

CALL 1 800 225-2252  
BY 1 800 225-2252  
A NEW YORK STATE COURT  
800 NEW YORK STATE COURT

<i>No</i>	
<i>in</i>	
<i>Court</i>	
<i>vs</i>	
<i>Plaintiff</i>	
<i>Defendant</i>	
<i>Action for</i>	
<i>Docket</i>	<i>Page</i>
<i>Attorney for Plaintiff</i>	
<i>Attorney for Defendant</i>	

**Record of the Case.**

Admitted Jul 7 1864

- 426 -

Petitiones parley  
- J. T. Muckers et al

Commencing at the S E  
corner of the NW 1/4 of the S E 1/4  
of Sec 31 T<sub>2</sub> N<sub>40</sub> E<sub>4</sub> W<sub>3</sub> m  
and terminating at an inter-  
section with the present  
County Road at the S W  
corner of the NW 1/4 of the  
NW 1/4 of Section 1 T<sub>2</sub> N<sub>40</sub> E<sub>4</sub> W<sub>3</sub>  
39 E. W. m

**WITNESSES.**

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

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

WE THE UNDEPSIGNED your petitioners who are residents and householders in  
Union County Oregon and who reside in the vicinity of the hereinafter described  
route for a County road respectfully petition your honorable body to cause to be laid out  
located and established a County road in said County and State, commencing running  
and-terminating as follows-to wit

Commencing at the S O corner of the S W  $\frac{1}{4}$  of the S E  $\frac{1}{4}$   
of sec 31 twp two N R 40 E W M and running  
thence north  $\frac{1}{2}$  mile to the N O cor of said S W  $\frac{1}{4}$  of S E  $\frac{1}{4}$   
of sec 31 thence west about 270 rods to a stake marked A  
thence in a south westerly direction about 70 rods to a  
stake marked B thence west  $\frac{1}{2}$  mile to the N W cor of the  
N O  $\frac{1}{4}$  of sec one twp one N R 39 E W M thence south  
about  $\frac{1}{2}$  mile to a point 20 ft north of the N O cor of the S E  
 $\frac{1}{4}$  of the N W  $\frac{1}{4}$  of said sec one thence about  $\frac{1}{2}$  mile to a point 200 ft  
north of the N W cor of said S E  $\frac{1}{4}$  of N W  $\frac{1}{4}$  of said sec one thence south one  
mile intersecting the present County road at the W corner of the S E  $\frac{1}{4}$  of  
the N W  $\frac{1}{4}$  of sec twelve twp one N R 39 E W M all of the above points  
and places being in Union Co Or

Said road to be 40 feet wide

And your petitioners will ever pray

Dated this 28 day of January 1893

NAMES	NAMES
<del>Wick</del>	Albert Lammington
<del>St. Paul</del>	McE. Hutabkin
<del>Conrad</del>	James Green
J. P. Wellman	J. W. Knight
H. H. Brewsters	J. B. Breshers
W. R. Breshers	L. Blanchard
J. L. Carrington	J. E. Mappin
Darwin	P. H. Wickens

St. Brandon  
C. Hall  
A. H. Hunsaker  
Andrew Phillips  
Percy Hadden  
Patrick Moran  
Frank Brennan  
J. Benschadler

FILLER

FEB 5 1898

James Oliver

County of Me

# Notice of Road Petition.



To all Persons Concerned: You, and each and all of you, will take notice that the undersigned, householders for Union County, Oregon, residing in the vicinity where the hereinafter described road is proposed to be, will at the next session of the County Court for Union County, Oregon, to-wit: on Wednesday, the 8 day of March

A. D. 1892., respectfully present to said Court a petition praying said Court to lay out, alter and establish a County Road within said County, on the following line or route, to-wit: beginning at the S.E. corner of the S.W.  $\frac{1}{4}$  of the S.E.  $\frac{1}{4}$  of sec. 31 Twp two N.R. 40 E. W. 10. and running thence North  $\frac{1}{4}$  mile to the N.E. cor of said S.W.  $\frac{1}{4}$  of S.E.  $\frac{1}{4}$  of sec 31 thence west about 290 rods to a stake marked A thence in a south westerly direction about 90 rods to a stake marked B. thence west  $\frac{1}{4}$  mile to the N.W. cor of the N.E.  $\frac{1}{4}$  of sec one Twp one N.R. 39 E. W. 10. thence south about  $\frac{1}{4}$  mile to a point 20 ft north of the N.E. cor of the S.E.  $\frac{1}{4}$  of the N.W.  $\frac{1}{4}$  of said sec one thence west about  $\frac{1}{4}$  mile to a point 20 ft north of the N.W. cor of said S.E.  $\frac{1}{4}$  of N.W.  $\frac{1}{4}$  of said sec one thence south one mile intersecting the present County road at the S.W. corner of the S.E.  $\frac{1}{4}$  of the N.W.  $\frac{1}{4}$  of sec twelve Twp one N.R. 39 E. W. 10. all of the above points and places being in Union Co. Or the above road to be forty feet wide

NAMES:

NAMES:

J J Wickens  
 John Boly  
 Emil Graf  
 F J Williams  
 H H Breshers  
 W B Breshers  
 J H Cunningham  
 James Boly  
 A Campbell  
 C. Hall  
 J A Hussaker  
 Andrew Phillips  
 Dennis Madden  
 Patrick Moran  
 Frank Brennan  
 J. H. Haddock

Albert Cummings  
 M. E. Fotherick  
 James Green  
 J A Knight  
 J B Breshers  
 L Hancock  
 G C Haffield  
 J H Wickens  
 S Boly  
 Bishop Gohard

Dated Feb 6/92  
 J. D.

*Petition Notice*

STATE OF OREGON,  
County of Union. } <sup>SR.</sup>

I, *Turner Oliver*

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~~

~~thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the~~ day of

~~18~~ and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 6 day of February 1893, 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 Union, in said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

*Turner Oliver*

Subscribed and sworn to before me this 8 day of March 1893

*J. H. Miles*  
*Solary Public*  
*for Or.*

Know all Men by these Presents,

THAT WE, S Boly and J I Wickers of the County of Union and State of Oregon, are held and firmly bound unto the said County of Union, in the sum of Two Hundred 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 Feb. A. D., 1893

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That, whereas the above named

S Boly and J I Wickers and others, have petitioned the County Court of said County of Union, at the March Term, 1893, thereof, for a County Road, commencing at the S.E. cor. of Sec. 1, T. 12 N., R. 39 E., and running N. 1/4 mile to the N.E. cor. of said Sec. 1, T. 12 N., R. 39 E., thence N. about 290 rods to a stake marked 'A' thence southwesterly about 90 rods to a stake marked 'B' thence N. 1/4 mile to the N.W. cor. of Sec. 1, T. 12 N., R. 39 E., thence S. about 1/4 mile to a point N. of the N.E. cor. of Sec. 1, T. 12 N., R. 39 E., thence South one mile intersecting the present County road at the S.W. cor. of Sec. 1, T. 12 N., R. 39 E., all of the above points and places being in Union Oregon. The above road being 40 ft wide.

NOW, if the above named S Boly and J I Wickers 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 said petitioners be not granted or allowed, then that this obligation shall be void, otherwise to remain in full force and virtue.

Simon Boly [Seal] J I Wickers [Seal]

STATE OF OREGON, County of Umatilla, ) ss.

I, S Boly and J I Wickers each for himself, says, that I am worth the sum of Four Hundred Dollars over and above all debts and liabilities and property exempt from execution; that I am a resident and householder in said County and State.

Simon Boly J I Wickers

Subscribed and sworn to before me, this 7th day of Feb. A. D., 1893

C. J. Marsh Notary Public Clerk.



IN THE COUNTY COURT OF THE STATE OF OREGON,  
FOR UMATILLA COUNTY.

IN THE MATTER OF THE

*W. H. McKenna*

ROAD.

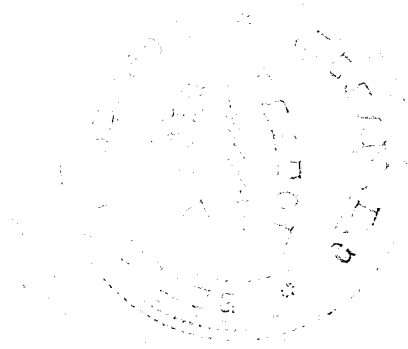
**Bond of Road Petitioners.**

Approved ..... 188

Filed .....  
*W. H. McKenna* County Judge.  
*James S. Oliver* County Clerk.

By ..... Deputy.

*Petition denied for want of sufficiency of proof of necessity*  
*subscribed by the same*



In the County Court of the State  
of Oregon for Union County  
Sitting as Commissioners Court

In the Matter of Petition for  
County Road - petitioners for by  
J. H. Wickens and others

Comes now James Patterson by his  
attorney and moves the Court to  
dismiss the said petition, for the reason  
that no proof of posting notices has  
been filed as required by law,  
and no petitioner has appeared in Court  
to present said petition.

Baker & Baker  
Attys for objector  
James Patterson

County Court  
Martin County  
Sitting as  
Court of Sessions Court

In the matter  
of County Road  
No. 1000 per  
J. T. McCreary  
vs  
State

Motion by James  
Patterson  
Business Plaintiff

Filed March 8<sup>th</sup> 1893

Wm. Oliver Clerk  
By J. R. Oliver Deputy

James Patterson  
vs  
State

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 on John Bloods wire fence at the beginning of the proposed road one on the corner of A. Knight's fence <sup>in vicinity of said road</sup> one " " " James Pattersons fence at the terminus of said Road

thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 6 day of March 1893, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the ~~day of~~ 18 ~~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 Union, in said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.~~

J T Wickem

Subscribed and sworn to before me this 27<sup>th</sup> day of March 1893.

J. White J.P.

E OF OREGON

17 1/2

To all Persons Concerned: You, and each and all of you, will take notice that the undersigned, householders for Union County, Oregon, residing in the vicinity where the hereinafter described road is proposed to be, will at the next session of the County Court for Union County, Oregon, to-wit: on Wednesday, the 8 day of March

A. D. 1892., respectfully present to said Court a petition praying said Court to lay out, alter and establish a County Road within said County, on the following line or route, to-wit: beginning at the S.E. corner of the S.W. 1/4 of the N.E. 1/4 of sec 21 Twp. 12 N. R. 39 E. W. Mo. and running thence north 1/4 mile to the N.E. cor of said S.W. 1/4 of S.E. 1/4 of sec 31 thence west about 20 rods to a stake marked A. thence in a south westerly direction about 80 rods to a stake marked B. thence west 1/4 mile to the N.W. cor of the N.E. 1/4 of sec one Twp one N. R. 39. E. W. Mo. thence south about 1/4 mile to a point 20 ft north of the N.E. cor of the S.E. 1/4 of the N.W. 1/4 of said sec one thence west about 1/4 mile to a point 20 ft north of the N.W. cor of said S.E. 1/4 of N.W. 1/4 of said sec one thence south one mile intersecting the present County road at the S.W. corner of the N.E. 1/4 of the N.W. 1/4 of sec one Twp one N. R. 39. E. W. Mo. all of the above points and places being in Union Co. Or. the above road to be forty feet wide

NAMES:

NAMES:

- J J Wickens
- John Boly
- Emil Isaf.
- F. J. Williams
- H B Breshears
- W B Breshears
- J H Curingham
- James Boly
- A Crawford
- C. Hall
- J A Hunsaker
- Andrew Phillips
- Jennie Madden
- Patrick Moran
- Frank Brannen
- L. Buehler

- Albert Cummings
- Mo. E. Hotchkiss
- James Green
- J. A. Knight
- J O Breshears
- L Blanchard
- G E Mayfield
- J H Wickens
- S Boly
- Bishop Johns

FILLED.

MAR 20 1893

*James Owen*  
County Clerk.

In the County Court of the  
State of Oregon for Union County

In the matter of the laying  
and establishing a County  
Road on the petition of J. S.  
Wickens and others

Comes now James Patterson  
a Resident household and tax  
payer within said County and  
through whose lands the said  
proposed Road is asked to be located  
and hereby moves the Court to  
dismiss the petition herein  
for the reason that there was  
not is any proof of posting  
notices as required by law  
accompanying the petition as  
required by law -

And for the further reason  
that the notice does state -  
whether the petition herein  
will pay for the laying and  
an allowing a County Road -

Baker & Baker  
Atty's - for  
James Patterson

for county court  
of state of Oregon

*John Thomas Green*

In the matter of the  
petition of J. S. I.  
Mishkin & others  
for leaving and  
re opening roads  
in said county

Applicant to shew  
and establish  
the petition

**F. I. I. D.**

1893

*Thomas Green*

County Clerk



Third Judicial Day

Wednesday March 8<sup>th</sup> 1891

In the Matter of the Report  
of R. Fragell Supervisor  
of Road District No 11

Comes now R. Fragell into open Court and files his report as Supervisor of Road Dist No 11 for the year ending Dec 31<sup>st</sup> 1891 and said Report being regular It is ordered that the same be approved and the bill for \$39<sup>00</sup> allowed

It further appearing from said report that he has paid out for works on County roads 41<sup>57</sup> more than he has received from the County It is ordered that the said amount to wit 41<sup>57</sup> be paid out of the Road Fund

In the Matter of Road  
petitioned for by W. Titus et al

This matter came on to be heard at this time on the petition of W. Titus et al for County Road and the Court not being fully advised in the premises It is considered and ordered that this matter be continued for the term

In the Matter of the Road  
petitioned for by J. W. Wickens  
et al

This matter came on to be heard at this time on the petition of J. W. Wickens et al for the establishment of a County Road and it appearing to the Court that there is no proof of posting notices filed herein It is considered and ordered that this matter be continued for the term

In the Matter of the Resig-  
nation of J. R. Kellogg  
Supervisor Road Dist No 9

Comes now J. R. Kellogg, Supervisor of Road Dist No 9 and presents to the Court his resignation as such supervisor and asks that it be accepted and it appearing to the Court that the said J. R. Kellogg is going east to be gone several months and that he

Third Judicial Day

Wednesday April 5<sup>th</sup> 1893.

the duties of said appointment we proceeded to view and said proposed road for the whole distance thereof, and that in our opinion said proposed road should be laid out and established as a public highway of Union County, Oregon, that the same is practicable and would greatly 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,

O. J. Nyall  
Reed Richards

And the same having been read in open Court for the first time. It is ordered that it be continued for a second reading on some other day of this term of Court.

In the matter of the Road  
petitioned for by W. Titus et al

It appearing to the Court at this time that the petition herein does not definitely describe the point of beginning of the proposed Road, It is ordered by the Court that said petition be dismissed.

In the matter of the Road  
petitioned for by H. A. Hulce  
et al

It appearing to the Court that on account of the deep snow on the line of this proposed road, the Viewers were unable to carry out the former order of this Court, but that they met and adjourned until such a time as it would be possible for them to perform their duties as such Viewers, It is therefore ordered by the Court that this matter be continued for the term.

In the matter of the Road  
petitioned for by J. T. Wickens et al

It appearing to the Court at this time that the proof of posting the notices herein is defective, It is ordered that this matter be and the same is hereby dismissed.

Third Judicial Day

Wednesday June 7<sup>th</sup> 1893

In the Matter of the proposed  
County Road petitioned for by  
J. W. Murphy et al

This matter came on to be heard at this time on the Report of Viewers and Surveyor heretofore appointed herein for a first reading and the same having been read in open Court It was ordered that said report be laid over for a second reading on some other day of this Term of Court

In the Matter of the proposed  
Road petitioned for by J. S.  
Wickens et al

This matter came on to be heard at this time on the Motion of James Patterson to dismiss the petition filed herein and said motion having been fully argued in open Court by M. Baker attorney for motion and the Court having been fully advised in the premises It is considered and ordered that said motion be overruled and denied

In the Matter of the proposed  
Road petitioned for by J. Q.  
Wallsingor et al

This matter came on to be heard at this time the Report of the Viewers and Surveyor heretofore appointed herein for a first reading and the same having been read in open Court for the first time It is considered and ordered that said report be laid over for a second reading on some other day of this Term of Court

In the Matter of Resurvey  
of Road No. 280

This matter came on to be heard at this time on the report of viewers and Surveyor heretofore appointed herein for a first reading and the said report having been read in open Court It was ordered that the same be laid over for a



Fourth Judicial Day

Thursday June 8<sup>th</sup> 1893

Court met pursuant to adjournment

The same officers were present as on yesterday

Our proclamation of the opening of Court having been made, the Journal of yesterdays proceedings was read approved and is here now signed

J. S. Spindus  
County Judge

Thereupon the following proceedings were had, to-wit:

In the Matter of the proposed  
County Road petitioned for  
by J. T. Wickens et al }

Comes now J. T. Wickens one of the petitioners for the above named proposed County road, and presents to the Court the petition of himself and others, praying for the location and establishment of a County Road, described as follows, to-wit: Commencing at the SW corner of the SW<sup>th</sup> of Sec 31 Twp 7 N R 39 E W M and running thence N  $\frac{1}{4}$  mile to the corner of said SW<sup>th</sup> of Sec 31; thence W about 290 rods to a stake marked "A"; thence in a southwesterly direction about 90 rods to a stake "B" thence west about  $\frac{1}{4}$  of a mile to the NW corner of the NW<sup>th</sup> of Sec 1 Twp 1 N of Range 39 E W M; thence south about  $\frac{1}{4}$  of a mile to a point 20 feet north of the NW corner of the SW<sup>th</sup> of the NW<sup>th</sup> of said Section 1; thence west about  $\frac{1}{4}$  of a mile to a point 20 feet north of the NW corner of said SW<sup>th</sup> of NW<sup>th</sup> of said Sec 1; thence south about 1 mile intersecting and terminating at the present County Road at the SW corner of the NW<sup>th</sup> of NW<sup>th</sup> of Sec 17 Twp 1 N R 39 E W M said road to be 40 feet wide. And it appearing to the Court that said petition is signed by more than twelve householders of this County residing in the vicinity of said proposed road, and that said petition properly specified 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 Court to-wit: At the Court House in the town of Union, County

Towith Judicial Day

Thursday June 8<sup>th</sup> 1893

of Union State of Oregon, and also in three public places in the vicinity of said proposed road, to-wit:

One at the commencement of the road on corner of Jack Bloodsworths fence, one on a tree about the center of the proposed road and one at the terminus of the road on Pattersons fence 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 and motion heretofore filed herein having been duly considered and overruled It is therefore ordered that J. H. Morton, J. D. Isried and Henry Long Sr. be appointed Viewers of said road, and that F. L. Curtis be appointed Surveyor of said road, and that they meet at commencement of road on the 30 day of June 1893 at the hour of 10 o'clock A.M. and after qualifying to view survey and lay out said road according to law

In the matter of the proposed  
County Road petitioned for by  
J. L. Woodell et al

This matter came on to be heard at this time on the reports of the Viewers and Surveyor heretofore appointed herein for a second reading as provided by law, and the Report of Viewers bring in words following to-wit:

### Report of Viewers

To the Honorable County Court for Union County, Oregon:

The undersigned viewers heretofore on the 1<sup>st</sup> day of May 1893 appointed to view and 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. L. Woodell et al beg leave to report that on the 26<sup>th</sup> day of May 1893 in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment