

No

IN THE
CIRCUIT COURT,
UNION COUNTY OREGON

EQUITY

Anne Pyburn

Plaintiff

vs

James L Pyburn

Defendant

Docket

Page

Ramsey & Oliver

Attorney for Plaintiff

Attorney for Defendant

467-488 41, 17, 14

Ordered 10/10/17 Aug 8, 1907

1907
Vacation
Op

Read
petitioned for by
J. J. Connelly et al

For (X 17)
16-212-123 J. J. Connelly et al
" 1 W. R. at 161 Dec 13, 1907 and
A. R. at 161

PETITION FOR COUNTY ROAD.

~~~~~

TO THE HONORABLE COUNTY COURT, FOR UNION COUNTY, OREGON:

The undersigned freeholders, of Union county, Oregon, residing in the Road District where the hereinafter described roads <sup>are</sup> ~~is~~ proposed to be, <sup>abandoned and vacated</sup> respectfully petition your honorable body to ~~change~~, alter and <sup>abandon and vacate</sup> ~~establish~~ a County Road within said county, on the following line or route, to-wit:

*All of that portion of Road Number (77) Seventy Seven Crossing and passing over portions of Sections 16-21-22 and 23 to where said road crosses the East and West section line between sections 23 and 26 all in Township 3 South, Range 40 East. Willamette Meridian and all of Road Number (261) Two Hundred and sixty one in Sections 23 and 24 same Town and Range. neither the portion of Road Number 77 above described or any portion of Road number 261. Ever having been used or improved as highways*

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

~~~~~

NAMES:

NAMES:

*T. L. Connally
 G. A. McNeill
 W. C. O'Brien
 J. L. Boyle
 A. J. Lebarde
 D. M. Clark
 Ray Duncan
 Geo. E. Corpe
 M. J. Martin
 Noah, Richards
 J. L. Gibson
 J. W. Busford
 J. G. Richards
 J. L. Puckett
 J. E. Corpe
 Wm E Harris
 John Lane
 J. Bryston
 J. Sanford
 John Blakeslee*

*Karl J. Strickland
 W. H. Wright
 J. L. Kilde
 Mrs. Aina Duncan
 E. B. Brown
 J. Ryan
 W. A. Martin
 S. J. Thomas
 Mrs. R. V. Ego
 John Smith
 W. H. Holmes
 J. E. D. Kail
 M. B. Ross
 John Allen
 Richard Wade
 E. P. Reed*

STATE OF OREGON, }

County of Union: } ss.

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

which the notice hereunto attached is a true and correct copy, in three public places in said county in the vicinity of the ^{abandonment of} proposed road therein described, to wit: One on the north door of the J. Mitchell blacksmith shop in the town of Dor about five feet from the ground. One on a large pine tree at the edge of the road on the south side thereof, in front of Ed Lopez's new barn about five feet from the ground. One at the G. H. E. Co's power-house on a white fir tree in the center of and at the termination of the proposed new road about five feet from the ground, all being in plain view from the road

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the 23rd day of April 1907, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 23rd day of April 1907 I posted a true and correct copy of said notice at the place of holding Court for Union County, Oregon, to-wit: On the front of the Court House door, in the City of La Grande, in the said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

Richard Wade

Subscribed and sworn to before me this 4th day of June 1907.

J. H. Stearns
Notary Public for Oregon

..Notice of Road Petition..

TO ALL PERSONS CONCERNED: You and each and all of you, will take notice that the undersigned freeholders, of Union County, Oregon, residing in the road district where the hereinafter described road ^{are} ~~sks~~ ^{abandoned and vacated} proposed to be, will at the next session of the County Court for Union county, Oregon, to-wit: on Wednesday, the fifth day of June A. D., 1907, respectfully present to said court a petition praying said court to ~~say~~ ^{abandon and vacate} ~~say~~ ~~and~~ ~~establish~~ County Road within said county, on the following line, or route, to-wit:

All that part of road Number (77) seventy-seven crossing and passing over portions of Sections 16-21-22 and 23 to where said road crosses the east and west Section line between Sections 23 and 26 all in Township 3 South, Range 40 East, W1 lamette Meridian, and all of road number (261) two-hundred-sixty-one in Sections 23 and 24 same township and range, Neither the portion of road number 77, above described, or any portion of road number 261 ^{had} never having been or improved as highways.

Dated at Cove, Union County, Oregon, the 23rd day of April

A. D., 1907.

NAMES:	NAMES:
T. L. Connally	Karl J. Stackland
J. A. McNeill	W. H. Wright
W. A. Ogden	T. J. De Borde
S. L. Corpe	Mrs Vina Duncan
J. F. De Borde	E. B. Coons
D. M. Clark	T. J. Ryan
Ray Duncan	W. A. Martin
Geo E. Corpe	S. J. Thomas
W. T. Martin	Mrs R. V. Ego
Noah Richards	John Smith
J. L. Gibson	Geo H. Holmes
P. W. Burford	J. E. D. Kail
J. A. Richards	M. B. Rees
J. L. Puckett	John Allen
F. E. Corpe	Richard Wade
Wm. E. Harris	E. F. Peal
John Lane	
L. Bristow	
E. T. Sanford	
John Blevins	

County Court

OF THE

State of Oregon

For the County of Union

I have prepared
 a petition of a
 Co Road between
 for day of January
 1907

Petition

Filed June 5, 1907

J. P. Friedman
 Clerk

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the Third day of July, A.D., 1907, the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable J.C. HENRY, County Judge,
J.M. SELDER, Commissioner,
BEN BROWN, Commissioner,
J.B. GILHAM, Clerk,
F.P. CHILDERS, Sheriff.

WHEN, on Monday, the 8th day of July, A.D., 1907, or the Second Judicial Day of said Term, among others the following proceedings were had, to-wit:

In the Matter of the proposed vacation †
of a County Road petitioned for by T.L. †
Connelly, et al. †
† †
† †
+++++



Now at this time it appearing to the Court that the Special Board of County Road Viewers heretofore appointed, on the 6th day of June, 1907, to survey and view out said proposed vacation of a County Road petitioned for by T.L. Connelly, et al, failed to qualify as such officers and by reason thereof all proceedings therein are invalid, and that it will be necessary to order a resurvey of said proposed vacation.

And it now further appearing to the Court that the regular constituted and acting Board of County Road Viewers are not otherwise employed and are able and willing to discharge their duties as such

officers,

It is therefore ~~CONSIDERED~~ and ~~ORDERED~~ by the Court that C.R. Theraten, Deputy County Surveyor, and B. Legsdon and Thomas Brasher, constituting the Board of County Road Viewers, be and they are hereby directed to meet at the beginning of said proposed vacation on Monday, the 29th day of July, 1907, at the hour of 10 o'clock A.M., or within five days thereafter and proceed to resurvey said proposed vacation and to report their proceedings to this Court at the next term thereof.

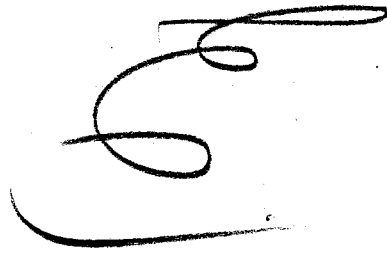
(Signed) J.C. Henry, County Judge,
J.M. Selder, Commissioner.
Ben Brown, Commissioner.

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the Fifth day of June A. D., 1907, the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable J. C. HENRY, County Judge,
J. M. SELDER, COMMISSIONER,
Ben Brown, Commissioner,
J. B. Gilham, Clerk,
F. P. CHILDERS, Sheriff.

WHEN, on Thursday, the 6th day of June, A. D., 1907, or the Second Judicial Day of said term, among others the following proceedings were had, to-wit:

In the Matter of the petition
of T.L. Connelly, et als. for
the vacation of a portion of
Road No.77.



* * * * *

Now at this time comes T.L. Connelly, one of the petitioners for the above named proposed vacation of a County Road, and presents to the Court, the petition of himself and others, praying for the vacation of a portion of Road No.77, described as follows, to-wit.

All that portion of Road No.77, crossing and passing over Sections 16,21,22 and 23, to where said road crosses the East and West section line between sections 23 and 26, all in township 3, S.R. 40, E.W.M., and all of Road No.261 in Sections 23 and 24, same township and Range.

And it appearing to the Court that said petition is signed by more than twelve free holders of this County, residing in the road district where the hereinbefore described road is proposed to be, and that said petition properly specifies the place of beginning, intermediate points and place of termination of said road, and it satisfactorily appearing to

the Court that notice has been given by advertisement posted at the place of holding County Court, to-wit: At the Court House, in the City of La Grande, County of Union, State of Oregon, and also in three public places in the vicinity of said proposed road, to-wit: One on the North door of the Mitchell blacksmith shop in the town of Cove, about five feet from the ground; One on a large pine tree, at the edge of the road, on the South side thereof, in front of Fred Corpe's new barn, about five feet from the ground; One at the G.R. E. Co.'s power house on a white fir tree in the center of and at the terminus of the proposed new road about five feet from the ground, all being in plain view from the road for more than thirty days immediately prior to the presentation of said petition to this Court, notifying all persons concerned that application would be made to this Court, at the present session of this Court, and that the notices so posted were in due form and duly signed by the petitioners, and that a bond for the cost of this proceeding has been duly given with Richard Wade and T.F. Sanford as sureties thereon, which bond being now approved by the Court, and the Court being now fully advised as to all the proceedings herein,

IT IS THEREFORE ORDERED that T.R. Berry, Special Surveyor, and B.F. Bell and George Alexander, constituting a Special Board of County Road Viewers, be and they are hereby directed to meet at the beginning of said proposed vacation at the hour of ten o'clock A.M. on the 13th day of June, 1907, or within five days thereafter, and proceed to survey, and view said proposed vacation, according to law.

(Signed) J.C. Henry, County Judge,
J.M. Selder, Commissioner,
Ben Brewa, Commissioner.

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the _____ day of _____ A. D., 190_, the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable J. C. HENRY, County Judge,
J. M. SELDER, COMMISSIONER,
Ben Brown, Commissioner,
J. B. Gilham, Clerk,
F. P. CHILDERS, Sheriff.

WHEN, on _____, the 3rd day of July, A. D., 190⁷, or the _____ Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed vacation of a County Road petitioned for by T. L. Connelly et al.



Now at this time it is ORDERED by the Court, that this matter be and the same be and the same is hereby continued until the 8th day of July, 1907, at the hour of nine o'clock A. M.

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the _____ day of _____ A. D., 190__, the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable J. C. HENRY, County Judge,
J. M. SELDER, COMMISSIONER,
Ben Brown, Commissioner,
J. B. Gilham, Clerk,
F. P. CHILDERS, Sheriff.

WHEN, on _____, the 7th day of August, A. D., 1907, or the Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed vacation of a County Road petitioned for by T. L. Connelly, et al.



Now at this time this matter came on ~~for~~ to be heard on the report of the Board of County Road Viewers for a first reading as provided by law. And said report having now been publically read in open Court, the same is laid over for a second reading upon another day of this term of Court.

(Signed) J. C. Henry, County Judge.
J. M. Selder, Commissioner,
Ben Brown, Commissioner.

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 7th day of August A. D., 1907, the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable J. C. HENRY, County Judge,
J. M. SELDER, COMMISSIONER,
Ben Brown, Commissioner,
J. B. Gilham, Clerk,
F. P. CHILDERS, Sheriff.

WHEN, on Thursday, the 8th day of August, A. D., 1907, or the Second Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed vacation of a County Road Petitioned for by T. L. Connelly, et al.

This matter came on to heard at this time on the Report of the Board of County Road Viewers for a second reading, as provided by law, said report being in words following.

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

TO THE HONORABLE COUNTY COURT OF UNION COUNTY, OREGON.

The undersigned Board of County Road Viewers heretofore on the 8th day of July, 1907, instructed to view the proposed vacation of a portion of County Road No. 77, petitioned for by T. L. Connelly, et al., beg leave to report that on the 29th day of July, 1907, in pursuance with said order, we proceeded to view out said proposed vacation for the whole distance thereof and that in our opinion said proposed vacation should be allowed.

C. T. Thornston, | Board of County
Thos. Brasher, | Road Viewers.
B. Logsdon, |

And said report of the Board of County Road Viewers having been

publicly read in open ^{Court} on two several days of the present term of this Court, and it appearing to the Court that the Board of County Road Viewers report favorable thereon, and recommend that said proposed vacation be allowed, and all the proceedings herein having been regular and according to law, and no remonstrance having been filed herein, and there having been no good cause shown why said proposed vacation should not be granted and allowed by this Court, and the Court being satisfied from the report of the Board of County Road Viewers that said proposed vacation will be of public utility,

It is therefore considered and ORDERED by the Court that the report of the Board of County Road Viewers be placed on record in this Journal, and that the Surveyor's profile and plat of the proposed vacation, and his field notes of the survey thereof, be placed on record in the book of plats of County Roads, and that said vacation be and the same is hereby allowed, and the same is ordered vacated.

It is further ordered, that J. L. Puckett, Supervisor of R. D. #25, the Road District in which the proposed vacation is located, proceed with the execution of this order.

(Signed) J. C. Henry, County Judge.

J.M. Selder, Commissioner.

Ben Brown, Commissioner.

Report of Board of County Road Viewers

At the Honorable County Court for Union County, Oregon:

The undersigned Board of County Road Viewers, heretofore on the 8th day of July 1907, instructed to view proposed vacation of a portion of County Road No 77 as petitioned for by T. L. Connelly et al, beg leave to report that on the 29th day of July 1907, in pursuance with said order, we proceeded to view out said proposed vacation for the whole distance thereof, and that in our opinions said proposed vacation should be allowed

C. D. Thorton } Board of County
Thos. Grasher } Road Viewers
B. Hagston }

Jan Profile, see Road petitioned for by
J. L. Connelly et al.

Filed Aug. 5-1907.

J. P. Wickham
& Wife