

Commissioners' Road Journal,

Road Petitioned for by J. H. Gibson and others.

State of Kansas, Montgomery County, ss.

Order on Road Petition

AND NOW, On this 24 day of August, A. D. 1908, being one of the days of the regular meeting of the Board of County Commissioners, begun and holden on the 24 day of August, A. D. 1908, there was presented to said Board for their consideration, a petition signed by J. H. Gibson and 14 others, praying for the Location & Establishment of a certain road, hereinafter described.

The Board do find as follows: First—That said petition is a legal one, and is signed by at least twelve householders of Montgomery County, Kansas, residing in the vicinity of the road prayed for. Second—That the proper bond required by law has been filed, signed by J. H. Gibson as principal and W. A. Merrill as sureties, which said bond is by the Board approved.

THEREUPON, The Board orders that a view and survey of said proposed Wagon Road be had on the 18 day of Sept, A. D. 1908, and appoints H. F. Kilburn, W. M. Bryant, and J. H. Roper, three disinterested householders of Montgomery County, as viewers of said road, with instructions to meet in conjunction with the County Surveyor of Montgomery County, at the Said place of Beginning, in Caney Township, and proceed to view and survey the same, give to all parties a hearing, and make report thereof, as the law directs.

The Board further orders the County Clerk to prepare for publication, in the official newspaper of the County, a notice which shall contain a correct and pertinent description of said proposed Location of road, which said notice is in words and figures as follows, to wit:

State of Kansas, Montgomery County, ss.

ROAD NOTICE.

NOTICE IS HEREBY GIVEN, That on the 24 day of August, A. D. 1908, a petition signed by J. H. Gibson and 14 others, was presented to the Board of County Commissioners of the County and State aforesaid, praying for the Location of a certain road, described as follows, viz.: Beginning at the public road the same being at the NE corner of Section 10 and the SE corner of Sec 3 thence west along the section line or as near as practicable to the public Road at the SW corner of Sec 3 and the NW corner of Sec 10 in Twp 35 Range 14 E Montgomery County Kansas

WHEREUPON, Said Board of County Commissioners appointed the following-named persons, viz.: H. F. Kilburn, W. M. Bryant, and J. H. Roper, as viewers, with instructions to meet in conjunction with the County Surveyor at the Place of Beginning, in Caney Township, on the 18 day of Sept, A. D. 1908, and proceed to view said road, give to all parties a hearing, and make report thereof as the law directs.

By order of the Board of County Commissioners.

(SEAL)

E. H. Stewart
County Clerk.

Montgomery County, Kansas.

Road Petitioned for by J. H. Gibson and others.

State of Kansas, Montgomery County, ss.

FINAL ORDER.

NOW, On this day, being one of the days of the regular meeting of the Board of County Commissioners of Montgomery County, Kansas, begun and holden on the 28 day of Sept, A. D. 1908, comes on for hearing the report of the viewers and surveyor upon the Location of a road petitioned for by J. H. Gibson and others, praying for the Location & Establishment of a road described as follows, to wit:

Rejected

The Board finds thereon as follows: First—That notice of the view and survey of said proposed Road has been given by advertisement in the Cherryvale Republican, a newspaper published and of general circulation in Montgomery County, Kansas, for two consecutive weeks, the last publication of which was not more than twenty days prior to the time appointed for the view and survey thereof, in pursuance of an order made at the Aug 24, 1908, meeting of said Board; that a copy of said notice has been set up in the County Clerk's office, and in every municipal township through which any part of said road was designated to be Located, for at least twenty days next preceding the view and survey thereof. Second—That the proper notices have been given in writing to the owners and agents of owners through whose lands such road is proposed to be Established at least six days prior to the view and survey thereof.

THEREFORE, Upon due consideration, and no legal objection having been made against the Establishment of said road, and believing the same will be of public utility, it is ordered that the viewers' report of view, surveyor's report of survey, and his plat thereof, be accepted and adopted, and said road Rejected in accordance therewith.

IT IS FURTHER ORDERED, That the Viewers make a record of said road in the County Road Record, including field-notes and plat; also, that the Trustee notify the Trustee of Caney Township to cause said road to be Rejected for public travel to a width of 36 feet.

IT IS FURTHER ORDERED, That warrants issue to the following-named persons, for amounts stated, in full compensation for all damages occasioned by the location and establishment of said road, to wit:

<u>H. F. Kilburn</u>	Viewer	4.00
<u>J. H. Roper</u>	"	4.00
<u>W. A. Bryant</u>	"	4.00
<u>A. M. Black</u>	Chairman	1.50
<u>E. & H. Haulon</u>	"	3.00

Attest:

E. H. Stewart
County Clerk.

(SEAL)

O. F. Morris
Chairman of the Board of County Commissioners.