

No. of Case Road No. 137

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

Ferris Chomaz  
near Belgrade.

F I L I E D Plaintiff

vs.

SEP 1 1898

H. P. McNaughton  
County Clerk

By E. H. Schumacher Dep  
Defendant

Action for Kleinschmidt Bros

vs. Deppen before leave

on Dec 7<sup>th</sup> 1898

J. J. L. [Signature]

Report accepted and adopted  
and read ordered entered as per  
as prayed for.

Attorney for Plaintiff

# WARRANT FOR ROAD VIEWERS.

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

MR. G. H. Davis

You are hereby notified that you were duly appointed Road Viewer by J. L. Patterson  
Chairman of the Board of Commissioners of Gallatin County, Montana, on the  
2<sup>nd</sup> day of June, 1898, to view and lay out a proposed road, as prayed  
for in the petition of J. B. Christman and others, described as follows, to-wit:

1<sup>st</sup> Change Beginning at the S. E. Cor. of Sec. 13 T. 1 S. R. 4 E.

Thence due north along section line to a point in the east line  
of Sec. 12 said T. & R. said point being 30 feet from the  
southerly side line of the Right of way of the Northern Pacific  
Ry. Co. Thence northwesterly parallel with the said southerly ~~xx~~  
side of said Right of way, and 30 feet therefrom to the  
easterly side of Farris Addition to Belgrade. The above  
described line to be the center line of the 60 foot right of  
way. Whenever the above described road shall be established the  
old road running ~~xxxx~~ northwesterly from the above described ~~xxxx~~  
starting point through the E.  $\frac{1}{4}$  of sections 12 & 13 said T. & R.  
to be discontinued and vacated.

2<sup>nd</sup> Change. Beginning at the S. W. Cor. of Sec. 13 T. 1 S.  
R. 4 E. Thence north along the Sec. line between sections 13  
& 14 and 11 & 12 said T. & R. ~~to~~ to the intersection with the  
old road leading into Belgrade from the southwest. Thence ~~north~~  
northeasterly along said old road to the north line of said Sec.  
12 to terminate in the center of the road leading into Belgrade  
from the above point as the same is now fenced. The above de-  
scribed line to be the center of a 60 foot right of way. The  
old road running from the S. W. Cor. of Sec. 13 northeasterly  
through the west  $\frac{1}{2}$  of said sections 12 & 13 to be vacated and  
discontinued whenever the above described road shall be  
established.

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in  
company with Jesome Watterman, who was duly appointed as a  
Viewer on said road by the C. M. Thorpe, County Surveyor and by the  
~~County Surveyor~~, who is Chairman of said Board of Viewers, on the 7<sup>th</sup> day of  
July, 1898, 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 16<sup>th</sup>

# WARRANT FOR ROAD VIEWERS.

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

MR. Jerome Mattiman

You are hereby notified that you were duly appointed Road Viewer by C. M. Thorpe  
County Surveyor of Gallatin County, Montana, on the  
2<sup>nd</sup> day of June, 1898, to view and lay out a proposed road, as prayed  
for in the petition of J. B. Christman and others, described as follows, to-wit:

Beginning at the S. E. Cor. of Sec. 13 T. 1 S. R. 4 E. Thence  
due north along section line to a point in the east line of Sec.  
12 said T. & R. said point being 30 feet from the southerly  
side line of the Right of way of the Northern Pacific Ry.  
Co. Thence Northwesterly parallel with the said southerly side  
of said Right of way. And 30 feet there from to the easterly  
side of Ferris Addition to Belgrade. The above ~~description~~  
described line to be the center line of the 60 feet right of way.  
Whenever the above described road shall be established the old  
road running northwesterly from the above described starting point  
through the E. 1/2 of sections 12 & 13 said T. & R. be  
discontinued and vacated.

2nd. Change. Beginning at the S. W. Cor. of Sec. 13 T. 1 S.  
R. 4 E. Thence north along the Sec. line between sections 13 &  
14 and 11 & 12 said T. & R. to the intersection with the old  
road leading into Belgrade from the south west. Thence  
northeasterly along said old road to the north line of said Sec. 12  
to terminate in the center of the road leading into Belgrade  
from the above point as the same is now fenced. The above  
described line to be the center of a 60 foot right of way. The old  
road running from the S. W. Cor. of Sec. 13 northeasterly through  
the west 1/2 of said sections 12 & 13 to be vacated and discon-  
-tinued whenever the above described road shall be established.

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in  
company with W. H. Davis, who was duly appointed as a  
Viewer on said road by the Charmen Board Co. Commissioners and by the  
County Surveyor, who is Chairman of said Board of Viewers, on the 7<sup>th</sup> day of  
July, 1898, 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 16<sup>th</sup>

day of June, 1898.

C. M. Thorpe

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 2<sup>nd</sup> day of June 1898, to view and mark out a proposed County road as prayed for in the petition of J. B. Christman & al et. al., will in company with the County Surveyor, who is chairman of said Board of Viewers, meet for such view on the 7<sup>th</sup> day of July 1898, 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 at the S.W. Cor. of Sec. 13 T. 1X S. R. 4 N. Thence north along the Sec. line between sections 13 & 14 and 11 & 12 said T. & R. to the intersection with the old road leading into Belgrade from the southwest. Thence northeasterly along said old road to the north line of said Sec. 12 to terminate in the center of the road leading into Belgrade from the above point as the same is now fenced. The above described line to be the center of a 50 foot right of way. X The old road running from the S.W. Cor. of Sec. 13 northeasterly through the west 1/2 of said sections 12 & 13 to be vacated and discontinued whenever the above described road shall be established.

Dated this 16<sup>th</sup> day of June 1898.

C. M. Thorpe  
Jerome Watterman } VIEWERS.  
W. H. Davis

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

C. M. Thorpe being first duly sworn deposes and says, that as the County Surveyor he received from the County Clerk of said County, on the 2<sup>nd</sup> day of June 1898, three copies of the annexed notice, and that on the 2<sup>nd</sup> day of June 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 on the door of the County Clerk's office.

and further deponeth sayeth not.

Subscribed and sworn to before me this 8<sup>th</sup> day of Sept A. D., 1898

C. M. Thorpe  
H. P. McNaughton Co. CLK  
By E. M. Schumacher Secy

# 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 2<sup>nd</sup> day of June, 1898, to view and mark out a proposed County road as prayed for in the petition of J. B. Christman et al et. al., will in company with the County Surveyor, who is chairman of said Board of Viewers, meet for such view on the 7<sup>th</sup> day of July, 1898, 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 at the S.E. Cor. of Sec. 13 T. 1 S. R. 4 E. Thence due north along section line to a point in the east line of Sec. 12 said T. & R. said point being 30 feet from the southerly side line of the Right of way of the Northern Pacific Ry. Co.

Thence Northwesterly parallel with the said southerly side of said Right of way, and 30 feet therefrom To the easterly side of Ferris Addition to Palgrade. The above described line to be the center line of the 60 feet right of way. Whenever ~~the~~ ~~the~~ the above described road shall be established the old road running Northwesterly from the above described starting point & through the E. 1/4 of sections 12 & 13 said T. & R. be discontinued and vacated.

Dated this 16<sup>th</sup> day of June, 1898.

C. M. Thorpe,  
Jerome Gatterman } VIEWERS.  
J. H. Davis

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

C. M. Thorpe being first duly sworn deposes and says, that as the County Surveyor he received from the County Clerk of said County, on the 21<sup>st</sup> day of June, 1898, ~~three~~ the annexed copies of the annexed notice, and that on the 21<sup>st</sup> day of June, 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 the door of the County Clerk's office

and further deponeth sayeth not.

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

# 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~~ <sup>County Surveyor</sup>.

Jerome Katerman

Subscribed and sworn to before me this 7<sup>th</sup> day

of June 1898

C. M. Thorpe  
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~~ <sup>Chairman of the</sup> Board of County Commissioners.

W. H. Davis

Subscribed and sworn to before me this 7<sup>th</sup> day

of July 1898

C. M. Thorpe  
Co. Surveyor.

This must be returned to the County Clerk after execution.

(No. 1 Continued) to make the proposed road as good  
as the old road. It will be necessary for him to construct  
2 culverts of 3" plank, one at the crossing of the Brady ditch  
which should have an opening 12" x 24" x 16' and  
one at the crossing of the Kennedy ditch which  
should have an opening 12" x 36" x 16'.

# REPORT OF ROAD VIEWERS.

On

first change petitioned for.

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

W.E. the undersigned Road Viewers, appointed by the Board of County Commissioners, <sup>Chairman of the</sup> ~~at the~~ <sup>and the Co. Surveyor,</sup> together with the Co. Surveyor <sup>change of</sup> ~~Form of said Board~~ to view a proposed road running from the S.E. Corner

of Section 13 T 1 S, R 4 E, north along the section line to a point in the E 1/2 of Sec. 12. said T & R 30 th. south of from the south end of said line of the right of way of the N.P. Ry. Co. which is parallel with said right of way & 3/4 mile from the East side line of Ferris add. to 13/4 miles. That on the 7th day of July, 1898, we started from the above

described starting point the place designated in the petition as the starting point of such proposed road 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 of the proposed road is as described above. said described line to be the center of the 60 foot right of way the length is about 2 miles. the probable cost of constructing the proposed road will be nothing as Mr. Ferris agrees to do all work necessary (except of right)

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

All owners of land along said road will be benefitted fully equal to the damages.

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

E.M. Ferris agt for J.P. Allison  
Klein Schmidt & Bro.

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

Klein Schmidt & Bro. do not consent without proper compensation

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

The above described road is to take the place of the old road running northwesterly from the above described starting point through the E 1/2 of Section 12 & 13 said T & R said old road to be discontinued when the above described road is established.

We believe said road <sup>change of</sup> to be practicable and of public utility and necessity and do recommend the establishment of the same.

Dated July 7th, A. D., 1898

C.M. Thorpe  
Th. H. Dennis  
Jerome Gaterman  
Road Viewers.



# REPORT OF ROAD VIEWERS.

On the 2nd change petitioned for.

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

*Chairman of the* and the Co. Surveyor  
W.E. the undersigned Road Viewers, appointed by the Board of County Commissioners, ~~at the~~  
together with the said Co. Surveyor. *change of*  
~~Term of said Board~~ to view a proposed road running from *the S.W. Corner*

of Section 13 T. 15. R. 4 E.

to a point in the North line of Sec 12 said T. & R. said point being  
1153.6 feet East of the N.W. Corner of said section 12 *day*

That on the 7th day of July, 1898, we started from *the above*  
*described starting point* the place designated in the petition as the starting point of such proposed road 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 of the proposed road is from the S.W. Cor. of Sec. 13 T. 15. R. 4 E.*  
*North along the line between Sections 13 & 14 to a point 1435 feet*  
*south of the N.W. Corner of said Section 13. thence East 60 feet*  
*thence North parallel with the section line 430 feet. thence West*  
*60 feet to said Sec. line. thence north. (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 Land owners along said road will be benefited*  
*fully equal to the damages.*

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

*J. J. Lawler owner E. 1/4 Sec 14 T. 15. R. 4 E.*  
*E.M. Ferris ad. for J.P. Allison H.C. Powers Co.*

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

*Kleinshmidt & Bro. wants proper compensation*  
*(see comments)*

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

*We wish to call the attention of the Board to the portion of the*  
*road which crosses the N.W. Corner of said Sec. 12*  
*also to the section of the road law which requires all roads*  
*when practicable to be laid out on sections or subdivisions <sup>line</sup>*  
*(see back of report)*

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

necessity and do                      recommend the establishment of the same.

Dated July 7th, A. D., 1898

*C.M. Thorpe*  
*W.H. Davis*  
*Jerome Waterman* } Road Viewers.

(No. 1 Continued) along the line between sections 13 + 14 and 11 + 12 said T & R to the intersection with the old road leading into Belgrade from the south west. said point being 1105 feet south of the N.W. corner of sec. 12 said T & R thence northeasterly along said old road to the north line of said sec. 12 to terminate in the center of the road leading into Belgrade as the same is now fenced said point being 1153.6 feet east of the N.W. corner of said sec. 12.

The cause of leaving the section line between sections 13 + 14 as described above is on account of J. J. Lawyer's house & barn which are built to cross to the line to allow the road to follow same.

The length of the proposed road is about 2 miles the probable cost of constructing the proposed road will be nothing as Mr. Ferris agrees to do all work necessary to make the proposed road as good as the old road. Along the west side of sec. 12 he has already built 3 small bridges but as the same are constructed of 2" plank & not properly nailed we would recommend that he be required to construct in place of same box culvert of 3" plank the same to have an opening 12' x 36' x 16'

(No. 5 Continued) We find it wholly practical to follow the section line to the N.W. corner of sec. 12 thence east to the terminus of the road as petitioned for. We believe that it will only be a short time until this portion will be put on the section line <sup>if laid out as petitioned for now</sup>. We would therefore recommend that if the road can be established to follow the section line <sup>as above described</sup> under this petition that the same be so done.

The old road from the S.W. cor. of sec. 13 running north easterly to the terminus of the proposed road to be vacated & discontinued whenever the proposed road shall be established.

To the County of Gallatin, State of Montana:

I hereby agree, and consent to give 30 feet for a Right of Way, for a County Road, through or along the front side of Section 7 & 8, T. 1 S. R. 4 E., as viewed and surveyed by W.H. Davis & Jerome McLain on the 12th day of July, 1898. And hereby agree to place my fences on said lines without charge to the County.

Signed: [Signature] Dated at [Signature] this 12th day of July, 1898.

To the County of Gallatin, State of Montana:

I hereby agree, and consent to give 30 feet for a Right of Way, for a County Road, through or along the south side of Section 1, T. 1 S. R. 4 E., from the S.W. corner of said sec. Road to the N.P. R.R. right of way, as viewed and surveyed by W.H. Davis, Jerome McLain & C.M. Thorne on the 4th day of July, 1898. And hereby agree to place my fences on said lines without charge to the County.

Signed: The I. C. Power Co Dated at Biggs this 27th day of July, 1898.

To the County of Gallatin, State of Montana:

I hereby Agree, and consent to give 30 feet for a Right of Way, for a County

Road, through or along the East side of the E 1/4 Sec. 14, T. 15, R. 4, E. 1. Except along the line of barn, described as follows beginning 1035 ft. S. of the N.E. 1/4 of Sec. 14, T. 15, R. 4, E. 1. and extending south 370 ft. as viewed and surveyed by W.H. Davis, Jerome Waterman & C.M. Thorpe

on the 7th day of July, 1898. And hereby agree to place

my fences on said lines without charge to the County.

Signed: John J. Langer

Dated at Belgrade this 7th day of July 1898.

To the County of Gallatin, State of Montana:

I hereby Agree, and consent to give 30 feet for a Right of Way, for a County

Road, through or along the East side of Sec 12 & 13, same being S. R. land except west side of Sec 14 Sec 13, same being S. R. land from the S.E. cor. sec. 13 North to the right of way of the N.P. Ry Co. and 60 feet along the S.W. side of said right of way N.W. 1/4 to the E. 1/4, line of the Ferris add to Belgrade as viewed and surveyed by C.M. Thorpe, W.H. Davis & Jerome Waterman

on the 7th day of July, 1898. And hereby agree to place

my fences on said lines without charge to the County.

Signed: Ed Ferris  
apt for Job. Allison

Dated at this day of 189.

To the County of Gallatin, State of Montana:

I hereby Agree, and consent to give 30 <sup>1/2 of</sup> feet for a Right of Way, for a County Road, ~~through~~ along the West side of sec. 18 & Sec. 7, T. 15 R 5 E., South of the R.R. track as viewed and surveyed by C.M. Thorne, Jerome Wettsman & W.H. Davis on the 7<sup>th</sup> day of July, 1898. And hereby agree to place my fences on said lines without charge to the County.

Signed: Alvinschmidt & Co. Consul  
Care Alvinschmidt for Genl Mgr

Dated at Helena this 20<sup>th</sup> day of November 1898

I hereby agree and consent to give 30 feet for a  
right of way, for a County Road, along the West side  
of Sections 12 & 13 <sup>except west side S.W. 1/4 Sec 13 same as R. R. Road</sup> T. 1 S. R. 4 E. Except along the house  
and barn owned by J. J. Lanyon where I agree  
to give 60 feet for said road the center line of which  
is described as follows to wit: - Beginning at a point in the  
West line of said Sec 13 said point being 1435 feet south of  
the N.W. corner of said Section 13, thence East 60 feet.  
thence north parallel with the said section line 430 feet.  
thence West 60 feet to said section line.

Also 60 feet in width where the proposed road crosses  
the N.W. corner of Sec. 12 the center line of which is described as  
follows to wit: - Beginning at a point in the west line of Sec. 12  
said T. & R. said point being 1105 feet south of the N.W.  
corner of said Sec. 12 thence N.E. by along or near the road as  
traveled to the north line of said Sec. 12 at a point  
1153.6 feet East of said N.W. cor. of Sec. 12

I am also willing to give the 30 feet for the 1/2 width of the  
proposed road if it should be thought best to lay out the road  
along the west line of said Sec. 12 to the N.W. corner thereof  
thence East to the terminus of the road as pretensions for intention  
of crossing the N.W. cor. of said Section 12 as above described  
as revised by C.M. Thorpe, W.D. Deen, & James Waterman on the 7th day  
of July 1898 and further agree to place my fence on said lines without  
charge to the County

Ed. J. Smith  
att. for pretensions

# 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. 3, 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:

<sup>1st Change</sup> Beginning at the S.E. Corner of Sec. 13 T. 15. R. 4 E. <sup>along section line</sup> thence due north to a point in the East line of Sec. 12 said T. & R. said point being 30 ft. from the southerly side line of the right of way of the Northern Pacific Ry. Co. thence north westerly parallel with the said southerly side of said Right of way, and 30 feet therefrom to the Easterly side of Ferris Addition to Belgrade, the above described line to be the center line of the 60 foot right of way, and would further petition that if the above described road be established that the old road running northwesterly from the boundary line through the E 1/2 of sections 12 + 13 said T. & R. be discontinued + vacated.

<sup>2nd Change</sup> Beginning at the S.W. corner of section 13 T. 15. R. 4 E. thence north along the section lines between sections 13 + 14 and 11 + 12 said T. & R. to the intersection with the old road leading into Belgrade from the south west. thence northwesterly along said <sup>old</sup> road to the north line of said Sec. 12 to terminate in the center of the road leading into Belgrade from the above point as the center is now found. the above described line to be the center of a 60 foot right of way. The old road running from the S.W. cor. of Sec. 13 N.E. by through the W 1/2 of said sections 12 + 13 to be vacated + discontinued whenever the above described road shall be established.

(c) The owners of section <sup>12 + 13</sup> <sup>is</sup> <sup>an</sup> <sup>all</sup> <sup>ion</sup> who is represented by E.M. Ferris, who agrees to do all work + build all culverts required to make the proposed changes <sup>fully</sup> as good as the old roads.

The E 1/2 Sec. 14 is owned by John J. Sawyer and Sec 11 is owned by the N.P. Ry. Co.

The owners of abutting lands in Section 7 + 8 T. 15. R. 5 E. are

(d) all land owners so far as known consent.

(f) there will be no expense for either right of way or road building (g) the necessity for the proposed change is to put the roads on section lines and

starting from through the E 1/2 of sections 12+13  
said T+R to be discontinued + vacated.

2nd Change Beginning at the S.W. corner of section  
13 T.S. R. + E. + line north along the section  
line between sections 13+14 and 11+12 said  
T+R to the intersection with the old road leading  
into Belgrade from the south west. + line north east-  
only along said <sup>old</sup> road to the north line of said Sec. 12  
to terminate in the center of the road leading into  
Belgrade from the above point as the same is  
now found. The above described line to be the  
center of a 60 foot right of way. The old road  
running from the S.W. cor. of Sec. 13 N.E. by  
through the W 1/2 of said sections 12+13 to be  
vacated + discontinued whenever the above described  
road shall be established.

(c) The owners of section <sup>12+13</sup> ~~12+13~~ who is represented  
by E.M. Harris, who agrees to do all work + build  
all culverts required to make the proposed  
changes fully as good as the old roads.  
The E 1/2 of Sec. 14 is owned by John J. Sawyer  
and Sec 11 is owned by the N.P. Ry Co.

The owners of abutting lands in Section 7+18  
T.S. R. + E. are

(d) all land owners so far as known consent.

(f) there will be no expense for either right of  
way or road building (g) the necessity for the proposed  
change is to put the roads on section lines and  
avoid cutting up the land and an extra expense  
for fences. See map of same.

NAMES:

- 1 J. B. Christman
- 2 C. H. Sarason
- 3 A. E. Sull
- 4 W. A. Aust
- 5 W. R. Knight
- 6 J. H. Murphy

NAMES:

- 6 John J. Sawyer
- 7 The N.C. Power Co.
- 8 The Belgrade Co. Rd.
- 9 By E.M. Harris
- 10 Jerome Waterman



Bozeman, Montana, Sept. 7th. 1898.

To the Honorable Board of County Commissioners.

Gentlemen; -

I have the honor to submit herewith the following papers in the matter of the petition of J.B.Christman et al for changes in the Co.road in the east half of Sections 12&13 and the northwest corner of Sec. 12 T1S.R4E. as follows;

First; The petition.

Second; Notice to the Chairman of the Board to appoint viewers and the appointment of the same.

Third; Copy of warrants ~~sent~~ to viewers ~~sent~~ and registered letter receipts showing that the same had been duly received.

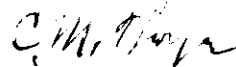
Fourth; Sworn proof of posting notices with copy attached.

Fifth; Report of road viewers and consent of land owners where given.

All matters pertaining to the above road will be found in the papers hereto attached.

I have no suggestions to make other than those embodied in my report of the viewers.

Yours Respectfully



Co. Surveyor.

Office of County Surveyor Gallatin  
County Montana

Bozeman June 2<sup>nd</sup> 1898

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

Dear Sir:-

You are hereby given notice, that a petition  
for a county road has been received  
at my office signed by J. B. Christman  
and 9 other residents of road Dist. No. 3.  
Through which district said road is to run,  
asking that the roads running through  
Sections 12 and 13 T. 1 S. R. 4 E. be changed  
to follow the section lines. You are  
hereby requested to appoint our views  
on the above proposed road.

Very Respectfully

C. M. Thorpe

Co. Surveyor.

In pursuance of the above notice I hereby  
appoint Mr. W. H. Davis to act on  
behalf of the Board of County Commissioners  
as a viewer on the above petitioned for  
road.

Dated at Bozeman Montana this 2  
day of June 1898

Chairman, Board of Com

J. L. Patterson

Chairman, Board of Commissioners  
Gallatin County Mont.

# Notice of Opening Public Road.

Notice is hereby given that after sixty days from the date of posting this notice, a public highway will be opened over the following route, to-wit: Commencing at the S.W. Corner of Sec. 13 T. 1 S. R. 4 E. thence north along the line between sections 13 & 14 to a point 1435 feet south of the N.W. Corner of said section 13, thence east 60 feet, thence north parallel with the west line of said sec. 13 430 feet, thence west 60 feet to said sec line, thence north along the line between sections 13 & 14 and 11 & 12 said T. & R. to the intersection with the old road leading into Belgrade from the south west, said point being 1105 feet south of the N.W. Corner of Sec. 12 said T. & R. thence north easterly along said old road to the north line of said Sec. 12 to terminate in the center of the road leading into Belgrade as the same is now found. said point being 1153.6 feet east of the N.W. corner of said Sec. 12 <sup>the above described line is the center of the 60 foot right of way</sup> & the portion of the old road from the beginning as described above to the terminus where it does not conform with the proposed road to be discontinued whenever the proposed road shall be made as good as the old road and accepted by the Co. surveyor

*(By order of the Board of County Commissioners of Gallatin County, Montana.)*

Dated Dec. 20 1898

J. P. McNaughton  
Clerk.

Date of Posting Jan 8<sup>th</sup> 1899

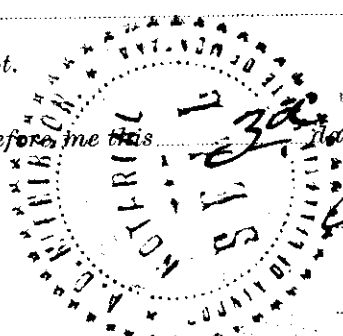
By \_\_\_\_\_ Deputy.

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

*P. S. Johnston* being first duly sworn deposes and says, that as the person appointed \_\_\_\_\_ he received from the County Clerk of said County, on the 1<sup>st</sup> day of January A. D., 1899, three copies of the annexed notice, and that on the 2<sup>d</sup> day of January 1899 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, one midway, and one at the terminus as above described.

and further deponeth sayeth not.

Subscribed and sworn to before me this 3<sup>rd</sup> day of January A. D., 1899



*P. S. Johnston*  
A. S. McPherson

NOTARY PUBLIC  
IN AND FOR GALLATIN COUNTY.

# Notice of Opening Public Road.

Notice is hereby given that after sixty days from the date of posting this notice, a public highway will be opened over the following route, to-wit: Commencing at the S.E. Corner of Sec. 13 T. 1 S. R. 4 E. north along the section line to a point in the east line of Sec. 12 said T. & R. 30 ft. south of from the southerly side line of the right of way of the N.P. Ry. Co. & thence N. westerly parallel with said right of way and subject therefrom to the easterly side line of Ferris Add. to Belgrade, the above described line to be the center line of the 60 foot right of way, the old road running from the above described starting point north westerly through the East half of said sections 12 & 13 to Belgrade to be discontinued, wherever the above described road shall be made as good as the old road and accepted by the Co. surveyor.

By order of the Board of County Commissioners of Gallatin County, Montana.

Dated Dec. 20 1898

H. P. McNaughton  
Clerk.

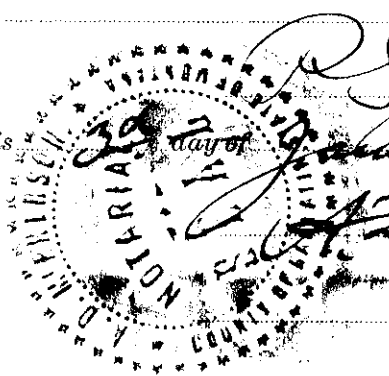
Date of Posting Jan 2<sup>nd</sup> 1899  
By \_\_\_\_\_ Deputy.

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

P. S. Johnston being first duly sworn deposes and says, that as the person appointed he received from the County Clerk of said County, on the 1<sup>st</sup> day of January A. D., 1899, three copies of the annexed notice, and that on the 2<sup>nd</sup> day of January 1899 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, one about midway, and one at the terminus as above described.

and further deponeth sayeth not.

Subscribed and sworn to before me this 30<sup>th</sup> day of January A. D., 1899



NOTARY PUBLIC  
IN AND FOR GALLATIN COUNTY.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.

Registered <sup>Letter</sup> Parcel } No. 768 Rec'd June 21 1898  
of W. S. Sur

addressed to W. H. Davis  
Belgrade Mont.

W. B. SURBITT. P. M.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.

Registered <sup>Letter</sup> Parcel } No. 769 Rec'd June 21 1898  
of W. S. Sur

addressed to J. S. Waterman  
Belgrade Mont.

W. B. SURBITT. P. M.

Form 1548.

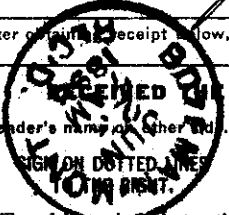
REGISTRY RETURN RECEIPT sent

*January*, 189*9*

Reg. No. *769* from Post Office at *Bozeman, Mont.*

\*Reg. Letter }  
Reg. Parcel } Addressed to *Joseph Waterman*  
*Belgrade, Mont.*

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



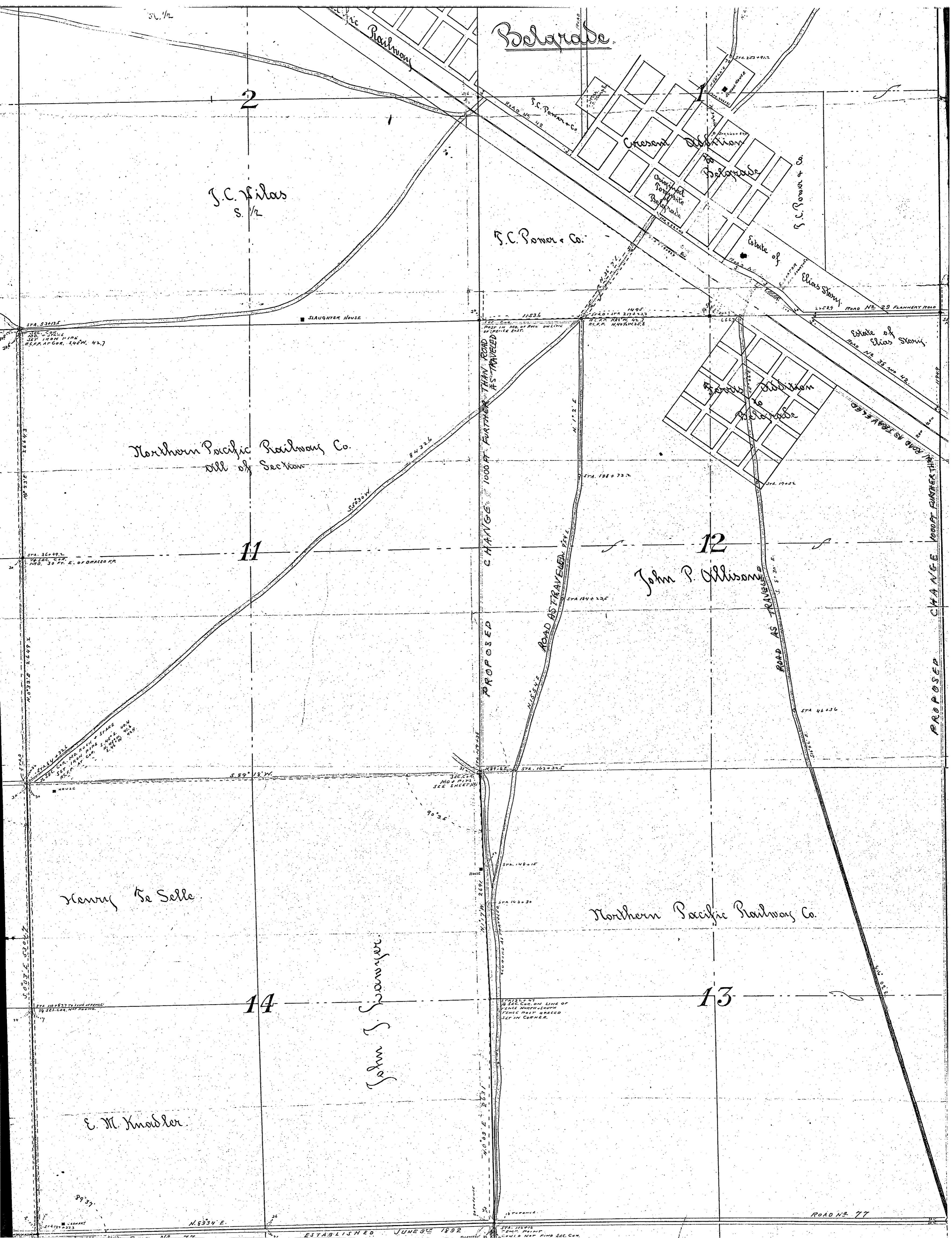
RECEIVED THE ABOVE DESCRIBED REGISTERED { \*LETTER. PARCEL.

(Sender's name on other side.)

*Joseph Waterman*  
*Belgrade*

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.



Bellevue

J.C. Silas  
S. 1/2

J.C. Power & Co.

Crescent Station  
Bellevue

Estate of  
Elias Storm

Northern Pacific Railway Co.  
All of Section

John P. Allison

Henry De Selle

Northern Pacific Railway Co.

John S. Swanson

E. M. Knoder

2

11

12

14

13