

To be viewed June 27th
Notices to post sent to
Jansen May 29th 1900
Notices posted at office
June 5th 1900
Viewers notified June 5th

No. of Case *of Road 174*

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

G. J. Jansen et al
Com Sec. 24 N. 1. S. R. 3 E
Petition filed May 16th 1900

Plaintiff .

vs.

Defendant .

Action for *Action deferred till*
Board can see purpose
road order Board
Oct 9, 1900 J. S. Patterson
viewers Report accepted and
Survey ordered by order of Board
Dec 11-1900 J. S. Patterson
Road surveyed, surveyors
report accepted and road
opened. Nov 15th 1900

Geo E Davis

Chairman Com'n
Attorney for Defendant .

Geo. D. Barnard & Co., St. Louis, Mo.

PETITION FOR ROAD.

Honorable Board of County Commissioners
 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, sixty 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 at the N.E. Corner of Sec. 24 T. 1. S. R. 3. E. thence south along or near the Range line on the East side of Sections 24, 25, and 26 T. 1. S. R. 3. E. to or near the S. E. Corner of said Section 26. at which point it intersects the line of road as petitioned for running East and West.

(a) The land owners along the proposed road are as follows, on the west side of said Range line Rev. D. E. Dennis, H. Klugkist, G. J. Jansen, Nash Bros., Elinor Laurus, on the East Side L. P. Van Dyken, T. Omta, Christ Passek, West Gallatin Irrigation Co.

| Names | Names: |
|------------------------------|------------------|
| Jerry Weidenaar | T Omta |
| S Bos | Christian Passek |
| John Willenman | for road \$ 25 |
| W Willenman | W J Nash |
| J. R. Kinnon | Peter Nash |
| H Klugkist Jr. | E A Willard |
| for done \$ 10 ⁰⁰ | J. J. Nash |
| H. Klugkist Jr. | D. D. Jones |
| J. P. van Dyken | H. Jansen |
| P. P. van Dyken | John W. Niemi |
| John Braakman | |
| Wm Koning | |
| John Scholten | |
| Jacob Braakman | |
| G. J. Jansen | |
| Manhattan, | |

OFFICE OF

County Clerk and Recorder,

GALLATIN COUNTY, MONTANA.

HON. J. L. PATTERSON,
Chairman of the Board of County Commissioners, Gallatin County, Montana.

DEAR SIR:—You are hereby notified that a petition for a County Road has been received in this office,

signed by G. J. Jansen et al of Road District No. _____

The petition above referred to, petitions that a Road be established, commencing _____

You are hereby notified to appoint three Viewers to view the above proposed Road.

Yours, Very Respectfully,

E. V. Blankenship
County Clerk and Recorder.

Dated at, Bozeman, Montana, this 26th day of May 1900.

OFFICE OF

The Board of County Commissioners,

GALLATIN COUNTY, MONTANA.

MR. E. V. BLANKENSHIP,
County Clerk, Gallatin County, Montana.

DEAR SIR:—In pursuance of the above notice, I hereby appoint:

Chas. Thorpe

G. J. Jansen

W. S. Erwin

to act in behalf of the Board of County Commissioners as viewers of the above petitioned Road

Yours, Very Respectfully,

J. L. Patterson
Chairman of the Board of County Commissioners, Gallatin County, Montana.

Dated at Bozeman, Montana, this 26 day of May 1900.

Warrant for Road Viewers.

County Clerk's Office, }
Gallatin County, Montana, }

Messrs. *W. M. Phelps, G. J. Jansen, & W. S. Erwin*

Copy

You are hereby notified that you were duly appointed Road Viewer by Mr. J. L. Patterson
Chairman of the Board of County Commissioners of Gallatin County, Montana, on the 26th
day of May A. D. 1900, 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 at the N.E. corner of Sec. 24, T¹ S 2, R 3 E. Thence South
along or near the Range (Tp) line on the East side of Sections 24, 25
and 36, T¹ S 2, R 3 E. to or near the S.E. corner of Sec., 36 at which point
it intersects the line of road as petitioned for; running East and West.

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in
company with names of Viewers, who were duly appointed as
Viewers on said road by the Chairman of the Board of County Commissioners on the 27th
day of June 1900, commencing at the place designated in said petition as the
starting point of the road sought to be at One (1) O'Clock, P.M. 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 practical 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 practical, be laid out on subdivisional or section lines.

In witness whereof I hereunto set my hand, at my office this 5th
day of June A. D. 1900.

E. L. Blaukenship
County Clerk,

By _____ Deputy.

Oath of Road Viewers.

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

I, the undersigned, having been appointed a road viewer, do hereby solemnly swear that I will faithfully and impartially perform, according to law, the duties of ROAD VIEWER, as per instructions embodied in the notice of appointment by the Board of County Commissioners.

W. S. Erwin.

Subscribed and sworn to before me this 27th day
of June 1900

C. M. Hooper

Co. Surveyor.

This must be returned to the County Clerk after execution.

Oath of Road Viewers.

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

I, the undersigned, having been appointed a road viewer, do hereby solemnly swear that I will faithfully and impartially perform, according to law, the duties of ROAD VIEWER, as per instructions embodied in the notice of appointment by the Board of County Commissioners.

C. M. Hooper

Subscribed and sworn to before me this 22nd day
of June A.D. 1900

E. V. Blankenship,
County Clerk.

This must be returned to the County Clerk after execution.

Oath of Road Viewers.

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

I, the undersigned, having been appointed a road viewer, do hereby solemnly swear that I will faithfully and impartially perform, according to law, the duties of ROAD VIEWER, as per instructions embodied in the notice of appointment by the Board of County Commissioners.

G. J. Jansen.

Subscribed and sworn to before me this 27th day

of June 1900

C. M. Thorpe

Co. Surveyor.

☞ This must be returned to the County Clerk after execution.

REPORT OF ROAD VIEWERS.

ROAD NO. 174

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

We, the undersigned Road Viewers, consisting of W.S. Erwin, G.J. Gansum
 and C.M. Hooper, who were appointed by
J.L. Patterson, Chairman of the Board of
 County Commissioners,

appointed to view a proposed road running from the N.E. Corner of Sec. 24 T. 1 S.
R. 3 E.

to the S.E. Corner of Sec. 36 T. 1 S. R. 3 E.

as described in the annexed petition, say, That on the 27th day of June
 A. D., 1900 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:

1. The width of the proposed road, the description of the center line of the same, the length, how
 defined, the marks and ~~marks~~, 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:

We measured that the width of the proposed road
 be 40 feet instead of 60 as petitioners say, as we
 believe that will be ample width as there is no heavy
 grading required on this road.

The description of the center line of the proposed
 road is as follows to-wit: Beginning at the
 N.E. Corner of Section 24 T. 1 S. R. 3 E. thence
 south along the section line between sections

Sec. 25 " " " " " 30 " " " " " and thence
 Sec. 36 " " " " " 31 " " " " " to

the S.E. Corner of said Section 36, at which point
 it intersects with the line of a ^{proposed} road running
 East and West the petition for which is to be presented.

The line of the proposed road is defined by the N.E.
 Cor. Corners, as some of the original corners are
 lost a survey would be required to establish
 the line, when the road is properly constructed
 the grades will not exceed 8% or 9%.

The ground is dry and suitable for road building,
 the description of the lands over which the
 proposed road passes and owners of the same
 are as follows.

| | | | | | |
|----------|----|---------|-----------------|----------|------------------|
| E 1/4 | of | Sec. 24 | T. 1 S. R. 3 E. | owned by | D. E. Lemrick. |
| W 1/2 | " | " 19 | T. 1 S. R. 4 E. | " | St. P. Vandiver. |
| N.W. 1/4 | " | " 30 | " " " " " | " | T. Ousta. |
| S.W. 1/4 | " | " | " " " " " | " | Christ Park. |

N.E. 1/4 of Sec. 25 T. 1 S. R. 3 E. owned by H. Klugkist,
 S.E. 1/4 " " " " " " " " " " J. J. Jensen.
 N.E. 1/4 " " 36 " " " " " " " " School land owned by Wash Bros.
 S.E. 1/4 " " " " " " " " " " " " E. Lawrence.
 N.W. 1/4 " " 31 T. 1 S. R. 4 E. owned by W.S. J. Co.
 W 1/2 of SW 1/4 " " " " " " " " " " E.A. Willard.

The probable cost of constructing this proposed road is as follows

For Culverts and Bridges as follows.

- 1 Bridge at New W.S. J. Co. Canal 4 x 16 x 16
- 1 " on bank side 12 x 16
- 1 " 2 x 8 x 16
- 1 Culvert 2 x 3 x 16
- 1 " 3 x 3 x 16
- 1 " 2 x 2 x 16
- 4 " 1 x 2 x 16

Total Lumber required for the above 6347 ft. at \$24.00 per 1000 for lumber & construction would cost. \$152.40
 for grading 50.00
 Total \$202.40

The parties to be benefited agree to do the grading if they will be allowed receipts for Road Tax.

REPORT OF ROAD VIEWERS

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

H. Klugkrist P. G. J. Jansen, Nash Bros,
Chas. Lawrence? West Tel. Co.

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

L.P. Vandikem claims \$1000.00 if road is 40 ft wide
Rev. D.E. Darrick " \$1000. if road is 60 ft wide.
A. Omta " \$30 per acre, as the land taken from him would be 1.2 acres his claim would be \$36.00
Christ Passck claims \$25.00
E.A. Willard claims 3 wires for 1/4 mile of fence cost \$12.00

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:

We recommend that L.P. Vandikem and Rev. D.E. Darrick, each be allowed the cost of the additional fence required which would be 1/4 mile, (as the road is 1/2 mile from starting point 1/2 mile south on each side) which at 40 ft per rod would be \$32.00 also for the land taken 20 feet wide from each + 1/4 mile long, 2.4 acres, at \$20.00 per acre amounting to \$48.00 making a total of \$80.00 each, as they have an outlet, all other land owners along the road will be benefited, fully equal to the damages.

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

The proposed road is needed as an outlet for several settlers, we believe that this road will give the best outlet that can be obtained with the least expense for construction

We believe said road _____ to be practical and _____ of public utility and necessity and do _____ recommend the establishment of the same.

Dated June 27 A. D., 1890

W. S. Erwin
G. J. Jansen
C. M. Thorne } Road Viewers.

COUNTY SURVEYOR,
U. S. DEPUTY MINERAL SURVEYOR.

BOZEMAN, MONT.,

June 6th 1901.

To the Honorable Board of County Commissioners
of Gallatin County Montana,

Bozeman,

I have been instructed I have surveyed the
"Johnson Road" and have marked out the
line of the same with iron pipe monuments at
all the corners. All land owners will have
freedom to move along the road.

I would recommend that along Mr. B. Van Dike's house
and yard, for a distance of 335 feet the fence on the
East side of the road be allowed to remain where
it is, as the house is ^{at present} only 29 feet east of the section
line. The fence being 7 ft. East of said line and
a ditch runs between the house and fence.
I will make the map of the road later on.

Respectfully,
C. M. Thorpe,
Co. Surveyor.

ALBERT
BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS
D. J. O'NEILL
CHAIRMAN
COURTLY OTTER
CLERK

Report of
County Surveyor
on the
Jansen Road.

FILED

June 6, 1907
E. T. Blackwelder,
County Clerk

THE WITHIN Report IS
EXAMINED, FOUND CORRECT AND IS HERE-
BY APPROVED and ordered

BY ORDER OF THE BOARD, THIS 6
DAY OF June A. D., 1907

ATTEST: J. Patterson CHAIRMAN,
COUNTY CLERK.



A. Willard Esq.,

Belgrade,

Mont.

After 10 days, return to
COUNTY CLERK, GALLATIN CO.,
BOZEMAN, MONT.

RETURN TO SENDER
WITHIN 10 DAYS

Miscellaneous

OFFICE OF
County Clerk and Recorder
OF GALLATIN COUNTY, MONTANA.

E. V. BLANKENSHIP,
County Clerk and Recorder.

BOZEMAN, MONTANA, Sept., 29th 1900.

Mr. A. Willard
Bilgrade, Mont.,

Dear Sir:-You are hereby notified that the Hon. Board of
County Commissioners will be in session on October 9th and 10th Prox.,
At which session the matter of a Road as petitioned for by _____
G. Janssen (et al) will be taken under consideration.

As one of the non-consenting land owners you are requested to appear
at this Office, for a hearing, at 10 O'clock A.M. on Tuesday Oct.,
9th, A. D. 1900. By order of the Board,

Yours Very Respectfully

E. V. Blankenship
Clerk.

Belgrade Mont.
June 28 - 1900

Mr C M Thorp
Bozeman.

Dear Sir. Mr Vandysten
wants \$10000 for a 40ft road
\$12000 for 60ft. (He favors 60ft road)
He said he could not say what
Rev Dunick would do, but for
you to see Stewart that Dunick
was sick and Stewart is in charge
of his business.

He says Jansen and the others
who come out that way are welcome
to use the lane as it is with
a gate at north end.

Yours Truly

W. L. Erwin.

NOTICE OF PETITION FOR OPENING PUBLIC ROAD AND DATE
OF VIEWING THE SAME.

Notice is hereby given that twenty four residents of Road Dist., No. 2 of Gallatin County, State of Montana, have filed a petition in writing with the County Commissioners of the County of Gallatin, State of Montana. Said petition praying that a new road be established.

A description of the route of the road which it is proposed to lay out and establish, is as follows, to-wit:-

Beginning at the N.E. corner of Sec. 24, Tp 1, S R, 3 E; thence South along or near the Range (Twp) line on the East side of Sections 24, 25 and 36 T 1, S R, 3 E., to or near the S.E. corner of said Section 36 at which point it intersects the line of road as petitioned for running East and West.

Said proposed road will be viewed by viewers appointed by the Chairman of the Board of County Commissioners, according to law, who will commence said view at the place of beginning of said road, so proposed to be established, on ~~Friday the 25th~~ of June A. D. 1909.

Wednesday the (27th) Twenty-seventh day

Said viewing to commence at one O'clock P.M. of said day (June 27th)

Very Respectfully

E. V. Blankenship
County Clerk of Gallatin County
State of Montana.

*Copy of this notice posted at
The Recorder's office June 5th 1909
E. V. Blankenship
Co. Clerk.
Sworn to before me this 6 day of
June A.D. 1909
J. S. M.*

C. M. Thorpe
County Surveyor.

NOTICE OF PETITION FOR OPENING PUBLIC ROAD AND DATE
OF VIEWING THE SAME.

Notice is hereby given that twenty four residents of Road Dist., No. 2 of Gallatin County, State of Montana, have filed a petition in writing with the County Commissioners of the County of Gallatin, State of Montana. Said petition praying that a new road be established.

A description of the route of the road which it is proposed to lay out and establish, is as follows, to-wit:-

Beginning at the N.E. corner of Sec. 24, Tp 1, S R, 3 E; thence South along or near the Range (Twp) line on the East side of Sections 24, 25 and 36 T 1, S R, 3 E., to or near the S.E. corner of said Section 36 at which point it intersects the line of road as petitioned for running East and West.

Said proposed road will be viewed by viewers appointed by the Chairman of the Board of County Commissioners, according to law, who will commence said view at the place of beginning of said road, so proposed to be established, on ~~Friday the 23rd~~ ~~Wednesday the 21st~~ ~~Thursday the 22nd~~ of June A. D. 1900.

Wednesday the (27th) Twenty-seventh day

Said viewing to commence at one O'clock P.M. of said day (June 27th)

Very Respectfully

E. T. Blackenship
County Clerk of Gallatin County
State of Montana.

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

G. J. Jansen

being first duly sworn deposes and says, that ~~as the~~

he received from

the County Clerk of said County, on the 29th day of May A. D.,

1900, three copies of the annexed notice, and that on the _____ day of _____ 189 _____ 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 beginning and one at the terminating point*

and further deponeth saith not.

Subscribed and sworn to before me this

G. J. Jansen
5th day of June A. D. 1900
E. T. Blackenship
County Clerk.

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give 20 feet for a Right of Way, for a County Road, through or along the East side of N.E. 1/4 of Sec. 25, T.15, R.3 E., as viewed and surveyed by W.S. Erwin, S.J. Jansen + C.M. Thorpe on the 27th day of June, 1890. And hereby agree to place my fences on said lines without charge to the County.

Signed: [Signature]

Dated at this day of 1890.

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give 20 feet for a Right of Way, for a County Road, through or along the West side of NW 1/4 of Sec. 31, T.15, R.4 E., as viewed and surveyed by W.S. Erwin, S.J. Jansen + C.M. Thorpe on the 27th day of June, 1890. And hereby agree to place my fences on said lines without charge to the County.

Signed: West Gallatin Irrigation Co. [Signature] General Manager

Dated at this 28th day of June, 1890.

W.S. Erwin

To the County of Gallatin, State of Montana:

I **Hereby Agree**, and consent to give 20 feet for a Right of Way, for a County Road, through or along the West side of W 1/2 of SW 1/4 of Sec. 31, T 15. R 4 E., as viewed and surveyed by C.M. Thorpe W.S. Erwin and S.J. Jansen on the 27th day of June, 1890. And hereby agree to place my fences on said lines without charge to the County. the County to furnish 3 wires for 1/4 mile of fence.
Signed: E.A. Willard

Dated at _____ this 28th day of June 1890.

E.A. Willard

To the County of Gallatin, State of Montana:

Sofar as I am interested
I **Hereby Agree**, and consent to give 20 feet for a Right of Way, for a County Road, through or along the East side of NE 1/4 of Sec. 36, T 15. R 3 E., as viewed and surveyed by W.S. Erwin S.J. Jansen + C.M. Thorpe on the 27 day of June, 1890. And hereby agree to place my fences on said lines without charge to the County.
Signed: Wash Bass by Peter Aash

Dated at _____ this 27th day of June 1890.

To the County of Gallatin, State of Montana:

I **Hereby Agree**, and consent to give 20 feet for a Right of Way, for a County Road, through or along the East side of SE 1/4 Sec. 25, T. 15. R. 3 E., as viewed and surveyed by W.S. Erwin S.J. Jansen + C.M. Thorpe on the 27th day of June, 1890. And hereby agree to place my fences on said lines without charge to the County.
Signed: S.J. Jansen

Dated at _____ this 27th day of June 1890.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.
Registered Letter Parcel No. 258 Rec'd June 6 1900
of W. S. Ewin Esq.
Bozeman, Mont.
addressed From Co. Clerk Gal. Co.
W. B. Burkitt P. M.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.
Registered Letter Parcel No. 259 Rec'd June 6 1900
of Co. Clerk Gal. Co.
Bozeman, Mont.
addressed to G. M. Thorpe
Bozeman, Mont.
W. B. Burkitt P. M.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.
Registered Letter Parcel No. 260 Rec'd June 6 1900
of Co. Clerk Gal. Co.
Bozeman, Mont.
addressed to G. J. Jousey
Monhatten, Mont.
W. B. Burkitt P. M.

Form 1548.
REGISTRY RETURN RECEIPT sent June 5 - 1900, 189

Reg. No. 258 from Post Office at Bozeman, Mont.

*Reg. Letter /
 Reg. Parcel / Addressed to W. S. Erwin, Esq.
Bozeman, 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.
W. S. Erwin,

When delivery is made to other than address, the name of both addresser and recipient must appear.
 * Erase letter or parcel according to which is sent.

Form 1548.
REGISTRY RETURN RECEIPT sent JUN 5 1900, 189

Reg. No. 260 from Post Office at Bozeman, Mont.

*Reg. Letter /
 Reg. Parcel / Addressed to G. J. Jansen Esq
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.
G. J. Jansen
Nicolaas Jansen

When delivery is made to other than address, the name of both addresser and recipient must appear.
 * Erase letter or parcel according to which is sent.

Form 1548.
REGISTRY RETURN RECEIPT sent June 5 - 1900, 189

Reg. No. 269 from Post Office at Bozeman, Mont.

*Reg. Letter /
 Reg. Parcel / Addressed to C. M. Thorpe
Bozeman, 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.
C. M. Thorpe

When delivery is made to other than address, the name of both addresser and recipient must appear.
 * Erase letter or parcel according to which is sent.

