

# COMMISSIONER'S RECORD N

39

Douglas County Republican, Lawrence

February 14, 1940.

The Board of County Commissioners of Douglas County met in regular adjourned session this day, there being present: Earl T. Black, Chairman, Chris Schaake and Jas. F. Brass, Commissioners, and T. R. Gerhart County Clerk.

In regard to condemnation proceedings for the acquirement of certain land for the Lecompton Middle Road, the following resolution was passed by proper motion, second and vote:

## RESOLUTION

WHEREAS the matter of obtaining additional land for the improvement and widening of a certain road, known as the Lecompton Middle Road, three miles South of the City of Lecompton, in Douglas County, Kansas, came on for consideration by the Board of County Commissioners of Douglas County, Kansas,

AND WHEREAS, it appears from the report and survey of the County Engineer, E. E. Trueblood, that it is necessary for the improvement and widening of said road from forty to sixty feet, and in making said alteration additional land must be obtained for said purpose, said land being described as follows, to-wit:

Beginning at a point 20 feet North and 35 feet East of the S.W. Cor. of Sec. 14-T12S-R18E, thence East parallel to the South line of said Sec. 14, about  $\frac{1}{4}$  mile to a point 20 feet North of the  $\frac{1}{4}$  corner on South line of said Sec. 14, thence North 10 feet, thence West to a point 30 feet North and 35 feet East of Southwest corner of said Sec. 14, thence South 10 feet to point of beginning, containing .6 acre more or less.

It appears to said Board that said land cannot be obtained by purchase or donation.

THEREFORE BE IT RESOLVED by the Board of County Commissioners of Douglas County, Kansas, that the above described tract of land be obtained by the exercise of eminent domain and condemnation as provided by Sec. 68-114 General Statutes of Kansas, 1935, and that the said Board of County Commissioners meet at the above described location for the purpose of viewing the road and changes required, and to determine the value of the land taken and damages thereto for the improvement of said road, said viewing to be held on the 6th day of March, 1940, at 2 o'clock.

This resolution considered and passed this 14th day of Feb., 1940.

Earl T. Black  
Chairman

Jas. F. Brass  
Member

C. Schaake  
Member

Attest:

T. R. Gerhart  
T. R. Gerhart, County Clerk.

Claims against the county for materials and supplies, were, by proper motion, second and vote, passed as recorded on the Allowance Record.

The Board adjourned to meet Wednesday, February 21, 1940, in regular adjourned session.

ATTEST:

*T. R. Gerhart*  
T. R. Gerhart,  
County Clerk.

*Earl T. Black*  
Earl T. Black, Chairman of the Board of  
County Commissioners.

February 21, 1940.

The Board of County Commissioners and the County Clerk met in adjourned regular session this 21st day of February, 1940.

Due to the resignation of Geo. F. Bahnmaier as Trustee of Lecompton Township on the 15th of February, 1940, John Banks and Raymond Cree, other members of the Board, appeared before the Board recommending that Fred Moore be appointed to fill the vacancy. After considerable discussion on this, the following motion was made: Jas. F. Brass moved that Fred Moore be appointed to fill the vacancy created by the resignation of Geo. F. Bahnmaier as Trustee of Lecompton Township. Chris Schaake seconded the motion. On vote, all Commissioners voted "Aye".

By motion of Chris Schaake, second of Jas. F. Brass, and unanimous vote, the following resolution releasing Julius Torneden from the county jail, was passed:

## RESOLUTION

WHEREAS, Julius Torneden did on the 24th day of November, 1940, plead guilty in the Justice Court of C. C. Rankin to the crime of transportation and possession of intoxicating liquors and was fined, on said charge, the sum of Two Hundred Dollars (\$200.00) and costs of Fifty-seven and 50/100 Dollars (\$57.50), and

WHEREAS, under the laws of Kansas, more particularly Section 62-1515, G. S. 1935, give authority to the Board of County Commissioners to discharge from imprisonment any person imprisoned for failure to pay any fine or costs upon satisfactory proof to them that said person is unable to pay the same, provided, however, that said discharge shall not release said person from his liability to pay said fine and costs, and