

No. of case *1000* *W. S. E.*

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

*"Hamm" Road.*

*In Sec. 35 T. 1. N. W. S. E.*

FILED Plaintiff

DECEMBER 1897

*John M. Naughton*  
County Clerk.

Defendant

Action *The within Petition was examined  
and the Road Viewers Report is hereby  
adopted and approved and the Road  
ordered opened and same is hereby  
declared a public highway.  
by order of the Board.*

*J. A. Patterson*  
Chairman

*this 14<sup>th</sup> day of Dec. 97.*

*Wm. H. Glumacher*  
*Att. for Plaintiff*

Attorney for Plaintiff

Attorney for Defendant

# PETITION FOR ROAD.

No 127

C. M. Thorne County Surveyor  
To the Honorable Board of County Commissioners of Gallatin County,  
Montana:

The undersigned, your petitioners, citizens of the United States, respectfully show and represent that they are <sup>residents</sup> freeholders of Road District No. 6 in the County of Gallatin, in the State of Montana, and taxable therein for road purposes; that they reside in the vicinity of the road hereinafter petitioned for; that the proposed road will be a public convenience, and we think the public good requires it.

Your petitioners respectfully ask your <sup>that a County Road be</sup> Honorable Body to lay out, locate and establish a County road <sup>ed</sup> 40 feet wide, in said road district, to be a public highway therein, 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:

runn.  
Hamm.  
A. Me.  
Walt

ROAD

Consent hereto given by all interested parties.

No cost attached to opening up proposed road.

(g) General convenience of all parties in the vicinity and road district.

And grant permission to close old road now running through the land of M.W. Hamm from the "Decker School House" south to the base line, as per map herewith.

1. Geo. Smith  
 2. A. S. Corbly  
 3. J. A. Malton  
 4. William Decker  
 5. Garret Decker  
 6. John Bunge  
 7. M. Decker  
 8. George H. Gee

2. E. J. Shady  
 4. Amos E. Farn  
 6. G. F. Worsen  
 8. Henry Brown  
 10. Geo. A. Thompson  
 J. G. Malton  
 J. J. Fourn  
 C. T. Winters

Office of County Surveyor, Gallatin County Montana.

Hon. Geo. W. Ellis

Chairman, Board of County Commissioners, Gallatin County Montana.

Dear Sir:

You are hereby notified that a petition, praying for the establishment of a county road, has been received in this Office, which petition has been signed by M. W. Farr and 23 other residents of road District No. 6 in said County.

Said road is to start from a point at the "Decker School House" and runs thence west 1/2 mile thence south 1 mile. All in Section 35 in T. 1 N. R. 5. E.

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

Dated at Bozeman, Montana, this 15th day of September 1897.

Very Respectfully,

C. M. Thorpe  
C. County Surveyor.

Office of Board of County 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.

R. P. Messinger

as a viewer on the above petitioned for road, to act for and on behalf of the Board of County Commissioners.

Dated at Bozeman, Montana, this 19 day of Sept 1897.

Very Respectfully,

Geo. W. Ellis

Chairman Board of County Commissioners Gallatin County Montana.

Office of County Surveyor, Gallatin County, Montana.

To the Honorable Board of Commissioners, Gallatin County, Mont.

Gentlemen:

In pursuance of an Act of the Fifth Legislative assembly of the State of Montana,

I herewith submit to your honorable body the following papers in the matter of petition of M. W. Hawn et al, praying for a change in the County road in Sec. 35 Town I North Range 5 East for your action

First: The petition with the endorsements thereon.

Second: Notice to the Chairman of the Board to appoint a viewer and the appointment of same.

Third: Copy of warrants to Viewers, with registered letter receipts to show that same had been duly received.

Fourth: Sworn proof of posting viewers notice, with copy attached.

Fifth: Oath of road viewers.

Sixth: Report of road viewers, and consent of owners for the proposed change, where given.


All dates, names, and all matters relating to the same will be found in the papers herewith presented.

I have no suggestions to make, other than those embodied in the report herewith submitted

Respectfully Submitted,

C. M. Therpe,

County Surveyor.



# WARRANT FOR ROAD VIEWERS.

*Copy*

County Surveyor's Office,  
Gallatin County, Montana.

MR. *A. Torble*

You are hereby notified that you were duly appointed Road Viewer by *C. M. Thorpe*  
*County Surveyor* of Gallatin County, Montana, on the  
*17<sup>th</sup>* day of *Sept*, 189*7*, to view and lay out a proposed road, as prayed  
for in the petition of *M. R. Kamm* and others, described as follows, to-wit.

Commencing at what is known as the "Dacker School House" and  
running thence west one-half mile, between the lands of William  
Dacker and M. W. Ham; thence south one mile to the base line,  
through the lands of the estate of A. Walton, deceased, and  
Moses Dacker on the west and M. W. Ham and B. D. Walton on the  
east. All of the above road is in Sec. 35 T. 1. N. R. 5. E.

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in  
company with *R. J. Mcuefer*, who was duly appointed as a  
Viewer on said road by the *Chairman, Board of County Commissioners* and by the  
County Surveyor who is Chairman of said Board of Viewers, on the *17<sup>th</sup>* day of  
*Nov*, 189*7*, 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 *17<sup>th</sup>*  
day of *Sept*, 189*7*.

*C. M. Thorpe*  
County Surveyor.

By *[Signature]* Deputy.

# WARRANT FOR ROAD VIEWERS.

*Copy*

County Surveyor's Office,  
Gallatin County, Montana.

MR. *B. S. Newfar*

You are hereby notified that you were duly appointed Road Viewer by *Geo W. Ellis*  
*Chairman Board of County Commissioners* of Gallatin County, Montana, on the  
*17<sup>th</sup>* day of *Sept* 1897, to view and lay out a proposed road, as prayed  
for in the petition of *M. W. Hamm* and others, described as follows, to-wit.

Commencing at what is known as the "Decker School House" and  
running thence east one half mile, between the lands of Sp.  
Decker, and M. W. Hamm, thence south one mile to the base line  
through the land of the Estate of A. Melton deceased, and Moses  
Decker on the west, and M. W. Hamm and D. D. Walters on the east  
All in section 30 T. 1. N. R. 6. E. ~~###~~.

You are hereby ordered to meet to be sworn according to law and assume the duties of your office, in  
company with *W. A. Cobble*, who was duly appointed as a  
Viewer on said road by the *County Surveyor* and by the  
County Surveyor, who is Chairman of said Board of Viewers, on the *17<sup>th</sup>* day of  
*Nov*, 1897, 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 *17<sup>th</sup>*  
day of *Sept*, 1897.

*W. A. Cobble*  
County Surveyor.

By *C.* Deputy.



REGISTRY RECEIPT.

Post Office at Bozeman Mont.  
Registered Letter Parcel } No. 66 Rec'd OCT 23 1897 189  
of C. M. Shaffer  
Bozeman - Mont.  
addressed to R. P. Menefer Esq.  
Bozeman, Mont.  
W. B. Bunker P. M.

REGISTRY RECEIPT.

Post Office at Bozeman Mont.  
Registered Letter Parcel } No. 69 Rec'd Oct. 23 1897  
of C. M. Shaffer  
Bozeman, Mont.  
addressed to A. D. Cobble  
Spring Hill - Mont.  
W. B. Bunker P. M.



REGISTRY RETURN RECEIPT sent OCT 23 1897, 189 .

Reg. No. 69 from Post Office at Barre Mont.

\*Reg. Letter } Addressed to A. S. Corbly  
 \*Reg. Parcel } Spring Hill 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. } A S Corbly

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.

REGISTRY RETURN RECEIPT sent OCT 23 1897, 189 .

Reg. No. 66 from Post Office at Barre Mont.

\*Reg. Letter } Addressed to R. P. Munger  
 \*Reg. Parcel } Barre 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. } R P Munger

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.

When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.  
A penalty of \$300 is fixed by law for using this card for other than official business.

**Post Office Department.**

OFFICIAL BUSINESS.

Post Office at

Stamp here name of Post Office

RETURN TO.

and date of delivery.

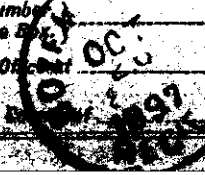
Name of Sender

*C. M. Hooper*

Street and Number  
or Post Office Box.

Post Office at

State of



When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.  
A penalty of \$300 is fixed by law for using this card for other than official business.

**Post Office Department.**

OFFICIAL BUSINESS.

Post Office at

Stamp here name of Post Office

RETURN TO.

and date of delivery.

Name of Sender

*C. M. Hooper*

Street and Number  
or Post Office Box.

Post Office at

County of

State of

*Boston, Mass.*

# 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~~ *A. L. Lambing + C. M. Thayer the other view*

*G. W. Westall*

Subscribed and sworn to before me this *17<sup>th</sup>* day

of *November* 189*7*

*C. M. Thayer*

*C. 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~~ *County Surveyor*

*A. G. Corbly*

Subscribed and sworn to before me this *17<sup>th</sup>* day

of *November* 189*7*

*C. M. Thayer*

*C. Surveyor*

This must be returned to the County Clerk after execution.

# REPORT OF ROAD VIEWERS.

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

A. L. Cobby and C. M. Thorpe two of the

WE, the undersigned Road Viewers, appointed by the Board of County Commissioners, at the

Term of said Board to view a proposed road running from the N.E. Cor. of ~~W/2~~ <sup>(Sec 35 T1N R5E)</sup> of N.E. 1/4 of the same being at the "Lieber School House" to the

to S.W. Cor. of E 1/2 of S.W. 1/4 said Sec 35 and the location of the road from the above starting point south 1 mile, say,

That on the 17th day of November, 1897, we started from the above

above described starting point the place designated in the petition as the starting point of such proposed road and as R.P. Minner the viewer appointed by the Chairman of Board of C. Commissioners proceeded to view and lay out the same, and submit the following report:

did not appear. WE appointed J.W. Myers fell and proceeded to view and lay out the same and submit the following report.

1. The course, termini, length and probable cost of constructing the proposed road, as follows:

The course and width of the road is as follows to wit: from the N.E. corner of the West 1/2 of N.E. 1/4 of Sec. 35 T. 1 N. R. 5 E. 30 feet on each side of the center line as follows West on the North line of said Sec. 35 to a point 3300 feet (see back of report)

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

all property owners are benefited fully equal to the amount of damages.

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

M. W. Haman, Moses Lieber, Wm Lieber.

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

Mrs. B. Walton will give the right of way but claims damages for cost of moving 1/2 mile of fence.

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

WE find that East of the Road (which is petitioned to be reclosed and closed) 1/4 mile there is a main road running N + S to Spring Hill, that nearly on the line as described above

We believe said road to be practicable and of public utility and

necessity and do recommend the establishment of the same. and the closing of the

North and South road through the center of the E. 1/2 of said Sec. 35 T. 1 N. R. 5 E. as petitioned for.

Dated Dec. 6, A. D., 1897

C. M. Thorpe  
A. L. Cobby  
J. W. Marshall

Road Viewers.

No. 1 Continued

Wester of the North East Corner of said Section  
thence South  $75^{\circ}$  West to a point in the west line  
of the E.  $\frac{1}{2}$  of N. W.  $\frac{1}{4}$ , said point being 195 feet  
South of the N. W. Corner thereof. From this point  
the road to be 40 in width on the East side and  
20 feet in width on the West side, (total width 60 feet)  
of the line described as follows, from the above point  
thence South along the west line of said E.  $\frac{1}{2}$  of N. W.  $\frac{1}{4}$   
and E.  $\frac{1}{2}$  of S. W.  $\frac{1}{4}$  of said Sec 35 to the south  
line of said Section, the length of said road being  
1  $\frac{1}{2}$  miles.

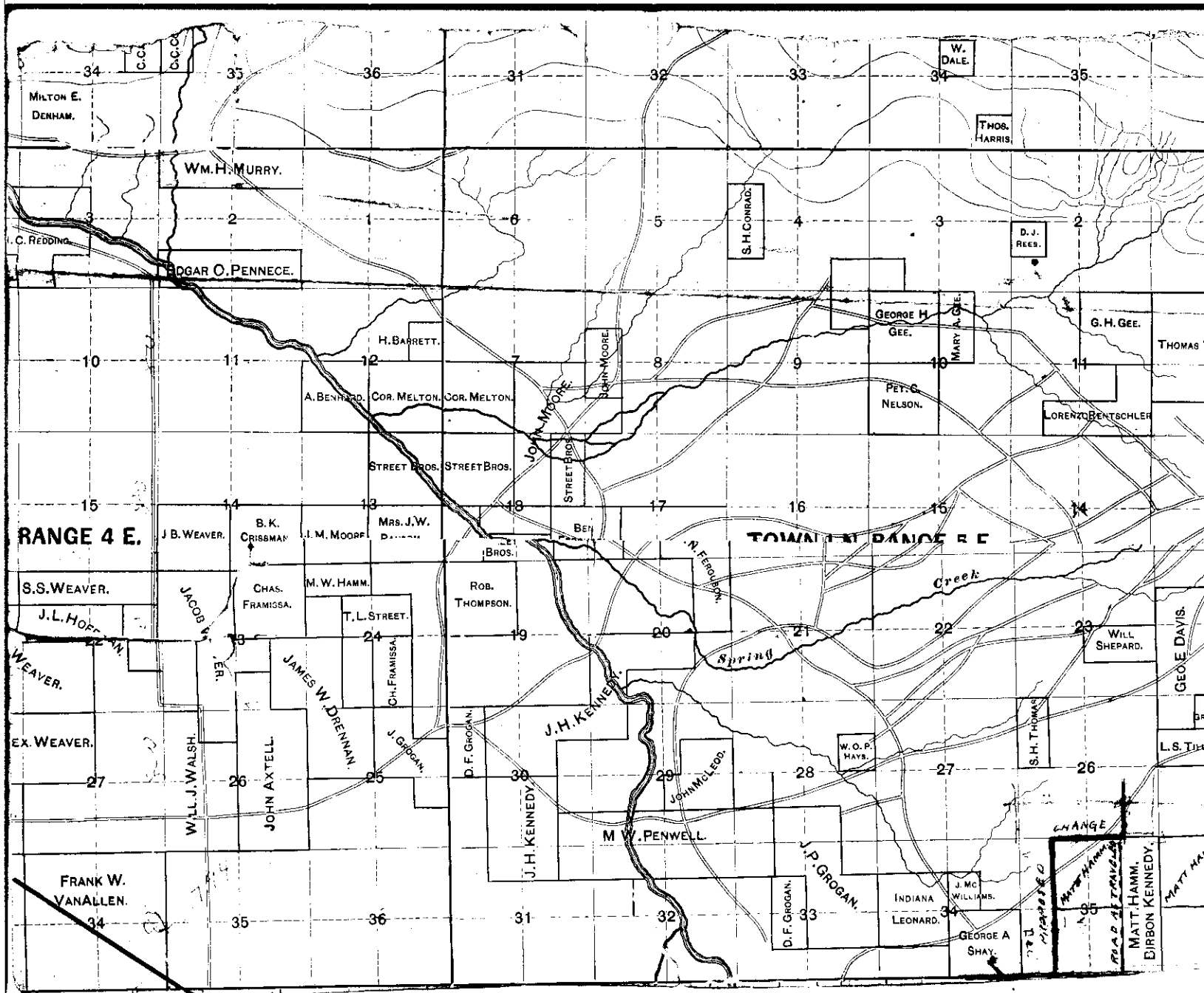
An Approximate Estimate of the cost of opening the  
road for travel would be the building of a  
cattle pass where the road runs through the  
N. W. Corner of Mr. Hansen's land, which would  
cost about \$400. This would put the road on good  
hard ground at this point and avoid two bridges

No. 5 Continued

Which is only  $\frac{1}{2}$  mile west of the road petitioned  
to be closed, there is a road opened and traveled.  
We do not consider it necessary for the County  
to keep up all of these north & south roads,  
and would recommend the closing of the road as petitioned  
for, there being no objection to the same as far  
as we could learn.

The line of the road is  
marked by suitable posts and monuments as shown  
on accompanying maps. The ground over which  
the proposed road passes is nearly level and  
is suitable for road building.

Being unable to see all the property owners on  
the day of viewing the road we adjourned  
to meet on Dec. 6<sup>th</sup> for reporting.



RANGE 4 E.

TOWNSHIP 24 N

FRANK W. VAN ALLEN.

J. H. KENNEDY.

M. W. PENWELL.

CHANGE  
MATT HAMM.  
ROAD TO TRAVEL  
MATT HAMM.  
BIRBON KENNEDY.

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give a Strip of land <sup>in width</sup> 40 feet for a Right of Way, for a County Road, through or along the West side of E 1/2 of NW 1/4 Sec. 35, T. 1 N. R. 5 E., as viewed and surveyed by A. L. Conbley, C. M. Thorpe & G. W. Marshall on the 14<sup>th</sup> day of Nov., 1897. And hereby agree to place my fences on said lines without charge to the County.

Signed: M. W. Harrison

Dated at Boyman this 6<sup>th</sup> day of Dec 1897.

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give a Strip of land <sup>in width</sup> 30 feet for a Right of Way, for a County Road, through or along the North end of W 1/2 of NE 1/4 of NW 1/4 of Sec. 35, T. 1 N. R. 5 E., also 30 feet each side of the central line from a point 3300 ft. N. of N.E. cor. Sec. 35 S. 75<sup>th</sup> Mile to a point 175 ft South of the N.W. Cor. of E 1/2 of NW 1/4 of said Sec 35 as viewed and surveyed by A. L. Conbley, C. M. Thorpe and G. W. Marshall. on the 14<sup>th</sup> day of November, 1897. And hereby agree to place my fences on said lines without charge to the County.

Signed: M. W. Harrison

Dated at Boyman this 6<sup>th</sup> day of Dec 1897.

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give a strip of land <sup>in width</sup> 30 feet for a Right of Way, for a County Road, through or along the South end of W 1/2 of SE 1/4 Sec. 26, T. 1 N. R. 5 E., as viewed and surveyed by A. L. Conbley, C. M. Thorpe & G. W. Marshall on the 14<sup>th</sup> day of November, 1897. And hereby agree to place my fences on said lines without charge to the County.

Signed: Moses H. Selker

Dated at this 14<sup>th</sup> day of November 1897.

N<sup>o</sup> 127

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give <sup>a strip of land</sup> 20 feet in <sup>width</sup> for a Right of Way, for a County Road, ~~through~~ or along the East side of the W/4 of N/4 Sec. 35, T. 1 N., R. 5, E., as viewed and surveyed by A. L. Coubly, C. M. Thorpe + G. W. Marshall on the 17<sup>th</sup> day of November, 1897. And hereby agree to place my fences on said lines without charge to the County.

Signed: Moses W. Baker

Dated at this 17<sup>th</sup> day of November 1897.

N<sup>o</sup> 127

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give <sup>a strip of land</sup> 30 feet <sup>in width</sup> for a Right of Way, for a County Road, ~~through~~ or along the South End of the E/4 of S.W. 1/4 Sec. 26, T. 1 N., R. 5, E., as viewed and surveyed by A. L. Coubly, C. M. Thorpe + G. W. Marshall on the 17<sup>th</sup> day of November, 1897. And hereby agree to place my fences on said lines without charge to the County.

Signed: William Becker

Dated at this 17<sup>th</sup> day of November 1897.

N<sup>o</sup> 127

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give 40 feet for a Right of Way, for a County Road, ~~through~~ or along the West side of E/2 of S.W. 1/4 Sec. 35, T. 1 N., R. 5, E., as viewed and surveyed by A. L. Coubly, Geo W. Marshall + C. M. Thorpe on the 17<sup>th</sup> day of Nov., 1897. ~~And hereby agree to place my fences on said lines without charge to the County.~~

Signed: Betty [unclear]

Dated at [unclear] this 17<sup>th</sup> day of Nov 1897



1907

MAY 8-1907

W. E. Brandenburg

report

W. E. Brandenburg  
29  
907

W. E. Brandenburg

# REPORT OF ROAD VIEWERS.

ROAD NO. \_\_\_\_\_

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

We, the undersigned Road Viewers, consisting of

*M. H. Penwell*  
*E. H. McDaniel*  
*J. H. Sloan*

appointed to view a proposed road running from *NH cor Sec 2 T, NR 5E*

to *SE Cor of 24 1/2 T, E 1/4 Sec 14 T, NR 5E*

as described in the annexed petition, say, That on the *2* day of *May* A. D., 1\_\_\_\_ 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:

*The width of the proposed road is 40 feet.*

*The center line is as follows  
 Running from the NH cor of said sec 2 east 1/4 mile to NE Cor of 24 1/2 T, NE 1/4 said sec 2, Thence south 1/4 mile west of east line of sec 2, 11, 14, to the east and west center line of Sec 14 intersecting the Belgrade Springhill road.*

*The proposed road is over very easy grades, good soil except for about 400 feet swampy land.*

*The estimated cost of construction is \$200, for grading, ditching and culverts*

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

John Reese, E. C. Hawwood, H. J. Gee, Geo. Gee,  
Thos Reese

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

Mrs Elizabeth Rentchler	will set no figure	100 <sup>00</sup>
Mrs G Bennet	asked	\$ 120
Henry Corouse	"	\$ 8 <sup>00</sup> 25 <sup>00</sup>
Mrs M Cowherd	"	about \$80.50 <sup>00</sup>

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:

Mrs Rentchler, in our estimation should not be allowed, at the outside, more than \$100

Mrs Cowherd's benefits far exceed the damages. (Draining the slough along the road will also drain her land)

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

We believe the petitioners are entitled to a road, that it will benefit all parties upon whom it touches and is needed for the general public

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 May 7 A. D., 1897

C. H. McDonald  
M. W. Bezwil  
J. B. Sloan

} Road Viewers.

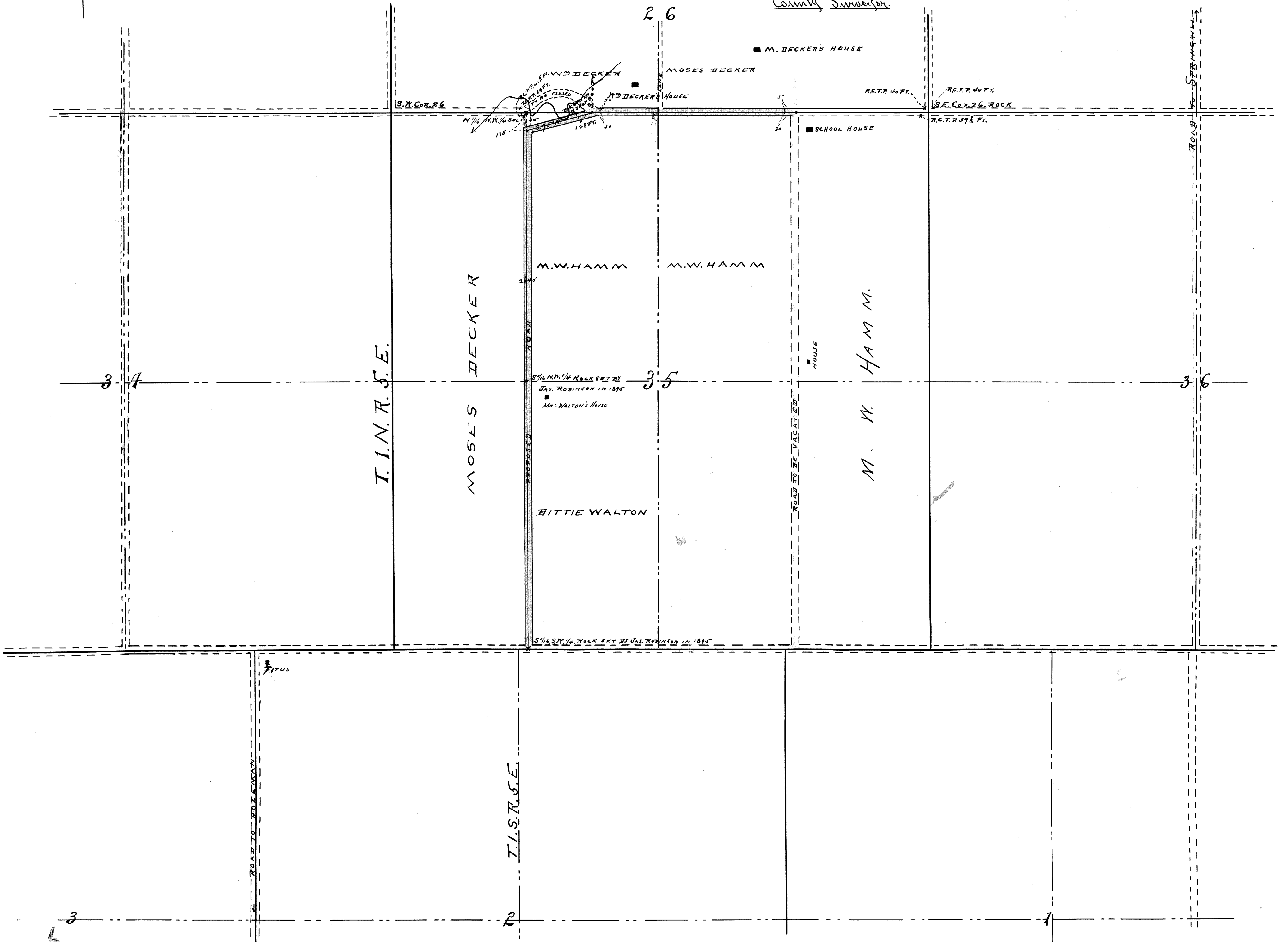




Map  
of  
The Proposed Change of Road in Sec. 35 T.1N. R.5 E.  
Known as the "Hamm Road"  
No. 127

Scale 600 ft to the inch

Surveyed Nov. 17<sup>th</sup> 1897  
By C. M. Sharpe  
County Surveyor.



*Harum Board*

*No. 124*

*Index of closing*

Human March 1897

# Notice of Opening Public Road.

Notice is hereby given that after sixty days from the date of posting this notice, a public highway <sup>60 ft. in width</sup> will be opened over the following route, to-wit: Commencing at the N. E. Cor. of the

W. 1/2 of N. E. 1/4 of Sec. 35 T. 1 N. R. 5 E., 30 ft. on each side of the center line as follows, to wit: West on the North line of said Sec. 35 to a point 3300 feet west of the N. E. Cor. of said Sec. Thence South 75 west to a point in the west line of the E. 1/2 of N. W. 1/4 said point being 175 feet south of the N. W. Cor. thereof, From this point the road to be 40 ft. in width on east side and 20 ft. in width on west side (total width 60 ft.): of the line described as follows, from the above point thence south along the west line of said E. 1/2 of N. W. 1/4 and E. 1/2 of S. W. 1/4 of said Sec. 35, to the south line of said section. The length of said road being 1 1/2 miles.

*Provided that*

*this fence on E. side of road along West side of E 1/2 of S.W. 1/4 of Sec 35 T. 1 N. R. 5 E. By order of the Board of County Commissioners of Gallatin County, Montana.*

Dated Dec. 17<sup>th</sup> 1897

H. P. McNaughton  
Clerk,

By \_\_\_\_\_  
Deputy.

Date of Posting Jan 12<sup>th</sup> 1898

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

B. S. Dunean being first duly sworn deposes and says, that as the person appointed <sup>Surveyor</sup> he received from the County Clerk of said County, on the 12<sup>th</sup> day of Jan. 1898, three copies of the annexed notice, and that on the \_\_\_\_\_ day of \_\_\_\_\_ 1898 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 Dickens School House  
One 200 ft. South of E. W. road at turn in road  
One at Base line  
and further deponeth sayeth not.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ A. D., 1898.

Subscribed and sworn to before me this 2<sup>nd</sup> day of Feb. A.D. 1898  
B. S. Dunean  
C. M. Thompson  
County Surveyor.

*Harmon Ross*

*No 129*

*Notes of opening*