

*Capbell*  
*Smother Hollow Twp*  
**SUPERVISORS' ROAD ORDER**

Filed this *7th* day of *Sept*  
 A. D. 191*2*

*Carlin Young*  
 Town Clerk.

The within Road Order, together with the Award of Damages, was recorded by me the *7th* day of *Sept* 191*2*, in the Road Record Book of the Town, and then sent by me to the County Auditor, to be filed and preserved by him.

*Carlin Young*  
 Town Clerk.

**Office of County Auditor,**

County of *Good* Minn.

Filed this *26* day of *April* 191*1*, at *9* o'clock *A.M.*, in this office.

*W. J. [Signature]*  
 County Auditor.

The Town Clerk must not record this order within thirty days after filing, and not then, if an appeal has been taken, until the order is confirmed on appeal. But if no appeal is taken, or if on appeal this order is confirmed, it together with the award, must be recorded and then transmitted to the County Auditor, to be filed and preserved by him.

TAKEN NOTICE—General Laws 1885, Chapter 23, as amended General Laws 1893, Chapter 159, allows "eight legal voters who are freeholders and residents of the town within three miles of the road" to sign the petition. When such persons sign the petition it must be so stated on the blank form left for that purpose after the "in the following blank 'Supervisors' Road Order" and the "Award of Damages."

Entered according to Act of Congress in the year 1880, by  
 WALTER S. BOOTH,

In the Office of the Librarian of Congress at Washington

WALTER S. BOOTH & SON, TOWNSHIP AND LAW BLANK PUBLISHERS, MINNEAPOLIS, MINN.  
 442000

**OWNERSHIP AND DESCRIPTION OF LANDS AS GIVEN IN THE PETITION.**

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE
<i>J. H. Casner</i>	<i>S 1/2 NE</i>	<i>10</i>	<i>140</i>	<i>25</i>
<i>" "</i>	<i>N 1/2 SE</i>	<i>"</i>	<i>"</i>	<i>"</i>
<i>Allie Poole</i>	<i>S 1/2 NW</i>	<i>"</i>	<i>"</i>	<i>"</i>
<i>J. W. Franklin</i>	<i>N 1/2 SW</i>	<i>"</i>	<i>"</i>	<i>"</i>
<i>Unknown</i>	<i>N 1/2 SE</i>	<i>9</i>	<i>"</i>	<i>"</i>
<i>" "</i>	<i>S 1/2 NW</i>	<i>"</i>	<i>"</i>	<i>"</i>
<i>" "</i>	<i>N 1/2 NE</i>	<i>"</i>	<i>"</i>	<i>"</i>
<i>" "</i>	<i>N 1/2 SE</i>	<i>"</i>	<i>"</i>	<i>"</i>
<i>" "</i>	<i>N 1/2 SW</i>	<i>8</i>	<i>"</i>	<i>"</i>
<i>" "</i>	<i>SE NW</i>	<i>5</i>	<i>"</i>	<i>"</i>
<i>" "</i>	<i>SW SW</i>	<i>"</i>	<i>"</i>	<i>"</i>
<i>" "</i>	<i>S 1/2 NE</i>	<i>"</i>	<i>"</i>	<i>"</i>
<i>Metzger</i>	<i>N 1/2 SW</i>	<i>"</i>	<i>"</i>	<i>"</i>
<i>Unknown</i>	<i>N 1/2 SE</i>	<i>7</i>	<i>"</i>	<i>"</i>
<i>" "</i>	<i>N 1/2 NW</i>	<i>"</i>	<i>"</i>	<i>"</i>

The names of the Petitioners, the places where, and the time when the copies of the Petition and of the Supervisors' Notice of Hearing were posted; and the names of persons served with the Supervisors' Notice, and how served (personally or "by copy"), are as follows, viz:

NAMES OF PETITIONERS	PETITION AND NOTICES, WHEN AND WHERE POSTED	SUPERVISORS' NOTICE, ON WHOM SERVED	HOW SERVED
<i>J. F. Ritchards</i>			
<i>J. W. Franklin</i>	<i>1 at the Postoffice</i>	<i>J. W. Franklin</i>	<i>Personal</i>
<i>W. F. Jackson</i>	<i>1 at the Postoffice</i>	<i>J. H. Casner</i>	<i>copy</i>
<i>Abe Masters</i>	<i>1 at school near</i>	<i>Metzger</i>	<i>by leaving</i>
<i>Carlin Young</i>	<i>School house</i>		<i>copy here</i>
<i>W. B. Worcester</i>	<i>1 on Sect 24 where</i>		
<i>Roy Johnson</i>	<i>road turns</i>		
<i>J. H. Leouthead</i>	<i>east</i>		

State of Minnesota, County of Cass Town of Smokie Hollow

Whereas, Upon the petition of Eight legal voters who own real estate or who occupy real estate under the homestead or pre-emption laws of the United States, or under contract from the State of Minnesota, within two miles

\* of the road proposed in said petition to be Laid out; which said petition was filed with the Town Clerk previous to the time of posting copies thereof, and copies of said petition having been first duly posted up in three of the most public places of said Town, at least twenty days before any action was had in relation thereto, proof of which posting was duly shown to us by affidavit; which

said proposed 4rd Public Road is set forth and described in said petition as follows, viz: Beginning Beginning at the 1/4 Part between Sec 10 and 11 running west four miles to the 1/4 Part on the west side of Sect 7 being the west Town line of said Town

And Whereas, Upon receiving said petition, we did, within thirty days thereafter, make out a notice and fix therein a time and place at which we would meet and decide upon such application, to-wit: On the 7 day of Sept A. D. 1910 at The Town Clerks office

causing copies of such notice to be posted in three public places in said Town, at least ten days previous to such meeting; and having met at such time and place as above named in said notice, and being satisfied that the applicant had, at least ten days previous to said time, caused said notice of time and place of hearing to be given to all the occupants of the land through which such highway might pass, by serving the same personally or by copy left at the usual place of abode of each of said occupants, proof of which was shown by affidavit, we proceeded to examine personally such highway, and heard any and all reasons for or against the road

the same, and being of the opinion that such road was necessary and proper, and that the public interest would be promoted thereby, we granted the prayer of said petitioners and determined to Lay out said road, and caused a survey thereof to be made according to the report and plat herewith accompanying, the description of which as so

is as follows, to-wit: Beginning At the 1/4 part on between Sec 10 and 11 running west four miles to the 1/4 Part on the west side of sec 7 being the west Town line of said Town

It is Therefore Ordered And Determined, That a road be, and the same is hereby Laid out and established according to the description last aforesaid, and the report and plat herewith accompanying which is hereby made a part of this Order, and it is declared to be a public highway four rods rods wide, the said description above given being the center of said road.

Given under our hands, this 7 day of Sept A. D. 1910

J. F. Ritchards  
W. G. Worcester  
J. W. Franklin } Supervisors.



State of Minnesota, County of Cass Town of Smalley Hollow SS.

Whereas, A road was laid out and Surveyed on the 7<sup>th</sup> day of Sept A. D. 1910, by us, the Supervisors of the said Town of Smalley Hollow on the petition of Eight legal voters, who own real estate or who occupy real estate under the homestead or pre-emption laws of the United States, or under Contract from the State of Minnesota, within three miles\*.

.....of said road, which said road as Surveyed is set forth and described in the foregoing Supervisors' Order, made by us, and

Whereas, A part of the damages sustained by reason of the laying out and Making said road has been ascertained by the agreement of the owners of the lands through which said road passes, with us, and a part of the owners of the said lands have in writing released all claims to damages; but not being able to agree with the owners of the following described lands, claiming damages by reason of said highway passing through, and the owners of some of the said lands being unknown, we have assessed the damages to each of such individual claimants with whom we could not agree, and awarded damages to the owners of such lands through which such highway passes as are unknown, at what we deemed just and right; taking into account and estimating the advantages and benefits the road will confer on the claimants and owners, as well as the disadvantages. We have assessed and awarded damages as follows:

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE	DAMAGES
<u>J H Causer</u>	<u>S 1/2 NE N 1/2 S 4</u>	<u>10</u>	<u>140</u>	<u>25</u>	<u>150</u>

And in case of the following lands and claimants for damages, we estimate that the advantages and benefits said road will confer on them are equal to all damages sustained by them by reason of laying out.....said road, to-wit:

OWNERS OF LANDS	DESCRIPTION OF LANDS	SECTION	TOWN	RANGE	DAMAGES
<u>Allie Poole</u>	<u>S 1/2 NW</u>	<u>10</u>	<u>140</u>	<u>25</u>	
<u>J W Franklin</u>	<u>N 1/2 SW</u>	<u>"</u>	<u>"</u>	<u>"</u>	
<u>Unknown</u>	<u>S 1/2 NE</u>	<u>9</u>	<u>"</u>	<u>"</u>	
<u>"</u>	<u>S 1/2 NW</u>	<u>"</u>	<u>"</u>	<u>"</u>	
<u>"</u>	<u>N 1/2 SW</u>	<u>"</u>	<u>"</u>	<u>"</u>	
<u>"</u>	<u>N 1/2 SE</u>	<u>"</u>	<u>"</u>	<u>"</u>	
<u>"</u>	<u>S 1/2 NE</u>	<u>8</u>	<u>"</u>	<u>"</u>	
<u>Metzer</u>	<u>SE NW</u>	<u>"</u>	<u>"</u>	<u>"</u>	
<u>Unknown</u>	<u>SW NW</u>	<u>"</u>	<u>"</u>	<u>"</u>	
<u>"</u>	<u>N 1/2 SW</u>	<u>"</u>	<u>"</u>	<u>"</u>	
<u>"</u>	<u>N 1/2 SE</u>	<u>"</u>	<u>"</u>	<u>"</u>	
<u>"</u>	<u>S 1/2 NE</u>	<u>7</u>	<u>"</u>	<u>"</u>	
<u>"</u>	<u>S 1/2 NW</u>	<u>"</u>	<u>"</u>	<u>"</u>	
<u>"</u>	<u>N 1/2 SW</u>	<u>"</u>	<u>"</u>	<u>"</u>	
<u>"</u>	<u>N 1/2 SE</u>	<u>"</u>	<u>"</u>	<u>"</u>	

Given under our hands, this 7<sup>th</sup> day of Sept A. D. 1910

J F Reitchords  
W G Warthester  
J W Franklin } Supervisors.