perry, Oregon

Road ordered opened
August 4, 1933

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

In the matter of establishing a county road at Perry, Oregon.

WHEREAS, it appears that there is no county road connecting the town of Perry, Oregon, with the Old Oregon Trail State Highway, and

WHEREAS, it appears that the traveling public and more particularly the residents of Perry, are dependent upon a private road for access to said town of Perry, and

WHEREAS, it appears that public necessity requires the establishment of a county road connecting said town of Perry with the Old Oregon Trail State Highway, therefore

BE IT RESOLVED AND DECLARED that it is the intention of the County Court of Union County, Oregon, to establish a county road between the points and along the line described as follows:

Beginning at a point in the center of the present county road No. 371, at survey station 4/15.0, which point is the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S R37, EWM; thence running North 55°53' West a distance of 185.0 feet to station 6/00; thence North 79°38' West a distance of 173.0 feet to survey station 7/73.0, which said point is on the east right of way line of the Old Oregon Trail Highway and 136.2 feet north and 323.2 feet west of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S R37, EWM

said road to be 60 feet in width, or 30 feet on either side of the center line of the above described survey;

BE IT ALSO RESOLVED AND DECLARED that it is the intention of the County Court of Union County, Oregon, to establish as a part of and a connection to the above described road a county road 40 feet in width, or 20 feet on either side of the center line of the following described survey, to-wit:

Beginning at a point of survey station 4/72.2, which point is 3.8 feet North and 57.2 feet West of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S R37, EWM, thence South 30° East a distance of 298.8 feet to survey station 7/71.0; thence South 22° 22' West a distance of 44.5 feet to survey station 8/15.5, which said point is on the east right of way line of the Old Oregon Trail Highway and 336.5 feet South and 58.1 feet West of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S R37, EWM.

BE IT FURTHER RESOLVED AND DECLARED that this Court will take further action in connection with the establishment of the above described roads at a regular meeting of this Court to be held on June 8th, 1933, at 10:00 o'clock, A.M., at the County Court House in the city of La Grande, Oregon, by appointing a board of road viewers to view the above described road proposed to be established and to assess the damages, if any, to be incurred by any property owner by reason of the establishment of said proposed road.

Done and dated at LaGrande, Oregon, this 4th day of May, 1933.

U. G. Couch U. G. Couch, County Judge,

R. Ledbetter R. Ledbetter, Commissioner,

T. B. Johnson T. B. Johnson, 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 LaGrande, in said county and state, on Wednesday, the 7 day of June, A.D., 1933, 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. R. Ledbetter, Commissioner,

T. B. Johnson, Commissioner,

C. K. McCormick, Clerk,

Jesse Breshears, Sheriff.

WHEN, on Thursday, the 8th day of June, AD, 1933, or the 2nd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of establishing
a county road at Perry, Oregon.

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

U. G. Couch
W. R. Ledbetter
T. B. Johnson

County Judge,

Commissioner,

Commissioner.

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

I, C. K. McCormick, being first duly sworn, say that I am the duly elected, qualified and acting County Clerk of Union County, Oregon; that on June 8th, 1933, I deposited in the United States Post Office, at La Grande, Oregon, a full, true and correct copy of the hereto attached notice of the establishment of a proposed road at Perry, Oregon; that said notice was securely sealed in an envelope with postage fully prepaid thereon and addressed to W. W. Holden, Perry, Oregon.

C. K. McCormick

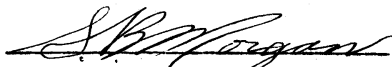
Subscribed and sworn to before me this 5th day of July, AD, 1933.

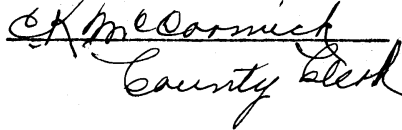
W. W. Holden

State of Oregon)
ss
County of Union)

I, S. B. Morgan, County Engineer, being first duly sworn, say that I posted three notices of which the notice hereto attached is a true and correct copy in three public places in Union County, Oregon, in the vicinity of that certain road proposed to be established at Perry, Oregon, across the lands of W. W. Holden, to-wit: one notice posted on a pine tree at the east end of the Y of the proposed road, one notice posted on a pine tree at the west end of the Y of the proposed road and one notice posted on a pine tree at the center of the Y of the proposed road.

thirty days previous to the date set for hearing the resolution of the county court therein mentioned, to-wit: on the 8th day of June, 1933, and that thereafter ^{and} 30 days previous to the date fixed for hearing the said resolution of the county court mentioned in said notice, to-wit: on the 8th day of June 1933, I posted a true and correct copy of said notice at the place of holding county court for Union County Oregon, to-wit: 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 5th day of July, AD, 1933.


County Clerk

(Name of road)
County of (County)

I, the undersigned, being a qualified elector of the County of (County), Oregon, do hereby certify that the following is a true and correct copy of the proposed road as shown on the map filed in my office on the (Date) day of (Month), 1933.

*In the proposed
County Road at
Geary, Oregon*

*Affidavit of Posting
Notice*

*Filed July 5, 1933
C. J. McCormick
County Clerk*

I, the undersigned, being a qualified elector of the County of (County), Oregon, do hereby certify that the following is a true and correct copy of the proposed road as shown on the map filed in my office on the (Date) day of (Month), 1933.

Witness my hand and the seal of my office this (Date) day of (Month), 1933.

County Clerk

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

In the matter of establishing a county road at Perry, Oregon.

WHEREAS, it appears that there is no county road connecting the town of Perry, Oregon, with the Old Oregon Trail State Highway, and

WHEREAS, it appears that the traveling public and more particularly the residents of Perry, are dependent upon a private road for access to said town of Perry, and

WHEREAS, it appears that public necessity requires the establishment of a county road connecting said town of Perry with the Old Oregon Trail State Highway, therefore

BE IT RESOLVED AND DECLARED that it is the intention of the County Court of Union County, Oregon, to establish a county road between the points and along the line described as follows:

Beginning at a point in the center of the present county road No. 371, at survey station 4/15.0, which point is the SW corner of the NW 1/4 of the NE 1/4 of Section 34 T 23 R 37, E 1/4; thence running North 53° 53' West a distance of 133.0 feet to station 6/00; thence North 76° 53' West a distance of 173.0 feet to survey station 7/73.0, which said point is on the east right of way line of the Old Oregon Trail Highway and 136.2 feet north and 523.2 feet west of the SW corner of the NW 1/4 of the NE 1/4 of Section 34 T 23 R 37, E 1/4

said road to be 60 feet in width, or 30 feet on either side of the center line of the above described survey;

BE IT ALSO RESOLVED AND DECLARED that it is the intention of the County Court of Union County, Oregon, to establish as a part of and a connection to the above described road a county road 40 feet in width, or 20 feet on either side of the center line of the following described survey, to-wit:

Beginning at a point of survey station 4/72.2, which point is 3.2 feet North and 27.2 feet West of the SW corner of the NW 1/4 of the NE 1/4 of Section 34 T 23 R 37, E 1/4; thence South 3° 0' East a distance of 298.8 feet to survey station 7/71.0; thence South 22° 23' West a distance of 44.5 feet to survey station 8/13.5, which said point is on the east right of way line of the Old Oregon Trail Highway and 526.5 feet South and 88.1 feet West of the SW corner of the NW 1/4 of the NE 1/4 of Section 34 T 23 R 37, E 1/4.

BE IT FURTHER RESOLVED AND DECLARED that this Court will take further action in connection with the establishment of the above described roads at a regular meeting of this Court to be held on June 8th, 1933, at 10:00 o'clock, A.M., at the County Court House in the city of La Grande, Oregon, by appointing a board of road viewers to view the above described road proposed to be established and to assess the damages, if any, to be incurred by any property owner by reason of the establishment of said proposed road.

Done and dated at LaGrande, Oregon, this 4th day of May, 1933.

U. G. Couch, County Judge,

W. R. Ledbetter, Commissioner,

T. B. Johnson, 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 relative to the establishment of a county road at Perry, Oregon,

.....has been compared by me with the original, and it is a correct transcript therefrom, and of the whole of such original resolution of record in my office and in my custody, as the same appears.....

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court this.....8th.....day of May.....A. D. 1933

C. K. McCormick, County Clerk
By.....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 5th day of July, AD, 1933, 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. R. Ledbetter ~~W. R. Ledbetter~~, Commissioner,

T. B. Johnson, Commissioner,

C. K. McCormick, Clerk,

Jesse Breshears, Sheriff.

WHEN, on Thursday, the 6th day of July, AD, 1933, or the 2nd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of establishing
a county road at Perry, Oregon.

Now at this time this matter comes on for further consideration of the resolution passed by this Court on May 4th, 1933, declaring its intention to establish a county road at Perry, Oregon, between the following described points and along the following line:

"Beginning at a point in the center of the present county road No. 371, at survey station 4/15.0, which point is the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S R37, EWM; thence running North 55°53' West a distance of 185.0 feet to station 6/00; thence North 79°38' West a distance of 173.0 feet to survey station 7/73.0, which said point is on the east right of way line of the Old Oregon Trail Highway and 136.2 feet north and 323.2 feet west of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S, R37, EWM,

said road to be 60 feet in width, or 30 feet on either side of the center line of the above described survey;

Also, between the following described points and along the following line:

Beginning at a point of survey station 4/72.2, which point is 3.8 feet North and 57.2 feet West of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S R37, EWM, thence South 3°0' East a distance of 298.8 feet to survey station 7/71.0; thence South 22°22' West a distance of 44.5 feet to survey station 8/15.5, which said point is on the east right of way line of the Old Oregon Trail Highway and 336.5 feet South and 58.1 feet West of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S R37, EWM,

said road to be 40 feet in width, or 20 feet on either side of the center line of the above described survey;

And it appearing to the Court that notice has been given, that further action will be taken upon said resolution at the regular meeting

of the Court on June 8th, 1933, by duly certified copies of said resolution being 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 notice posted on a pine tree at the east end of the Y of said proposed road, one on a pine tree at the west end of the Y of said proposed road, and one on a pine tree at the center of the Y of said proposed road,


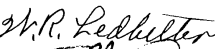

and that proof of the posting of said notices is shown by the affidavit of S. B. Morgan, County Engineer, on file herein.

And it further appearing from the affidavit of C. K. McCormick, County Clerk, that a true copy of said notices of posting was mailed to W. W. Holden at Perry, Oregon, who is the only record owner of land which will be affected by said ~~proposed~~ proposed road;

And it further appearing to the Court that road viewers were not appointed on June 8th, 1933, but that said matter was continued until this time,

It is therefore CONSIDERED, ORDERED AND ADJUDGED that S. B. Morgan, County Engineer, and J. A. McKenzie and Charles Playle, two qualified and disinterested freeholders of Union County, be, and they are, hereby appointed and constituted a board of county road viewers for the purpose of viewing said proposed road.

It is FURTHER ORDERED that said board of road viewers meet on July 19th, 1933, at 9:00 AM for the purpose of viewing said proposed road, and that they file their report with the County Clerk on or before July 20th, 1933.

	U. G. Couch,	County Judge
	W. J. Ledbetter	Commissioner
	T. E. Johnson	Commissioner

State of Oregon)

County of Union) ^{ss}

I, Chas. Playle, , being first duly sworn, say 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 a member of a board of road viewers in viewing that certain road proposed to be established at Perry, Oregon, across the lands of W. W. Holden, to the best of my ability and understanding.

~~Subscribed and sworn to before me this XXXXX day of July, AD, 1933.~~

Chas Playle

Subscribed and sworn to before me this 19th day of July, AD, 1933.

S. B. Morgan

State of Oregon)

County of Union) ^{ss}

I, J. A. McKenzie , being first duly sworn, say 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 a member of a board of road viewers in viewing that certain road proposed to be established at Perry, Oregon, across the lands of W. W. Holden, to the best of my ability and understanding.

J. A. McKenzie

Subscribed and sworn to before me this 19th day of July, AD, 1933.

S. B. Morgan

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

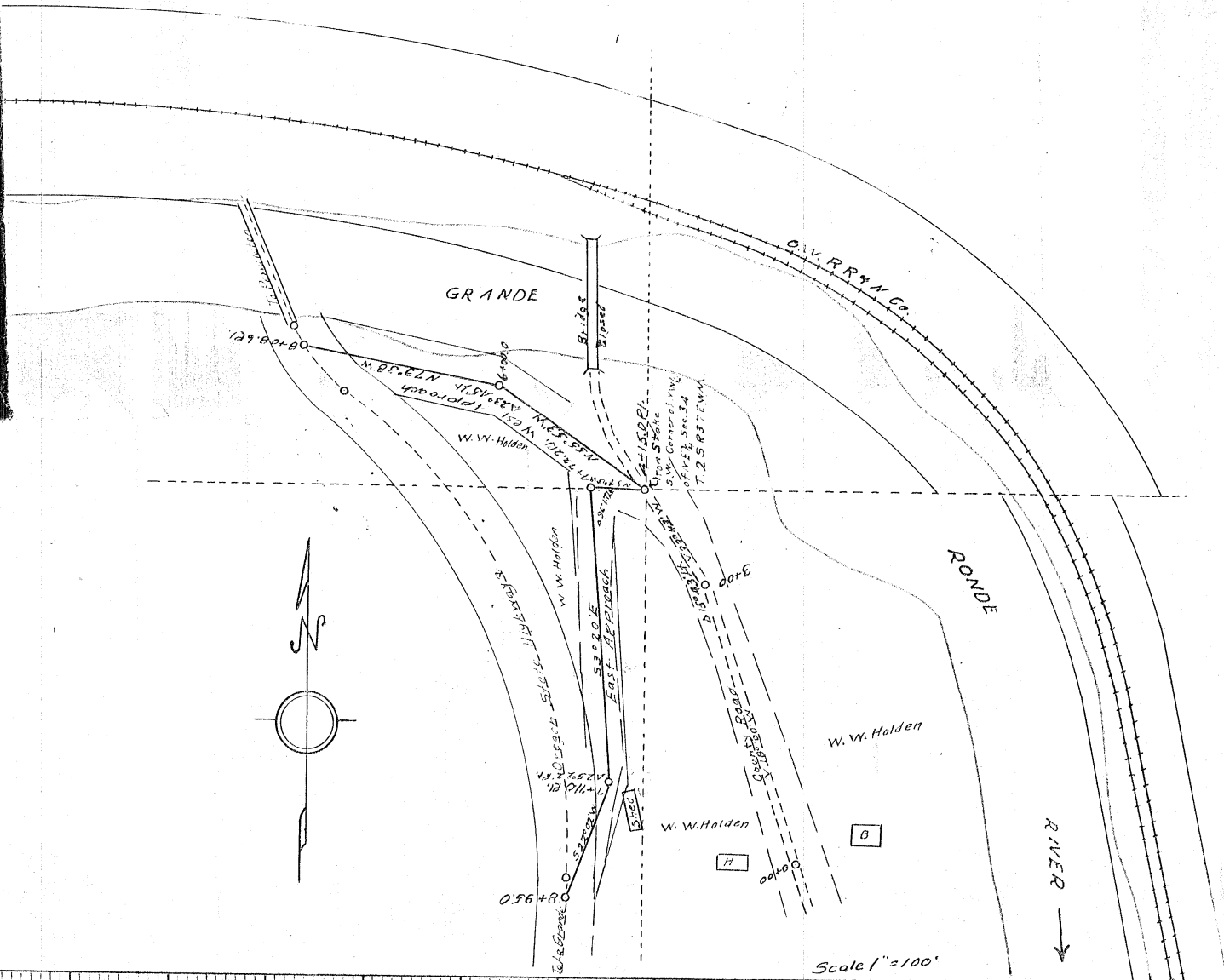
TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned Board of County Road Viewers, heretofore on the 19th day of July 1933, 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 by Union County Court ~~et al~~, beg leave to report that on the 19th day of July, 19133, 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, we further recommend that W. W. Holden be paid the sum of \$25.00 for right of way and damages.

Filed July 20 - 1933
 C. K. McCormick, County Clerk
 By [Signature] Deputy

[Signature: J. A. McKenzie]
[Signature: J. W. ...]
[Signature: J. B. Morgan]

Board of County
 Road Viewers.



UNION COUNTY HIGHWAY DEPARTMENT
 SHOWING 'Y' CONNECTION
 WITH COUNTY ROAD
 6 STATE HIGHWAY
 FOR PERRY

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 LaGrande, in said county and state, on Wednesday, the 2nd day of August, AD, 1933, 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. R. Ledbetter, Commissioner,

T. B. Johnson, Commissioner,

C. K. McCormick, Clerk,

Jesse Breshears, Sheriff.

WHEN, on Wednesday, the 2nd day of August, AD, 1933, or the 1st judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of establishing a county road at Perry, Oregon.

Now at this time this matter comes on for the first reading of the report of the Board of County Road Viewers, heretofore appointed, to view the above entitled road, which report was filed in the office of the County Clerk on July 20th, 1933, and said report having been read in open court,

It is ORDERED that this matter be and the same is hereby continued until Thursday, August 3rd, 1933.

U. G. Couch County Judge,
W. R. Ledbetter Commissioner,
T. B. Johnson Commissioner

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

In the matter of establishing
a County Road at Perry, Oregon.

We, the undersigned freeholders, residing in the Road District in which the above entitled road is proposed to be established, hereby object to the report of the Board of County Road Viewers filed in the above entitled matter on *July 20, 1933* and object to the establishment of said road by the County Court, for the reason that said road would be of no material benefit to the residents of Perry, Oregon, and that vicinity, and for the further reason that it would be a waste of County funds to construct said road.

Wherefore, your objectors ask that the report of the Road Viewers be not approved, and that said proposed Road be not established.

Ole Mattson
W W Golden

... ..

... ..

... ..

... ..

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

*Case proposed
 County Road at
 Perry, Oregon*

Objections

FILED *August 3 1933*

W. H. McCormick
 Clerk

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 LaGrande, in said county and state, on Wednesday, the 2nd day of August, AD, 1933, 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. R. Ledbetter, Commissioner,

T. B. Johnson, Commissioner,

C. K. McCormick, Clerk,

Jesse Breshears, Sheriff.

WHEN, on Thursday the 3rd day of August, AD, 1933, or the 2nd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of establishing a county road at Perry, Oregon.

Now at this time this matter comes on for the second reading of the report of the Board of County Road Viewers, heretofore appointed to view the above entitled road, and said report having been read in open court for the second time,

It is ORDERED that this matter be and the same is hereby continued until Friday, August 4th, 1933.

U. G. Couch County Judge,
W. R. Ledbetter Commissioner,
T. B. Johnson 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 LaGrande, in said county and state, on Wednesday, the 2nd day of August, A.D., 1933, 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. R. Ledbetter, Commissioner,
T. B. Johnson, Commissioner,
C. K. McCormick, Clerk,
Jesse Breshears, Sheriff.

WHEN, on Friday, the 4th day of August, AD, 1933, or the 3rd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of establishing a
County Road at Perry, Oregon.

Now at this time the above entitled matter comes on for consideration of the report of the Board of County Road Viewers, heretofore appointed to view the above entitled road, which report was filed in the office of the County Clerk on July 20th, 1933, and is as follows:

"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 19th day of July, 1933, 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 by Union County Court, beg leave to report that on the 19th day of July, 1933, 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, we further recommend that W. W. Holden be paid the sum of \$25.00 for right of way and damages.

J. A. McKenzie
Chas. Playle
S. B. Morgan,
Board of County Road Viewers"

and it appearing that said report has been read in open court on August 2nd, and August 3rd, 1933, said dates being the two previous days of the present term of this court, and it appearing to the court that the report of said

board of road viewers is favorable and recommends the establishment of said proposed road and further recommends that the sum of \$25.00 be paid to W. W. Holden for the land required as a right-of-way for said road and for damages to be sustained by the said W. W. Holden by reason of the taking of said land,

And it further appearing to the court that Ole Mathson and W. W. Holden, freeholders residing in the road district in which the above entitled road is proposed to be established, have filed objections to the report of the board of county road viewers and to the establishment of said road, and the said Ole Mathson and W. W. Holden having personally appeared in open court and presented their argument in support of said objections to the establishment of said proposed road, and the said W. W. Holden having stated in open court that he did not object to the amount of damages recommended by the board of county road viewers for the taking of the land required as a right-of-way, and the court having considered said objections and being advised in the premises,

It is CONSIDERED AND ORDERED that the objections of the said Ole Mathson and W. W. Holden be and they are hereby overruled and that the report of the board of county road viewers be and the same is hereby adopted.

It is FURTHER CONSIDERED AND ORDERED that said proposed county road be and the same is hereby established as a county road of Union County between the following described points and along the following survey, to-wit:

Beginning at a point in the center of the present county road No. 371, at survey station 4/15.0, which point is the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S, R37, EWM; thence running North 55 $^{\circ}$ 53' west a distance of 185.0 feet to station 6/00; thence North 79 $^{\circ}$ 38' West a distance of 173.0 feet to survey station 7/73.0, which said point is on the east right of way line of the Old Oregon Trail Highway and 136.2 feet north and 323.2 feet west of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S R37, EWM,

said road to be 60 feet in width, or 30 feet on either side of the center line of the above described survey;

Also, between the following described points and along the following survey, to-wit:

Beginning at a point of survey station 4/72.2, which point is 3.8 feet North and 57.2 feet west of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S, R37, EWM, thence South 3 $^{\circ}$ 0' East a

distance of 298.8 feet to survey station 7/71.0; thence south 22°22' West a distance of 44.5 feet to survey station 8/15.5, which said point is on the east right of way line of the Old Oregon Trail Highway and 336.5 feet south and 58.1 feet west of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S R37, EWM,

said last described section of road to be 40 feet in width, or 20 feet on either side of the center line of the above described survey;

And the County Engineer is hereby authorized and directed to place said road in condition for travel by the public, and the County Clerk is hereby authorized and directed to draw a warrant on the General Road Fund of the county in favor of W. W. Holden in the sum of \$25.00, in payment for the land taken for right-of-way purposes and in full settlement for all damages to be sustained by the said W. W. Holden.

W. G. Couch County Judge,
M. R. Ledbetter Commissioner,
T. B. Johnson Commissioner.

735

In re establishing
County Road at Perry,
Oregon.

Road ordered opened
Aug 4, 1933.

SECOND JUDICIAL DAY

THURSDAY, MAY 4th, 1933.

In the matter of the acceptance of a deed of John J. Murchison, et ux.

Now at this time is presented to the court the deed of John J. Murchison, et ux, conveying to Union County for road purposes 0.25 of an acre of land in the northwest quarter of the southwest quarter of Section 27, Twp 1S, Range 38, EWM, and it appearing to the Court that it is necessary for Union County to acquire said land as a part of the right-of-way of the Hunter Lane Market Road,

It is ORDERED that said deed be accepted and recorded in the deed records of Union County.

In the matter of the claim of Jack Hensley for indemnity for diseased cow slaughtered under the provisions of Section 20-408, Oregon Code.

Now at this time is presented to the court the claim of Jack Hensley for indemnity in the sum of \$15.00 for a cow slaughtered under the provisions of Section 20-408, Oregon Code, and it appearing to the court from the certificate of Sam B. Foster, Inspector in charge at the stock yards of North Portland, that said animal was slaughtered (died in truck enroute from farm to N. Portland) on March 31st, 1933, and from the affidavit of Jack Hensley, the claimant, that said animal was owned in the state the required length of time to come under the provisions of Section 20-408, Oregon Code, and it further appearing that the requirements relative to the disinfection of the stables where said animal was kept have been complied with, and no one having appeared to resist said claim,

It is CONSIDERED AND ORDERED that the same be allowed, and the County Clerk is hereby authorized and directed to draw a warrant on the General Fund of the county in favor of Jack Hensley in the sum of \$7.50, said sum being one half of said claim and the amount to be paid by Union County.

In the matter of establishing a county road at Perry, Oregon.

WHEREAS, it appears that there is no county road connecting the town of Perry, Oregon, with the Old Oregon Trail State Highway, and

WHEREAS, it appears that the traveling public and more particularly the residents of Perry, are dependent upon a private road for access to said town of Perry, and

WHEREAS, it appears that public necessity requires the establishment of a county road connecting said town of Perry with the Old Oregon Trail State Highway, therefore

BE IT RESOLVED AND DECLARED that it is the intention of the County Court of Union County, Oregon, to establish a county road between the points and along the line described as follows:

Beginning at a point in the center of the present county road No. 371, at survey station 4/15.0, which point is the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S, R37, EWM; thence running North 55° 53' West a distance of 185.0 feet to station 6/00; thence North 79° 38' West a distance of 173.0 feet to survey station 7/73.0, which said point is on the east right of way line of the Old Oregon Trail Highway and 136.2 feet north and 323.2 feet west of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S, R37, EWM,

said road to be 60 feet in width, or 30 feet on either side of the center line of the above described survey;

BE IT ALSO RESOLVED AND DECLARED that it is the intention of the County Court of Union County, Oregon, to establish as a part of and a connection to the above described

SECOND JUDICIAL DAY

THURSDAY, MAY 4th, 1933

road a county road 40 feet in width, or 20 feet on either side of the center line of the following described survey, to-wit:

Beginning at a point of survey station 4/72.2, which point is 3.8 feet north and 57.2 feet west of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S, R37, EWM, thence South 3°0' East a distance of 298.8 feet to survey station 7/71.0; thence South 22°22' West a distance of 44.5 feet to survey station 8/15/5, which said point is on the east right of way line of the Old Oregon Trail Highway and 336.5 feet South and 58.1 feet West of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S, R37, EWM.

BE IT FURTHER RESOLVED AND DECLARED that this Court will take further action in connection with the establishment of the above described roads at a regular meeting of this Court to be held on June 8th, 1933, at 10:00 o'clock, A.M., at the County Court House in the city of La Grande, Oregon, by appointing a board of road viewers to view the above described road proposed to be established and to assess the damages, if any, to be incurred by any property owner by reason of the establishment of said proposed road.

Done and dated at La

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.

Ch. G. Couch County Judge,
W. R. Ledbetter Commissioner,
Commissioner.

SECOND JUDICIAL DAY

THURSDAY, JUNE 8th, 1933

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. R. Ledbetter Commissioner,
Commissioner.

Whereupon the following proceedings were had, to-wit:

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

Comes now Florence Bacon, 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:

377 General Fund Warrants	\$ 5,602.07
1 General Fund Warrant (insurance)	225.33
3 Relief Fund Warrants	36.55
2 State Tax Receipts	26,592.09
1 Dog Fund Warrant	21.00
223 Road Fund Warrants	5,494.63
142 Market Road Fund Warrants	5,011.39
1 High School Tuition Fund Receipt	5,420.83
1 Law Library Fund Warrant	60.00
16 City Receipts, Spl Tax	28,668.53
70 School District Receipts, Spl Tax	<u>41,734.62</u>
	\$118,867.04

In the matter of establishing a county road at Perry, Oregon.

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 lease of a tract of land to E. E. Bonham for use as a filling station.

Now at this time this matter comes on for hearing upon the application of E. E. Bonham to lease a tract of land containing 0.23 acres, more or less, at Pioneer Park on Catherine Creek for use as a gasoline filling station and for the selling of foods and drink, and it appearing that the County Court and the said E. E. Bonham have heretofore agreed upon the terms of a lease for said premises,

It is therefore ORDERED that said premises be leased to the said E. E. Bonham for the term of 5 years at an annual rental of \$50.00 per year, payable in advance.

It is FURTHER ORDERED that the proposed lease on file with the county clerk be

SECOND JUDICIAL DAY

THURSDAY, JULY 6th, 1933

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. Crouch County Judge,
W. R. Ledbetter Commissioner,
 Commissioner.

Whereupon the following proceedings were had, to-wit:

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

Comes now Florence Bacon, 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:

128 General Fund Warrants	\$ 5,366.78
1 Indigent Soldier Fund Warrant	20.00
1 Dog Fund Warrant	17.22
286 Road Fund Warrants	11,501.97
133 Market Road Fund Warrants	5,229.72
1 Road Bond Interest Fund Receipt	9,425.00
1 Fire Patrol Fund Receipt	2,950.38
1 Counth School Fund Receipt	18,573.75
1 Elementary School Fund Receipt	8,479.52
10 Special Tax Receipts, Cities	10,066.31
71 Special Tax Receipts, School Districts	<u>11,524.85</u>
	\$83,155.50

In the matter of establishing a county road at Perry, Oregon.

Now at this time this matter comes on for further consideration of the resolution passed by this Court on May 4th, 1933, declaring its intention to establish a county road at Perry, Oregon, between the following described points and along the following line:

Beginning at a point in the center of the present county road No. 371, at survey station 4/15.0, which point is the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S R37, EWM; thence running North 55°53' West a distance of 185.0 feet to station 6/00; thence North 79°38' West a distance of 173.0 feet to survey station 7/73.0, which said point is on the east right of way line of the Old Oregon Trail Highway and 136.2 feet north and 323.2 feet west of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S R37, EWM,

said road to be 60 feet in width, or 30 feet on either side of the center line of the above described survey;

Also, between the following described points and along the following line:

Beginning at a point of survey station 4/72.2, which point is 3.8 feet North and 57.2 feet West of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section

SECOND JUDICIAL DAY

THURSDAY, JULY 6th, 1933

34 T 2S R37, EWM, thence South 300' East a distance of 298.8 feet to survey station 7/71.0; thence South 22°22' West a distance of 44.5 feet to survey station 8/15.5, which said point is on the east right of way line of the Old Oregon Trail Highway and 336.5 feet south and 58.1 feet West of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S R37, EWM,

said road to be 40 feet in width, or 20 feet on either side of the center line of the above described survey;

And it appearing to the Court that notice has been given, that further action will be taken upon said resolution at the regular meeting of the Court on June 8th, 1933, 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 also in three public places in the vicinity of said proposed road, to-wit: one notice posted on a pine tree at the east end of the Y of said proposed road, one on a pine tree at the west end of the Y of said proposed road, and one on a pine tree at the center of the Y of said proposed road, and that proof of the posting of said notices is shown by the affidavit of S. B. Morgan, County Engineer, on file herein.

And it further appearing from the affidavit of C. K. McCormick, County Clerk, that a true copy of said notice of posting was mailed to W. W. Holden, at Perry, Oregon, who is the only record owner of land which will be affected by said proposed road;

And it further appearing to the Court that road viewers were not appointed on June 8th, 1933, but that said matter was continued until this time,

It is therefore CONSIDERED, ORDERED AND ADJUDGED that S. B. Morgan, County Engineer, and J. A. McKenzie and Charles Playle, two qualified and disinterested freeholders of Union County, be, and they are, hereby appointed and constituted a board of county road viewers for the purpose of viewing said proposed road.

It is FURTHER ORDERED that said board of road viewers meet on July 19th, 1933, at 9:00 A.M., for the purpose of viewing said proposed road, and that they file their report with the County Clerk on or before July 20th, 1933.

In the matter of fixing a price for the sale of real property acquired by Union County for delinquent taxes.

Now at this time, it appearing to the Court that on June 5th, 1930, an order was made authorizing the Sheriff to advertise for sale all real estate heretofore acquired by Union County for delinquent taxes, and fixing the minimum price for said lands in the amount of the original tax together with the accrued penalty and interest to the date of sale, and it further appearing that a sale was held by the Sheriff pursuant to said order and that the highest bid received for the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 25, and the N $\frac{1}{2}$ of N $\frac{1}{2}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 25, and the S $\frac{1}{2}$ of N $\frac{1}{2}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 24, Tp 2N R38, EWM was the bid of Jesse Crum in the sum of \$75.00.

And it further appearing to the Court that said bid is less than the minimum sale price fixed by the Court in its order of June 5th, 1930,

It is CONSIDERED AND ORDERED that said order be amended insofar as it affects said above described lands and the Sheriff is hereby authorized to accept the bid of Jesse Crum in the sum of \$75.00 and to execute a deed covering said land.

SECOND JUDICIAL DAY

THURSDAY, AUGUST 3rd, 1933.

Court met pursuant to adjournment.

Present: Same officers as on last Judicial Day.

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

H. G. Couch County Judge,

W. R. Ledbetter Commissioner,

Commissioner.

Whereupon the following proceedings were had, to-wit:

In the matter of establishing a County Road at Perry, Oregon.

Now at this time this matter comes on for the second reading of the report of the Board of County Road Viewers, heretofore appointed to view the above entitled road, and said report having been read in open court for the second time,

It is ORDERED that this matter be and the same is hereby continued until Friday, August 4th, 1933.

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:

192 General Fund Warrants	\$9,645.48
1 Dog Fund Warrant	18.00
140 Road Fund Warrants	3,907.68
110 Market Road Fund Warrants	3,072.96
1 School Fund Receipt	101.25
1 Elementary School Fund Receipt	67.00
1 High School Fund Receipt	4,008.50
7 Spl Tax Receipts, Cities	3,862.65
9 Spl Tax Receipts, School Districts	<u>5,917.81</u>
	\$30,601.33

~~In the matter of establishing a County Road at Perry, Oregon.~~

~~Now at this time the above entitled matter comes on for consideration upon the report of the Board of County Road Viewers, heretofore appointed to view the above entitled road, which report was filed in the office of the County Clerk on July 20th, 1933, and is as follows:~~

THIRD JUDICIAL DAY

FRIDAY, AUGUST 4th, 1933

Court met pursuant to adjournment.

Present: Same officers as on last Judicial Day.

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

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

Whereupon the following proceedings were had, to-wit:

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In the matter of establishing a County Road at Perry, Oregon.

Now at this time the above entitled matter comes on for consideration of the report the Board of County Road Viewers, heretofore appointed to view the above entitled road, which report was filed in the office of the County Clerk on July 20th, 1933, and is as follows:

"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 19th day of July, 1933, 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 by Union County Court, beg leave to report that on the 19th day of July, 1933, 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, we further recommend that W. W. Holden be paid the sum of \$25.00 for right of way and damages.

J. A. McKenzie
Chas. Playle
S. B. Morgan, Board of County Road Viewers"

and it appearing that said report has been read in open court on August 2nd, and August 3rd, 1933, said dates being the two previous days of the present term of this court, and it appearing to the court that the report of said board of road viewers is favorable and recommends the establishment of said proposed road and further recommends that the sum of \$25.00 be paid to W. W. Holden for the land required as a right-of-way for said road and for damages to be sustained by the said W. W. Holden by reason of the taking of said land,

And it further appearing to the court that Ole Mathson and W. W. Holden, freeholders residing in the road district in which the above entitled road is proposed to be established, have filed objections to the report of the board of county road viewers and to the establishment of said road, and the said Ole Mathson and W. W. Holden having personally appeared in open court and presented their argument in support of said objections to the establishment of said proposed road, and the said W. W. Holden having stated in open court that he did not object to the amount of damages recommended by the board of county road viewers for the taking of the land required as a right-of-way, and the court having considered said objections and being advised in the premises,

It is CONSIDERED AND ORDERED that the objections of the said Ole Mathson and W. W. Holden be and they are hereby overruled and that the report of the board of county road viewers be and the same is hereby adopted.

It is FURTHER CONSIDERED AND ORDERED that said proposed county road be and the same is hereby established as a county road of Union County between the following described

THIRD JUDICIAL DAY

FRIDAY, AUGUST 4th, 1933.

points and along the following survey, to-wit:

Beginning at a point in the center of the present county road No. 371, at survey station 4/15.0, which point is the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S, R37, EWM; thence running North 55°53' West a distance of 185.0 feet to station 6/00; thence North 79°38' West a distance of 173.0 feet to survey station 7/73.0, which said point is on the east right of way line of the Old Oregon Trail Highway and 136.2 feet north and 323.2 feet west of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S R37, EWM,

said road to be 60 feet in width, or 30 feet on either side of the center line of the above described survey;

Also, between the following described points and along the following survey,

to-wit:

Beginning at a point of survey station 4/72.2, which point is 3.8 feet North and 57.2 feet west of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S R37, EWM, thence South 3°0' East a distance of 298.8 feet to survey station 7/71.0; thence south 22°22' West a distance of 44.5 feet to survey station 8/15.5, which said point is on the east right of way line of the Old Oregon Trail Highway and 336.5 feet South and 58.1 feet West of the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34 T 2S R37, EWM,

said last described section of road to be 40 feet in width, or 20 feet on either side of the center line of the above described survey;

And the County Engineer is hereby authorized and directed to place said road in condition for travel by the public, and the County Clerk is hereby authorized and directed to draw a warrant on the General Road Fund of the county in favor of W. W. Holden in the sum of \$25.00, in payment for the land taken for right-of-way purposes and in full settlement for all damages to be sustained by the said W. W. Holden.

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

W. G. Gausch County Judge,
H. R. Sedberry Commissioner,
 Commissioner.