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5,75-

No 309

in

Circuit

Court

Jacob Connor

Plaintiff

vs

W. E. Kennedy and  
Mary E. Kennedy  
Defendant

Action for Foreclosure  
Mortgage

Docket

Page

J. R. Cates

Attorney for Plaintiff

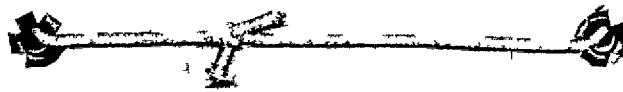
Attorney for Defendant

EVERETT BROS. & CO. PRINTERS  
LITHO. & STATIONERS  
100 N. 1st St. St. Paul, Minn.

1885  
 July 9 Petition rec Viewers appeal  
 Journal C p 473  
 Sept 10 Dismissed  
 Journal C p 519

Road

Beginning at NW cor of N E 4 Sec 1 T 1 N  
 R 39 E to intersect Co road from  
 Fish Gap to Pine Grove



In county court of the State of Oregon  
for Union County.

Of the matter of Petition of H. H. Baskins &  
others filed in this court July 6<sup>th</sup> 1885  
praying to have a county road located  
as follows viz - commencing at the  
North West corner of the ~~North~~ East  
quarter of section one in Township No  
one North Range 39. East. W. M.  
and terminating at the county road  
running from the Fish trap bridge  
to Pine Grove.

Comes now James Patterson  
the Remonstrator to the location of the  
above described proposed county road  
and moves the court to dismiss the  
Petition herein for the reason that  
same does not conform to  
comply with the requirements of  
the laws of the State of Oregon  
in such cases provided -

And for the further reason that the notice  
herein filed on July 6<sup>th</sup> 1885 is  
not such a notice as is required by  
law. And for the further reason that  
the court has no jurisdiction of the  
subject matter of said Petition.

Baker & Baker

Attys for

James Patterson the  
said Remonstrator

In the county court of  
the State of Colorado for  
the county of Larimer

San the master of Petition  
of J. H. St. Stephens & others  
for county Road &  
James Pleas Remarks

McKinstry & Co  
Petition

Filed SEP 9 1885

at ... o'clock, ... min. ... m.  
County Clerk  
J. McDonald

at ... o'clock, ... min. ... m.  
at ... o'clock, ... min. ... m.  
Filed SEP 1 1885

Booked & Referred  
at 11:30 per Remarks

To The Honorable County Court  
of Union County Oregon =

Your petitioners  
undersigned do hereby respectfully  
pray you that you lay out and  
locate a county road in Indian  
valley precinct in the above named county.  
The proposed road being described as follows =  
Beginning at the north west corner  
of the north east Quarter of Sec. one  
Township one north of Range 39 east  
of Willamette meridian and running thence  
south one fourth mile, thence west one fourth  
mile, thence south ~~one~~ mile and  
then terminating in the county road  
that runs from Fish Trap to Pine Grove

John Isafan	E S Taylor
J W Bloodworth	John Boly
R. D. Cunley	S Boly
Wm Cunley	A Crawford
John Fowler	Joseph Beers
J. D. Guild	E. M. Wickliffe
E. N. White	J. H. Lemingham
Julius Bendshalle	W. R. Preshears
A Long	Joe Ad
Jasper Garrison	J. M. Gayner
J. H. Morton	A. Pydumy
J. Boly	E. J. Peal
H. Benton	H. H. Breshers
	Pellomen

Filed JUL 6 1885

at ... o'clock, ... min. A.M.

*R. J. McLeod*

County Clerk.

*10-11-11*

*10-11-11*

State of Oregon }  
County of Union } 00

I B. J. Wilson being  
first duly sworn say that I posted  
the <sup>annexed</sup> notice on the Court House  
door in Union County Oregon on  
the 1<sup>st</sup> day of June A. D. 1880 and  
that the same has remained posted  
for the period of thirty days prior  
hereto.

Subscribed and sworn to }  
before me this 6<sup>th</sup> day }  
of July 1880. }

A. C. Craig Co. Judge

B. J. Wilson  
County Clerk

is hereby given - That a petition will be presented to the county court of Union County Oregon, <sup>at its next regular session which begins on the first Monday in July</sup> praying the said court to lay off and locate a county road in the Indian Valley precinct of the above named county -

The proposed road being described as follows  
 Beginning at the north west corner of the north east quarter of Sec. one Township one north of Range 39 east of Willamette Meridian and running thence south one fourth mile, thence west one fourth mile, thence south ~~one~~ <sup>one</sup> mile and then terminating in the county road that runs from Fish Trap to Pine Grove.

John Graham E S Taylor

R D Cunney John Boly

Wm Cunney S Boly

John Maxwell A Crawford

J Donnell Joseph Beem

E N White S M Wickliffe

Julius Bondschadle H Cunningham

A Gouge W R Belshears

Jasper Grassman Jos Ott

J H Morton J M Gagner

J B Boly A Pyrdany

Jy Brewster E H Deal

W H Breshers J W B Locksmith

Petitioners



State of Oregon }  
County of Union }

H. N. Breshears

being first duly sworn say that  
I posted three notices of which the within  
is a true copy in three conspicuous  
places on the line of the proposed road  
described herein to wit: One at the point  
of beginning of said road, tacked to a  
board and nailed on a fence, one about  
half the distance from the point of beginning to  
the point of terminating, tacked to a board and  
nailed to the fence and one at the terminal  
point tacked to a board and nailed  
to the fence. all of which notices I posted  
on the 30th day of May 1885 in Union Co,  
Oregon

H. N. Breshears

Subscribed and sworn to }  
before me this 6th day }

of July 1885 }  
B. J. Wilson }  
County Clerk

Filed JUL 6 1885  
at ... o'clock ... min ... pm.  
B. J. Wilson  
County Clerk.

# Know all Men by these Presents:

THAT WE, N. H. Preshears  
and James Boly, of the County of Union and  
State of Oregon, are held and firmly bound unto the said County of Union in the sum of  
fifty Dollars, the payment of which, well and truly  
to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents.

Signed this 6<sup>th</sup> day of July A. D. 1886

Now the condition of the above obligation is such, that whereas, if the County Road petitioned  
for by N. H. Preshears and others, and presented  
at the July term, 1886 of the County Court of said Union county,  
commencing at the north west corner of the north  
East Quarter of Sec. one Township one  
north of Range 39 East of Willamette Meridian and terminat-  
ing at the County Road running from the Fish Trap  
bridge to Pine Grove  
be located and established, then this obligation to be void; otherwise to remain in full force  
and virtue in law.

N. H. Preshears

James Boly

**STATE OF OREGON,**  
COUNTY OF Union } ss.

I, N. H. Preshears and  
James Boly each for himself says that I am worth the sum  
of one Hundred Dollars over and above all debts and liabilities and property  
exempt from execution, and that I am a resident and householder in said County and State.

N. H. Preshears

James Boly

Subscribed and sworn to before me, this 6<sup>th</sup>  
day of July A. D. 1886  
B. J. Wilson  
Clerk.

Box 2

In the matter of the  
proposed County  
road petitioned  
for by W. H. Brecken  
et al.

Filed JUL 6 1885

at ... o'clock, min. a.m.

*P. J. Wood*

County Clerk.

To the Honorable County Court of the  
County of ... for ...  
Your Remonstrator the undersigned  
James Patterson would most  
respectfully request that he is a  
householder of ...  
and that he resides within  
the vicinity of the proposed County  
Road - Petitioned and prayed for by  
H. H. Breshers and twenty five others  
which said petition was filed  
in the office of the County Clerk  
of ... on  
the 6th day of July 1875 -  
and your Remonstrator hereto  
herby objects to and Remonstrates  
against the laying out or locating  
the said Road - which is described  
in said petition as follows to wit  
commencing at - or beginning at  
the N. W. corner of the N. E. quarter  
of Sec. one T. 34. N. 39. E. 11. West  
and running thence South one fourth  
mile thence West one fourth mile  
thence South one mile and thence  
terminating in the County Road  
the runs from the Fish Trap bridge  
to Pine Grove - James Patterson

on security account of  
S.D. & others for  
returning County  
Removals of  
Persons Return  
against holding  
County Mass.

Filed SEP 9 1885

at ... o'clock: ... min. ...  
R. F. Wilson  
County Clerk.

Second judicial day Thursday July 9th 1853

✓ On the matter of the proposed }  
County road petitioned for }  
by David Hugg et al } 3

Now at this time this matter comes on to be heard upon the viewers report, upon said road, which viewers were heretofore appointed by this Court said report being accompanied by the plan of survey or well field notes as well as by his report to the viewers and said reports having been read in open Court for the first time It is ordered that said reports lay over to another day for this time for a second reading as by law required in such cases made and provided x

✓ On the matter of a proposed }  
County road petitioned for }  
by N. N. Breshears et al } 3

Now at this time is presented to the Court, the petition of N. N. Breshears and twenty five others praying for the location of a County road as follows to-wit:  
Beginning at the north west corner of the North East quarter of Sec. one Township one North of Range 39 East of Willamette Meridian and running thence South one fourth mile thence west one fourth mile thence South one mile and there terminating x

And it appearing to the satisfaction of the Court that due and legal notice of the pendency of this proceeding had been given as by law required in such cases made and provided, that more than twelve of the petitioners are householders residing in the vicinity of said road and that a good and sufficient bond has been filed herein It is therefore ordered that Nathan Baker

Second judicial day Thursday July 9th 1885

J. N. White and Wm. Martin be and they are  
 hereby appointed viewers and Moses Austin  
 Juror or to view survey and report upon  
 said proposed road, and that they meet  
 at the residence of James Boly on Saturday the  
 25th day of July 1885 at 9 o'clock A.M.  
 and duly qualify before entering upon the  
 discharge of their duties in this behalf.

On the matter of the  
 application of P. A.  
 Chamberlain for relief  
 as a county pauper

Now at this time is presented  
 to the court the the petition of P. A. Chamberlain  
 asking for relief as a county pauper and it  
 appearing to the court from said petition that  
 said P. A. Chamberlain is a resident of Union  
 County, Oregon and is in a diseased <sup>condition</sup> and unable  
 to work to earn a living, that he is without prop-  
 erty of any kind and has no relatives to whom  
 to look for aid, and asks the Court to place  
 him upon the county so that he may receive  
 necessary aid, It is therefore ordered by the  
 Court that the said P. A. Chamberlain be  
 and he is hereby placed upon the county  
 and the contractor for keeping the county poor  
 is hereby directed to take charge of him  
 and provide for his wants.

Thereupon court adjourned till tomorrow morn-  
 ing at eight o'clock.

Second judicial way Thursday Sept. 10th 1885-

herein. It is therefore hereby ordered by the Court that G. W. Ames, W. G. Hunter and Charles Holgarth be and they are hereby appointed viewers and N. D. Griffith Surveyor to view survey and lay out said proposed County road and that they meet at the residence of G. W. Ames on the 12th day of September 1885 and duly qualify before entering upon the discharge of their duties in this behalf.

✓ On the matter of the proposed road petitioned for by Bruce Evans and others }

Now at this time is presented to the Court the petition of Bruce Evans and others and upon an examination of the petition and notice it is found by the Court that said petition and notice do not agree, on account of the notice not specifying that the petitioners are resident households residing along the line of said road. It is therefore hereby ordered that said petition be and the same is hereby dismissed at cost of petitioners.

✓ On the matter of the proposed County road petitioned for by H. H. Preshears et al. }

Now at this time this matter comes on to be heard upon the report of the viewers and Surveyor heretofore appointed in the above entitled road and also upon the motion of James Patterson remonstrator to said road, made by his Attorney



Second judicial Day Thursday Sept 10th 1885

M. Baker to dismiss said petition for the reason that ~~the~~ notice does not conform to the laws of the State of Oregon in such cases made and provided. And it appearing to the aft<sup>r</sup> due consideration that said notice is not sufficient and in accordance with the Statute of Oregon as aforesaid. It is hereby ordered, that said petition be and the same is hereby dismissed at the cost of petitioners.

In the matter of the  
receiving of Bids for  
furnishing Wood for  
the County

Now at this time the Court proceeds to open and consider Bids for wood pursuant to the advertisement by the County look therefor. When were considered the following bids.

Frank Rosie	\$5 <sup>00</sup> per cord Co. Order	\$375 cash
O. Le Sage	4 <sup>75</sup> " " " "	380 "
Duncan Wright	5 <sup>00</sup> " " " "	" "

It appearing that the bid of Frank Rosie to furnish said wood at the rate of \$5<sup>00</sup> per cord cash is the lowest bid it is therefore hereby ordered that the contract for furnishing said 25 cords of wood be and the same is hereby awarded to Frank Rosie said wood to be good pine wood and ricked up in a good substantial manner in the court house yard and to be delivered before the first day of November 1885.