

No 540

in

Circuit Court

D. A. Boskowitz
Adm

Plaintiff

vs

E. L. Cochran
et al

Defendant

Action for - Foreclosure
of Mortgage
Docket Page

Shelton Starks

Attorney for Plaintiff

Attorney for Defendant

RECEIVED
FEB 1 1954
U.S. DISTRICT COURT
NEW YORK

1886
June 16 Petitioners see Viewers abstract
Journal C 1 123
July 8 Dismissed
Journal C 1 757

Road

Beginning at center of Sec 35 T1 R39E
to intersect a travelled road from the
Hoodward Road to Indian Valley

DIRECTIONS—Place papers on TOP OF RUBBER
Fold ends first then sides. Throw the rubber cords
over the ends and package is complete

Road Petition

To the Honorable County Courts of the State of Oregon for Union
 County, We the undersigned Homeholders of said Union
 County, and State of Oregon and residents in the vicinity of the proposed
 County Road hereinafter described would and do respectfully
 petition your Honorable Body to cause the surveyed land and
 established according to law a County Road in the County of Union
 and State of Oregon and described as follows Begins at
 the Centre of section 35, Township ^{one R. 2 S} 38 East willa ille Mer dean the
 running north $(\frac{1}{2})$ one and one half miles to the north line of
 Section 26 Township ^{one R. 2 S} 38 East W M, thence East $(\frac{3}{4})$
 three quarters of a mile, thence North $(\frac{1}{2})$ one half mile
 to the east and west Centre line of section 24 in said Town
 E to M thence running East one mile and a quarter to
 the centre of section 19 Township ^{one R. 2 S} 39 E W Meridian
 thence south (80) eighty rods, thence East $(\frac{1}{2})$ one
 half a mile to the east line of section 19, Township
 Range (39) thirty nine East Willamette Meridian thence
 East a quarter of a mile by the most practicable
 route to intersect a travelled highway or County
 Road running from the Woodward and Walla
 Walla wagon Road to Indian Valley, through
 School District No 44 in Union County Oregon
 and all of which points places and terminus are
 in Union County, and State of Oregon a forss and
 Dated this 9th day of April A.D 1886

09

Names of Homeholders and residents residing
 in the vicinity of the proposed County Road x
 Dated this day of 1886

- | Names | Names |
|-----------------|----------------|
| Leas Stewart | A J Wallace |
| John Steiner | John Niederer |
| Aggahusien | J W Bailey |
| Ernos Fisher | James Smith |
| J P Childers | R A Marow |
| L A Colb | Geo Franzer |
| J W Childers | J Pentecost |
| J D Wallinger | R E Paulight |
| John Hay | W E Ruckhart |
| John Gairith | W P Goldberry |
| Merk Seidel | H H Mizeroff |
| John M Bland | A S Baker |
| Conrad Niederer | Wm E Rinchart |
| G L Ma Karris | David King |
| McDonnell | John Murchison |
| A N Hamilton | |
| R J Williams | |
| J G D Gardner | |
| W S Gardner | |
| Thomas Wade | |
| R M Oliver | |
| P E Mad | |

Road Notice

To whom it may concern

Greeting

You will take notice that the design'd Household'ers in the County of Union and State of Oregon and residents within the vicinity of the proposed County Road hereafter described will present to the County Court of the State of Oregon for Union County at the next regular Session of said Court to wit: at the June term 1886 there of at the Court House in the City of Union said County and State of Oregon a request petition praying said County Court to cause to be surveyed laid out and established according to law a County Road in the County of Union and State of Oregon described as follows: Beginning at the Centre of Section 35 Township ^{one Range} 38 East Willamette Meridian Thence running north $(\frac{1}{2})$ one and a half miles to the north line of Section 26 Township ^{one Range} 38 East W M thence East $(\frac{3}{4})$ three fourths of a mile thence north one half mile to the East and West centre line of Section 24 said Town ^{one Range} 38 East W M thence running east one mile and a quarter to the Centre of Section (19) Township ^{one Range} 39 East W M thence south (80) eighty rods thence east $(\frac{1}{2})$ one half mile to the east line of section 19 Township (39) thirty nine East Willamette Meridian thence east $\frac{1}{4}$ of a mile by the most practicable route to intersect a traveled highway a County Road running from the Wood Walla Walla Wagon Road to Anderson Valley through school District No 44 ~~Union County~~ ^{Union} County and State of Oregon and ~~at~~ ^{at} which points places and ~~townships~~ ^{Union} County and State of Oregon aforesaid

Dated this 9th day of April A D 1886
 Names of Household'ers and residents residing in the vicinity of the proposed County Road

Road

names

Levi Stewart	A J Walker
John Steiner	John Studer
A J Stewart	W Bailey
James Smith	
H A. Marrow	
Geo. Frazer	
J. Pentecost	
W. C. Cartwright	
W. E. Dinkart	
W. P. Goldsberg	
J. H. Meyer	
John M. Bland	A. J. Drown
Wm. C. Burchard	
D. W. Long	
Wm. H. Merson	
G. D. Gardner	
Wm. G. Gardner	
P. W. ...	
R. M. Alton	

State of Oregon County of Union Sd

John Bailey and Levi Stewart
being first duly sworn and each one for
himself and the rest for the other say that
I posted one Levi Stewart of the within notices
and of what the within is an exact copy,
in substance and form as and at
one of the most public places in the County
of Union and State of Oregon in the County
of the proposed County Road, and
that said notices remained so posted
for thirty days prior to the meeting
of the County, that I, John Bailey
at the east terminus at the East
end of the proposed County Road
in a conspicuous place. and
Levi Stewart posted two of said
identical notices one I posted
about the middle of the proposed
road and one at the the west
end of said road and that
the said two notices remained
posted for thirty days
prior to the meeting of the
County Court of said Union
County Oregon

Subscribed and sworn to before me this 8th
day of June A.D. 1886

Levi Stewart
John Bailey

Amesher
Notary Public
for Oregon

Filed JUN 14 1886
at o'clock
min in
B. F. Wilson
County Clerk

25163

Road Bill

To whom it may concern Greeting You will take notice
 that the undersigned Moral voters in the County of Union and State of
 Oregon and residents in the vicinity of the proposed County Road
 hereinafter described will present to the 26th County Court of the
 State of Oregon for Union County at the next regular session of
 said Court to wit at the June ~~session~~ ~~Term~~ ~~1886~~ ~~Term~~ ~~at the~~
~~Court House~~ in the City of Union in said County and State
 of Oregon a road petition praying said County Court
 to cause the surveyed land out and established according
 to law a County Road in the County of Union and State
 of Oregon described as follows Beginning at a ~~point~~
~~travelling highway~~ ~~commonly called the Phillips~~
~~Creek road~~ the centre of section 35 Township one
 Range 38 East Willamette Meridian, thence run-
 ning north $(1\frac{1}{4})$ mile and a half miles
 to the north line of section 26, Township one
 Range 38 East N. M. Thence East, $(\frac{3}{4})$
~~three~~ ~~quarters~~ of a mile thence
 north one half mile to the East and
 West Centre line of section 24 in
 said Township ^{Range} 38 East N. M. Thence
 running east one mile and a quarter
 to the centre of section (19) Township ^{one Range} 39
 East W Meridian thence South (80)
 eighty rods, thence east one half
 mile to the east line of section 19
 Township ^{one Range} (39) thence north East
 Willamette Meridian thence east $\frac{1}{4}$ of
 a mile by the most practicable route
 to intersect a travelled highway or
 County road ~~terminating~~ ~~from~~ ~~the~~ ~~word~~

and ~~the~~ ~~word~~ ~~terminating~~ ~~from~~ ~~the~~ ~~word~~
 called Walla Walla Waym Road to Indian
 Valley through School District No 42
 in Union County Oregon, and all of
 what points places and termini
 are in Union County and State of
 Oregon as provided
 dated the 9th day of April AD 1886
 Names of Household and residents
 residing in the vicinity of the
 proposed county road

- | | |
|------------------|------------------|
| Levi Stewart | A. J. McKee |
| John Steiner | John Kiederer |
| A. J. Johnston | J. W. Bailey |
| Enos Fisher | James Smith |
| J. D. Childers | T. A. Marwin |
| A. C. Child | Geo. Frazier |
| J. M. Childers | J. Pentecost |
| J. A. Maltzinger | B. E. Courtright |
| John Fry | W. E. Butler |
| John Gamble | W. B. Goldsbery |
| Monte Secotel | F. D. Myers |
| John M. Bland | A. D. Brown |
| Conrad Kiederer | Wm E. Rinehart |
| J. A. McTomin | David Hug |
| Ed M. Dowell | J. M. Murchison |
| A. K. Hamilton | G. D. Goodrich |
| R. M. Williams | W. S. Goodrich |
| Thomas Hoad | P. W. Hoad |
| R. M. Lewis | |

State of Oregon
County of Union } ss

I J. A. Eaton being first
lawfully sworn day, and I posted the within notice on the 29th of April
1886 on the Court house door in the County
of Union, State of Oregon in the City of Union
and that said notice remained so
posted for thirty consecutive days
after the said 29th of April 1886

Subscribed and sworn
to before me this 14th day
of June A.D. 1886 } J. A. Eaton
Robert Eckard }
Notary Public for Oregon

Filed JUN 16 1886
at o'clock
P. M.
County Clerk

John A. Eaton
Notary Public

Know all men by these presents that we
L. Stewart and J. W. Bailey Citizens
and householders 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 7th day of June A.D. 1886
Know the Content of the above obligation is
such, that whereas if the County Road
petitioned for at the June Term of
the County Court of said Union County
Commencing at the Center of section 33. P.
1/2 mile &c and terminating to intersect a
travelled highway or County Road running
from the Woodward & Walla Walla Wagon
Road to Indian Valley through School Dist
Number 44 in Union County Oregon and
which said petitioned road is described in
the petition and made a part of this
description and marked by exhibit "A" and
signed by Levi Stewart and al. be located
and established, then this obligation to be
otherwise to remain in full force and
virtue in Law Levi Stewart

J. W. Bailey

State of Oregon
County of Union St.

I Levi Stewart am
being duly sworn by for himself
that I am worth the sum of \$50.00
all debts and liabilities and property
except from execution and
that I am a resident and
householder in said County
and State Levi Stewart

Subscribed and
sworn before me
this 8th day
of June A.D. 1856
Wm. R. R. R.
Notary Public
for Oregon



Bound in the matter
of Stewart Road

To the Honorable County Court
of Union County Ogn
We the Undersign Viewers appointed
by your honorable body To View a County
Road petition for by J W Bailey and others
Beginning at the Center of Sec 35 Thirty five
Township 1 North Range 38 E. N. W. N.
Thence North $1\frac{1}{2}$ miles one and half miles
Thence East $\frac{3}{4}$ three quarters of a mile
Thence North $\frac{1}{2}$ one half Thence East
 $1\frac{1}{4}$ one and one fourth miles Thence South 80th
Roads Thence East $\frac{1}{2}$ one half mile
to the East line of Sec 19, T. 1, R. 39, E. N. W. N.
Thence South East to intersect the Indian
Valley Wagon Road) Well Substant the following
We met on the 28 day of June 1886 after
First being duly sworn ~~in~~ in compliance
with the Cases of Austin Switzer and
L. Austin & Fisher as Chairman
Proceeded to survey and lay out said
Road as shown by ~~Surveyors plat~~

There is part of the said Road is
practicable For a ^{County} Road and part is not
practicable

We the said Viewers on said petition
Deem it our Duty to Report ~~unfavorable~~
Unfavorable on said petition
of June the 28th 1886
yours

James L. Woodell
J W Stearns

Filed JUL 7 1886

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

J. H. Ward

County Clerk.

Third Judicial Day Wednesday June 16-1886

to be the field notes as made by me on the proposed road petitioned for by John A. Tucker and others as surveyed by me under the supervision of the vicars on the 21st day of Nov- 1885

Fred Simonis
County Surveyors

In the matter of the
county road petitioned
for by J. W. Bailey et al

now at this time is presented to the court the petition of J. W. Bailey and others praying for the location of a county road as follows to-wit: Beginning at the center of section 35 Township one Range 38 East Willamette Meridian thence running north $(1\frac{1}{2})$ one and one half miles to the north line of section 26 Township one Range 38 East W. M. thence East $(\frac{3}{4})$ three fourths of a mile, thence north $(\frac{1}{2})$ one half mile to the east and west center line of section 24 in said Town one Range 38 E. W. M. thence running east one mile and a quarter to the center of section 19 Township one Range 39 E. W. Meridian thence South (80) eighty rods, thence East $(\frac{1}{2})$ one half a mile to the East line of section 19 Township one Range (39) thirty nine East Willamette Meridian thence East a quarter of a mile by the most practicable route to intersect a travelled highway or county road running from the Woodward and Walls Walls Wagon road to Indian Valley through school District No. 44 in Union County Oregon and all of which points places and termini are in Union County Oregon and it appearing to the court that due and legal notice of the pendency of this proceeding has been given as by law required and that more

Third Judicial Day Wednesday June 16-1886

that twelve of said petitioners are householders residing in the vicinity of the said road and that a good and sufficient bond has been filed herein. It is therefore hereby ordered by the court that James Woodell, J. W. Haunisch and V. Davies be appointed Viewers and W. Austin Surveyor to view survey and report upon said proposed road and that they meet at the District Office in Summerville on June 24-1886 at 9 O'clock and duly qualify before entering upon their duties on this behalf.

In the matter of the
 appointment of a
 Supervisor for the
 West Nalwood Road District

and at this time
 it is ordered by the court that Henry Miller be and he is hereby appointed Supervisor of roads for the West Nalwood road District for the year 1886

Thereupon court adjourned till tomorrow morning at nine O'clock

Second Juvenile Day

July 8th 1886

757

In the matter of a proposed }
Road petitioned for by }
J. W. Bailey and others }

COMMISSIONERS JOURNAL "C"

PAGE 757

Now at this time came out the Viewers and Surveyors report on a proposed County Road petitioned for by J. W. Bailey and others, and it appearing to the court that said viewers reported unfavorable on said petition,

It is therefore ordered by the Court that said Viewers and Surveyors report be accepted and filed and it is further ordered that said petition be and the same is hereby dismissed and that the County collect of and from Levi Stewart and J. W. Bailey, Sureties on the Undertaking filed with the petition for said proposed Road all Costs and expenses incurred in the premises herein.

Viewers Report

To the Honorable County Court of Union County Ognl:

We, the Undersigned Viewers, appointed by your honorable body, to view a County Road petitioned for by J. W. Bailey and others, Beginning at the center of Sec. 35 thirty five, Township 1 North, Range 28 E, N. M. Thence North $1\frac{1}{2}$ miles, one and half miles, Thence East $\frac{3}{4}$ three quarters of a mile, Thence North $\frac{1}{2}$ one half, Thence East $1\frac{1}{4}$ one and one fourth miles, Thence South 80 rods, Thence East $\frac{1}{2}$ one half mile to the east line of Sec. 19, T. 1, R. 39 E, N. M. Thence South East to intersect the Indian Valley Wagon Road, We submit the following:

We met on the 25 day of June 1886. After first being duly sworn, in compliance with Moses D. Austin Surveyor and L. Austin, Ed. Fisher as chairman proceeded to survey and lay out said road as shown by Surveyors plat.

There is part of the said Road is practicable for a County Road and part is not practicable.

We the said Viewers on said petition deem it our duty to report unfavorable on said petition.

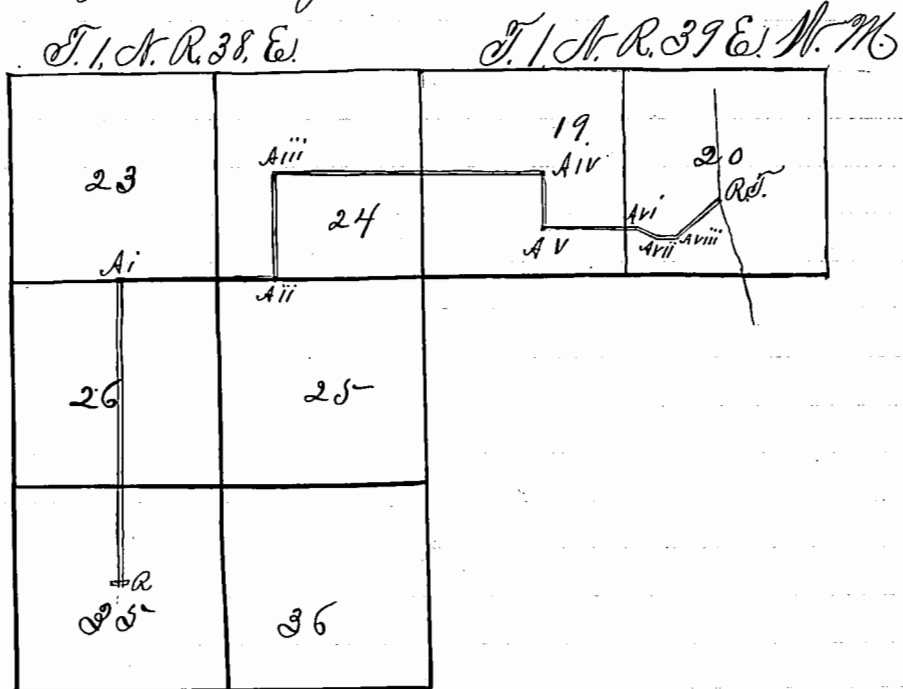
Given the 28th 1886

Yours
James B. Woodell
J. W. Hammock

Second Juvenile Day July 8 1886

Surveyor's report to Viewers for a County Road petitioned for by J.W. Bailey and Others. Commencing at R. Post at the center of Section 35, Township 1 North of Range 38 East of the W.M. Thence north 120⁰⁰ Chains to A Post i at the 1/4 corner between Sec. 23 & 26 of said Township & Range. Thence East 60 Chains to A Post ii, Thence North 40 Chains to A Post iii, Thence East 100 chains to A Post iv, Thence South 20 Chains to A Post v, Thence East 41 Chains to A Tree vi, Thence South 690 East 6.60 Chains to A Tree vii, Thence South 81.0 East 4 Chains to A Post viii, Thence North 57° East 11.30 Chains to R. T. Tree at the intersection of the Indian Valley Road in the South West 1/4 of Sec. 25, Township 1 North of Range 39 East of the W.M.

Surveyed Plat of a Road petitioned for by J.W. Bailey and Others.



I do hereby certify that the above Plat and Report are correct as surveyed by me on the 28th day of June 1886.

Fred Simons, Surveyor
By Moses Austin,
Deputy Surveyor.