

IN 38

No. 296

PETITIONER,

S. M. Korman

Petition filed Aug. 24, 1907

Viewers appointed Sept. 6, 1907

Report filed Sept. 26, 1907

Date of hearing 190

Report approved 190

Order of survey 190

Surveyor's Report filed 190

Declared County Road Dec. 4, 1907

W. H. Davis
Chairman

See Book 10 Commissioners' Proceedings,
pages 338-340-353

Recorded, Road Book, pages

County Clerk

No. 291.

Road Petition

Petitioner *S. McJannet*

Filed *Aug 24* 1907

W. G. Brantley
County Clerk

Petition For Road.

To The Hon. Board of County Commissioners, of Gallatin County, Mont.:

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

Your petitioners do respectfully ask and petition that a County Road 60 feet in width, to be a public highway, to 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 such right-of-way where such consent is not had.
- (g) The necessity for and advantages of the proposed road as follows, to-wit:

(a). ~~Beginning at the South-west corner of the~~ ~~the~~ ~~site~~ ~~of~~ ~~Manhattan,~~
at the centre of Section Ten (10), T. One (1) North, Range Three (3) East,
running west one-half (1/2) mile to the quarter corner of the west line of
of said Section Ten (10), T. One (1) N. R. Three (3) East; thence due south
Three and one-half (3-1/2) miles along the west lines of Sections Ten (10),
Fifteen (15), Twenty-two (22) and Twenty-seven (27), all in T. One (1) N.
R. Three (3) East, to the N. E. Corner of Section Thirty-three (33), T.
One (1) N. R. Three (3) East, *to the base line of the Township,*

(b & c). Said proposed road occupies land of the following parties:-
Section Ten (10), T. One (1) N. R. Three (3) East } The Manhattan Company.
} James Gover.

Section Nine (9), T. One (1) N. R. Three (3) East } The Manhattan Company.
} F. S. Morris.

Section Fifteen (15) T. One (1) R. Three (3) East } The Manhattan Company.

Section Sixteen (16) T. One (1) N. R. Three (3) East } State of Montana.

Section Twenty-two (22) T. One (1) R. Three (3) East } John H. Bos.

Section Twenty-one (21) T. One (1) N. R. Three (3) East } The Manhattan Comp.

Section Twenty-seven (27) T. One (1) N. R. Three (3) East } *J. F. White*
The Manhattan Co.

Section Twenty-eight (28) T. One (1) N. R. Three (3) East } State of Montana.

(d). Consenting parties:- The Manhattan Company, James Gover, F. S. Morris,
John H. Bos.

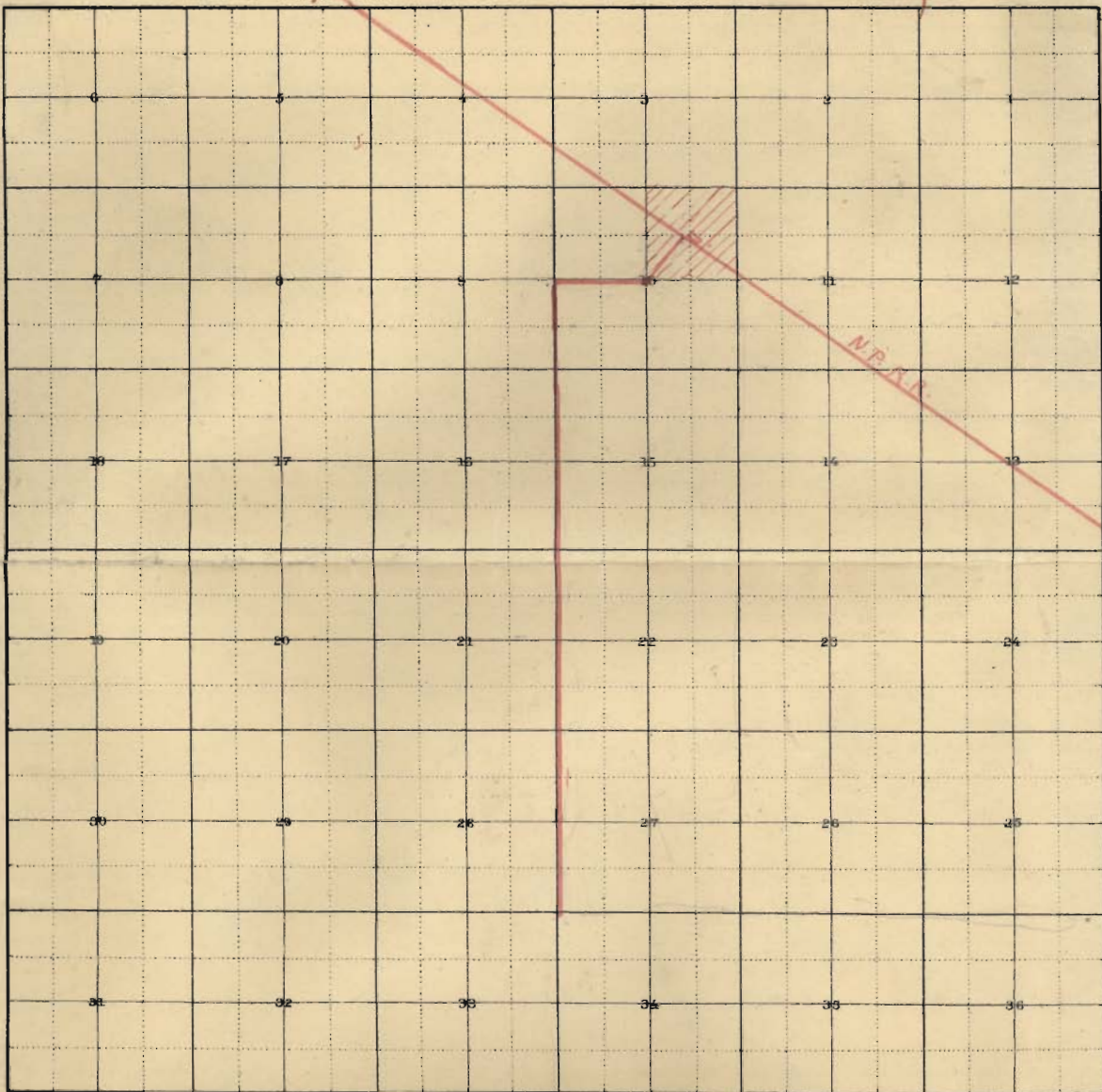
(e). Non-consenting parties:-

(f). Probable cost of right-of-way where consent is not had. \$

(g). This road opens a large grain-hauling country to market with an area equal to one entire township, shortening its road to Manhattan by from One-half (1/2) to One (1) mile and avoiding a heavy pull. This road runs through a good natural formation for maintaining a road and will be a specially good road for heavy spring travel.

P L A T .

Township No. *1 North* Range No. *3 East* Mer.P.M.



No.92.

Pioneer Press Co. St.Paul Minn.

MANHATTAN MALTING CO.

BY

Dryland

Dr. Russell
M. B. ...
F. G. Geiger
Jas M. Galt
Frank S. Morris
Barney Post
Bond H. Jink
H. Barnhart

NAMES
THE MANHATTAN COMPANY,
1 BY *M. C. ...*
PRESIDENT.
2 *H. G. van Belle*
3 *A. ...*
4 *He Jacobson*
5 *E. Jacobson*

NAMES
6 *O. Gayle*
7 *M. Leonard*
8 *...*
9 *Jacob ...*
10 *J. F. White*
B. F. ...

OFFICE OF
COUNTY CLERK AND RECORDER
GALLATIN COUNTY, MONTANA.

HON. W. H. DAVIS,
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 *S. M. Keenan and others*.....
.....of Road District No.....

The petition above referred to, petitions that a Road be established, commencing at the south-west corner of the townsite of Manhattan, at the centre of section ten (10) T. 1 N. R. three (3) east, running west one-half mile to the quarter ~~corner~~ corner of the west line of section ten, T. 1 N. R. 3 E.; thence due south three and one-half miles along the west lines of sections Ten, Fifteen, Twenty-two; and twenty-seven, all in township and range aforesaid, to the NE corner of section 33, same township and range, to the base line of the Township.

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

Yours Very Respectfully,

W. E. Brandenburg
County Clerk and Recorder

Dated at Bozeman, Montana, this *6th* day of *Sept*, 190*7*

OFFICE OF
THE BOARD OF COUNTY COMMISSIONERS
GALLATIN COUNTY, MONTANA.

W. E. BRANDENBURG,
County Clerk, Gallatin County, Montana.

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

Harvey Sloan
Joe Johnson
John Robinson

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

Yours Very Respectfully,

W. H. Davis
Chairman of the Board of County Commissioners, Gallatin County, Montana

Dated at Bozeman, Montana, this *6th* day of *Sept*, 190*7*

Warrant for Road Viewers.

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

Mr. _____

You are hereby notified that you were duly appointed Road Viewer by _____
Chairman of the Board of County Commissioners of Gallatin County, Montana, on the 6th
day of September 190 7, to view and lay out a proposed road, as prayed for in the
petition of _____ and others, described as follows, to-wit:

S. McKernan
Beginning at the south-west corner of the townsite of Manhattan, at
the centre of section ten (10), T.1 N.R.3 E., running west one-half
mile to the quarter corner of the west line of section ten, thence
due south three and one half miles along the west lines of sections,
ten, fifteen, twenty-two, twenty-seven, all in the same township and
range aforesaid, to the north-east corner of section thirty-three, same
township and range, to the base line of the township.

(You will meet the County Surveyor at the starting point of the road
to be viewed at 10.00 o'clock, on Monday the 23rd day of September.)

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in
company with _____, who were duly appointed as
Viewers on said road by the Chairman of the Board of County Commissioners on the 23rd
day of September 190 7, commencing at the place designated in said petition as the
starting point of the road sought to be viewed 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 13th
day of Sept. 190 7.

County Clerk,

By _____
Deputy.

Warrant for Road Viewers.

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

Mr. *Harvey Sloan*

You are hereby notified that you were duly appointed Road Viewer by

~~Chairman~~ of the Board of County Commissioners of Gallatin County, Montana, on the **6th**

day of **September** 190**7**, to view and lay out a proposed road, as prayed for in the

petition of **S. McKennan** and others, described as follows, to-wit:

Beginning at the south-west corner of the townsite of Manhattan, at the centre of section ten(10), T.1 N.R.3 E., running west one-half mile to the quarter corner of the west line of section ten, thence due south three and one half miles along the west lines of sections, ten, fifteen, twenty-two, and twenty-seven, all in the township and range aforesaid, to the north-east corner of section thirty-three, same township and range, to the base line of the township;

(You will meet the County Surveyor at the starting point of the road to be viewed at 10.00 o'clock, on Monday the 23rd day of September.)

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in company with *Joe Johnson and John Johnson*, who were duly appointed as

Viewers on said road by the Chairman of the Board of County Commissioners on the **23rd**

day of **September** 190**7**, commencing at the place designated in said petition as the

starting point of the road sought to be **viewed** 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 **13th**

day of **Sept.** 190**7**.

W. C. Brandenburg
County Clerk,

By _____ Deputy.

OATH OF ROAD VIEWERS.

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

we
we, 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 VIEWERS as per instructions embodied in the notice of appointment by the Board of County Commissioners.

Alfred Leach _____ *John Robinson* _____

Subscribed and sworn to before me this 23 day

of September 1897

_____ *J. B. Sloan* _____

_____ *A. Sumner* _____

This must be returned to the County Clerk after execution.

W. L. Brandenburg

REPORT OF ROAD VIEWERS.

ROAD NO 296

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

We, the undersigned Road Viewers, consisting of

Alfred Leach
John Robinson
J. B. Sloan

appointed to view a proposed road running from *Manhattan Townsite*
west 1/2 mile thence south
to *Base Line*

as described in the annexed petition, say, That on the *23* day of *September*
A. D., *1907* 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 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:

Beginning at the center of Section 10
T17N R3E running west 1/2 mile
to west 1/4 cor of sect 10 thence south
3 1/2 miles between sections 9, 10, 15, 16
21, 22; 26, 27, as described in the
annexed petition

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

There is no objection to right of way but all parties along route ask for the expense of building fence

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

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:

The Manhattan Company would ask for fence as follows 3 1/2 miles in Secs 10, 15, 21
John H. Bos own " " 22
J. F. White moving on mill fence Sec 27

This does not provide for fence on sections 16, 28 which are state lands

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

We believe the road is very necessary and will be a great convenience to all farmers living south and west of Manhattan. It is also an advantage to the Manhattan Company but more especially to the individual farmers

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

Dated Sept 24 A. D., 1907

Alfred Leach
John Robinson
J. B. Sloan

Road Viewers.

Manhattan, Montana, Nov. 8, 1907.

The County Commissioners of Gallatin County, in Adjourned Regular Session, at Manhattan, Montana, On November 8, 1907,

Agree to construct a road running south from the town of Manhattan, as designated and described in the petition now before them, to put in all the necessary Bridges, and to grade the said road, allowing in addition thereto the sum of \$300.00 to cover the expense of fencing, labor and materials for the balance necessary to the proper completion of this road, and the expense over and above the amount allowed to be guaranteed by the Business Men's Association of Manhattan.

The Commission further agrees that the work on said construction, be taken up at once and pushed to hasty completion.

W. H. Davis ^{Board} Chairman of

Chas Waterman

Manhattan Business Men's Association.

G. M. Lewis

President.

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give - 60 - feet for a Right of Way

from from through or along the center of section 10, T17-R3E

running thence west 1/2 mile, thence south four and one half miles and including the west 1/2 of 5 1/4 of Sec 10, the west side of 15, east of 27, and the west of 27, and the east of 33.

Sec. 10, T. 17, R. 3E

as viewed and surveyed by

on the 23 day of September 1907. And hereby agree to give right of way but not forfeiting ~~place my fences on said lines without charge to the County~~ THE MANHATTAN CO.

Manhattan

Signed

By

G M Lewis
MANAGER.

Dated at

Sept 23

this

day of

1907

ACKNOWLEDGEMENT.

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

On this 23 day of Sept

A. D. 1907, before me J B Sloan

in and for said County, came G M Lewis

who is personally known to me to be the person... described in and who signed the annexed consent for right of way and acknowledged to me that he had executed the same freely and voluntarily, for the uses and purposes therein expressed.

IN WITNESS WHEREOF, I hereunto set my hand the day and year first above written.

J B Sloan
Co Surveyor

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Central Park, Mont.
(Delivering office.)

Registered Letter Parcel No. 730 from Bozeman, Mont.
(Office of origin.)

Addressed to John Robinson
(Name of addressee.)

Date 9/29, 1907
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.
John Robinson
(Signature or name of addressee.)
Frank Robinson
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Bozeman, Mont.
(Delivering office.)

Registered Letter Parcel No. 731 from Bozeman, Mont.
(Office of origin.)

Addressed to Joe Johnson
(Name of addressee.)

Date 9/29, 1907
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.
Joe Johnson
(Signature or name of addressee.)
Joseph Johnson
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

U. S. Registered Mails go to every post office in the world. Letters and parcels may be registered at any post office or at any post-office station, and by rural carriers throughout their routes. Letters will be registered by letter carriers in the residential districts of cities.
For registered mail delivered through a U. S. post office, the sender receives, without request or extra charge, a return receipt signed by the addressee or his agent. For registered mail delivered in a foreign country, the sender receives without extra charge a form of return receipt if the words "Return Receipt Demanded" appear on the envelope or wrapper.

Letter Parcel No. 730 P. O., _____
Received for registration 9/16, 1907, from Bozeman, Mont.
To Clerk
addressed to John Robinson
Central Park Mont.
/ class postage prepaid. Postmaster, per M

U. S. Registered Mails go to every post office in the world. Letters and parcels may be registered at any post office or at any post-office station, and by rural carriers throughout their routes. Letters will be registered by letter carriers in the residential districts of cities.
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Letter Parcel No. 731 P. O., _____
Received for registration 9/16, 1907, from Bozeman, Mont.
To Clerk
addressed to Joe Johnson
Bozeman Mont.
/ class postage prepaid. Postmaster, per M