

Notices to post, sent by mail
notice posted at office on May 1st
to be sent to review on May 15th

Reviewed June 12th the
final notices of opening
sent to Frank Perkins to
be posted, 4-16-1901.

Road No. 169

No. of Case

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

Lowell Road, in
Sec 32 T8N 95E 8 west, into
P. 48. Filed April 5th 1900

Plaintiff

vs.

Viewers Report accepted
and Road ordered opened
Beyond the Road
Oct 10-1900
J. H. Patterson
Chairman
Defendant

Action for

Sum of \$ 700.00

Attorney for Plaintiff

Attorney for Defendant

Standard Publishing Co., Anaconda, Mont.

REVERSIBLE DOCUMENT ENVELOPE, No. 500,
Manufactured by Chidonald Paper Novelty Company,
105 Walnut Street, Cincinnati, O.
Patented August 1, 1893.
1529

PETITION FOR ROAD.

Honorable Board of County Commissioners,
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. 6, 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 if such consent is not had; (g) the necessity for and the advantages of the proposed road as follows, to-wit:

"a" Beginning at N.E. corner of the N.W. 1/4 of section 32. T. 3. N. R. 5. E. then west along or near sec. line between sec. 29 + 32 + 30 + 31. said Township and range and between sec. 25 + 36. T. 3. N. R. 4. E. to the dry creek road a distance of about 2 miles.

"c" The owners of the land along the proposed road are as follows. Lewis Accola. August Accola. George Stang. F. N. Hutchinson. J. W. Gallop. J. S. Lewellen. Perry Elliot.

"d" Lewis Accola. August Accola. George Stang. F. N. Hutchinson. J. W. Gallop. J. S. Lewellen.

"e" Perry Elliot.

"f" Twenty five dollars.

"g" To haul grain and timber, and for hauling of all kinds to keep from going through the farms, and for driving stock from one range to the other.

- NAMES:
1. Lewis Accola
 2. August Accola
 3. G. D. Morgan
 4. Peter Kempfeldt
 5. ~~W. Hutchinson~~

- NAMES:
6. J. S. Lewellen
 7. W. H. Collins
 8. George Stang
 9. J. W. Gallop
 10. F. N. Hutchinson

74 Biggs

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 Louis Accolla, J. S. Jewell et al
of Road District No. 6

The petition above referred to, petitions that a Road be established, commencing at the
N.E. corner of the N.W. 1/4 of Section 32,
T. 3. N. R. 5. E. 1 thence west along or near the
Sec line.

More particularly described in the petition

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

Yours, Very Respectfully,

J. S. Blankenship
County Clerk and Recorder.

Dated at, Bozeman, Montana, this 3rd day of May 1900.

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. S. Jewell
W. P. Knowlton
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 1900.

Warrant for Road Viewers.

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

Messrs J. S. Jewell, W. Knowlton & C. M. Thorpe

You are hereby notified that you were duly appointed Road Viewer by Mr. J. G. Patterson
Chairman of the Board of County Commissioners of Gallatin County, Montana, on the 16th
day of May 1900, to view and lay out a proposed road, as prayed for in the
petition of J. S. Jewell and others, described as follows, to wit:

copy

Beginning at the N.E. corner of the
N.W. 1/4 of Section 32 T. 3, N. R. 5, E. the line
West along or near Sec line between
Sec 29 & 32 of 30 & 31 said Township and
Range and between Sec 25 & 36, T. 3, N. R. 5, E.
to the Dry Creek 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 18th
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 10-o'clock A.M. 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 18th
day of May 1900

E. D. 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.

W.P. Knowlton

Subscribed and sworn to before me this 18th day
of June 1900

C.M. Hooper
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.

C.M. Hooper

Subscribed and sworn to before me this 14th day
of June 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.

J. S. Lewellen

Subscribed and sworn to before me this 18th day

of June 1900

C. M. Thorpe

Co. Surveyor

This must be returned to the County Clerk after execution.

Bozeman, Mont., Dec. 4th, 1900.

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

AS ordered I have surveyed the Lewellen Road No. 109 and have set iron pipe monuments at all angle points. The land owners who should be notified to remove fences are J. S. Lewellen, Frank Hutchinson, Perry Elloit, and W. F. Jasper.

Respectfully,

C. M. Thorpe

CO. Surveyor.

REPORT OF ROAD VIEWERS.

ROAD NO. 169

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

We, the undersigned Road Viewers, consisting of J. S. Lowellen, W. B. Knowlton
and G. M. Thorpe, who were appointed by J. B. Patterson
 Chairman of the Board of County Commissioners

appointed to view a proposed road running from the N.E. Corner of the
N.W. 1/4 of Section 32 T. 3 N. R. 5 E

to a point on Sec. Line between Sections 25 + 36 T. 3 N. R. 4 E.
where the same is crossed by the Dry Creek Road,
 as described in the annexed petition, say, That on the 18th day of June

A. D., 1900 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 60 feet.
The description of the center line of said road is as follows to wit: Beginning at the N.E. Corner of the N.W. 1/4 of Section 32 T. 3 N. R. 5 E, thence west along the section line between Section 32 and 29, said T & R and between Section 30 + 31 to the gulch where we leave said section line running southerly for a short distance in N.E. 1/4 of Sec. 31 around point of bluff, thence north westerly crossing said section line and running along foot of bluff near J. S. Lowellen's house, and south westerly to section line, thence west and north westerly along side of bluff when necessary to run to obtain a grade of 9% and south westerly to section between said Sections 30 + 31 intersecting the same a short distance west of 1/4 sec. cor. thence west along said line and along the line between Sections 25 + 36 T. 3 N. R. 4 E. to the bluff East of the Dry Creek Road where we leave said line running westerly into the S.E. 1/4 of said Sec. 25 thence S. westerly intersecting the Dry Creek Road a short distance south of said section line. The object of leaving said line is to obtain a grade not exceeding 9%.
We defined the line of the proposed road where that same does not follow the section line by blazing fence posts and setting stakes. A survey will be necessary to properly establish the line of the road.
When the road is properly constructed the grades will not exceed 9%. The ground is hard & dry and suitable for road building.
over

The description of the land and names of the owners over which the proposed road passes is as follows.

SW. 1/4 Sec 29	T3N. R. 5E.	owned by L. & A. Cecola.
N.W. 1/4 of Sec 32 & N.E. 1/4 of Sec 31	T3N. R. 5E.	owned by Frank Hutchinson
SE. 1/4 of Sec. 30	" " " "	" J. S. Swellen.
S.W. 1/4 " "	" " " "	" Mrs. Stang.
N.W. 1/4 " 31	" " " "	" J. H. Gallop.
S.E. 1/4 " 25	T3N. R. 4E.	" Perry Elliot.
N.E. 1/4 " 36	" " " "	" State land by Wm. F. Jasper.

The road is opened & travelled excepting the west 1/2 mile along or near the proposed line.

An estimate of opening and constructing the proposed road on the above described line is \$130.00 which is all for grading as no bridges or culverts are required.

REPORT OF BOARD MEMBERS

The description of the land and names of the owners
over which the proposed road passes is as follows.

S.W. 1/4 Sec 29	T3N, R5E.	owned by L. & A. Beola.
N.W. 1/4 of Sec 32 + N.E. 1/4 of Sec 31	T3N, R5E	owned by Frank Hutchinson.
S.E. 1/4 of Sec. 30	" " " "	J.S. Swellen.
S.W. 1/4 " "	" " " "	Geo. Stang.
N.W. 1/4 " 31	" " " "	J.H. Gallop.
S.E. 1/4 " 25	T3N, R. 4E.	Perry Elliott.
N.E. 1/4 " 36	" " " "	State land by Wm. P. Jasper.

The road is opened & traveled excepting the west
1/2 mile along or near the proposed line.

An estimate of opening and constructing the proposed
road on the above described line is \$130.00
which is all for grading as no bridges or culverts are
required.

BEFORE OF BOARD MEMBERS

J. S. Lovell

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 the S.E. 1/4 of Sec. 30 T. 37. R. 5 E.
also extra right of way when required to secure a suitable grade at SW corner and
near my fence
as viewed and surveyed by W.P. Knowlton J.S. Lovell + C.M. Thorpe

on the 18th day of June, 1890 And hereby agree to place
my fences on said lines without charge to the County.

Signed: J.S. Lovell

Dated at _____ this 18 day of June 1890.

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 S.E. 1/4 of Sec. 25 T. 37. R. 4 E.
also extra right of way from dry creek road. Each sufficient to oblige me to place
a suitable grade
as viewed and surveyed by J.S. Lovell W.P. Knowlton + C.M. Thorpe

on the 18th day of June, 1890. And hereby agree to place
the County to furnish 3 masts for 1/4 mile of fence
my fences on said lines without charge to the County.

Signed: D. C. Elliot

Dated at _____ this 18th day of June 1890

Jasper

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
so far as I am interested

Road, through or along the North line of the N.E. 1/4 of Sec. 26 T. 34. R. 4 E.
also a small amount of extra right of way from that dry creek road E. sufficient to obtain
a suitable grade
as viewed and surveyed by J.S. Lovell W.P. Knowlton + C.M. Thorpe

on the 18th day of June, 1890 And hereby agree to place
my fences on said lines without charge to the County.

Signed: W. F. Jasper

Dated at _____ this 18 day of June 1890

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

Notice is hereby given that ten residents of Road District No. 6 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 the N.E. Corner of the N.W. 1/4 of Section 32, T³ S, R. 5 E, thence West along or near Sec. line between Sec. 29 & 32 & 30 & 31 said Township and Range and between Sec. 25 & 36 T³ S, R. 4 E, to the Dry Creek Road, a distance of about 2 miles.

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 Eighteenth day of June, A. D. 1900

Said viewing to commence at ten (10) O'Clock A.M. of said day.

E. J. Blauenship

County Clerk and Recorder in and for
Gallatin County, State of Montana.

STATE OF MONTANA, }
County of Gallatin } ss.

J. S. Jewell

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

he received from

the County Clerk of said County, on the 19th day of May A. D.,

~~1900~~ three copies of the annexed notice, and that on the 19th day of May ~~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 point

and further deponeth sayeth not.

J. S. Jewell

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

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

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

E. V. Blankenship being first duly sworn deposes and says, that ~~as the~~
on the 19th day of May 1900 he received from
the County Clerk of said County, on the _____ day of _____ A. D.,

~~189~~ three copies of the annexed notice, and that on the _____ day of _____ 189 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 office of County Clerk and Recorder

and further deponeeth sayeth not.

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

E. V. Blankenship
C. M. Justice
Co. Surveyor

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 N.E. corner of the N.W. 1/4 of Sec. 28 T. 5, N. 4, S. E. thence west along the Sec. line between Sects 28 and 29, said T. & Range, and between Sect's 30 & 31 to the Gulch thence leaving said Sec. line and run Southerly for a short distance in N.E. 1/4 of Sec. 31 around point of bluff, thence North-westerly crossing said Sec. line and running along foot of bluff near J. S. Lewellen's house and South-westerly ~~side~~ to Sec. line, thence West and North-westerly along side of bluff where necessary to run to obtain a grade of 6%, and South-westerly to Sec. between said Sections 30 & 31, intersecting the same a short distance west of 1/4 Sec. cor. thence West along said 1/4 line and along the line between Sect's 25 & 36 T. 5, N. 4 E, to the bluff East of the Dry Creek Road where said line runs ~~westwardly~~ northwardly into the S.E. 1/4 of said Sec. 25 thence S-westerly intersecting the Dry-creek Road a short distance South of said Sec. line.

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

Dated Oct. 10th 1900. 189.

E. I. Blankenship
Clerk,

By _____ Deputy.

Date of Posting *22nd day of April 1901* 189

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

Frank Perkins (Sup. of ^{Dist No. 6}) being first duly sworn deposes and says, that ~~with~~

he received from the County Clerk of said County, on the *20th* day of *April* A. D.,

1901, three copies of the annexed notice, and that on the *22nd* day of *April 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.

Subscribed and sworn to before me this *20th* day of *April* A. D., *1901*

Frank Perkins
E. I. Blankenship
County Clerk & Recorder
Gallatin Co. Mont.

J. H. Gallup
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~~ along the north side of NW 1/4 of Sec. 31, T. 3 N. R. 5 E., as viewed and surveyed by J. S. Lawler, W. B. Knowlton, & C. M. Hope on the 18th day of June, 1890. And hereby agree to place my fences on said lines without charge to the County.

Signed: J. H. Gallup.

Dated at _____ this 21st day of June, 1890.

Geo. Ottang
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~~ along the South side of SW 1/4 of Sec. 31, T. 3 N. R. 5 E., as viewed and surveyed by J. S. Lawler, W. B. Knowlton, and C. M. Hope also what exchange of way may be needed at S.E. cor to obtain a small grade on the 18th day of June, 1890. And hereby agree to place my fences on said lines without charge to the County.

Signed: George Ottang

Dated at _____ this 19th day of June, 1890.

Hutchinson
Logan

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 NW 1/4 Sec. 32, T. 3 N., R. 5 E.,
and along the North line of the NE 1/4 of Sec. 31 containing T. & R. also extra
rights of way on Sec. 31 within required to obtain a suitable grade at the gulch
as viewed and surveyed by J. S. Swellum, W. P. Knowlton and C. M. North

on the 18th day of June, 1890. And hereby agree to place
my fences on said lines without charge to the County.

Signed: F. H. Hutchinson

Dated at _____ this _____ day of _____ 1890.

Lewellen Road.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont
Registered Letter { No. 188 Rec'd May 21 1900
Parcel }
of Co. Clerk
Bozeman, Mont
addressed to W. P. Knowlton Esq.
Gallops, Mont.
W. B. Burkett P. M.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont
Registered Letter { No. 189 Rec'd May 21 1900
Parcel }
of Co. Clerk
Bozeman, Mont
addressed to J. S. Swellum Esq.
Gallops, Mont.
W. B. Burkett P. M.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.

Registered ^{Letter} _{Parcel} } No. 183 Rec'd May 21 1900

of Es. Clark
Bozeman, Mont.

addressed to E. W. Sharpe, Esq.
Bozeman
W. B. Burket P. M.

Form 1548. REGISTRY RETURN RECEIPT sent May 21, 1890

Reg. No. 183 from Post Office at Bozeman, Mont.

*Reg. Letter / ~~Parcel~~ Addressed to G. S. Luellen Esq.
Sallop, W.

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.

G. S. Luellen

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

* Erase letter or parcel according to which is sent.

Form 1548. REGISTRY RETURN RECEIPT sent May 21, 1890

Reg. No. 788 from Post Office at Bozeman, Mont.

*Reg. Letter / ~~Parcel~~ Addressed to W. P. Knowlton Esq.
Sallop, Mont.

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

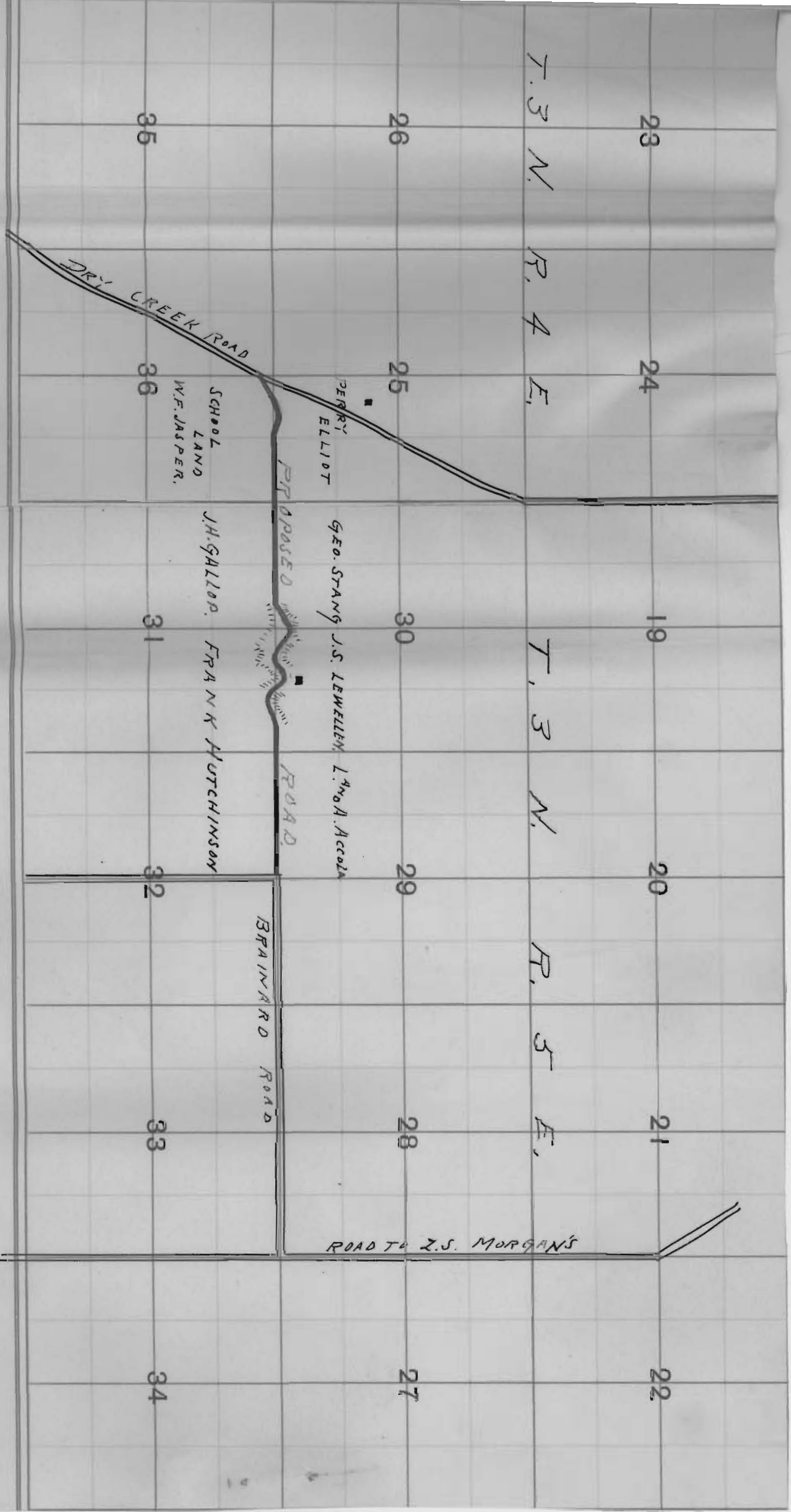
RECEIVED THE ABOVE DESCRIBED REGISTERED ^{LETTER.} _{PARCEL.}

(Sender's name on other side.)
SIGN ON DOTTED LINES TO THE RIGHT.

W. P. Knowlton

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

* Erase letter or parcel according to which is sent.



Scale: 40 Chains to 1 Inch.

SKETCH OF

PROPOSED.

LEWELLEN ROAD.

No. 169.