

Viewers Appointed Jnl E 510  
First Reading 562  
Dismissed 570  
Hearing ordered 600  
Dismissed J 9

388

Petitioned for by R D Ruckman  
et al

Commencing at NE corner of SH 511  
Sec 4 T 2 S R 39 E and in my  
thence S  $\frac{1}{2}$  mile to R 111372

REVERSIBLE  
UNIT 1300  
NOV 1 1961  
F

In the County Court of the State of Oregon

for Union County.

In the Matter of the Petition of R. D. Ruckman for  
Change of County Road through his  
own Premises.

Now Comes E. J. Couper, and represents to the Court that

he is the owner of the following described lands viz:

*E. J. Couper Sec 1 and 2 of T. 2 N. 6 E. Sec 9 and 10 of T. 2 N. 6 E. Sec 10 and 11 of T. 2 N. 6 E. Sec 3 and 4 of T. 2 N. 6 E. Sec 3 5 2 1 R. B. 9 E. N. M.*

That the road, a change of which is asked for by R. D. Ruckman upon his own petition, as upon and across his own land, is not situated exclusively on his own lands, as follows viz: the termini of the new road proposed by him, are not the termini of the road for which it is a substitute, and hence is not a CHANGE of said road,

That the road sought to be thereby vacated by him, is on the line, ~~viz~~ between the said lands of said Couper and said Ruckman a distance of 80 rods,

That such change in said Road would materially increase the distance of travel to the injury of the Public, including this remonstrator.

And the said E. J. Couper hereby protests against the granting of the said Petition for the following grounds, viz:

- 1<sup>st</sup> That the Court has no Jurisdiction of the said petition.
- 2<sup>nd</sup> That there has been no notice of the said petition.
- 3<sup>rd</sup> And that the same is Ex-parte, when the same affect this Remonstrator, as well as the public.

Witness my hand this 5th. day of Aug. 1891.

*E. J. Couper.*

State of Oregon,

County of .....

} ss.

I, ..... being first duly sworn, say: That I am  
..... in the above entitled ..... and  
that the foregoing ..... is true as I verily believe.

Subscribed and sworn to before me this ..... day of ..... 189.....

I hereby certify that the foregoing is a true copy of the original.

Served on .....

.....  
Attorney for .....

No. ....

County IN THE  
Circuit Court

OF THE

STATE OF OREGON.

For Wasco County.

~~Plaintiff~~  
By the undersigned  
petition of W. H. Peterson for  
assignment of road  
~~Debtors~~

Remonstrance

of E. B. Cooper,

Filed

Aug 6<sup>th</sup>

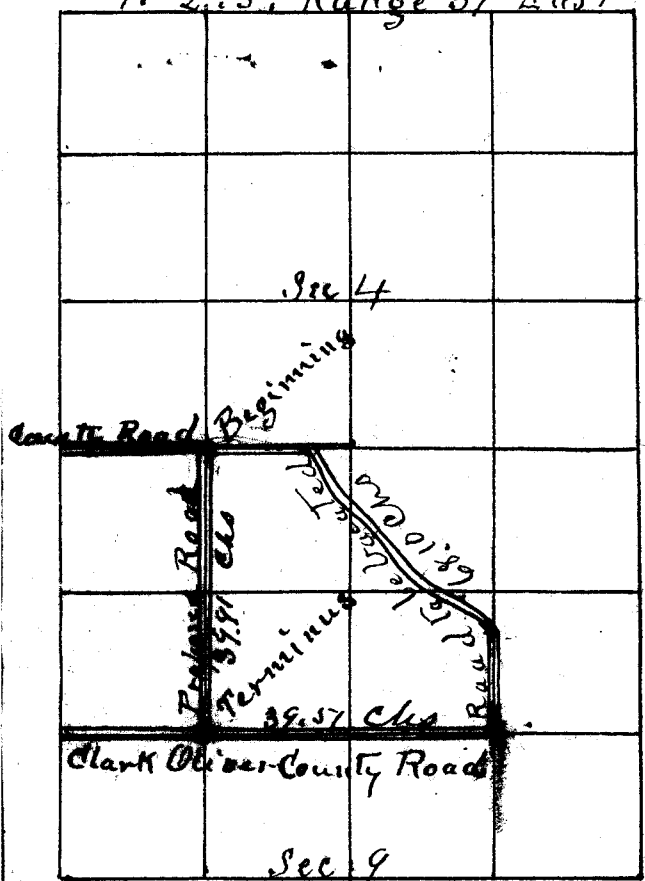
1891

James Oliver Clerk.

**R. EAKIN**

Attorney for .....

T. 2. S., Range 39 East



True Meridian  
Mag. 20° East  
Scale 3 in to 1/4 Mile

FILED.

AUG 5 1891

*James Oliver*  
County Clerk.

To the Honorable County  
Court of Union County, Oregon

We the undersigned view-  
ers heretofore appointed on the  
8<sup>th</sup> day of July, to view out-  
-of-  
-of-  
Proposed Change in County Road  
as petitioned for by R. D. Redden  
Report that we met on the 27<sup>th</sup>  
day of July 1891 with J. L. Curtis as  
Surveyor and <sup>after being fully examined</sup> proceeded to view  
out said road & the whole there-  
-of in accordance with the  
Enclosed plat & field notes of the  
Survey. We further report the  
Proposed Road to be 45 rods longer  
than the road sought to be vaca-  
-ted, and on equally as good ground  
-ed for a road. We therefore recom-  
-mend that the prayer of the Petiti-  
-oner be granted. W. S. Skell  
V. S. Danner

FILED.

AUG 5 1891

*James Owen*  
County Clerk.



Plat and Field Notes of County Road  
as Petitioned for R D Ruckman

Done on July 22 1891

Commencing at the N E corner of the S W<sup>4</sup>  
of the S W<sup>4</sup> Sec 4 in T. 2. S. Range 39 East  
and running thence S. Var 20° East

39 91 Chs to the terminus at a Rock set  
in the centre of the Clark Oliver  
County Road at the SE corner of the  
N W<sup>4</sup> of N W<sup>4</sup> Sec 9 T. 2. S. Range 39 East

J L Curtis

Surveyor

Received as  
Payment for by  
R W Hutchman

PAID.

JUL 24 1891

James Davis,  
County Clerk.

In the County Court Union  
County, Oregon

In or Road  
petitioned by E. W.  
Dunbar et als

Comes now R. B. Ruckman  
and represents to the Court  
that the foregoing County Road  
was about established  
and located over and across  
his lands described as follows;  
to wit: E 1/2 SW 1/4 and W 1/2 SE 1/4 Sec  
4- and NW 1/4 NE 1/4 Sec 9- in Twp  
2<sup>s</sup> in Range 39 East W. 24  
that the said road is evoked,  
inconvenient and would be  
located on better ground if chan-  
ged as follows: Commencing  
at the NE corner of the SW 1/4 SW 1/4  
of Sec 4- Tp 2- R 39. E. W. 24  
thence running south to  
the South East Corner of the  
NW 1/4 of the NW 1/4 of Sec 9-  
in same Twp and Range  
where it intersects the County  
Road published for by Clord  
Oliver Et al, and to vacate  
all that road now located  
and established in the SE 1/4 SW 1/4  
and SW 1/4 SE 1/4 Sec 4- <sup>and</sup> ~~also~~ NW 1/4 NE 1/4  
Sec 9 Twp 2 R 39. E. W. 24, that  
she will give the land for the  
road proposed in lieu of the

land - on which the road  
is located which is pro-  
posed to vacate, and  
your petitioner, will give  
bond for costs of this  
proceeding.

The Sheriff asks  
that viewers be appointed  
to view and report on  
said road, and he  
will ever pray etc  
Dated July 8th 1891

R. D. Ruckman

A. E. Imbler  
Saml Cochran  
V. S. Davison

*Petition for Change  
in Road*

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*Filed July 8<sup>th</sup> 1891  
Turner Oliver Clerk  
By J.R. Oliver Deputy*

BOND OF ROAD PETITIONERS.

Know All Men by These Presents, That

*J. R. D. Ruckman*

of the County of Union and State of Oregon, are held and firmly bound unto 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 *8* day of *July* A. D. 189*1*

*J. R. D. Ruckman*

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

and

and others, have

petitioned the County Court of said County of Union, at the *July* Term, 189*1*, thereof for a

County Road, commencing at *NE Corner of SW 4 Sec 4 Tp 2 S R 39 E* running thence South *1/2* mile and intersecting road No *5372* at the *SE* Cor of the *SW 4 Sec 9 Tp 2 S R 39 E NW*

Now, if the above named

*J. R. D. Ruckman* and

and

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.

*J. R. D. Ruckman* (L. S.)

(L. S.)

STATE OF OREGON, }  
County of Union. }

*J. R. D. Ruckman* 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.

*J. R. D. Ruckman*

Subscribed and sworn to before me this *8* day of *July* A. D. 189*1*

*Turner Oliver*

County Clerk.

By *J. R. Oliver* Deputy

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

IN THE MATTER OF THE

Road for the litigants body

R & R

ROAD.

**BOND OF ROAD PETITIONERS.**

Approved \_\_\_\_\_ 189

*J. P. Oliver*

County Judge.

Filed July 8 189

*J. P. Oliver*

County Clerk.

By *J. P. Oliver*

Deputy.

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 has been given by advertisement posted at the place of holding County Court, to-wit: at Union, 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 proposed road on a board nailed to the fence by the side of the public road near the school house; one at the ending of the proposed road on a board nailed to a tree by the road side, and the third on a board nailed to a tree by the side of the public County Road a little southwest of the house of H. McDonald 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 said 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 C. A. Myers, Wm Park and Mrs. Eubanks be appointed Viewers of said road, and that J. L. Curtis be appointed Surveyor of said road, and that they meet at the house of Herman McDonald on the 21<sup>st</sup> day of July 1891 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 a change  
in the Road petitioned for  
by E. W. Imbler et al.

Comes now R. D. Reuckman  
and petitions the Court for leave to change the Road petitioned for by E. W. Imbler et al. on his own land and at his own expense, and it appearing to the Court from said petition that petitioner R. D. Reuckman is the owner of the following described Real Estate, across which said County



First Judicial Day.

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

Road lands, town:  $6\frac{1}{2}$  x  $2\frac{1}{4}$  and  $10\frac{1}{2}$  x  $2\frac{1}{4}$  Sect 4 and  $2\frac{1}{4}$  x  $2\frac{1}{4}$  Sect 9 in Twp 2 N, in Range 39 East W. M.; that the said road is crooked, inconvenient and would be located on better ground if changed as follows: Commencing at the NW corner of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Sect 1 Twp 2 N R. 39 E. W. M.; thence running south to the southeast corner of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Sec 9 in same Twp and Range where it intersects the County Road petitioned for by Clark Oliver et al, and to vacate all that road now located and reestablished in the SE $\frac{1}{4}$  SW $\frac{1}{4}$  and SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sect 4 and also NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec 9 Twp 2 N R. 39 E. W. M.; that he will give the land for the road proposed in lieu of the land on which the road is located which is proposed for sale, and said petitioners having entered into a good and sufficient undertaking as provided by Law. It is therefore considered and ordered by the Court that Sam Brooks, V. S. D. armer and Wm. Hull be appointed Viewers and J. L. Curtis Surveyor to meet at the beginning of the proposed change in the Road on July 22<sup>nd</sup> 1891 at 10 o'clock A.M. and after qualifying, to view, survey and lay out said Road according to Law and to report whether said Road would be on as good ground as the portion sought to be vacated, and whether the length would be materially increased to the detriment of the Public.

In the matter of a change  
of a County Road through  
the lands of Jesse Imbler

Comes now Jesse Imbler and petitions the Court for permission to change the Road on his own lands and at his own expense. And it appears to the Court from said petition that the said Jesse Imbler is the owner of the following described Real Estate, across which said County Road extends, to-wit: The East half of

First Judicial Day.

Wednesday August 5 1891

day of this term of Court.

In the matter of the road  
petitioned for by Robt.  
Ruckman in his own right

This matter came on to be heard at this time on the report of the Viewers and Surveyor heretofore appointed by the Court. And said reports having been read in open Court for the first time, they are laid over for further consideration on some other day of this term of Court.

In the matter of the claim  
of Geo M. P. for additional  
damages on Road petitioned  
for by J. Q. Shindler et al

This matter came on to be heard at this time on the supplemental report signed by two of the appraisers in the above entitled matter, having been continued over from last term for further consideration at this time, and the Court having considered the matter and talked with a third appraiser, and he being sure that the amount reported was the amount intended to be reported, and the Court being of the opinion that to open up the matter now would allow all parties affected by the Road to file additional claim for damages, and would not be justice to the tax payers of the County, It is therefore considered and ordered that said claim be dismissed.

In the matter of the dis-  
tribution of Road Funds

At this time it appearing to the Court that Jacob Huey, Road Supervisor of Road District No. 14 ought to have an additional opportunity to carry on the work

Second Judicial Day

Thursday Aug. 6<sup>th</sup> 1891

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 John Rymareon Road Supervisor of Road District No. 44 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 proposed Road }  
petitioned for by R. D. Ruckman }

This matter came on to be heard at this time on the Report of Viewers and Surveyor for second reading and on the objections filed by E. J. Couper and it appearing to the Court from said objections of E. J. Couper under oath that said road sought to be vacated is not entirely on the lands of R. D. Ruckman and that said road would be materially lengthened to the detriment of the public, it also appearing from the report of the viewers that said road would be lengthened 49 rods and the Court having no legal right under the showing made to grant said petition. It is ordered that the same be dismissed.

In the Matter of the proposed }  
County road petitioned for by J. Q. Walling 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 reports of Viewers being in words following to-wit:

Report of Viewers

To the Honorable County Court for Union County Oregon: