

is community property.

And it appearing to the Court that said deceased, during his lifetime, did not comply with the provisions of the law relative to the acquisition of a homestead, and that said widow is entitled to a homestead as now provided by law for the head of a family for the use and support of said widow and her minor child Cornelius Haggay, and that she desires to claim the same, said homestead to be exempt from all claims for the payment of any debt, whether individual or community, and to be set apart, without cost, to said widow and her said minor child.

And it appearing to the Court by said inventory and appraisement, that said appraisers which were heretofore appointed by this Court, have recommended to this Court that out of the real property, belonging to said estate and described in said inventory, the following described tract or parcel of land be set apart as such homestead, to-wit:

Beginning at the North West corner of Section 41, Tp 1, North, Range 5 East, Willamette Meridian (said corner being established by the U. S. Survey) Thence running along the base line S $70\frac{1}{2}^{\circ}$ E., 3290 links; thence S, $20\frac{1}{2}^{\circ}$ W., 800 links to a starting point post, marked North East post (Witness a fir tree 38 inches in diameter, S, 10° W, 198 links) thence from said starting point N, $69\frac{1}{2}^{\circ}$ W., 909 $\frac{1}{2}$ links; thence S, $20\frac{1}{2}^{\circ}$ W., 1100 links; thence S, $69\frac{1}{2}^{\circ}$ E., 909 $\frac{1}{2}$ links; thence N, $20\frac{1}{2}^{\circ}$ E., 1100 links to the place of beginning, containing 10 acres, on which is situated the family residence and all other buildings of the estate;

And it further appearing to the Court from said petition that said widow has