

having 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 objection to said report appearing, and the said Board of County Commissioners ordered that said report (except as to the amount of damage to Stephen Johnston, which amount is changed to \$15.00) 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 McAdams and West Cherry 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. 441

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Came this day William McJunkin, 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 northeast corner of Sec. 8, Twp. 33, Range 17, and running south on section line or as near as practicable one-half mile. All of the above-described lands are in Montgomery County, Kansas. 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 laid out; and are all householders of said Montgomery County; and that Wm. McJunkin, 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 further ordered that C. Hoyer, Chas. Roszel, and John Harvey, 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 proposed road (as designated in the said petition as the place of beginning) on the 26th day of November, 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 Township of Liberty, 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 twenty 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 herein-

before 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. 10/5/1886

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This day the petition of Wm. McJunkin of Liberty Township for the establishment of a road as follows: Beginning at the northeast corner of Sec. 8, Twp. 33 South, Range 17 East, and running south on section line or as near as practicable one-half mile; all of the above-described lands are in Montgomery County, Kansas, came on to be further heard upon the certified return of the survey thereof, the plat, and report of the viewers, and the separate report of said viewers of the damages assessed by them, and the separate 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 same 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 Trustee of Liberty 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 said Trustee. 1/12/1887

Road No. 442

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Came this day W. C. Foreman, 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 southeast corner of Sec. 25, Twp. 33, Range 13 East; thence west on section line or as near as practicable to state road. All of the above-described lands are in Montgomery County, Kansas. 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 laid out, and are all householders of Montgomery County, Kansas; and that W. C. Foreman, 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 petition, 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 Ed. Mason, J. E. Seal, and J. D. Hampton, 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 as designated in said petition of said proposed road on the 24th day of November, 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 Township of Rutland, 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 the 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 Board of County Commissioners, and the said County Clerk is hereby ordered and directed to enter the same thereon. 10/5/1886

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This day, the petition of W. C. Foreman of Rutland Township for the establishment of a wagon road as follows, to wit: Beginning of southeast corner of Sec. 25, Twp. 33, Range 13 East, thence west on section line or as near as practicable, to state road; all of the above-described lands are in Montgomery County, Kansas, 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 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 Trustee of Rutland 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 said Trustee; and that there be a county warrant drawn in favor of J. H. Sheffield to pay for land taken, and damages, as allowed by said viewers. 1/12/1887

Road No. 443

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This day, the petition of Daniel Cline of Independence Township, for the establishment of a wagon road as follows: Commencing at the northeast corner of Sec. 7 and the northwest corner of Sec. 8, Twp. 33, Range 15 East, thence south on section line between Secs. 7 and 8, also between Secs. 17 and 18, Twp. 33, Range 15 East, to a point 80 rods south of the Southwest corner of Sec. 17, and the Southeast corner of Sec. 18, Twp. 33, Range 15 East; all in Montgomery County, Kansas, came on to be heard and it appearing that the said proposed road would run directly on the section line; and that all the

persons owning the lands on each side of said road have signed the said petition, praying for said road to be established; and that said section line upon which said road is proposed to be located, has been left open, for public travel, at all times since the first settlement of the lands along said section line. And no legal objection appearing to the establishment of said road, and no person claiming any damage; and the said Board of County Commissioners being satisfied that said road will be of public utility; it is, by said Board of County Commissioners, ordered that the said road 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 that the Trustee of Independence Township be ordered and directed to cause said road to be opened for public travel, and that an order be issued to him to this effect. 1/12/1887

Road No. 444

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Came this day S. P. Martin, 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 section line running east and west between Secs. 5 and 8, Twp. 34, Range 15, in Montgomery County, Kansas, at a point 20 rods west of where said line intersects County Road No. 88, running thence south 8 rods; thence east 20 rods to intersect said County Road No. 88, or as near to said route as practicable, and also for the vacation of that part of the road now established between the points of beginning of this said road and said public road No. 88. 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 are all householders of Montgomery County; and that S. P. Martin, one of said petitioners has duly entered into a bond with security satisfactory to and approved by the 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 petition, 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 E. L. Smith, A. J. Broadbent, and B. F. Strong, 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 designated as the place of beginning of said road on the 24th day of February, A.D., 1887, 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 Fawn Creek, in which township 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

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This day the petition of C. M. Ralstin of Independence Township for a wagon road came on for further hearing, and upon motion, was ordered continued until the 4th April, 1887, session of this board. 1/11/1887

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This day the petition of Clate Ralstin of Independence Township for the establishment of a road as follows, to wit: Commencing on the County Road running east and west on the south line of Sec. 1, Twp. 33 South, Range 15 East, 6th P.M., 80 rods east of the SW corner of Sec. 1, and running thence north on the east side of the hedge row by the 8th section line three-quarters of a mile to the county road running east and west, 80 rods south to the north line of said Sec. 1; thence west about 15 rods with said county road to the east line of the right-of-way of the railroad; thence north with said right-of-way about one mile to the county road running east and west at the Caladonia Mill in Independence City, or as near as practicable thereto, 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 the 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 Trustee of Independence Township in which township said road is located be, and he is ordered and directed to cause said road within said township to be opened for public travel and that an order to this effect be issued to each of said Trustees. 4/14/1887

Road No. 447

Page 143

Came this day J. W. Busby, 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 SE quarter of Sec. 33, Twp. 31, Range 16 East, and running west on the half section line or as near as practicable thereto, one mile to intersect the road running north and south on the west side of said Sec. 33, and your petitioners will ever pray for the order of view; all of the above lands are in Montgomery County, Kansas. 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 are all householders of Montgomery County; and that J. W. Busby, one of said petitioners, has duly entered into a bond with security satisfactory to and approved by said petitioners, State of Kansas for the use of said Montgomery County, conditional that the persons signing the said bond shall pay into the Treasury of said county the amount of all costs and expenses accruing on said petition in case the

County, shall give notice, and complete the same in said manner at least twenty 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 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. 1/12/1887

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And now on this 14th day of April, 1887, the matter of the application of the vacation of a road and the establishment of a highway as petitioned for by S. P. Martin and others, which was ordered viewed by the board on Feb. 24th, 1887, came on for hearing, and it appearing that the viewers have filed a report herein in favor of the vacation petitioned for and in favor of the establishment of the road petitioned for in said petition, and that such establishment be made on the conditions that an underpass 16 ft. long and 7 feet high be constructed and maintained as herein set forth on said road so that cattle and other live stock south of the said road may have facilities for getting water out of creek on north side. And the said report having been delivered to the County Clerk, as the law requires and the said Board having as by law required, caused said report be read and said report being favorable and no legal objections appearing, and being satisfied that said road will be of public utility; it appearing that said underpass ought, in justice to the land owner, be constructed and maintained at the expense of the County; and that such construction and maintenance was and is taken into consideration in the matter of award of damages to W. J. Leacham, the land owner on which road is located and established. It is therefore ordered that the said road petitioned to be vacated be, and the same is vacated and annulled, and the other established on the condition that said County construct and maintain said underpass aforesaid and that the survey and plat of said road be recorded as by law required; and that said road be and is hereby declared and shall be considered a public highway; and it is further ordered that the Trustee of Fawn Creek Township, in which township said road is located be, and he is respectfully ordered and directed to cause said road within said township to be opened for public travel and that an order to this effect be issued to said Trustee. 4/14/1887

Road No. 445

Page 112

Came this day E. B. Buckman, 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 five rods west of the southwest corner of Sec. 8, Twp. 32, Range 14 East; thence running northeast, crossing the branch at such point as shall be determined by viewers, and intersecting west line of above section; thence north on east side of section line to state road; also a road beginning where state road crosses south line of above section; thence northwest intersecting above-described road, 16 rods north of above-described corner; both of said roads to be 42 feet wide; all lying in Montgomery County, Kansas. 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 laid out, and are all householders of Montgomery County; and that E. B. Buckman, one of said petitioners, has duly entered into a bond with security satisfactory to and approved by said Board of County 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 petition, 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 A. C. Iversole, A. H. Hare, and G. R. Chrisman, 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 designated as the place of beginning of said road on the 10th day of March, 1887, 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 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 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. 1/4/1887

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This day the petition of E. B. Buckman of Louisburg Twp. for the establishment of a wagon road as follows: Beginning five rods west of SW corner of Sec. 8, Twp. 32 South, Range 14 East, thence running northeast crossing the branch at such point as shall be determined by viewers and intersecting west line of above section; thence north on east side of section line to state road; also a road beginning where state road crosses south line of above section; thence northwest intersecting above-described corner; both of said roads to be 42 feet wide; all in Montgomery County, Kansas, came on to be further heard upon the certified return of the survey thereof, the plat and the report of the viewers, and the separate report of said viewers of the damages assessed by them, and the said return plat and report 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 Trustee 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 said trustee. 4/14/1887

Road No. 446

Page 71

Came this day C. M. Ralstin, principal petitioner therein, and presented to the Board of County Commissioners a certain petition, which was in words and figures as follows, to wit: Commencing on the county road running east and west on the south line of Sec. 1, Twp. 33 South, Range 15 East, of the 6th P.M. 80 rods east of the southwest corner of Sec. 1, and running thence north on the east side of the hedge row by the 8th section line three-quarters of a mile to the county road, running east and west 80 rods south of the north line of said Sec. 1; thence west about 15 rods with said county road to the east line of the right-of-way of the railroad; thence north with said right-of-way about one mile to the county road running east and west at the Caladonia Mills in Independence City, or the most practical route thereto. And upon examination and consideration thereof, the 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 laid out and all are householders of the said Montgomery County, and that Clate M. Ralstin, 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, ordered by the said Board of County Commissioners that Thomas Booth, J. E. Shaw, and James Chamberlain, 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 road (as described in said petition as the place of beginning) on the 22nd day of November, A.D., 1886, and proceed to discharge 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 own office, and in the Township of Independence, 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 twenty 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 the said Board of County Commissioners and the said County Clerk is hereby ordered and directed to enter the same thereon. 10/5/1886