

Notice to just sent to H. B. May 17th
Notice at office - posted May 20th
Warrant to viewers - sent May 20th

Prod. to be viewed June 20th

No. of ~~Case~~ Road 164

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

Change of Road in
East Flathead

Petition of H. S. Korda et al.

Plaintiff

vs

FILE

DEC 6 1899

E. W. Blankenship
County Clerk Defendant

Action for Viewers Report accepted
change granted as suggested by Co
Sundergen Dec 20 - 1900
Board of Road
Mch 4 1901 J. W. Peterson
Chairman

Attorney for Plaintiff

Attorney for Defendant

Standard Publishing Co., Anaconda, Mont.

REVERSIBLE DOCUMENT ENVELOPE, No. 200,
Manufactured by Chidnall Paper Novelty Company,
106 Walnut Street, Cincinnati, O.
Patented April 1, 1893.
6533

15

14

13

COUNTY
COUNTY

22

23

24

N.P. RY. CO. ROAD
CHANGE

N.P. RY. CO. PROPOSED

JOHN
WOOSLEY

GALLATIN
PARISH

27

26

25

F.J. CLARK

H.S. HORD

OLD

34

35

36

Petition for change of County Road

We the undersigned residents of road district No 7 Gallatin County do hereby petition the Honorable Board of County Commissioners to grant a change of road as hereafter described

Beginning at a point where present road intersects the west line of Section 26, T3N, R. 7E, thence North on west line of said section to North West corner, thence east on the line of same section to present road

- | | |
|------------------|---------------------|
| John S. Woosley | G. H. Reichman |
| Herman G. Karde | L. C. Reichman |
| P. J. Clark | T. W. Pascoe |
| W. B. Thomson | E. M. Morrison |
| Lowell M. Jones | George W. Kellogg |
| H. J. W. Donnell | William S. Ferguson |
| J. W. Woosley | John Enck |
| James Woosley | J. J. Ferguson |
| T. J. Maddox | J. C. Maddox |
| Hiram B. Pope | Thomas Broadwell |
| Ira H. Morris | Samuel R. Maddox |
| | Charles J. Maddox |
| | R. A. Maddox |

I the under signed wish to have said road changed as it runs angling through my land and it will be more convenient to work and it will save me over one mile of extra fence I will put said road in good passable order if said change is granted Yours Resp

Herman G. Karde

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

Notice is hereby given that twenty four residents of road District No 7 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 a point where the present road intersects the West line of Section 26, T 3, N R, 7 E. thence North on West line of said Section to the Northwest corner, thence East on the line of same section to present Road.

Said 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 Monday the twenty fifth (25th) day of June, A. D. 1900. said viewing to commence at three (3) O'Clock P.M. of said day.

*I hereby certify that I have this day
forwarded a copy of this notice at the Rec
Office, July 28th 1900*

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

and further deponeth sayeth not.

Subscribed and sworn to before me this 6 day of Sept. A. D., 1900

E. M. Thayer
Co. Surveyor

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

Notice is hereby given that twenty four residents of road District No 7 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 a point where the present road intersects the West line of Section 26, T 3, N R, 7 E. thence North on West line of said Section to the Northwest corner, thence East on the line of same section to present Road.

Said 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 Monday the twenty fifth (25th) day of June, A. D. 1900, said viewing to commence at three (3) O'Clock P.M. of said day.

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

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

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

H. G. Korole

he received from

the County Clerk of said County, on the *17th* day of *May* A. D.,

~~1900~~, three copies of the annexed notice, and that on the *fift* day of *June* ~~189~~ ¹⁹⁰⁰ 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*

points

and further deponeth sayeth not.

Subscribed and sworn to before me this *9th* day of *June* A. D., *1900*

Herman Korole
E. V. Blankenship
County Clerk

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 *John G. Woolley, D. J. Clark et al*
of Road District No. *7*

The petition above referred to, petitions that a Road be established, commencing at a point where present Road intersects the west line of Section 26 T⁴N³R⁷E, thence North on Sec line thence East on Sec. line to present Road.

more particularly described in the petition.

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 *3rd* day of *May* 190*2*.

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:

J. G. Woolley
W. F. McDowell
C. M. Thorpe

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 *16* day of *May* 190*2*

Warrant for Road Viewers.

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

Messrs. J. Y. Woosley, W. F. McDonald & C. M. Thorpe

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 10th day of May A. D. 1900, to view and lay out a proposed road, as prayed for in the petition of J. Y. Woosley, H. G. Karde and others, described as follows, to-wit:

Beginning at a point where present road intersects the West line of Section 26, Tp. 5, N. R. 7E., thence North on West line of said Section to Northwest corner, thence East on the line of same Section to present Road.

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 25th day of June A. D. 1900, commencing at the place designated in said petition as the starting point of the road sought to be at 3 P. M. of said day, 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 28th day of May A. D. 1900

E. J. Blankenship
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.

C. M. Thorpe

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.

W. J. McDonald

Subscribed and sworn to before me this 25th day

of June 1900

C. M. Thorpe
Co. Surveyor.

This must be returned to the County Clerk after execution.

Sedan Mont

May 14-99

Mr Thorpe Sir You wrote
me in regard to petition
for changing road
through my land

1st I am willing to give
deed to said road as
soon as I prove on
the same

2 I am willing to
make said road so as
said road Manager will
resieve same

3 I will not fence
said Old road till
I have New road
completed and resieved
by said manager

Yours resp

Herman G. Kordes

Sedan Mont May 22-99

Mr E. M. Thorpe

Bozeman Mont

Dear Sir

as to the change of road
By Kordes there is no
objections to the change
that I know of and as
to the ground it is supposed
to run over, is not quite as
good as the old road

But will make a very good
road think change should
be granted as it runs
angling through his land
at present

Yours

J. Wossley

REPORT OF ROAD VIEWERS.

ROAD NO. 164

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

We, the undersigned Road Viewers, consisting of W. F. McDonald
and C. M. Thorpe, two of the viewers appointed
by J. L. Patterson chairman of the Board of
County Commissioners

appointed to view a proposed ^{change of} road running from a point on the west line of
Sec 26 T. 3 N. R. 7 E. where the same is crossed by a county
road as surveyed in 1891
to a point on the north line of said Sec. 26 where
the same is crossed by said road
as described in the annexed petition, say, That on the 25 day of June

A. D., 1920 we assembled at the place designated in the petition, as the starting point of such proposed
change of road and proceeded to view the same, and submit the following report:

1. The width of the proposed ^{change of} 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 60 feet.
The description of the center line of the proposed change
is as follows to wit:— Beginning at a point
on the west line of Section 26 T. 3 N. R. 7 E. where
the same is crossed by the county road as surveyed
in 1891, thence north along or near the west line
of said section to the N. W. corner of said Sec.
thence east along the north line of said Sec.
26, to where the same is crossed by said
road survey. The portion of the old road
running from the above described starting point
to the terminus of the proposed change to
be vacated and discontinued whenever
the proposed change shall be granted and
the same opened for travel.
The length of the proposed change is about 1 1/4 miles.
We were unable to mark out the line of the proposed
change without a survey as the U.S. Gov. corners
are lost and in dispute. The grades will not
exceed 8%. The character of the ground is
as good for road building, except the hills.

The description of the land and names of the
owners are as follows:

West 1/2 of Sec 26	T. 3 N. R. 7 E.	owned by H. S. Kordak.
SE 1/4 of Sec. 27	" " " " "	F. J. Clark
NE 1/4 " " "	" " " " "	N. P. Ry. Co.
Sec. 23	" " " " "	N. P. Ry. Co.
NE 1/4 " 26	" " " " "	John Hawshy.

OVER

there will be no. Expense to the County
for constructing the proposed change as
the parties to be benefited, have done
the necessary work required to open
the same for travel as near the section
line as they could determine without a survey,
and agree to do the necessary work when
the line is properly established.

The proposed change is now traveled and we
hear of no. objection.

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. G. Korde, F. J. Clark, John S. Woosley,

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

All land owners consent.

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:

No. damages allowed.

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

The object of the proposed change is to avoid cutting through land owned by H. G. Korde and John S. Woosley, and to put to road on section line.

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

Dated June 25th A. D., 1890.

W. T. McDonald,
C. M. Thorpe,

Road Viewers.

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 line of SE 1/4 of Sec. 27, T. 3 N., R. 7 E., as viewed and surveyed by W. F. McDonald, C. M. Thorpe on the 25th day of June, 1890. And hereby agree to place my fences on said lines without charge to the County.

Signed: J. J. Clark

Dated at this 25th day of June, 1890.

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give 30 or more if required feet for a Right of Way, for a County Road, through or along the north and west side of the NW 1/4 of Sec. 26, T. 3 N., R. 7 E., as viewed and surveyed by W. F. McDonald + C. M. Thorpe on the 25th day of June, 1890. And hereby agree to place my fences on said lines without charge to the County. and also agree to pay the proposed change in as good compensation as the old road for land when said lines are established.

Signed: Hermann C. K. K. K.

Dated at this 25th day of June, 1890.

John W. Massey

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 north line of the NE 1/4 Sec. 26, T. 3 N., R. 7 E., as viewed and surveyed by W. F. McDonald + C. M. Thorpe from NW. corner of east. to old road, on the 25th day of June, 1890. And hereby agree to place my fences on said lines without charge to the County. and also agree to pay the proposed change in as good compensation as the old road for land when the section line is established.

Signed: John W. Massey

Dated at this day of 1890.

C. M. Thorpe Bogeman.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.
Registered Letter { No. 225 Rec'd. May 25 1910
Parcel {
of County Clerk
Bozeman, Mont.
addressed to C. M. Sharpe, Esq.
Bozeman, Mont.
W. B. Burkitt P. M.

Form 1548.
REGISTRY RETURN RECEIPT sent May 25, 1910
Reg. No. 226 from Post Office at Bozeman, Mont.
*Reg. Letter { Addressed to J. H. Woosley, Esq.
Reg. Parcel { J. Sedore, 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.
Signer's name (on other side.)
SIGN ON DOTTED LINES TO THE RIGHT.
When delivery is made to other than address, the name of both addresser and recipient must appear.
J. H. Woosley
* Erase letter or parcel according to which is sent.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.
Registered Letter { No. 226 Rec'd. May 25 1910
Parcel {
of Co. Clerk
Bozeman, Mont.
addressed to J. H. Woosley, Esq.
J. Sedore, Mont.
W. B. Burkitt P. M.

REGISTRY RECEIPT.

Bozeman, Mont.

Post Office at

Registered Letter Parcel

No.

227

Rec'd

May 25 1900

of

County Clerk

Bozeman, Mont.

addressed to

W. F. McDonald Esq.
Cedar, Mont.

W. B. Burkitt

P. M.

Form 1548.

REGISTRY RETURN RECEIPT sent

May 26 1890

Reg. No.

227

from Post Office at

Bozeman, Mont.

*Reg. Letter

*Reg. Parcel

Addressed to

W. F. McDonald Esq.
Cedar, 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

When delivery is made to other than address, the name of both addressee and recipient must appear.

W F McDonald

Verner McDonald

* Erase letter or parcel according to which is sent.

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 a point on the West line of Section 26 Tp., 3, N R., 7 E, where the same is crossed by the County Road # surveyed in 1891, thence North along or near the West line of said Section to the N. E. corner thereof, thence East along the North line of said Sec. 26 to where the same is crossed by said road surveyed.

The old road being ordered vacated. The width of the new road to be 60 feet.

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

Dated March 4th 1901, 189

S. Blankenship
Clerk.

By _____ Deputy.

Date of Posting _____ 189

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

_____ being first duly sworn deposes and says, that as the
_____ he received from
the County Clerk of said County, on the _____ day of _____ A. D.,

1901, three copies of the annexed notice, and that on the 1 day of May 1901 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 at or near the center of the route and one at the point of termination

and further deponeth sayeth not.

John L. Gentry

Subscribed and sworn to before me this _____ day of _____ A. D., 189