

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. H. 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. Jones  
 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 <sup>abandonment of</sup> 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 <sup>are</sup> ~~sks~~ <sup>abandoned and vacated</sup> 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 ~~lay out~~ <sup>abandon and vacate</sup> ~~alter 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 <sup>used</sup> never having been <sup>or improved as</sup> 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 petitioners  
 for day of January  
 next

Petition

Filed June 5 1907

J. P. Friedman  
 Clerk



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.

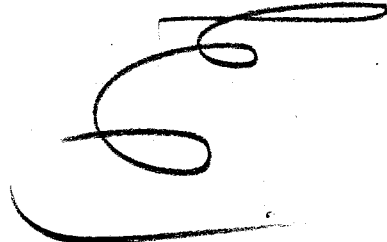


BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the Fifth day of June A. D., 1907, the same being the first Wednesday of said month and the 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 3<sup>rd</sup> day of July, A. D., 190<sup>7</sup>, 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 <sup>Court</sup> 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 8<sup>th</sup> 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 29<sup>th</sup> 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. Thornton } 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



SECOND JUDICIAL DAY.

THURSDAY, JUNE 6th, 1907.

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 Corpé'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.

FIRST JUDICIAL DAY.

WEDNESDAY, JULY 3rd, 1907.

In the Matter of the proposed County  
 ✓ Road, petitioned for by L.L. Cross,  
 et al.

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

In the Matter of the proposed County  
 ✓ 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 is hereby continued until the 8th day of July, 1907, at the hour of nine o'clock A.M.

In the Matter of the monthly allowance  
 ✓ for the various indigent persons.

Now at this time it appearing to the Court, that George May, D.W. Souder,  
 Maggie Slagner, John Hilderbrandt, Emma Crawford, John Evers, Fred Nodine, J.M. Eaton, and  
 Rose Hornbeck are indigent persons, and having heretofore applied to this Court for a  
 monthly allowance to be made them to assist in their maintenance and support, and it fur-  
 ther appearing to the Court, that they are residents of Union County; that they have not  
 sufficient means to wholly provide for their needs; that they have no friends or rela-  
 tives who are able or willing to assist them; and after due consideration, the Court be-  
 lieves that they are deserving persons and should have an allowance made them,

It is therefore CONSIDERED and ORDERED by the Court that the County Clerk,  
 be and he is hereby authorized and directed to issue warrants on the General Fund of the  
 County for the amounts set opposite their respective names, to-wit:

George May,	\$ 8.00
D.W. Souder,	10.00
Maggie Slagner,	12.00
John Hilderbrandt,	15.00
Emma Crawford,	12.00
John Evers,	12.00
Fred Nodine,	15.00
J.M. Eaton,	15.00
Rose Hornbeck,	10.00

SECOND JUDICIAL DAY.

THURSDAY, AUGUST 8th, 1907.

of County Road Viewers that such road will be of public utility; the report of the Viewers being favorable thereto,

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 road, and his field notes of the survey thereof be placed on record in the Book of Plats of County Roads of Union County, Oregon, and that said proposed road be declared a public highway of Union County, Oregon, and ordered open up and placed in repair for travel according to law, and that Joseph L. Puckett, Road Supervisor of Road District No. 25, the same being the road district in which said road is located, be furnished with a copy of the petition herein, and a copy of this decree and ordered to open up said road and place the same in repair for travel.

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

This matter came on to be 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.

(Signed) C.R. Thornton,

Thomas Brasher, Board of County Road Viewer

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 favorably 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

SECOND JUDICIAL DAY.

THURSDAY, AUGUST 8th, 1907.

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 Road District No.25, the Road District in which the proposed vacation is located, proceed with the execution of this Order.

In the Matter of the proposed County Road petitioned for by L.L. Cross, etal.

Now at this time this matter came on to be heard upon the payment into this Court of the amount of damages heretofore assessed by the Board of County Road Viewers, by reason of the establishment of said road, and it now appearing that the petitioners herein have paid to the Clerk of this Court the amount so assessed by said Board of County Road Viewers, viz: Damage to D. Sommer, \$700.00 and J. Klinghammer, \$500.00, and the Clerk of this Court now having said money in his hands to pay over to the said D. Sommer and J. Klinghammer,

It is therefore CONSIDERED and ORDERED that said proposed road be opened and placed in repair for travel and that John A. Hug, Road Supervisor of Road District No.34, the Road District in which said road is located, be furnished with a copy of this order and that he open up said road and place the same in repair for travel.

In the Matter of the proposed Road and vacation petitioned for by A.J.Story.

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

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 10th day of July 1907, instructed to view, lay out and alter the proposed County Road and proposed vacation of County Road, of which the surveys and profiles hereto attached is a true and correct description, as petitioned for by A.J. Story, beg leave to report that on the 26th day of July, 1907, in pursuance with said order, we proceeded to view out said proposed road and said proposed vacation 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 greatly to the convenience of the householders