

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 Petition 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

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**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 to be 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 <sup>one R. 2 S</sup> 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 <sup>one R. 2 S</sup> 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 <sup>one R. 2 S</sup> 39 E W Merdian  
 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 as aforesaid  
 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  
 Protested this day of 1886

- | Names           | Names          |
|-----------------|----------------|
| Leas Stewart    | A J Wallace    |
| John Steiner    | John Niederer  |
| Aggabrusen      | 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 Ruelhart   |
| 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 M William   |                |
| 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 <sup>one Range</sup> 38 East Willamette Meridian Thence running north  $(\frac{1}{2})$  one and a half miles to the north line of Section 26 Township <sup>one Range</sup> 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 <sup>one Range</sup> 38 East W M thence running east one mile and a quarter to the Centre of Section (19) Township <sup>one Range</sup> 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 or County Road running from the Wood Walla Walla Wagon Road to Anderson Valley through school District No 44 in the County of Union and State of Oregon and ~~at~~ which points places and ~~townships~~ ~~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      | James Smith      |
| H A. Marrow      | H A. Marrow      |
| Geo. Frazer      | Geo. Frazer      |
| J. Pentecost     | J. Pentecost     |
| W. C. Cartwright | W. C. Cartwright |
| W. E. Dinkart    | W. E. Dinkart    |
| H. P. Goldsberg  | H. P. Goldsberg  |
| J. H. Meyer      | J. H. Meyer      |
| John M. Bland    | A. J. Drown      |
| Wm. C. Broun     | Wm. C. Broun     |
| J. D. Long       | J. D. Long       |
| J. M. Murchison  | J. M. Murchison  |
| G. D. Gardner    | G. D. Gardner    |
| J. G. Gardner    | J. G. Gardner    |
| P. W. ...        | P. W. ...        |
| R. M. Alton      | 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

25103

Road Bill

To whom it may concern Greeting: You will take notice  
 that the undersigned Men and others 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 Probate County Court of the  
 State of Oregon for Union County at the next regular session of  
 said Court to wit at the June ~~session~~ <sup>term</sup> 1886 ~~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~~  
~~crossed~~ ~~road~~ ~~the~~ ~~center~~ ~~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 <sup>one</sup>  
 N. 38 East W. M. Thence East,  $(\frac{3}{4})$   
~~three~~ ~~quarters~~ ~~of~~ ~~a~~ ~~mile~~ thence  
 north one half mile to the east and  
 west center line of section 24 in  
 said Town <sup>Range</sup> 38 East W. M. Thence  
 running east one mile and a quarter  
 to the center of section (19) Township <sup>one</sup> 39  
 East W. Meridian thence South (80)  
 eighty rods, thence east one half  
 mile to the east line of section 19  
 Township <sup>one</sup> (39) thirty nine East  
 Willamette Meridian thence east  $\frac{1}{4}$  of  
 a mile by the most practicable route  
 to intersect a travelled highway or  
 County road ~~running~~ ~~from~~ ~~the~~ ~~word~~  
 and ~~will~~ ~~be~~ ~~called~~ ~~Wagon~~ ~~Road~~ ~~to~~ ~~Indian~~  
 Valley through school district No 42  
 in Union County Oregon, and all of  
 which 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. Johnson    | J. W. Bailey     |
| Enos Fisher      | James Smith      |
| J. D. Childers   | T. A. Marwin     |
| A. C. Child      | Geo. Frazer      |
| J. M. Childers   | J. Pentecost     |
| J. D. Maltzinger | B. E. Courtright |
| John Fry         | W. E. Pridar     |
| John Gamble      | W. B. Goldsbery  |
| Monte Secot      | F. D. Myers      |
| John M. Bland    | A. D. Brown      |
| Conrad Kiederer  | Wm. E. Rinehart  |
| J. D. McTomin    | David Hug        |
| Ed M. Dowell     | J. M. Murchison  |
| A. N. 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 say that 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 district  
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 letter "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 favor 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



Road in the matter  
of Stewart Road

To the Honorable County Court  
of Union County Ogn  
We the undersigned 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 80<sup>th</sup>  
Road 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 Surveyor and  
L. Austin & Fisher as Chairman  
Proceeded to survey and lay out said  
Road as shown by ~~Surveyor plat~~

There is part of the said Road is  
practicable For a <sup>County</sup> 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 28<sup>th</sup> 1886

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 21<sup>st</sup> 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. Davier 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 Wallowa Road District

9  
 3

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

Thereupon Court adjourned till tomorrow morning at nine O'clock

Second Juvenile Day

July 8, 1886

757

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

COMMISSIONERS JOURNAL "C"

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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, T. 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, T. 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 28<sup>th</sup> 1886

Yours  
James B. Woodell  
J. W. Hammock