

No. of Case Road 149

GALLATIN COUNTY,
DISTRICT COURT,
NINTH JUDICIAL DISTRICT,
STATE OF MONTANA.

Road connecting the
Holland Road and Cameron.
Bridge Road

~~Plaintiff~~

Filed Aug. 19th 1899,
E. V. Blankenship
County Clerk.

Defendant

Action for Viewers Report accepted

Petition not granted

Sept 9. 99

J. J. Patterson
Chairman

Attorney for Plaintiff

Attorney for Defendant

PETITION FOR ROAD.

To the County Surveyor of Gallatin County, Montana:

The Undersigned, your petitioners, citizens of the United States, respectfully show and represent that they are residents of Road District No. 2, in the County of Gallatin, State of Montana, where the road hereafter petitioned for, is to be located, laid out and established, if this petition be granted. That the proposed road will be a public convenience, and, we think, the public good requires it.

Your petitioners do respectfully ask and petition that a County road, ~~about~~ ^{thirty} feet in width, to be a public highway, be laid out, located and established, and show:— (a) The general route of the proposed road; (b) over what lands it is proposed to be established; (c) who are the owners thereof; (d) whether such of them as can be found, consent thereto; (e) who of them do not consent; (f) the probable cost of the right-of-way where such consent is not had; (g) the necessity for and the advantages of the proposed road as follows, to-wit:

Beginning in the County road where it crosses the south line of sec 23 T 1, S. R 3 East thence east along the south line of sections 23 and 24 to the S.E. Corner of Sec 24 thence North North along the east side of sec 24 one mile to N.E. Corner 24 where it intersects a County road Now established the object of said road is to give an outlet to settlers.

The undersigned Rev. D. P. Deunick of Mandan Montana acknowledge that he will give a permit to make a road through his land (and on the without side) section twenty four in township one containing 320 acres I will sell all of that land fifteen feet broad and the county have therefore to pay to me six hundred dollars. Rev. D. P. Deunick.
John Deunick Sr.

NAMES:

- 1 G. J. Jansen
- 2 J. A. Thiel
- 3 West Gallatin Spring Co.
- 4 J. R. Simon
- 5 John Williamson

NAMES:

- 6 W. Williamson
- 7 J. Anta
- 8 W. Brockman
- 9 Jacob Brakeman
- 10 Christian Passer

Owners of the Land are:

J. R. Trimm, Willemse Bros.,
H. Klugkist who not ask any
damage, but Rev. Deunink
and L. v. Dyken where the last
part of the road go's between, want
considerable money, but it is
there on the township line and
need hardly no fence all on level
land (all the road will be on line.)

J. R. Trimm

Office of County Surveyor, Gallatin County, Montana.

Hon.

J. L. Patterson

Chairman, Board of County Commissioners, Gallatin Co., Montana.

Dear Sir:-

You are hereby given notice that ~~there is~~ a petition for a County road has been received in this office, which is signed by Mr. G. J. Jansen and 9 others residents of road district No. 2 through which district said road is to run.

Said proposed road is to commence in the present Co. road where it crosses the the south line of S. E. 23 T. 1 S. R. 3 E. Thence east along the south line of sections 23 and 24 to the S. E. Cor. of Sec. 24 Thence north along the east side of Sec. 24 one mile to the N. E. Cor. of Sec. 24 where it intersects a County road now established.

You are hereby requested to appoint a viewer on the above proposed road.

Yours Respectfully,

C. M. Thorpe

County Surveyor.

Dated at Bozeman Montana, this 18 day of Jan 1899.

Office of Board of Commissioners, Gallatin County Montana.

Mr. *C. M. Thorpe*

County Surveyor, Gallatin County Montana.

Dear Sir:-

In pursuance of the above notice I hereby appoint Mr. *Martin* *Leach* to act on behalf of the Board of Commissioners as a viewer on the above petitioned for road.

Yours Respectfully,

J. L. Patterson

Chairman, Board of Commissioners Gallatin County Montana.

Dated at Bozeman Mont. this 7 day of April 1899

X

WARRANT FOR ROAD VIEWERS.

County Surveyor's Office, }
Gallatin County, Montana. }

MR. *Martin Leach*

You are hereby notified that you were duly appointed Road Viewer by *J. L. Patterson* Chairman Board of County Commissioners of Gallatin County, Montana, on the *7th* day of *April*, 189*9*, to view and lay out a proposed road, as prayed for in the petition of *G. J. Jansen* and others, described as follows, to-wit.

Beginning in the County road where it crosses the south line of Sec. 23 T. 1 S. R. 3 E. Thence east along the south line of sections 23 and 24 to the south east corner of Sec. 24, Thence north along the east side of Sec 24 one mile to the north east cor. Sec. 24 where it intersects a County road now established.

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in company with *Jacob Boas Reyna*, who was duly appointed as a Viewer on said road by *C. M. Thorpe* County Surveyor and by the County Surveyor, who is Chairman of said Board of Viewers, on the *7th* day of *Aug.*, 189*9*, commencing at the place designated in said petition as the starting point of the road sought to be *Established* and proceed to view and lay out the same by setting stakes, blazing trees, turning furrows, or other appropriate monuments to the terminus named in said petition, by the most practicable route that you in your judgment can find. You shall notify the resident owner or agent of land over which it passes, of the proposed route; ascertain whether such owner consents thereto and the amount of damages, if any, claimed or demanded for the right of way over the same. You shall estimate the actual damage to any land over which the proposed road passes and the cost of any bridges or grading necessary. You shall report the necessity for and the public convenience to be subserved by the highway, if opened, and whether the opening thereof or the change therein proposed should be made, and make and sign a report of your proceedings, as required by law.

Roads shall in all cases, when practicable, be laid out on subdivisional or section lines.

In witness whereof I hereunto set my hand, at my office this *8th* day of *July*, 189*9*.

C. M. Thorpe
County Surveyor.

By _____ Deputy.

Meet at the starting point at 10 a.m.

WARRANT FOR ROAD VIEWERS.

County Surveyor's Office,
Gallatin County, Montana.

MR. *Jacob Braakman*

You are hereby notified that you were duly appointed Road Viewer by *C. M. Thorpe*
County Surveyor of Gallatin County, Montana, on the
7th day of *April*, 189*9*, to view and lay out a proposed road, as prayed
for in the petition of *G. J. Jansen* and others, described as follows, to-wit.

*Beginning in the County road where it crosses
the south line of Sec. 23 T. 1 S. R. 3 E., thence east along
the south line of sections 23 & 24 to the southeast
corner of Sec. 24, thence north along the east
side of Sec. 24 one mile to the northeast Cor. of Sec.
24 where it intersects a County road now
established.*

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in
company with *Martin Beach*, who was duly appointed as a
Viewer on said road by *H. Patterson* Chairman Board of County Commissioners and by the
County Surveyor, who is Chairman of said Board of Viewers, on the *7th* day of
Aug., 189*9*, commencing at the place designated in said petition as the
starting point of the road sought to be *Established* and proceed to view and
lay out the same by setting stakes, blazing trees, turning furrows, or other appropriate monuments to the
terminus named in said petition, by the most practicable route that you in your judgment can find
You shall notify the resident owner or agent of land over which it passes, of the proposed route; ascertain
whether such owner consents thereto and the amount of damages, if any, claimed or demanded for the
right of way over the same. You shall estimate the actual damage to any land over which the proposed
road passes and the cost of any bridges or grading necessary. You shall report the necessity for and the
public convenience to be subserved by the highway, if opened, and whether the opening thereof or the
change therein proposed should be made, and make and sign a report of your proceedings, as required by law.

Roads shall in all cases, when practicable, be laid out on subdivisional or section lines.

In witness whereof I hereunto set my hand, at my office this *8th*
day of *July*, 189*9*.

C. M. Thorpe
County Surveyor.

By _____
Deputy.

Meet at the starting point at 10 A.M.

ROAD VIEWERS' NOTICE.

Notice is hereby Given to all whom it may concern. That we the undersigned Road Viewers, appointed by the Chairman of the Board of County Commissioners of the County of Gallatin, and by the County Surveyor of said County, Montana, on the 7th day of April, 1897, to view and mark out a proposed County road as prayed for in the petition of G. J. Jansson et. al., will in company with the County Surveyor, who is chairman of said Board of Viewers, meet for such view on the 7th day of Aug., 1897, ^{10 a.m.} the time fixed by said Surveyor, and at the point designated in said petition, as the starting point of said proposed road, to-wit:

Beginning in the County road where it crosses the south line of Sec. 23 T. 1. S. R. 3 E.
 Thence east along the south line of sections 23 & 24 to the south east Cor. of Sec. 24,
 Thence north along the east side of Sec. 24 one mile to the north east Cor. of Sec. 24, where it intersects a County road now established.

Dated this 8th day of July, 1897.

C. M. Thorpe
Jacob. Brankema
Martin Leach } VIEWERS.

Road No. 149

STATE OF MONTANA, }
 County of Gallatin. } SS.

C. M. Thorpe being first duly sworn deposes and says, that as the Co. Surveyor he received from the County Clerk of said County, on the _____ day of _____ A. D. 1897, ~~three~~ ^{the annexed} copies of the annexed notice, and that on the 18th day of July, 1897 he posted a copy of said notice at each of the following points, on the line of road described in said notice, to-wit: One ~~at~~ the front door of the County Clerk's office.

and further deponeth sayeth not.

Subscribed and sworn to before me this 24th day of July, A. D., 1897

C. M. Thorpe
E. V. Blankenship C. C. K.
J. P. Morgan Dep.

REPORT OF ROAD VIEWERS.

ROAD NO. 149

TO THE HONORABLE BOARD OF COUNTY COMMISSIONERS OF GALLATIN COUNTY, MONTANA:

We, the undersigned Road Viewers, consisting of Martin Leach who was appointed by the chairman of the Board of County Commissioners G. M. Hooker Co. Surveyor, and Jacob Braggsma who was appointed by said Surveyor

appointed to view a proposed road running from the point where the county road crosses the south line of Sec. 23 T. 1 S. R. 3 E.

to the N.E. corner of Sec. 24 said T & R

as described in the annexed petition, say, That on the 8th day of Aug.

A. D., 1899 we assembled at the place designated in the petition, as the starting point of such proposed road and proceeded to view the same, and submit the following report: on account of a misunderstanding of one of the viewers we did not mark & run the road on the 7th day of Aug. the date stated in the petition

1. The width of the proposed road, the description of the center line of the same, the length, how defined, the marks and sources, grades, character of ground, description of the land and owners of the same, over which the proposed road passes, and probable cost of constructing the said road, as follows:

See No. 5 on next page.

2. The names of the land owners who consent to give the right of way, and we hereto attach their written consent, as follows:

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.....
.....~~

3. The names of the land owners who do not consent, and the amount of damages claimed by each, as follows:

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.....
.....
.....~~

4. The estimate of damages in excess of benefits to the owner of any land over which it is proposed to run the highway, as follows:

~~.....
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.....~~

5. The following facts, bearing upon the subject, which may be of importance to the Board:

We find that the portion of the road running from the starting point, East to the S.E. corner of Sec. ^{T. 1 S. 18. E.} 24, would be an expensive road to construct, and do not believe the benefits would justify the expense. We believe that the proper outlet for this vicinity would be a road running from the N.E. corner of said Sec. 24 south on the township line, 3 miles to connect with the road petitioned for along the S. line of Sec. 36.

We believe said road not to be practical and not of public utility and necessity and do not recommend the establishment of the same.

Dated Aug 8th A. D., 1894

Wm. A. Hooper
Wm. Arthur Leach
Jacob A. Breaker } Road Viewers.

REGISTRY RECEIPT.

Post Office at BOZEMAN, MONT.

Registered Letter Parcel } No. 76 Rec'd. JUL 19 1899 189

of Co Sur

addressed to Jacob Braaksma
Manhattan Mont

W. B. BURKET, P. M. P. M.

REGISTRY RECEIPT.

Post Office at BOZEMAN, MONT.

Registered Letter Parcel } No. 77 Rec'd. JUL 19 1899 189

of Co Sur

addressed to Martin Leach
Manhattan mt

W. B. BURKET, P. M. P. M.

Form 1548.

REGISTRY RETURN RECEIPT sent July 19, 1899

Reg. No. 76 from Post Office at Bozeman, Mont.

*Reg. Letter } Addressed to Jacob Braaksma
Reg. Parcel } Manhattan, Mt.

After obtaining receipt below, the Postmaster will mail this Card, without cover and without postage, to address on the other side.

RECEIVED THE ABOVE DESCRIBED REGISTERED } *LETTER. PARCEL.

(Sender's name on other side.)

SIGN ON DOTTED LINES TO THE RIGHT.

When delivery is made to other than addressee, the name of both addressee and recipient must appear.

*Erase letter or parcel according to which is sent.

Jacob Braaksma
Mrs Braaksma

Form 1548.

REGISTRY RETURN RECEIPT sent July 19, 1899

Reg. No. 78 from Post Office at Bozeman, Mont.

*Reg. Letter } Addressed to Martin Leach
Reg. Parcel } Manhattan, Mont.

After obtaining receipt below, the Postmaster will mail this Card, without cover and without postage, to address on the other side.

RECEIVED THE ABOVE DESCRIBED REGISTERED } *LETTER. PARCEL.

(Sender's name on other side.)

SIGN ON DOTTED LINES TO THE RIGHT.

When delivery is made to other than addressee, the name of both addressee and recipient must appear.

*Erase letter or parcel according to which is sent.

Martin Leach
Lizzie Leach