

435-486

Road No. 343
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Came this day Abram Harvey, principal petitioner therein, and presented to the Board of County Commissioners a certain petition, which was in words and figures as follows, to wit: Beginning at the NE corner of the NW of Sec. 29, Twp. 31 South, Range 15 East, Montgomery County, Kansas, running thence due east on the section line or as near thereto as practicable, one mile and a half to intersect the public road running north and south. And upon examination and consideration thereof, the said Commissioners do find that said petition is a legal one; that the signatures thereto are genuine; that the said petitioners whose names are signed to said petition all reside in the vicinity where said road is to be located; and are all householders of Montgomery County; and that Abram Harvey, one of said petitioners, has duly entered into a bond, with security satisfactory to and approved by said Commissioners, payable to the State of Kansas, for the use of said Montgomery County, conditioned that the persons signing the said bond shall pay into the treasury of the said county the amount of all costs and expenses accruing on said road in case the proceedings had in pursuance of said petition shall not be finally confirmed and established; and it is, therefore, by the said Board of County Commissioners, ordered that L. Daugherty, A. M. Willits, and J. T. Stewart, who are disinterested householders of said county be, and they are, hereby appointed viewers of the said road so by said petition prayed to be located, and that the County Clerk do forthwith notify each of them in writing of their said appointment; and it is further ordered that the said viewers shall meet at the place of beginning of said road as described in said petition on the 5th day of July, A.D., 1886, and proceed to the discharge of their duties; and that the County Surveyor be, and he is hereby, ordered and directed to meet with said viewers at the said time and place and survey said proposed road under their direction, and that an order be issued to him to that effect. And it is further ordered that the County Clerk, by advertisement set up in his office, and in the Township of Sycamore, through which township said road is prayed to be laid out, for at least twenty days, and by publication for two consecutive weeks in the South Kansas Tribune, a newspaper published in said county, shall give notice, and complete the same in said manner at least 20 days before the date hereinbefore fixed for said viewers to meet, setting forth that said petition has been presented and the substance thereof; and that viewers will, on the day hereinbefore fixed, proceed to view said road and give to all parties a hearing; and it is further ordered that a record of said notice so to be given and as given by the said County Clerk, be entered upon the journal of the proceedings of said Board of County Commissioners, and the said County Clerk is hereby ordered and directed to enter the same thereon. 6/10/1886

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The report of viewers and surveyor appointed to lay the road petitioned for by Abram Harvey came up for hearing and after careful examination of said report of viewers and plat of surveyor and there being no legal objections presented to the opening of said road, it is therefore, hereby, ordered that the report of viewers and surveyor be adopted and said road opened for public travel according to plat of surveyor and report of viewers. 7/15/1886

ROAD DESCRIPTIONS

Roads No. 435 to Road No. 486 Inclusive

Commissioners Journal from 1886 to 1890

Book V

Road No. 435

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A petition was presented and read by the County Clerk to the Board of County Commissioners of Montgomery County, Kansas, praying for the location and establishment of a wagon road on the following route, to wit: Said petition being signed by D. W. Wilts, et al., of Independence, Kansas: Beginning at the place where Secs. 5 and 6, Twp. 33, Range 15 East of 6th P.M. and Secs. 31 and 32, Twp. 32 South, Range 15 East, of the 6th P.M. corner, running north between Secs. 31, 32, and 30, Twp. 32 South, Range 15 East, to intersect the Elk City road. Said proposed line being almost entirely fenced on both sides and used for a highway ever since the survey of the county. We ask for the location of a thirty-foot road. And it appearing that the land owners on and along said route as petitioned for have signed said petition and there being no legal objections to the location of said road, and the Board of County Commissioners being in legal and regularly convened session, doth order that said road be established and located as prayed for in said petition; 30 feet wide, and that the County Clerk record the same in the Record of Roads, and give notice to the Trustees of Independence Township to open said road for public travel. 5/15/1886

Road No. 436

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In the matter of road petitioned for by David Turner, et al., of West Cherry Twp. on the following route, to wit: Beginning at northwest corner of Sec. 3, Twp. 32 South, Range 16 East, and running west on said section line, or as near as practicable, to the Verdigris River. All of the above-described lands are in Montgomery County, Kansas, coming up for hearing and the County Commissioners, being in legal session, after being fully advised in the premises, doth make the following order: that the report of surveyor and viewers on the road petitioned for by David Turner, et al., and described above be, and the same is hereby, adopted and said road ordered opened for public travel and the County Clerk ordered to plat said road and record the proceedings in the establishment of said road, in the road record of Montgomery County, and give notice to the Township Trustees of said West Cherry Township to open said road for public travel. 6/8/1886

Road No. 437

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Presented this day, the petition of Joseph Strong of Louisburg Township for the establishment of a road as follows, to wit: Beginning at the NE corner of Sec. 4, Twp. 31, Range 14 in Montgomery County, Kansas, and running thence south along the east line of said section, 75 chains; thence S 10° E 1.71 chains; thence south 18° W 1.89 chains; thence west and along the south line of said Sec. 4 to the NW corner of the NE of Sec. 9, Twp. 31; and thence south on the west line of the E of said Sec. 9 to the south line of said Sec. 9; thence south on the west line or as near as practicable of the E of Sec. 16 in said Twp. 31 to the south line of said Sec. 16 and your petitioners will ever pray for the view and location on said line, came on to be further heard, and it appearing that one of the said viewers appointed to view and lay out said road was not a legal one, that William Galahan was not a householders as the law requires to qualify him to act as a viewer

on said road; it is therefore by the said Board of County Commissioners ordered that William Hubble, A. Bush, and H. D. Richcreek, who are disinterested householders of said county be, and they are hereby appointed viewers of the said road so by said petition prayed to be located; and that the Co. Clerk do forthwith notify each of them in writing of their said appointment; and it is further ordered that said viewers shall meet at the place of beginning of said road as described in said petition on the 8th day of July, A.D., 1886, and proceed to the discharge of their duties, and that the Co. Surveyor be, and he is hereby, ordered and directed to meet with the said viewers at the said time and place and survey said proposed road under their direction; and that an order be issued to him to that effect; and it is further ordered that the County Clerk, by advertisement set up in his office and in the Township of Louisburg, through which township said road is prayed to be laid out, for at least twenty days, and by publication for two consecutive weeks in the South Kansas Tribune, a newspaper published in said County, shall give notice, and complete the same in said manner at least 20 days before the date hereinbefore fixed for said viewers to meet setting forth that said petition has been presented and the substance thereof, and that viewers will, on the day hereinbefore fixed, proceed to view said road and give all parties a hearing; and it is further ordered that a record of said notice so to be given and as given by the said County Clerk, be entered upon the journal of the proceedings of said Board of County Commissioners, and the said County Clerk is hereby ordered and directed to enter the same thereon. 6/9/1886

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This day the petition of Joseph Strong, principal petitioner therein, was presented to the Board of County Commissioners for the establishment of a wagon road as follows, to wit: Beginning at the northeast corner of Sec. 4, Twp. 31, Range 14, in Montgomery County, Kansas, and running thence south along the east line of said Section 75 chains; thence S 10° E 1.71 chains; thence South 18° W 1.89 chains; thence west and along the south line of said Sec. 4 to the northwest corner of the northeast quarter of Sec. 9, in said Twp. 31, and thence south on the west line of the east half of said Sec. 9 to the south line of said Sec. 9; thence south on the west line, or as near as practicable of the east half of Sec. 16 in said Twp. 31 to the south line of said Sec. 16 and your petitioners will ever pray for the location on said line, came on to be further heard upon the certified return of the survey thereof, the plat, the report of the viewers, and the separate report of said viewers of the damages assessed by them, and the said return plat and reports having all been duly delivered to be filed by the County Clerk heretofore, and having caused the same to be read before its meeting, and having considered the same; and the report of said viewers being favorable to said road, and no legal objection to said report appearing, and the said Board being satisfied that said road will be of public utility; it is by said Board of County Commissioners ordered that said report, survey, and plat be duly recorded by the County Clerk upon the "Road Record" of said County, and that said road be, and it is hereby, declared and shall be considered a public highway; and it is further ordered that the Trustees of Louisburg Township in which township said road is located be, and he is hereby ordered and directed to cause said road to be opened for public travel; and that an order to this effect be issued to the said Trustees of Louisburg Township. 7/15/1886

Road No. 438

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Road petition of W. C. Newkirk for a wagon road as follows; to wit: Came this day W. C. Newkirk, principal petitioner therein, and presented to the Board of County Commissioners a certain petition, which was in words and figures as follows, to wit: Beginning at the center of Sec. 18, Twp. 32 South, Range 14 East, thence north on half section line to the bank of Elk River (being about 80 rods); thence east along the said river bank (about 20 rods); thence across said river and due north to the bank of said Elk River (about 20 rods); thence north by east along the bank of said Elk River (about 80 rods) to the section line between Secs. 18 and 7; thence east along said section line to the state road leading due south of Elk City to Caney. And upon examination and consideration thereof, the said Commissioners do find that said petition is a legal one; that the signatures thereto are genuine; that the said petitioners whose names are signed to said petition all reside in the vicinity where said road is to be located; and are all householders of Louisburg and Rutland Townships, Montgomery County, Kansas; and that W. C. Newkirk, one of the said petitioners, has duly entered into a bond, with security satisfactory to and approved by said Commissioners, payable to the State of Kansas, for the use of said Montgomery County, conditioned that the persons signing the said bond shall pay into the Treasury of the said county, the amount of all costs and expenses accruing on said road in case the proceedings had in pursuance of said petition shall not be finally confirmed and established; and it is therefore, by the said Board of County Commissioners, ordered that M. L. Stephens, F. S. Dayton, and C. M. Stark, who are disinterested householders of said county be, and they are hereby, appointed to view said road as described by said petition prayed to be located; and that the County Clerk do forthwith notify each of them in writing of their said appointment; and it is further ordered that said viewers shall meet at the place of beginning of said proposed road on the 7th day of July, 1886, and proceed to the discharge of their duties; and that the County Surveyor be, and he is hereby, ordered and directed to meet with said viewers at the said time and place and survey said proposed road under their direction; and that an order be issued to him to that effect. And it is further ordered that the County Clerk, by advertisement set up in his office, and in the Township of Louisburg, through which township said road is prayed to be laid out, for at least 20 days and by publication for two consecutive weeks in the South Kansas Tribune, a newspaper published in said county, shall give notice, and complete the same in said manner at least 20 days before the date hereinbefore fixed for said viewers to meet, setting forth that said petition has been presented and the substance thereof; and that viewers will, on the day hereinbefore fixed, proceed to view said road and give to all parties a hearing; and it is further ordered that a record of said notice so to be given, and as given by the County Clerk be entered upon the journal of the proceedings of said County Commissioners, and the said County Clerk is hereby ordered and directed to enter the same thereon. 6/9/1886

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This day the petition of W. C. Newkirk for the establishment of a road as follows, to wit: Beginning at the center of Sec. 18, Twp. 32 South, Range 14 East; thence north on half section line to the bank of Elk River (being about 80 rods); thence east along the said river bank about 20 rods; thence across said river and due north to the bank of said Elk River (about 20 rods); thence across said river and due north to the bank of said Elk River (about 20 rods); thence north by east along the bank of said river about 60 rods to

the section line between Sec. 18 and 7; thence east along said section line to the state road leading due south of Elk City to Caney, came on to be further heard upon the certified return of the survey thereof, the plat, the report of the viewers, and the separate report of said viewers of the damages assessed by them, and the said return plat and reports having all been duly delivered to and filed by the County Clerk heretofore, and having been received by the Board of County Commissioners, and said board having caused the same to be read before its meeting, and having considered the same; and the report of said viewers being favorable to said road; and no legal objections to said report appearing, and the said board being satisfied that said road will be of public utility; it is by said Board of County Commissioners ordered that said report, survey, and plat be duly recorded by the County Clerk upon the "Road Record" of said County, and that said road be, and it is hereby declared and shall be considered a public highway; and it is further ordered that the Trustees of Louisburg Township in which township said road is located, be, and he is hereby ordered and directed to cause said road to be opened for public travel; and that an order be issued to this effect to the said Trustee of Louisburg Township. 7/15/1886

Road No. 439

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Came this day John B. Certain, principal petitioner therein, and presented to the Board of County Commissioners a certain petition which was in words and figures as follows, to wit: Beginning 66 rods east of the northwest corner of Sec. 6, Twp. 31, Range 15 East, and running west on section line to the Northwest corner of Sec. 3, Twp. 31 South, Range 14 East, all of the above lands are in Montgomery County, Kansas. And upon examination and consideration thereof, the said Board of County Commissioners do find that said petition is a legal one; that the signatures thereto are genuine; that the said petitioners whose names are signed to said petition all reside in the vicinity where said road is to be laid out, and are all householders of the said Montgomery County; and that John B. Certain, one of the said petitioners, has duly entered into a bond, with security satisfactory to and approved by said Board of Commissioners, payable to the State of Kansas, for the use of said Montgomery County; conditioned that the persons signing said bond shall pay into the treasury of the said county the amount of all costs and expenses accruing on said road in case the proceedings had in pursuance of said petition shall not be finally confirmed and established. And it is, therefore, by the said Board of County Commissioners ordered that John A. Peter, James Toomey, and George A. Cook, who are disinterested householders of said County be, and they are hereby, appointed viewers of the said road so by said petition prayed to be laid out; and that the County Clerk do forthwith notify each of them in writing of their said appointment; and it is further ordered that the said viewers shall meet at the place of beginning of said proposed road as designated by said petition on the 27th day of August, A.D., 1886, and proceed to the discharge of their duties; and that the County Surveyor be, and he is hereby, ordered and directed to meet with the said viewers at the said time and place and survey said proposed road under their direction; and that an order be issued to him to that effect. And it is further ordered that the County Clerk, by advertisement

set up in his office and in the townships of Louisburg and Sycamore, through which townships said road is prayed to be laid out for at least 20 days, and by publication for two consecutive weeks in the South Kansas Tribune, a newspaper published in said County, shall give notice, and complete the same in said manner at least 20 days before the date hereinbefore fixed for said viewers to meet, setting forth that said petition has been presented and the substance thereof; and that viewers will, on the day hereinbefore fixed, proceed to view said road and give to all parties a hearing; and it is further ordered that a record of said notice so to be given, and as given by the said County Clerk, be entered upon the journal of the proceedings of said Board of County Commissioners, and the said County Clerk is hereby ordered and directed to enter the same thereon. 7/7/1886

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This day the petition of John B. Certain, for the establishment of a road as follows, to wit: Commencing 66 rods east of the northwest corner of Sec. 6, Twp. 31 South, Range 15 East, and running west on the section line to the northwest corner of Sec. 3, Twp. 31, Range 14 East, all of these above-described lands are in Montgomery County, Kansas, came on to be heard upon the certified return of the survey thereof, the plat, the report of the viewers, and the separate report of said viewers of the damages assessed by them, and the said return, plat, and reports having all been duly delivered to and filed by the County Clerk heretofore, and having been received by the Board of County Commissioners, and said board having caused all the same to be read before its meeting, and having considered the same; and the report of said viewers being favorable to said road, and no legal objections to said report appearing, and the said board being satisfied that said road will be of public utility; it is by said Board of County Commissioners ordered that said report, survey, and plat be duly recorded by the County Clerk upon the "Road Record" of said County; and that said road be, and it is hereby declared and shall be considered as a public highway; and it is further ordered that the Trustees of Louisburg and Sycamore Townships respectively, in which townships said road is located be, and they are severally and respectively ordered and directed to cause said road within their respective townships to be opened for public travel; and that an order to this effect be issued to each of said Trustees. 10/8/1886

Road No. 440

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Came this day William Slusher, principal petitioner therein, and presented to the Board of County Commissioners a certain petition, which was in words and figures as follows, to wit: Beginning on the County road at the North west corner of Sec. 29, Twp. 31 South, Range 15 East of 6th P.M. and running thence south on the west line of Sec. 29, 50 rods; thence in an easterly direction to the "Slusher Ford" on the Verdigris River; thence across said river; thence northeast to the east line of the Northwest quarter of said Sec. 29; thence north on east line of said quarter to the northeast corner to intersect the County Road; said road to be 40 feet wide; and upon examination and consideration thereof, the said Commissioners do find that the said petition is a legal one; that the signatures thereto are genuine; that the said petitioners whose names are signed to said petition all reside in the vicinity where said road is to be located, and all are householders of Montgomery County, and that William Slusher, one of said petitioners, has

duly entered into a bond with security satisfactory to and approved by said Commissioners, payable to the State of Kansas for the use of said Montgomery County, conditioned that the persons signing said bond shall pay into the Treasury of the said county, the amount of all costs and expenses accruing on said road in case the proceedings had in pursuance of said petition shall not be finally confirmed and established; and it is, therefore, by the said Board of County Commissioners ordered that G. W. Fulmer, J. B. Brown, and Tom Cole, who are disinterested householders of said County be, and they are, hereby appointed viewers of the said road so by said petition prayed to be laid out; and that the County Clerk do forthwith notify each of them in writing of their said appointment; and it is further ordered that said viewers shall meet at the place of beginning of said proposed road, as described in said petition on the 26th day of August, A.D., 1886, and proceed to the discharge of their duties; and that the County Surveyor be, and he is hereby, ordered and directed to meet with the said viewers at the said time and place, and survey said proposed road under their direction; and that an order be issued to him to that effect; and it is further ordered that the County Clerk, by advertisement, set up in his office, and in the Townships of Sycamore and West Cherry, through which townships said road is prayed to be located for at least 20 days, and by publication for two consecutive weeks in the South Kansas Tribune, a newspaper published in said county, shall give notice and complete the same in said manner at least 20 days before the date hereinbefore fixed for said viewers to meet, setting forth that said petition has been presented and the substance thereof; and that viewers will, on the day hereinbefore fixed proceed to view said road and give to all parties a hearing; and it is further ordered that a record of said notice so to be given and as given by the said County Clerk, be entered upon the journal of the proceedings of said Board of County Commissioners, and the said County Clerk is hereby ordered and directed to enter the same thereon. 7/6/1886

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The petition of William Slusher for a wagon road coming on for further hearing, and it appearing that the viewers did not meet at the time appointed to view said road, it is hereby ordered that the County Clerk readvertise said road and give all the legal notices as would be required on a new petition, and that L. L. Kane, R. W. Quinn, and M. A. Daugherty be, and are hereby appointed viewers; said viewers to meet at place as designated as the beginning of said road on the 22nd day of October, 1886, and proceed to the discharge of their duties and give to all parties a hearing; and that the County Clerk give each of them notice of their said appointment; and that the County Surveyor be notified to meet with the said viewers at the said time and place, and survey said proposed road. 9/18/1886

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This day the petition of William Slusher for the establishment of a road as follows to wit: Beginning on the county road at the northwest corner of Sec. 29, Twp. 31 South, Range 15 East of 6th P.M., running thence south on the west line of Sec. 29, aforesaid 50 rods; thence in an easterly direction to the Slusher Ford on the Verdigris River; thence across said river; thence northeast to the east line of said quarter to the northeast corner to intersect the county road; said road to be 40 feet wide, came on to be further heard upon the certified return of the survey thereof, the plat, the report of the viewers, and the separate report of said viewers of the damages assessed by them and the said return, plat, and reports