

No

IN THE  
**CIRCUIT COURT,**  
UNION COUNTY OREGON

**EQUITY**

*Ida E Payne*

*Plaintiff*

*vs*

*Albert Payne*

*Defendant*

*Docket*

*Page*

*J. H. Knowles*  
*Attorney for Plaintiff*

*Attorney for Defendant*

THE IRWIN HOBSON CO. MANUFACTURING STATIONERS

73727

L 468-492

Presented June 6, 1907

Dismissed

600

Road  
Returned for by

Joe McKemmon

Sec 9, T31S, R29E, W1W

# Notice of Road Petition.

To All Persons Concerned: You and each and all of you, will take notice that the undersigned ~~resides~~ <sup>reside</sup> ~~at~~ <sup>in</sup> ~~the~~ <sup>in</sup> ~~county~~ <sup>county</sup>, Oregon, residing in the ~~county~~ <sup>road-district</sup> where the hereinafter described road is proposed to be ~~vacated~~ <sup>vacate</sup> will at the next session of the County Court for Union County, Oregon, to-wit: On Wednesday, the

..... day of May..... A. D. 1907, respectfully present to said court a petition praying said Court to ~~vacate~~ <sup>vacate</sup> a County road within said County on the following line, or route, to-wit:

Commencing at a point on the present county-road, at the corner common to the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , and the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of sec. 9, and the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  and the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of sec. 10, all in Tp. 3 S., R. 8 E., S.W.M., and all in Union county, state of Oregon; thence, south one quarter of a mile, to the corner common to said secs. 9 and 10, and secs. 15 and 16, said Tp. and R., in said county and state; thence, east one quarter of a mile, to the corner common to the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  said sec. 10, and the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  said sec. 15, all of said points of beginning and said intermediate points, and said last named point, being the terminus of said proposed road to be vacated, being in said Union county, state of Oregon, and the whole of said line of said proposed vacation, being now an established county-road and public high-way.

Dated at LaGrande, Oregon, the ..... day of April, ..... A. D. 1907

NAMES

NAMES

*J. J. Peterson*  
~~K. J. [unclear]~~  
 L. E. Golden  
 Walter Glenn  
 J. B. Smith  
 W. F. Geckeler  
 N. H. Anson  
 J. L. Stringham  
 O. P. Beeson  
 Dexter Eaton  
 J. A. McAlistar  
 R. M. McAlistar  
 A. P. Davis  
 C. D. Huffman

At County Court for  
Linn County, Mo.  
at  
St. Louis, Mo.

On the matter of the  
probation of  
Geo. Gordon & a County  
of Probation for  
by J. M. Stinson, Clerk.

Ordnance.

Filed

1907,

County Clerk.

J. S. Edwards  
Att. for Probation.

# Notice of Road Petition.

**To All Persons Concerned:** You and each and all of you, will take notice that the undersigned ~~holders~~ ~~these names appear hereunder~~, residing in the ~~road-district~~ ~~vacated~~ County, Oregon, where the hereinafter described road is proposed to be ~~vacated~~ <sup>vacate</sup>, will at the next session of the County Court for Union County, Oregon, to-wit: On Wednesday, the 1 day of May A. D. 1907, respectfully present to said court a petition praying said Court to ~~vacate~~ <sup>vacate</sup> a County road within said County on the following line, or route, to-wit:

Commencing at a point on the present county-road, at the corner common to the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , and the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of sec. 9, and the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  and the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of sec. 10, all in Tp. 3 S., R. 4 E., S.W.M., and all in Union county, state of Oregon; thence, south and quarter of a mile, to the corner common to said secs. 9 and 10, and secs. 15 and 16, said Tp. and R., in said county and state; thence, east one quarter of a mile, to the corner common to the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  said sec. 10, and the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  said sec. 15, all of said points of beginning and said intermediate points, and said last named point, being the terminus of of said proposed road to be vacated, being in said Union county, state of Oregon, and the whole of said line of said proposed vacation, being now an established county-road and public high-way-

Dated at LaGrande, Oregon, the 1 day of April, A. D. 1907

NAMES

NAMES

*J. J. Peterson*  
~~*K. J. [unclear]*~~  
*E. E. Golden*  
*Walter Glenn*  
*J. E. Smith*  
*W. F. Geckeler*  
*W. H. Anson*  
*J. L. Stringham*  
*O. P. [unclear]*  
*Sexter Eaton*  
*J. A. McAister*  
*R. H. [unclear]*  
*A. P. Davis*  
*C. D. Huffman*

STATE OF OREGON, )  
County of Union, ) SS.

I, J. D. McKennon, 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 proposed road therein described, to-wit: One at the beginning of the proposed vacation of said road on an electric light pole; one at an intermediate point, ~~about halfway~~, on said road on an electric light pole and one at the terminus of said road on an electric light pole all in plain sight of the <sup>traveling</sup> public

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 1st day of April, 1907, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 1st 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 bulletin board

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.

J. D. McKennon

Subscribed and sworn to before me this 5th day of June, 1907

J. B. Latham County Clerk  
By J. B. Latham

# BOND OF ROAD PETITIONERS.

Know All Men By These Presents, That we, J. D. McKennon  
and James Moss of the county of Union and State of Oregon, are held and firmly bound unto said County of Union in the full sum of ONE HUNDRED DOLLARS (\$100.00), the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents.

Signed this 6th day of June A. D. 1907.

Now, the conditions of the above obligation are such, that whereas, J. D. McKennon

and others have petitioned the County Court of said County of Union, at the June term, 1907, thereof, for a County Road, described in the petition and notice hereto annexed, as follows: Commencing at a point of the

County Road at the corner common to the S.E. 1/4 of the S.E. 1/4 and the N.E. 1/4 of the S.E. 1/4 of Sec. 9, and the S.W. 1/4 of the S.W. 1/4 and the N.W. 1/4 of the S.W. 1/4 of Sec. 10, all in Tp. 3, S.R. 39, E.W.M., and all in Union County, State of Oregon. thence South 1/4 of a mile to the corner, common to said Sections 9 & 10, and Sections 15 and 16, said Tp. and Range, in said County and State; thence East 1/4 of a mile, to the corner common to the S.W. 1/4 of the S.W. 1/4 and the S.E. Corner of the S.W. 1/4 said Sec. 10, and the N.W. 1/4 of the N.W. 1/4 and the N.E. 1/4 of the N.W. 1/4 said Sec. 15, all of said points of beginning and said intermediate points and said last named point being the terminus of said proposed road to be vacated being in said Union County, State of Oregon, and the whole of said line of proposed vacation being now an established County Road and Public High-way.

Now, if the above named J. D. McKennon

shall well and truly pay, or cause to be paid, all costs and expenses that may be incurred by reason of the view or review of said road, in case the prayer of the petitioners be not granted or allowed, then that this obligation shall be void, otherwise to remain in full force and virtue.

J. D. McKennon (Seal.)  
James Moss (Seal.)

STATE OF OREGON, }  
COUNTY OF UNION, } ss.

I, J. D. McKennon and James Moss each for himself, say

I am worth the sum of TWO HUNDRED DOLLARS (\$200.00) over and above all debts and liabilities and property exempt from execution; that I am a resident householder in said county and State.

J. D. McKennon  
James Moss

Subscribed and sworn to before me this 5th day of

June, A. D. 1907.

J. B. Latham County Clerk  
J. B. Latham

IN THIS

**County Court**

OF THE

**State of Oregon**

**For the County of Union**

*In re proposed  
recreation of a  
Parkway, a  
County Council  
and Petitioned  
for by  
J. M. Johnson  
et al*

*Petition*

*Filed June 5-1907  
J. B. Lisham  
Clerk*



- DEED TO EASEMENT FOR PUBLIC HIGH-WAY -

1  
2 THIS INDENTURE WITNESSETH:-That J. D. McKennon, and Louis  
3 McKennon, his wife, for and in consideration of one dollar, to them  
4 paid by Union county, state of Oregon, have bargained and sold, and  
5 by these presents, do bargain, sell and convey unto said Union coun-  
6 ty, state of Oregon, a right of way and easement, for a public high-  
7 way, in, over, through and upon that certain strip of land, described  
8 as follows, to-wit:-

9 A strip of land sixty feet in width the entire length there-  
10 of, commencing at the corner common to the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ ,  
11 and the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  sec. 9, Tp. 3 S., R. 39, E. W. M.,  
12 in Union county, state of Oregon, and on the west line of  
13 each of said sub-divisions of said sec.; thence, east one  
14 quarter of a mile, to the corner common to the said SE $\frac{1}{4}$  of  
15 the SE $\frac{1}{4}$ , and the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said sec. 9, and the SW $\frac{1}{4}$   
16 of the SW $\frac{1}{4}$ , and the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of sec. 10, said Tp.  
17 and R.; thence south one quarter of a mile to the corner com-  
18 mon to said secs. 9 and 10 and secs. 15 and 16, said Tp.  
19 and R., all in Union county, Oregon, and the termini of said  
20 strip of land being the present county road, and said strip  
21 of land to be established by location and survey as and for  
22 a county road and public high-way for and instead of a per-  
23 mission of said road and high-way vacated by petition of gran-  
24 ter, J. D. McKennon, and others.

25 And it shall be lawful for said Union county, Oregon, to  
26 forever occupy, use, enjoy and control the whole of said described  
27 strip of land as fully, for all lawful purposes, as it could if the  
28 same had been legally established under the laws of said state.

29 TO HAVE AND TO HOLD said easement and privileges unto the  
30 said Union county, Oregon, for said purposes only forever.

31 And the said grantors do hereby covenant to and with said  
32 Union county, Oregon, that they are the owners in fee simple of the  
33 whole of said premises; that they are free from all encumbrances,  
34 and that they, their heirs and assigns will forever warrant and de-  
35 fend the same from all lawful claims whatsoever.

36 IN WITNESS WHEREOF, we have hereunto affixed our seals  
37 and placed our hands this 6th day of April, A.D. 1907-

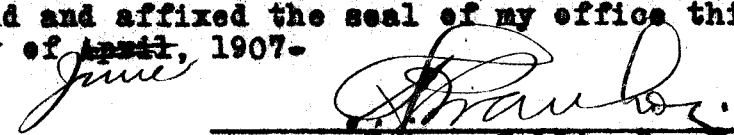
38 In presence of,

39 Mrs J. P. Trilts  
40 Pravner

41 J. D. McKennon (SEAL)  
42 Louis McKennon (SEAL)

1 State of Oregon,  
County of Union.) 4-SS-

2 BE IT REMEMBERED, that on this 6<sup>th</sup> day of June,  
3 there personally appeared before me, the undersigned Notary Public  
4 for said county and state, the within named J. D. McKennon, and  
5 McKennon, his wife, and each then and there duly acknowledged  
6 to me, as such Notary Public, that they each signed and executed the  
7 foregoing instrument in writing, freely and voluntarily for the uses  
8 therein-named.

9 IN TESTIMONY WHEREOF, I have hereunto set my  
10 hand and affixed the seal of my office this 6<sup>th</sup>  
11 day of June, 1907-  
12   
13 \_\_\_\_\_  
14 Notary Public for Oregon.

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IN THE  
**County Court**

OF THE

~~State of Oregon~~

~~Footprint of Union~~

vs

~~OREGON COUNTY, OREGON~~

~~REPORT OF THE JURY FOR 1907~~

I have prepared  
County Road but  
it is not for the  
County of Union  
etc

Filed June 5 1907

J. D. Jackson  
Clerk

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

In the Matter of the public highway\*

petitioned to be located and vacat-\*

ed by J.D. McKennon, & others. \*

To the Honorable County Court of Union County, State of Oregon:

We, the undersigned, freeholders and residents of Union County,

State of Oregon, residing in the road districts where the herein-  
after described road to be vacated is situated, hereby remonstrate

against the vacation of that certain public highway petitioned to

be vacated by J.D. McKennon and others described in said petition

as follows, to-wit: That portion of road N25 225 described as

follows: Commencing at a point on the public road at the corner

common to the S.E. 1/4 of the S.E. 1/4 and the N.E. 1/4 of the

S.E. 1/4 of Section 9, and the S.W. 1/4 of the S.W. 1/4, and the N.

W. 1/4 of the S.W. 1/4 of Section 10, all in Township 3, South of

Range 39, E.W.M., and all in Union County, State of Oregon; thence

South one-quarter of a mile, to the corner common of said sections

9 and 10, and sections 15 and 16, said township and range in said

County and State; thence East 1/4 of a mile to the corner common

to the S.W. 1/4 of the S.W. 1/4 and the S.E. 1/4 of the S.W. 1/4 of

Section 10, and the N.W. 1/4 of the N.W. 1/4, and the N.E. 1/4 of the

N.W. 1/4 of Section 15, all said points beginning, and said inter-

mediate points, and said last named points being the terminus of

said proposed road to be vacated, being in said Union County, state

of Oregon, and the whole of said line of said proposed vacation, be-

ing now an established County and public highway.

STATES

STATES

*J. H. Schaefer* : *D. W. Johnson*  
*G. J. Lewis* : *Walter E. Linn*  
*J. J. Ferguson* : *Ed. Meyerick*  
*L. A. McAlister* : *M. Wilkinson*  
*J. G. ...* : *Dexter Eaton*  
*Wm. D. ...* : *John W. McAlister*

NAMES

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H. W. Robertson

John McNulty

A. Merderson

J. H. Jones

W. F. Keeler

J. E. Chumault

James S. Peach

Geo. W. Peach

W. J. Hughes

IN THE

# County Court

OF THE

State of Oregon

For the County of Union

*Done hereinaid  
recitation of a  
petition of  
No. 225  
petitioned for  
by J. D. McKeenan  
et al*

*Reason therefor  
J. H. Sweeper*

*Filed July 3 1907  
J. W. Gilham  
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 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 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the Matter of the petition  
of J.D. McKennon, et als. for  
the vacation of a portion of  
Road No.225.

\*\*\*\*\*

Now at this time comes J.D. McKennon, one of the petitioners of the above named <sup>proposed</sup> 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.225, described as follows, to-wit:

Commencing at a point on the present county road at the corner common to the South East Quarter of the Southeast Quarter, and the North-east Quarter of the Southeast Quarter of Section 9, and the Southwest Quarter of the Southwest Quarter, and the Northwest Quarter of the Southwest Quarter Section 10, all in Township 3, S.R. 39, E.W.M., and all in Union County, State of Oregon, thence South one Quarter of a mile, to the corner common to said Sections 9 and 10, and sections 15 and 16, said Tp. and Range, in said County and State; thence east one quarter of a mile, to the corner common to the Southwest Quarter of the Southwest

quarter and the Southeast Quarter of the Southeast Quarter, said Section 10, and the Northwest Quarter of the Northwest Quarter, and the Northeast Quarter of the Northwest Quarter, said Section 15, all of said points of beginning and said intermediate points, and said last named points, being the terminus of said proposed road to be vacated, being in said Union County, State of Oregon, and the whole of said line of said proposed vacation being now an established County Road.

And it appearing to the Court that said petition is signed by more than twelve freeholders of this County residing in the Road District where the hereinbefore described vacation is proposed to be, and that said petition properly specifies the place of beginning, intermediate point and place of termination of said proposed vacation, 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 vacation, to-wit: One at the beginning of the proposed vacation of said road on an electric light pole; one at an intermediate point on said road on an electric light pole; and one at the terminus of said road on an electric light pole, all being in plain sight of the traveling public, 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 term thereof, 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 James Moss as surety thereon, and said bond being now approved by the Court, and the Court being now fully advised in the premises,

IT IS THEREFORE ORDERED that C.R. Thornton, Deputy County Surveyor, Thomas Brasher and J.L. Curtis, constituting the Board of County Road Viewers, be and they are hereby directed to meet at the Shop of J.D. McKennon in the vicinity of said proposed vacation on the 14th day of June, 1907, at the hour of ten o'clock A.M., or within five days thereof-



ter and proceed to survey said proposed vacation according to law.

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

J.M. Selder, Commissioner.


Ben Brown, Commissioner.

IN THE COUNTY COURT OF UNION COUNTY, OREGON.

In the Matter of the County Road \*  
petitioned to be vacated by J.D. \*  
McKennon, et als. \*  
\* \* \* \* \*

Comes now T.H. Schwebke, and shows to the Court that he is a resident and freeholder of Union County, Oregon, residing in the Road District, in which the Road proposed to be vacated by J.D. McKennon et als. lies, and moves the Court to strike from the petition in said cause, the following names, for the reason that neither of them is a resident or was at the time of the filing of said petition a resident within the road district where the road petitioned to be vacated lies, to-wit: J.D. McKennon, A.P. Davis, and C. D. Huffman and J.J. Conley.

The undersigned also moves to dismiss said petition to vacate said road for the reason that the petition is not signed by twelve freeholders of Union County, Oregon, residing in said District.

  
Remonstrator.

Wm. County Clerk  
H. M. [unclear] [unclear]  
Pr. Min. County

Mr. [unclear]  
County Clerk  
Pittsburg, Mo.

By [unclear]  
[unclear]

Remittance.

Filed July 8-1907  
J. P. [unclear]  
Clerk

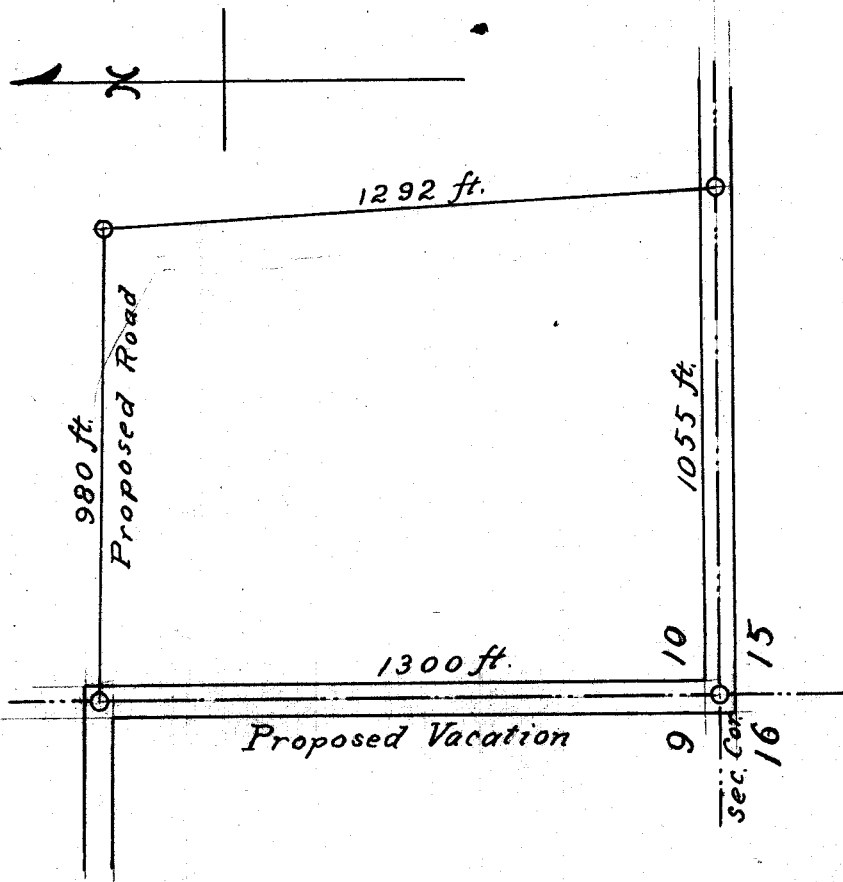
In the Matter of the County\*  
 Road petitioned for and to \*  
 be vacated by J.D.McKennon \*  
 & others. \*  
 \*\*\*\*\*

Now at this time this cause having been continued until this time came on for hearing upon the remonstrance filed by T.H. Schwebke for the vacation of the road proposed to be vacated by J.D.McKennon & others by petition filed on the 5th day of June, A.D., 1907, and upon the motion to strike from the petition the names of J.D.McKennon, J.J.Conley, A.P.Davis, and C.D.Huffman, for the reason that they were not at the time of signing of said petition or are not residents within the road district where the road proposed to be vacated lies, the said T.H.Schwebke appearing by J.D.Slater, his attorney, and the said J.D.McKennon appearing in person, and the said T.H.Schwebke being sworn as a witness in said matter, and having testified before the court under oath as to the residence of the said parties, the court now finds that neither the said J.D.McKennon, J.J.Conley, A.P.Davis, nor C.D.Huffman resides within the road district where the road to be vacated lies; and it further appearing to the Court that the following names upon the remonstrance, to-wit, O.P.Harrison, D.A.McAlister W.F.Gekeler and Walter Glenn, ~~are not residents of the road district~~ it is hereby found that the said petition to vacate said road and also to lay out the said county road as petitioned for is not signed by the required number of petitioners residing within said road district where said proposed road to be vacated and to be vacated:

It is therefore ORDERED that the petition to lay out the said county road and also to vacate the said county road as petitioned for in the said petition of J.D.McKennon filed in this Court on June 5, 1907, be and the same is hereby dismissed for want of jurisdiction, and also for the further reason that the remonstrance has upon it a greater number of names and signatures than the petition.

*Proposed County Road  
and Vacation petitioned for  
by J.D. McKennon, et al.*

*Scale 400 ft. = 1 in.*



# 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 sixth day of June 1907, 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 J. D. McKernan et al., beg leave to report that on the 17<sup>th</sup> day of June 1907, 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 <sup>vacation of</sup> road should <sup>be</sup> ~~allowed~~ ~~be laid out~~ ~~established~~ as a ~~public highway of Union County, Oregon;~~ that the same ~~practicable and would add~~ ~~to the convenience of the householders residing in the vicinity thereof.~~ We therefore recommend that said proposed <sup>vacation of</sup> road be allowed ~~laid out~~ ~~declared a public highway of said county.~~

C. R. Thornton  
Thos. Brasher  
J. L. Curtis

Board of County  
 Road Viewers.

# 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 sixth day of June 1907, 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 J. W. McKenna et al., beg leave to report that on the 17<sup>th</sup> day of June 1907, 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 \_\_\_\_\_

C. R. Thornton  
Thos. Brasher  
John Curtis

Board of County  
 Road Viewers.

JUDY COURT

OF THE

State of Oregon

For the County of Union

That the above  
mentioned  
decedent  
left a widow  
and a minor  
child

Frank O.  
Newman

Attorney of  
H. J. Graham  
Clatsop



SECOND JUDICIAL DAY.

THURSDAY, JUNE 6th, 1907.

✓ In the Matter of the petition of  
J.D. McKennon, et als. for the  
vacation of a portion of Road No.225.

Now at this time comes J.D. McKennon, one of the petitioners of 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.225, described as follows, to-wit:

Commencing at a point on the present County Road at the corner common to the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , and the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 9, and the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$ , and the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  Section 10, all in Township 3, S.R. 39 E.W.M., and all in Union County, state of Oregon, thence South one-quarter of a mile, to the corner common to said Sections 9 and 10, and sections 15 and 16, said Tp. and Range, in said County and State; thence East one-quarter of a mile, to the corner common to the Southwest Quarter of the SW $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  said section 10, and the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the NE $\frac{1}{4}$  of the NW $\frac{1}{4}$ , said section 15, all of said points of beginning and said intermediate points, and said last named points, being the terminus of said proposed road to be vacated, being in said Union County, State of Oregon, and the whole of said line of said proposed vacation being now an established County Road.

And it appearing to the Court that said petition is signed by more than Twelve freeholders of this County residing in the Road District where the hereinbefore described vacation is proposed to be, and that said petition properly specifies the place of beginning; intermediate point and place of termination of said proposed vacation; 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 vacation, to-wit: One at the beginning of the proposed vacation of said road on an electric light pole; one at an intermediate point on said road on an electric light pole; and one at the terminus of said road on an electric light pole, all being in plain sight of the traveling public, 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 term thereof, 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 James Moss as surety thereon, and said bond being now approved by the Court, and the Court being now fully advised in the premises,

It is therefore ORDERED that C.R. Thornton, Deputy County Surveyor, Thomas Bra-sher and J.L. Curtis, constituting the Board of County Road Viewers, be and they are hereby directed to meet at the Farm of J.D. McKennon in the vicinity of said proposed vacation on the 14th day of June, 1907, at the hour of ten o'clock A.M., or within five days thereafter and proceed to survey said proposed vacation according to law.

SECOND JUDICIAL DAY.

MONDAY, JULY 8th, 1907.

Viewers, be and they are hereby directed to meet at the beginning of said proposed County Road 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, view and lay out said road according to law.

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 re-survey 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. Thornton, Deputy County Surveyor, and B. Logsdon 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 re-survey said proposed vacation and to report their proceedings to this Court at the next term thereof.

In the Matter of the County Road petitioned for and to be vacated by J.D. McKennon & others.

Now at this time this cause having been continued until this time, came on for hearing upon the remonstrance filed by T.H. Schwebke for the vacation of the road proposed to be vacated by J.D. McKennon & others by petition filed on the 5th day of June, A.D., 1907, and upon the motion to strike from the petition the names of J.D. McKennon, J.J. Conley, A.P. Davis, and C.D. Huffman, for the reason that they were not at the time of signing of said petition or are not residents within the road district where the road proposed to be vacated lies, the said T.H. Schwebke appearing by J.D. Slater, his attorney, and the said J.D. McKennon appearing in person, and the said T.H. Schwebke being sworn as a witness in said matter, and having testified before the Court under oath as to the residence of the said parties, the Court now finds that neither the said J.D. McKennon, J.J. Conley, A.P. Davis nor C.D. Huffman, resides within the road district where the road to be vacated lies; and it further appearing to the Court that the following names upon the remonstrance, to-wit: O.P. Harrison, D.A. McAlister, S.F. Gekeler and Walter Glenn, are not resident freeholders in said road district;

It is hereby found that the said petition to vacate said road and also to lay out the said County Road as petitioned for is not signed by the required number of petitioners residing within said road district where said proposed road to be located and to be vacated;

It is therefore ORDERED that the petition to lay out the said County road and also to vacate the said County Road as petitioned for in the said petition of J.D. McKennon filed in this Court on June 5, 1907, be and the same is hereby dismissed for want of jurisdiction, and also for the further reason that the remonstrance has upon it a greater number of names and signatures than the petition.

Thereupon it was ORDERED that Court be now adjourned until tomorrow morning,

July 9th, 1907, at 9 o'clock.

THIRD JUDICIAL DAY.

TUESDAY, JULY 9th, 1907.

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.

*J. C. Kenney* County Judge.  
*J. M. Selder* Commissioner.  
*Ben Brown* Commissioner.

Thereupon the following proceedings were had, to-wit:

*Under*

In the Matter of the proposed County Road petitioned for By J.D. McKennon, et al.

Now at this time this matter came on to be heard on the report of the Board of County Road Viewers, for a first reading as provided by law, and upon the remonstrance of T.H. Schwebke, et al., filed herein, to the establishment of said proposed County Road.

The petitioner, J.D. McKennon, appearing in person, and the remonstrators appearing by C.H. Finn, their attorney. And said matter having been presented to the Court, the Court believes that said road would not be practicable, and would greatly inconvenience some of the householders residing in the vicinity thereof.

And the Court being now fully advised in the premises,

It is therefore CONSIDERED and ORDERED by the Court that said report of the Board of County Road Viewers, be and the same is hereby set aside and the petition for said proposed County Road, is hereby dismissed.

And it appearing to the Court that the petitioners herein having filed a good and sufficient undertaking, agreeing to pay all the costs and expenses herein incurred, in case the petition be not granted,

It is therefore ORDERED by the Court that Union County, Oregon have and recover of and from the petitioner, J.D. McKennon, the cost of this proceeding, taxed at \$          and that execution issue therefor.

In the Matter of the purchase of Lot 10, Block 29, Predmore's Addition to the City of La Grande.

Now at this time it appearing to the Court that Union County has no suitable place for storing tools, etc. used in the construction of roads and bridges, and that it would be to the best interest of the County to purchase a suitable piece of land for said purpose.

And it further appearing to the Court, that W.A. Spaulding has offered to sell