

Petition filed March 4<sup>th</sup> 91  
+ Viewers appointed Jnl E  
Page 332

Order overruling Remonstrance  
Jnl E, Page 385  
Appointment of viewers  
Jnl E, page 389  
Ordered opened Jnl E Page 440

FILED  
MAR 15 1891  
DEPT. OF THE INTERIOR  
LAND OFFICE  
WASHINGTON

No 372

Petitioned for by  
J. B. Oliver et al

Beginning at the SE corner of  
NW 1/4 NE 1/4 Sec 9 T 2 S R 39 E W 1/4  
+ terminating at SW Cor of  
SE 1/4 of NW 1/4 Sect 8 T 2 S R 39 E

In the County Court of the State of Oregon,  
FOR THE COUNTY OF Union

In the matter of  
the county road petition  
for by J. C. Olson et al. Plaintiff  
vs.

Undertaking on Appeal from Personal Property Judgment.

upon appeal of  
A. D. Ruckman, complainant  
Defendant

WHEREAS, A. D. Ruckman the Complainant

above named, has appealed to the Circuit Court of the State of Oregon for the  
County of Union from the Assessment of damages rendered in the  
above entitled matter case, by the said County Court above named, on the 6th day  
of May, 1889, in favor of said Complainant

and against A. D. Ruckman for \$50.00; Now, therefore, we,  
A. D. Ruckman the complainant

above named, as principal, and G. W. Ruckman as surety, hereby  
undertake that the said A. D. Ruckman will pay all damages, costs and  
disbursements that may be awarded against him on the appeal; and we further undertake, in the  
sum of \_\_\_\_\_ Dollars, that said

A. D. Ruckman will obey the decree of said Circuit  
Court, rendered on said appeal.

Dated at Union in Union County, Oregon, the  
23rd day of May, 1889.

A. D. Ruckman principal.  
G. W. Ruckman surety.

STATE OF OREGON,

County of Union } ss.

I, G. W. Ruckman

being first duly sworn, say, that I am the surety named in, and who signed the foregoing under-  
taking; that I am neither a counselor or attorney at law, sheriff, clerk of any court or other officer  
of any court; that I am a resident and householder within the State of Oregon, and  
that I am worth One Thousand Dollars over and above all my debts and  
liabilities, and exclusive of property exempt from execution.

Subscribed and sworn to before me the 23rd day of May, 1889

G. W. Ruckman  
C. H. Green  
Notary Public  
of Oregon

In the County Court

County of Umatilla  
Oregon

Richardson  
Delee County Plaintiff  
Roads vs.  
Finley  
Et al Defendant

Undertaking on Appeal from Personal Property  
~~Judgment.~~

Filed May 25<sup>th</sup> 1891

Turner Oliver Clerk  
By J. R. Oliver Deputy

C. H. FINN,  
Attorney & Notary Public,  
LA GRANDE, - OREGON.



1  
2  
3 In the County Court of the State of Oregon for Union County.

4 In the matter of the County  
5 Road petitioned for by  
6 J.C. Oliver et als.-----

To the County of Union-Oregon-and to Hon. Charles F. Hyde-District  
Attorney--

You and each of you will take notice that R.D. Ruckman  
complainant appeals to the Circuit Court of the State of Oregon  
for Union County-from the assessment of damages made in his favor  
by the viewers appointed in the above entitled cause wherein com-  
plainant's damages were assessed at the sum of Fifty (\$50) dollar  
which assessment was on the 6th day of May 1891-by said Court ad-  
judged just and equitable and the report of such assessment adopt-  
ed and the said claim ordered paid by said County Court of Union  
County-Oregon out of the County Treasury of said County, and com-  
plainant appeals from the whole of said assessment and order and  
you will govern yourselves accordingly.

Dated May 22nd 1891.

R.D. Ruckman-Complainant & Appt  
by *[Signature]* his Attorney

I hereby certify that the foregoing is a true copy of the origi-  
nal notice of appeal in my hands for service and of the whole  
thereof.

Sheriff of Union County-Oregon.--

State of Oregon-County of Union ss:- I hereby certify that I-  
received the within notice of appeal on the 23rd day of May 1891-  
and served the same in said county and state by delivering a true  
copy thereof-certified to be such by me as sheriff of Union coun-  
ty-Oregon-to Turner Oliver Clerk of said Union County-Oregon-on  
the 23rd day of May 1891-to him in person. Dated May 23rd-1891.--

*[Signature]*  
Sheriff of Union Co.,-Oregon.-  
by-

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In the County Court of Union  
County-Oregon.---

In the matter of the County  
Road petitioned for by  
J.C. Oliver et als.---

Notice of Appeal-by R.D. Rucknar  
from assessment of Damages.---

*Filed May 23rd 1891.*  
*James Oliver,*  
*Plaint.*

*Be Albany 25 1891*

*R.D. Rucknar*  
*Shirley & Munnell*  
*Defendants*

*State of Oregon*  
*County of Union*

*I Henry J. [redacted] accept*  
*service of [redacted]*  
*Notice of appeal*  
*of James Oliver*  
*County. Oregon on*  
*this day 26th 1891.*

*R.D. Rucknar*  
*Attorney for*

# Petition for County Road

To the Honorable County Court for Union County, Oregon

The undersigned householders of Union County, Oregon, residing in the vicinity where the hereinafter described road is proposed to be, respectfully petition your Honorable body to lay out, alter and establish a County road forty feet wide (40) within said County on the following line or route to wit

Beginning at the Union & Summerville road at the S E corner of the N  $\frac{1}{2}$  of the N E  $\frac{1}{4}$  of S 9 T 2 SR 39 E  $\frac{1}{2}$  Sec, and running West one mile to the S W corner of the N E  $\frac{1}{4}$  of the N E  $\frac{1}{4}$  of S 8 T 2 SR 39 E thence West 30  $\frac{1}{2}$  rods to a point on the South line of the N  $\frac{1}{2}$  of the N E  $\frac{1}{4}$  of S 8; thence South 80 rods to a point on the line between the N and S halves of S 8; thence West 129  $\frac{1}{2}$  rods and terminating at the County road at the <sup>SW</sup> corner of the S E  $\frac{1}{4}$  of the N  $\frac{1}{2}$  of S 8 T 2 SR 39 E  $\frac{1}{2}$  Sec and in duty bound your petitioners

Names	Names
J. S. Oliver	A. J. Goble
R. M. Owen	M. R. Gaspus
S. H. Neville	S. D. Fickler
A. W. Kuckman	A. Puckers

A. Kuckman	J. P. DeLong
E. S. Gaskill	J. S. Hildred
F. D. Gaskill	Oliver L. McDowell
Frank Smith	J. W. Smith
W. H. Madson	E. Souper
Thos. H. Foster	E. L. Frazer
A. Rancobal	R. S. Childers
J. Rancobal	James G. McDowell
C. Penn	John. Shaw
W. W. Randall	C. W. Craft
E. P. Willey	
J. N. Chirman	
E. H. Fleary	
J. D. A. Richards	
J. S. Comerson	
Jack Wright	
J. M. Lassott	
Wesley Duncan	
King Spang	
Arbery Stansell	
Wm. S. Neville	
Thos. Wilham	
Geo. N. Renshaw	
M. B. Mitchell	
S. C. Ruckman	
Samuel Cochran	
A. H. Standley	

41  
26

45

FILLER

James D. Green

COI. REG. CLERK

1881

STATE OF OREGON,  
County of Union.

I, J. C. 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 at the beginning of the road nailed on a board nailed on the fence, One at the terminus of the road nailed to a board on the fence and One on the Sumnerville & Union road near the residence of Samuel Cochran

thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 30<sup>th</sup> day of January 1891, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 31<sup>st</sup> day of January 1891, 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. C. Oliver

Subscribed and sworn to before me this 4 day of March 1891.

Turner Oliver Clerk  
By J. R. Oliver Deputee



FILED.

MAR 4 1891

*James Davis*  
County Clerk.

# Notice of Road Petition

To all Persons Command You and each and all of you will take notice that the undersigned house holders of 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 4<sup>th</sup> day of March A. D. 1891 respectfully present to said Court a petition praying said Court to lay out alter and establish a County road forty feet wide within said County on the following line or route to wit

Beginning at the Updown & Summerville road at the S E corner of the N W  $\frac{1}{4}$  of the N E  $\frac{1}{4}$  of S 9 T 2 R 39 E N M and running west one mile to the S W corner of the N E  $\frac{1}{4}$  of the N E  $\frac{1}{4}$  of S 8 T 2 R 39 E, thence west 30  $\frac{1}{2}$  rods to a front on the south line of the N W  $\frac{1}{4}$  of the N E  $\frac{1}{4}$  of S 8, thence South 80 rods to a front on the line between the N and S halves of S 8 thence west 129  $\frac{1}{2}$  rods and terminating at the County road, at the S W corner of the S E  $\frac{1}{4}$  of the N W  $\frac{1}{4}$  of S 8 T 2 R 39 E N M

NAMES

J. C. Oliver  
R. M. Oliver  
S. M. Newell  
G. W. Kuckman  
F. C. Kuckman  
F. D. Gaskill  
E. G. Gaskill  
Frank Smith  
W. H. Madison  
J. H. Foster  
A. Randall  
J. Randall  
O. Perin  
W. H. Barolain  
E. P. Wilby

NAMES

E. P. Flamery  
J. A. Richardson  
J. A. Cameron  
Jack Wright  
J. M. Gassett  
Wesley Duncan  
King Spain  
A. Perry Starnell  
Mrs. S. Newell  
Thos. Latham  
J. M. Burchart  
M. B. Mitchell  
W. R. Jasper

10  
LE  
L  
O  
J

J. N. Thurman

A. D. Tickle

~~G. W. Kuckman~~  
Samuel Cochran  
A. L. Collier  
A. P. Puckers  
J. A. Starnell

J. P. DeLooy  
J. C. Hule  
O. L. M. Powell  
J. M. Smith  
E. G. Gaskill  
C. B. Frazer  
R. J. Chilbert  
James G. McLaughlin  
John. Shaw  
C. W. Smith

SENT BY MAIL

APR 4 1891

*Wm. H. Allen*  
Care of  
Canton

Know All Men by These Presents, That *R M Oliver*

and  
of the County of *Union*  
and State of Oregon, am 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 <sup>my</sup> ~~ourselves~~, our heirs, executors and administrators firmly by these presents.

Signed this *4<sup>th</sup>* day of *March* A. D. 18*91*

NOW, the condition of the above obligation is such, That, whereas the above named

*R M Oliver* and  
*J C Oliver* and others,

have petitioned the County Court of said County of *Union*, at the *March*  
Term, 18*91*, thereof, for a County Road, commencing at the *Union & Summerville Road* at the  
SE corner of NW<sup>1</sup> of NE<sup>1</sup> of S. 9 T. 2 S., R. 39 E. W. M. and running West  
one mile to the SW corner of NE<sup>1</sup> of NE<sup>1</sup> of S. 8 T. 2 S. R. 39 E. thence  
West 30 1/2 rods to a point on the South line of NW<sup>1</sup> of NE<sup>1</sup> of  
Sec 8; thence South 80 rods to a point on the line between the  
N & S halves of S. 8 thence N 129 1/2 rods and terminating at the County road at  
SW corner of SE<sup>1</sup> of NW<sup>1</sup> of Sec 8 T. 2 S. R. 39 E. W. M.

NOW, if the above named

*R M Oliver*

and *J C Oliver*  
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.

*R. M. Oliver* [L. S.]

[L. S.]

STATE OF OREGON,

County of *Union* } ss.

I, *R M Oliver*

and, \_\_\_\_\_ each for himself, says,  
that I am worth the sum of *Two* \_\_\_\_\_ 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.

*R. M. Oliver*

Subscribed and sworn to before me this *4<sup>th</sup>* day of *March* A. D. 18*91*

*Turner Oliver*

Clerk.

By *J. R. Oliver* Deputy

In the County Court of the  
State of Oregon,  
Winn County.

IN THE MATTER OF THE

J. O. Winn  
ROAD.

BOND OF ROAD PETITIONERS.

Approved..... 188

COUNTY JUDGE.

Filed **FILED** 488

MAR 4 1891

COUNTY CLERK.

By *James Green*  
County Clerk  
DEPUTY

STATE OF OREGON,  
County of Union, } ss.

I, J. R. 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 31 day of January 1891, 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.~~

Subscribed and sworn to before me this

4

day of

J. R. Oliver  
March

1891.

Turner Oliver  
County Clerk

Filed March 4<sup>th</sup> 1891

James Oliver  
Clerk

By J. R. Oliver  
Deputy

# REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned viewers heretofore on the 4 day of March, 1891, 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. B. Oliver, et al, beg leave to report that on the 14 day of March, 1891, in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view out 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        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.

W. G. Hunter  
John Morrison  
James H. Kelly  
VIEWERS.



Field March 30<sup>th</sup> 1991  
James Oliver  
peaks

Field Notes of the survey of the road petitioned for  
by J. C. Oliver et al. Union Co. Oregon, done on Feb 14, 1891

Commencing at Union  
Summersville road at S. E. corner of the N. W.  $\frac{1}{4}$  of the  
N. E.  $\frac{1}{4}$  of S. 9, T. 2 S. R. 39 E. W. M.

West

80	Chs to	1 mile post	Thence same course
7 28	" "	A. 1	Thence South
20	" "	A. 2	Thence West
82 37	" "	Terminus	at S. W. corner of S. E. $\frac{1}{4}$ of N. W. $\frac{1}{4}$ of S. 8, T. 2 S. R. 39 E. W. M.

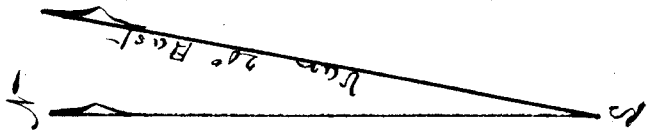
*Oliver*

**FIFTY.**

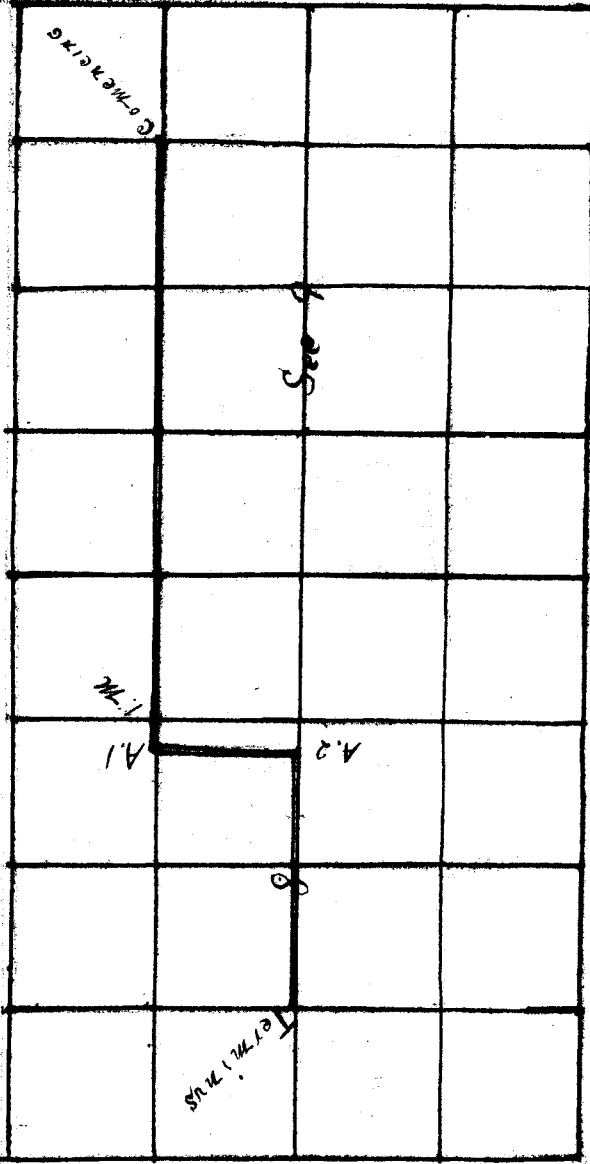
APR 9 1891

*James Oliver*

County Clerk



T. 2. S. R. 39 E. 24. W.



Scale 3 in to the mile

**PAYED.**

APR 8 1891

*James Lewis*  
County Clerk

In the County Court of Union County  
Oregon

In the matter of laying  
out and establishing  
a highway in Union  
County Oregon, com-  
mencing at S E corner  
of N W 1/4 of N E 1/4 of Sec  
9 Tp 2, S, R 39 E. W. M.  
and terminating at S W  
Corner of Sec 8 E 1/4  
of N W 1/4 of Sec 8 Tp  
2 S R 39 E. W. M.

Whereas a petition has been filed  
in the County Court of Union County  
Oregon, asking that there be laid  
out and established a County  
Road commencing at the Union  
& Sumnerville road at the S E corner  
of the N W 1/4 of N E 1/4 of Sec 9 Tp  
2 S Range 39 E. W. M. and run-  
ning west one mile to the S W  
Corner of the N E 1/4 of the N E 1/4  
of Sec 8, Tp. 2, S, R 39, thence west  
30 1/2 rods to a point on the  
south line of the N W 1/4 of N E 1/4  
of Sec 8, thence South 80 rods  
to a point on the line between

the N. and S halves of said town  
west - 129 1/2 rods and terminat-  
ing at the County - road at the  
S.W. Corner of S.E. 1/4 of the  
N.W. 1/4 of T. 8, R. 2, S. R. 29, E. 27, W.

Now therefore we the undersigned  
landholders residing in the  
vicinity of the proposed road  
and in Union County Oregon, here-  
by remonstrate against the so-  
called petitioning or carrying out of  
the said road, and we ask that  
the same be not established and  
said petition be denied, and  
those of the undersigned whose  
names appear on the said  
petition hereby ask that their  
names be stricken from the said  
petition on account of mis-  
representations made in relation  
to said road.

John De Remington	Frank Smith
J. J. Conley	A. J. Huxley
Oliver Shafer	Arthur Oliver
James H. Smith	E. H. Oliver
Wm. Smith	Et. Mann
M. Oliver	J. W. Lytle
Geo. E. Wells	J. N. Smith
James Fuller	
W. L. Carter	

- W. W. Randall  
 7 George Miller  
 - King Spain  
 - J. B. Randall  
 - W. W. S. head  
 - C. Perin  
 - A. Randall  
 7 G. G. Gray  
 - Wesley Curran  
 - Jackson Wright  
 - J. M. Gasset  
 7 Henry Chambers  
 7 J. W. Chandler  
 - J. S. Cameron  
 - E. P. Willey  
 - E. P. Flaney

John, Shaw  
 W. J. Sailing  
 R. D. Kuckman  
 James Moss  
~~R. P. [unclear]~~  
 - J. C. Gearheart  
 - J. H. Goette  
 - J. N. Thirman  
 M. M. Donald  
 Willis Boss  
 - F. W. Johnson  
 - Henry Williams  
 W. A. Moss

45  
 19  
 ---  
 26



County Court  
Union County  
Oregon

See the Walle P Case  
and Court Report  
of the County Court  
commencing at  
a & court of N M  
of N E 1/4 of Sec 9  
T. 2. S. 32 E. 23

*Emmabrown*

Filed April 8<sup>th</sup> 1891

James Oliver Clerk  
By J. R. Oliver Deputy

State of Oregon }  
 County of Union } ss

We, G. W. Ruckman and J. C. Oliver being duly sworn say that the remonstrance heretofore filed against the road petitioned for by J. C. Oliver et al contains the following names of persons who are not legal house holders living in the vicinity of the proposed road to wit:

Fred Holman	Not a legal householder
W. A. Moss	not a legal householder
J. J. Conley	Residence 3 1/4 miles from road
James Hughes	" 2 3/4 " " "
W. J. Hughes	" 3 1/4 " " "
M. Oliver	" 3 1/4 " " "
M. L. Carter	" 6 " " "
Ed. Main	" 3 " " "
E. W. Oliver	" 3 " " "
W. J. Saline	" 4 " " "
Henry Williams	" 6 " " "
Willis Moss	" 8 " " "
G. E. Wells	" 4 " " "
James Fuller	" 4 " " "
J. C. Gearhart	Not a householder

The above named persons do not live in the vicinity <sup>of the road</sup> from the fact that they are so situated that they have to go in the opposite direction and this road would not be of use to them there being another road between them and this road

G. W. Ruckman

J. C. Oliver  
Subscribed and sworn to before me  
this 8<sup>th</sup> day of April 1891  
Turner Oliver Clerk  
By J. R. Oliver Deputy

207. Nov

In the County Court of the State  
of Oregon for the County of Union  
In the Matter of the }  
proposed County Road pe- }  
titioned for by J. C. Oliver et al

Now at this time  
come G. W. Ruckman and J. C. Oliver and  
based on the foregoing affidavit  
move the Court to strike off from  
the remonstrance filed herein all  
the names mentioned in the fore-  
going affidavit as illegal  
remonstrators

G. W. Ruckman  
J. C. Oliver

Motion

Filed April 8<sup>th</sup> 1891  
James Oliver Clerk  
By J. R. Oliver Deft

In the County Court of the State of Oregon

For Union County,

In the Matter of the County

Road petitioned for by

C. E. Oliver et als. No. ....

State of Oregon

County of Union ss.

I, J. W. Lytle, being first duly sworn say that I am the owner of the following described lands, viz: N.E.  $\frac{1}{4}$  of S.W.  $\frac{1}{4}$  and the N.W.  $\frac{1}{4}$  of S.E.  $\frac{1}{4}$  of Sec. 8 T. 2.S. of R. 39 E. W.M. and in Union County, Oregon. That the County road prayed for in the above named petition, crosses the said lands of this Affiant on the north side thereof a distance of 130 Rods. And that this affiant will be damaged by reason of the location of the said Road, as described in the said petition, in the sum of \$150.00

And therefore Affiant prays that Viewers may be appointed to view and assess the said damage to this Affiant, in manner as provided by law.

Subscribed and sworn to before me this  
day of Mar. 1891.

*J. W. Lytle*

*Robert Caslin*

Notary public for Oregon

County Bank  
Main County

for the month of  
the month of  
for by J. & Oliver  
the

Oliver for  
received by  
J. H. Taylor

July 20th 1891  
James Oliver Clerk  
By J. R. Oliver Deputy

Bohria - Oliver  
for Oliver

In the County Court of the State of Oregon

For Union County.

In the Matter of the Road

Petitioned for by C. E. Oliver, et als.

No. ....

State of Oregon

County of Union. ss.

Now comes C. Pennington and represents to the Court that he is owner of the S. E.  $\frac{1}{4}$  of the N. W.  $\frac{1}{4}$ , and the west 24 acres of the S. W.  $\frac{1}{4}$  of the N. E.  $\frac{1}{4}$  of sec. 8 ~~xxxx~~ and the S. E.  $\frac{1}{4}$  of S. W.  $\frac{1}{4}$ , and the S.  $\frac{1}{4}$  of the S. E.  $\frac{1}{4}$  of sec. 8, in T. 2 S. of R. 39 E. W. 2. And in Union County, Ore. That the County Road prayed for in the Above entitled Road matter, runs through the said land on the on the South side of the 64 acres first above described, a distance of 128 rods, and on the East thereof the distance of 80 Rods.

And that the said C. Pennington is damaged ~~there~~ or will be by the location of the said Road, as described in the said Petition, in the sum \$250.00

And therefor prays that he may have Viewers appointed to Assess the damages herein claimed,

Subscribed and sworn to before me this

*C. Pennington*

3. Day of Mar. 1891 .

*Robert Eastin*

Notary Public. for Oregon.



Wm. H. Hunt  
Wm. H. Hunt

Wm. H. Hunt  
Wm. H. Hunt

Wm. H. Hunt  
Wm. H. Hunt

Wm. H. Hunt  
Wm. H. Hunt

Filed April 8<sup>th</sup> 1891

James Oliver Clerk  
B. R. Oliver Deputy

Wm. H. Hunt  
for Wm. H. Hunt

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

In the matter of the  
Road Petition for  
by J. L. Oliver et al

Now comes Remondino  
for C. Pennington and moves  
the court to strike out  
the motion and affidavit  
of G. H. Ruckman & J. L.  
Oliver for the reason that  
said motion does not show  
that said parties are par-  
ties to this proceeding and  
said affidavit states  
conclusions and not facts

W. H. Morgan  
Atty for Remondino

County Court  
Main County

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The number of  
Rural Population  
from 1870 to 1890  
Derived from

---

Table 15  
taken out  
officially

July 1891  
James Oliver  
Perk.

1 In the County Court of the State of Oregon  
2 for Wasco County.  
3 In the Matter of the County  
4 Road petitioned for by  
5 J. C. Oliver et al -  
6 Now comes C. Pennington  
7 and J. W. Lytle. And being remonstrators  
8 herein move the Court to strike from the  
9 petition herein the name of R. C. Puckman  
10 for the reason that she is not a house-  
11 holder in this that she is a married woman  
12 the wife of G. W. Puckman a petitioner  
13 herein house keeper for him -  
14 Also moves to strike out of said petition  
15 the name F. D. Gaskill for the reason  
16 that at the time of the signing of said  
17 petition he was not a ~~petitioner~~  
18 household in said Wasco County, Ore.  
19 in this that he was at that time a member  
20 of the family of his father E. D. Gaskill  
21 who is also a petitioner herein -  
22 Also moves the Court to strike  
23 from the petition herein the following  
24 names Francis Smith, L. H. Foster, G.  
25 Randall, W. W. Randall, J. Randall, A.  
26 Perin, E. P. Willey, L. M. Christian, E. J.  
27 Flannery, J. S. Cameron, J. C. Wright,  
28 J. M. Gossett, Nestley Duncan, King  
29 Spain, Asberry Stansell, and Joley  
30 Snow for the reason that they have  
31 asked to withdraw from the petition  
32 and have remonstrated against

2

the said Road,

And bases this motion upon the  
petition, Remonstrance, and the  
unsworn affidavits of

L. H. Crawford and  
R. H. Kaskin,

Attorneys for Pennsylvania  
& Lytle.

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Living Bank

Wm. W. W. W.

Dr. Wm. W. W.

Paul Williams

Wm. W. W.

Wm.

Wm. W. W.

Wm. W. W.

Wm. W. W.

Wm. W. W.

Dated April 8<sup>th</sup> 1891

James Oliver Clerk

By J. O. Oliver Deputy

J. O. Oliver

Wm. W. W.

Wm. W. W.

Wm. W. W.

In the County Court of Union County Oregon

In the matter of the road  
petitioned for by  
J. C. Oliver et. als.

State of Oregon }  
County of Union } ss

I C. Pennington being first duly  
sworn say that the name L. C. Ruskman  
signed to the petition herein is the name  
of and intended as the signature of  
L. C. Ruskman the wife of G. W. Ruskman.  
That she is house keeper for the said  
G. W. Ruskman and a member of his  
household, that said G. W. Ruskman is  
one of the petitioners herein.

That L. D. Gassill whose signature  
appears on said petition was not at  
the time of the signing of said  
petition or of the filing thereof in  
this Court a householder, but was  
a member of his father's family  
E. D. Gassill, who is a petitioner herein.

That Frank Smith, A. Rondall, O. Perin,  
W. W. Rondall, E. P. Willey, J. M. Christmas,  
E. J. Klammery, J. S. Cameron, J. M. Gossett,  
Orestley Duncan, King Sprain, who signed  
the said petition are also remonstrators  
herein and have by said Remonstrance  
requested the Court to strike their names  
from the said petition, and have remon-  
strated against the granting of the said  
road.

2  
1 That <sup>5</sup>J. H. Foster who signed the said petition  
2 is the same person who signed the Rem-  
3 anstrance as J. H. Foster

4 That J. Randall who signed the petition  
5 is the same person who signed the Rem-  
6 anstrance J. C. Randall,

7 That Jack Wright who signed the petition  
8 is the same person who signed the Rem-  
9 anstrance Jackson Wright -

10 And that each of the last named persons  
11 here by said Remonstrance requested  
12 This Court to strike their names from  
13 the said petition. And have Remon-  
14 strated against the <sup>granting of</sup> said road.

15 Subscribed and Sworn to }  
16 before me this 8<sup>th</sup> day } C. Pennington  
17 of April 1891. }  
18 James Oliver Clerk

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County Court,  
New York Co.

By Matter of Road  
Relations for the  
of the Village of ...

Prothon and  
affidavit to show  
reasons for  
Petition.

Filed April 8<sup>th</sup> 1891

James Oliver Clerk

By J. R. Oliver Deputy

~~W. C. Crawford~~

R. C. ...  
for ...

State of Oregon } ss  
County of Union } J. C. Perrington  
being first duly sworn say  
I am one of the Remonstrators  
against the Road Petition  
for by J. C. Oliver et al that  
Fred Holman and J. C. Gear  
hart and W. A. Moss whose  
names appear upon said  
remonstrance as each  
householder that they each  
are settlers and farmers  
and keep a house and  
furniture and household  
goods therein and jointly  
with their co-settlers furnish  
and pay for the supplies  
that maintain the labor therein  
necessary to keep and maintain  
the household and carry on  
their business of farming.  
That said Remonstrator W. A.  
Moss resides within 5 miles  
of said road and that  
each of said remonstrators  
are obliged to reside within  
the limits included by petition  
in circulating their petition  
J. C. Perrington

In re J. H. Oliver's  
Estate.

Attendant of Dumfries

Filed April 28th 1891  
James Oliver  
Clerk

Subscribed and sworn before me  
This April 28th 1891  
James Oliver Clerk

In County Court, Union County  
Oregon

In re petition  
of Clark Oliver } Claim for  
et al for location } Damages  
of County Road.

Comes now R. D. Ruckman  
and complains against  
the location by the above  
named County Court of  
a public highway across  
his land, to wit: <sup>NE 1/4 NW 1/4</sup> NW 1/4 NE 1/4 Sec 9  
Twp 2 - S. Range 29 E. Wm. Co. <sup>Union Co. Oregon</sup>  
proposed by the above named  
petition and as surveyed  
by the County Surveyor in  
pursuance thereof and  
alleges that he will be  
damaged by the location  
of said road in the sum  
of \$200.00; he therefore claims  
damages, <sup>to be laid</sup> for the location  
of said proposed public road  
if the same shall be located  
as aforesaid in the sum of  
\$200.00

Signed at Lelyraude,  
Oregon, April 7th 1891,

R. D. Ruckman

In the County Court  
of Union County, Oregon

Now proposed  
and I claim  
as my estate

Claim for  
damages by  
A. S. Reardon

Filed April 9<sup>th</sup> 1891  
James O'Brien  
Clerk

# REPORT OF VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

We, the undersigned viewers heretofore on the 9<sup>th</sup> day of April appointed to view out and assess the damages claimed by Blyde Pennington, W. L. Gile and R. D. Duckman in the matter of the proposed county road, petitioned for by John Oliver et al. beg leave to report that on the day of April 8, 1891, we, after being duly sworn to discharge our duty faithfully and impartially, proceeded to view said proposed road the whole distance through the premises of each of said complainants and to assess and determine how much less valuable said premises of said complainant would be rendered by the opening of said road, and we find that the premises of said complainant Blyde Pennington would be rendered \$ 50<sup>00</sup> less valuable, and that the premises of complainant W. L. Gile would be rendered \$ 50<sup>00</sup> less valuable, and the premises of the complainant R. D. Duckman would be rendered \$ 50<sup>00</sup> less valuable by the laying out and establishment of said proposed road as a public highway of said county, and recommend that said costs be paid to said complainants before laying out and establishing said road as a public highway.

Thomas Wade  
W. E. Woodell  
Ellis Rinehart

FILED.

APR 30 1891

James Oliver  
 County Clerk

In the Matter of the Road }  
Petitioned for by J. C. Oliver et al. }

State of Oregon } ss  
County of Union }

We  
William Woodell, Thomas Wade and El Rinehart having  
been appointed on April 9<sup>th</sup> 1891 to appraise the damages  
that would accrue to Clyde Pennington, J. W. Lytle and  
R. D. Ruckman by reason of the construction of a pro-  
posed road petitioned for by J. C. Oliver et al. being first duly  
sworn say each for himself that I will faithfully and  
impartially perform my duty and report to the Court how  
much less valuable the said premises of Clyde Pennington  
R. D. Ruckman and J. W. Lytle will be rendered by the construc-  
tion of said proposed road to the best of my ability,  
so help me God.

W. E. Woodell

Thomas Wade

Elie. Rinehart

Subscribed and sworn to before me this 27 day of  
April A.D. 1891.

Edw. Dowell  
Notary Public for Oregon

First Judicial Day

Wednesday March 4<sup>th</sup> 1891

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. C. Oliver et al.

Comes now J. C. Oliver 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 Union and Summerville road at the S.E. corner of the NW of the NE of Sec 4 T 2 S R 39 E W M and running West one mile to the SW corner of the NE of the NE of S 8 T 2 S R 39 E thence West  $30\frac{1}{2}$  rods to a point on the South line of the NW of the NE of S 8; thence South 80 rods to a point on the line between the N and S halves of S 8; thence West  $129\frac{1}{2}$  rods and terminating at the County road at the SW corner of the SE of the NW of S 8 T 2 S R 39 E W M

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 specifies the place of beginning, intermediate points and place of termination of said road, and it satisfactorily appearing to the Court that notice had been given by advertisement posted at the place of holding County Court, to wit: at the front of the Court House door in County of Union State of Oregon and also in three public places in the vicinity of said proposed road, to wit: One at the beginning of the road nailed on a board nailed to the fence, One at the terminus of the road nailed to a board on the fence and one on the Summerville and Union road near the residence of Samuel Cochran for



First Judicial Day      Wednesday March 4<sup>th</sup> 1891

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.

It is therefore Ordered that J. P. Halley, W. S. Hunter and John Morrison be appointed Viewers of said road, and that J. L. Curtis be appointed surveyor of said road, and that they meet at Alicel on the 14 day of March 1891 at the hour of 10 o'clock A.M. and after qualifying to view, survey and lay out said road according to law.

4 In the Matter of the proposed }  
County Road petitioned for by }  
D. M. Tartar et al }

Comes now D. M. Tartar 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 a point on the present County road at the SE corner of the SE<sup>4</sup> of the NW<sup>4</sup> of Sec 24 T. 8 S. of R 46 E. W. M. thence running North 440 yds, thence North Easterly to the South East corner of the North East quarter of Sec 13 thence North one half mile to a point at or near the S.E. corner of Sec 12 thence North Easterly one quarter of a mile to a point 20 rods E. of Township line in Township 8 S. of R 46 E. W. M. thence North easterly to a point 40 rods E. of the NW corner of the SW<sup>4</sup> of Sec 7 Township 8 S R 47 E. W. M. thence down Pine Creek on the North side of said creek on the most

First judicial Day

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

road and that they meet at the CroDell Bridge on April 25<sup>th</sup> 1891 at the hour of 10 o'clock A.M. and after qualifying to view, survey and lay out, <sup>said road</sup> according to law.

In the Matter of the Road }  
petitioned for by J.C. Oliver et al }

This Matter came on to be heard at this time upon the Report of Viewers heretofore filed herein and said report having been read in open Court as required by law It is therefore ordered that said report be held for a second reading on some other day of this term of Court

In the Matter of the Road }  
petitioned for by Jas Farley et al }

This Matter came on to be heard at this time on the Report of Viewers heretofore filed herein and said report having been read in open Court as required by law It is therefore ordered that said report be held for a second reading on some other day of this term of Court

In the Matter of the Road }  
petitioned for by G.M. Tartar et al }

This Matter came on to be heard at this time on the Report of Viewers heretofore filed herein and said report having been read in open Court as required by law It is therefore ordered that said report be held for a second reading on some other day of this term of Court.

In the Matter of the }  
Catherine Creek Improvement }

This Matter came on to be heard upon the Remonstrance heretofore filed herein and the Court not being fully advised in the premises takes it under advisement to be acted on at the next regular term of this Court

Second Judicial Day

Thursday April 9<sup>th</sup> 1891

Court met pursuant to adjournment

The same officers were present as on yesterday

Due proclamation of the opening of Court having been made the Journal of yesterday's proceedings was read, approved and is here now signed

*W. Sanders*  
County Judge

Thereupon the following proceedings were had to wit:

In the Matter of admission }  
of H. Eastman to the Co. Poor Farm }

This Matter came on to be heard on the affidavit of H. Eastman heretofore filed herein and it appearing to the Court that H. Eastman is sick and destitute and not able to support himself. It is therefore ordered that he be admitted to the County Poor Farm, and that he receive such aid as he may need until such time as he may be able to support himself.

In the Matter of the Road }  
Petitioned for by J. C. Oliver et al. }

This Matter came on to be heard at this time on the remonstrances filed herein and on the affidavit and motion to strike out certain names on the petition filed herein and on the affidavit and motion of petitioners to strike out certain names from the remonstrance herein, and on motion of remonstrators to strike out the motion of petitioners herein. The remonstrators appearing by Robt. Eaton and J. W. Crawford Esqrs of Counsel, and the petitioners appearing in person. And after argument of Counsel on said motion of Remonstrators to strike

Second Judicial Day

Thursday April 9<sup>th</sup> 1891

out said Motion and Affidavit of petitioners, the Court overruled and denied said motion, and it appearing to the Court from the affidavit of G.W. Ruckman and J.C. Oliver and from other good and sufficient evidence that the following persons whose names appear on the remonstrance herein are not householders living in the vicinity of the proposed road and hence have no legal right to remonstrate against the same to wit: Fred Colman, W.A. Moss, J.J. Conley, James Houghes, W.J. Houghes, M. Oliver, M.L. Carter, Ed. Main, E.K. Oliver, W.J. Saling, Henry Williams, Willie Moss, G.E. Wells, James Wells and J.C. Gerhart. It is therefore ordered that said names be stricken from said remonstrance and it appearing to the Court from the affidavit of remonstrators herein and from other good and sufficient evidence that the following persons whose names appear on the petition herein are not householders living in the vicinity of the proposed road and hence are not legal petitioners for said proposed road to wit: L.C. Ruckman, J.D. Gaskell, Asbury Stansell and H. Buckner. It is therefore ordered that said names be stricken from said petition; and it appearing to the Court that the following names appear on both the said petition and the said remonstrance to wit: Frank Smith, A. Randall, O. Perin, W.W. Randall, E.O. Willey, J.N. Whrieman, E.J. Flannery, J.S. Cameron, J.M. Bassett, Wesley Duncan, King Spain, Thomas H. Foster, J.C. Randall, and Jack Wright have signed both said petition and said remonstrance and that their names ought to be counted on both or not counted on either and it appearing to the Court that there are more names of legal householders on the petition herein than on the remonstrance who live in the vicinity of said proposed road. It is therefore considered and ordered by the Court that said remonstrances be overruled and denied.



Second Judicial Day

Thursday April 9<sup>th</sup> 1891

strance or claim for damages having been filed herein and there having been no cause shown why this proposed road should not be declared a public highway and ordered open according to law, and the Court being satisfied from the report of the viewers that such road will be of public utility. It is therefore considered and ordered by the Court that said reports of the viewers and surveyor be approved and adopted by the Court, and that said proposed road be declared a public highway of Union Co Oregon and ordered opened up and placed in repair for travel according to law. It is further ordered that the report of the viewers be placed on record in this journal, and that the surveyor's plat of the proposed road and his field notes of the survey thereof, be placed on record in the book of Plate of County roads of Union County Oregon and that G. A. Olm Road Supervisor of road District No. 31 the same being the road district in which said road is located be furnished with a copy of the petition herein, and a copy of this decree and ordered to open up said road and place the same in repair for travel.

In the matter of the Road }  
 petitioned for by J. B. Chover et al. } This matter came on to be heard  
 at this time on the claims of Clyde Pennington, J. M.  
 Lytle, and R. D. Ruckman for damages that would accrue  
 to them by the construction of the proposed County road  
 petitioned for by J. B. Chover et al. and it appearing to  
 the Court from said claims, that Clyde Pennington  
 thinks he will be damaged thereby in the sum of \$250<sup>00</sup>  
 That J. M. Lytle thinks he will be damaged thereby in the sum of \$150<sup>00</sup>  
 and that R. D. Ruckman thinks he will be damaged thereby in  
 the sum of \$200<sup>00</sup>; It is therefore considered and ordered  
 by the Court that Wm Woodell, Thomas Wade, and E. L. Pinchard  
 be appointed appraisers to view the premises of each of  
 the above named claimants, and report to this Court  
 in writing on or before the first day of the next reg-

Second Judicial Day

Thursday April 9<sup>th</sup> 1891

in a term of this Court how much less valuable the premises of each of said claimants would be rendered by the construction of said proposed road, and that they meet at Summerville on Saturday April 25<sup>th</sup> 1891 at 10 o'clock A.M. and having subscribed an oath to faithfully and impartially perform their duties that they proceed to the proposed road, and examine the premises of each of said claimants, and determine, according to their best ability how much less valuable the said premises of each claimant would be rendered by the construction of said proposed road, and report their findings to this Court as above set out.

In the Matter of the proposed  
County Road petitioned for by E. W.  
Sambler 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 4<sup>th</sup> day of March 1891 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 E. W. Sambler et al, beg leave to report that on the 19<sup>th</sup> day of March 1891 in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view out 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

First Judicial Day

Wednesday May 6<sup>th</sup> 1891

In the Matter of the proposed Road }  
petitioned for by J. W. Kimbrell et al }

This Matter came on to be heard at this time on the Report of Viewers for the first reading and said report having been read in open Court as required by law It is ordered that said report be held for a second reading on some other day of this term of Court

In the Matter of the Road petitioned }  
for by J. C. Oliver et al }

This Matter came on to be heard at this time on the Report of appraisers heretofore appointed on the 9<sup>th</sup> day of April 1891 to view and assess the damages that would accrue to Clyde Pennington, J. W. Lytle and R. D. Ruckman and to report to this Court how much less valuable the premises of each of the said named claimants would be rendered by reason of the laying out and construction of the said proposed Road

And it appearing to this Court from said report that the said premises of Clyde Pennington would be rendered \$50<sup>00</sup> less valuable and that the premises of J. W. Lytle would be rendered \$50 less valuable, and the premises of R. D. Ruckman would be rendered \$50 less valuable, and it further appearing to the Court that the laying out and construction of said road would be of great public utility and would add much to the convenience of the householders and residents living in the vicinity thereof It is therefore considered and ordered by the Court that the report of the appraisers filed herein be approved and the Clerk instructed to draw a warrant in favor of each of the said named claimants in the sum of \$50<sup>00</sup> to cover said damages

In the Matter of the Road }  
petitioned for by J. B. Oliver et al }

This Matter came on to be heard at this

First Judicial Day

Wednesday May 6<sup>th</sup> 1891

time on the report of the Viewers for the first reading and the said Report having been read in open Court as required by law It is ordered that said Report be held for a second reading on some other day of this term of Court

In the Matter of Improvement }  
on the County Jail }

This Matter came on to be heard at this time on the side heretofore filed herein and the Court not being yet ready to take action in the matter It is ordered that the same be continued for the term.

In the Matter of the approp- }  
riation on Road East of Elgin }

This Matter came on to be heard at this time on the petition of numerous citizens of Elgin asking for an appropriation of \$300 to assist in grading the County Road East of Elgin, and it appearing to the Court that said road is in a bad condition and that the same ought to be graded from the bridge East to the top of the hill and it appearing that Mr Cowan and across whose lands said road extends have consented to change their fences so as to throw said road on better ground and will be more easily graded and that the Court ought to make an appropriation to assist the people of Elgin in grading said road It is therefore considered and ordered that \$500 be appropriated out of the County Treasury to assist in improving and grading said road and that said appropriation be placed in the hands of John McDonald County Commissioner who may employ such proper person as he may see fit to have charge of said work



Second Judicial Day

Thursday May 7<sup>th</sup> 1891

and a copy of this decree and ordered to open up said road and place the same in repair for travel

In the Matter of the proposed County  
Road petitioned for by J. C. Oliver 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 being in words following, to wit:

Report of Viewers

To the Honorable County Court for Union County Oregon;

The undersigned viewers heretofore on the 4<sup>th</sup> day of March 1891 appointed to view and out and alter the proposed County road of which the survey hereto attached is a true and correct description, as petitioned for by J. C. Oliver et al, beg leave to report that on the 14<sup>th</sup> day of March 1891, in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment, we proceeded to view out 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 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.

W. G. Hunter

John Morrison  
James Hally

And said report of the viewers and the report of the surveyor having been now publicly read in open court, on two several days of the present term of the court and it appearing to the court that said viewers report favorably thereon, and recommend that said proposed road be established as a county road and be declared a public high-

Second Judicial Day

Thursday May 7 1891

way of Union County, Oregon, and all the proceeding herein having been regular and according to law, and no remonstrance or claim for damages having been filed herein except such as have heretofore been disposed of by this Court and there having been no cause shown why this proposed road should not be declared a public highway and ordered open according to law, and the court being satisfied from the report of the viewers that such road will be of public utility It is therefore considered and ordered by the court that said reports of the viewers and surveyor be approved and adopted by the court, and that said proposed road be declared a public highway of Union Co. Oregon and ordered opened up and placed in repair for travel according to law It is further ordered that the report of the viewers be placed on record in this Journal and that the surveyor's plat of the proposed road and his field notes of the survey thereof, be placed on record in the book of Plats of County roads of Union County, Oregon, and that Clark Oliver Road Supervisor of road District, No 8 the same being the road district in which said road is located, be furnished with a copy of the petition herein, and a copy of this decree and ordered to open up said road and place the same in repair for travel.

In the Matter of }  
 Mary Ladd a pauper }

It appearing to the Court that heretofore in vacation the County Judge directed that a county warrant issue in favor of Mrs Mary Ladd a County Charge for the sum of \$40 the same being a semiannual allowance and the same appearing proper and right It is here now approved by the Court.