

No. of ^{ROAD} Case 189.

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

Petition for a Road by
Amos Walrath et al
vs
Con. Sec. 14 T. 1. S. R. 3 E

FILED us Plaintiff

March 5, 1901
E. T. Blaustein
County Clerk.
O. P. Morgan
Defendant

Action for June 4th - 10 O'clock P.M.
filed for hearing Mr. E. Patten to be
notified to appear by registered letter
March 21st - 1901 J. S. Patten
Chairman

viewers report accepted, Road ordered
surveyed by order of the board
Dec. 7, 1901.
Geo. E. Davis, Chairman

⊙ Road ordered opened and
Established by order of
Attorney for Plaintiff
Road. Geo. E. Davis, Chairman

March 5, 1902
Attorney for Defendant

PETITION FOR ROAD

TO THE HON. BOARD OF COUNTY COMMISSIONERS, 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. 2, 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 is 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, to 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:

Beginning at the North-West Corner of Section Fourteen (14) in Township One (1) South of Range Three East and running due west four miles on section lines to the west line of said Township, the same being also the west line of said road district.

NAMES:

1. Amos Walrath
2. John Vennolt
3. Tidell
4. G. Smith
5. J. Freeland

NAMES:

6. H. ...
7. E. E. P. ...
8. George H. Leach
9. Robert Leach
10. William B. Leach

Boreman Mont Mar 4 1901

to the Commissioners of Gallatin County
The West Gallatin Irrigation Company are willing
to grant for road purposes, a strip of land
thirty feet wide along their lands along the north
side of Sections 15 and 17, and along the south
sides of Sections 7 and 4, all in T. 1. S. R. 3 East
West Gallatin Irrigation Co.
By E. Kinnear, Genl. Manager.

F I L E D

March 5 1901

~~E. L. Stewart~~
County Clerk

O. J. Kinnear
Genl. Manager

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 *Amos Walrath et al*

of Road District No *2*

The petition above referred to, petitions that a Road be established, commencing
~~at~~ at the North-west corner of Section Fourteen (14) in Township
One (1) South of Range Three (3) East and running due West four miles
on section lines to the west line of said Township, the same being also
the west line of said Road Dist., No. 2.

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 *9th* day of *March* 190*1*.

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:

C. M. Hoopes
Robt. Leach
G. F. Jansen

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 *11th* day of *March* 190*1*.

NOTICE OF PETITION FOR OPENING PUBLIC ROAD.

Notice is hereby given that ten resident tax payers of Road Dist., No. 2 of Gallatin County State of Montana, have filed a petition in writing with the Clerk of the Board of 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 North West corner of Section Fourteen (14) in Township One (1) South of Range Three (3) East and running due West four miles on section lines to the West line of said Township, the same being the West line of said road district.

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 Wednesday the Twentieth (20th) day of March A. D. 1901, said viewing to commence at ten (10) O'Clock A. M. of said day.

Very Respectfully

E. V. Blankenship
County Clerk, Gallatin County, Mont.,

STATE OF MONTANA,

Co State of Montana,)
:SS

County of Gallatin) I, E. V. Blankenship, Clerk and Recorder in

and for the County and State aforesaid, hereby certify that I posted a copy of the annexed notice on the front door of the Office of the Clerk and Recorder of Gallatin County on Monday the 11th day of March A. D. 1901. Witness my hand this 22nd day of March A. D. 1901.

E. V. Blankenship
County Clerk.

Subscribed and sworn to before me this 22nd day of March A. D. 1901.

C. M. Thorpe
County Surveyor, Gallatin County, Mont

NOTICE OF PETITION FOR OPENING PUBLIC ROAD.

Notice is hereby given that ten resident tax payers of Road Dist., No. 2 of Gallatin County State of Montana, have filed a petition in writing with the Clerk of the Board of 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:-

COUNTY CLERK

Subscribed and sworn to before me this 14th day of March A. D. 1901.

COUNTY CLERK

Witness my hand this 14th day of March A. D. 1901.

and Recorder of Gallatin County on Monday the 14th day of March A. D. 1901. A copy of the annexed notice on the front door of the office of the Clerk and for the County and sent to the following places, to-wit: that I posted a

County of Gallatin) I, E. A. Blankenship, Clerk and Recorder in
:22
State of Montana.)

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

A. J. Walrath

being first duly sworn deposes and says, that as the

he received from

the County Clerk of said County, on the 14th day of March A. D.,

1901, three copies of the annexed notice, and that on the 11th day of March ¹⁹⁰¹~~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 and one at the terminating points

and further deponeth sayeth not.

Subscribed and sworn to before me this 14th day of March ¹⁹⁰¹~~1899~~ A. D.

A. J. Walrath
E. A. Blankenship
County Clerk

NOTICE OF PETITION FOR OPENING PUBLIC ROAD.

Notice is hereby given that ten resident tax payers of Road Dist., No. 3 of Gallatin County State of Montana, have filed a petition in writing with the Clerk of the Board of 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 North-West corner of Section Fourteen (14) in Township One (1) South of Range Three (3) East and running due West four miles on section lines to the West line of said Township, the same being the West line of said road district.

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 Wednesday the Twentieth (20th) day of March A.D. 1901, said viewing to commence at ten (10) O'Clock A.M. of said day.

Very Respectfully

E. V. Blankenship
County Clerk, Gallatin County, Mont.,

State of Montana)

:--SS

County of Gallatin,) I, E. V. Blankenship, Clerk and Recorder in and for the County and State aforesaid, hereby certify that I posted a copy of the above notice at the front door of the Clerk and Recorder's office on Monday the Eleventh (11th) day of March A.D. 1901.

In Witness Whereof, I hereunto set my hand and official seal this the 14th day of March A.D. 1901

Subscribed and sworn to before me this 14 day of March 1901.

E. V. Blankenship
A. J. Walrath



Warrant for Road Viewers.

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

M. L. Phelps Robt Leach G. Jensen

You are hereby notified that you were duly appointed Road Viewer by *J. L. Patterson* Chairman of the Board of County Commissioners of Gallatin County, Montana, on the *11th* day of *March* 190*1*, to view and lay out a proposed road, as prayed for in the petition of *Amos Walrath* and others, described as follows, to-wit:
Residues at the North-east corner of Section Fourteen (14) in Township One (1) South of Range Three (3) East and running due West four miles on section lines to the West line of said Township, the same being also the West line of said Road Dist., No. 2.

copy

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in company with *Each other*, who were duly appointed as Viewers on said road by the Chairman of the Board of County Commissioners on the *20th* day of *March* A. D. 190*1*, commencing at the place designated in said petition as the starting point of the road sought to be *at ten (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 *9th* day of *March* A. D. 190*1*

E. L. 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.

G. J. Jansen

Subscribed and sworn to before me this 20th day
of March 1901.

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.

C. M. Thorpe

Subscribed and sworn to before me this thirtieth day
of March 1901.

H. J. Smith

Notary Public

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.

Robert Leach

Subscribed and sworn to before me this 20th day
of March 1901

E. M. Harper

Co. Surveyor

This must be returned to the County Clerk after execution.

REPORT OF ROAD VIEWERS.

ROAD NO. 189

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

We, the undersigned Road Viewers, consisting of Robt. Leach, G. J. Jansen,
 + C. M. Thorpe, who were appointed by J. S. Patterson
 Chairman of the Board of County Commissioners.

~~appointed~~ to view a proposed road running from the N.W. Cor. of Sec. 14 T. 1 S. R. 3 E.
 to the N.W. Cor. Sec. 18 said T & R.

as described in the annexed petition, say, That on the 20th day of March
 A. D., 1907 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 is as follows
to wit: Beginning at the N.W. Cor. of Sec. 14
T. 1 S. R. 3 E. and running west 4 miles
along the section line except at the bend in the N.W. S. S. Co.
land on the line between sections 10 & 15 where we
turned said road to run to our south around said
land and back on the line between sections 9 & 16
at the gulch near the 14 Sec. Cor. between said sections
where we turned said road to cross the section
line and run to the south crossing said gulch
on a grade not exceeding 8%
to the N.W. Corner of Sec. 18. T. 1 S. R. 3 E.
The section line is marked by the N. S. S. Co. and
the grades will not exceed 8%.

The ground over which the proposed road passes
is not fit for road building.

The lands over which the proposed road passes,
and the names thereof are as shown on
the accompanying sketch.

The probable cost of constructing the proposed
road is for grading. \$125.00

For Culverts 90.00

Total Cost. \$215.00

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

The West Gallatin Irrigation Co, in back of petition,
Tws, Tredwell.

H. G. Barr, said did not ^{think} his wife says he consent,

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

E. E. Patten claims \$20.00 per acre for moving $\frac{3}{4}$ mile of fence

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:

We believe the benefits will fully equal the damages in all cases.

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

We believe the road should be established before any more of the land is taken up & fenced.

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

Dated March 20, A. D., 1890/

Robert Leach
G. J. Jansen.
C. M. T. [unclear]

Road Viewers.

Apr 1-1892
Ed. Blankenship
L. P. Bayard, Jr.

BOZEMAN, MONTANA, Apr. 1 1906

To the Honorable Board of County Commissioners
of Gallatin Co. Montana,
Gentlemen:

As ordered I have surveyed
the Walcott Road No. 10, all angle points
and U.S. Inv. corners are marked with
iron monuments. Four stakes have also been
set.

The land owners who shall see fence as
follows

- Mr. E. E. Patton,
 - A. J. Walcott,
 - Mr. Barknut.
- I will file a map later.

Respectfully,
C. M. Thorpe,
County Surveyor.

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 side of Sec 16 T 1 R 3 E
Sec. _____, T. _____, R. _____

as viewed ~~and surveyed~~ by Robt Leach, G. J. Conner & E. M. G. [unclear]
on the 20th day of March 1901. And hereby agree to place
my fences on said lines without charge to the County. *As far as interested.*

Signed J. P. [unclear]

Dated at _____ this 20th day of March 1901

Notice of Opening Public Road.

Notice is hereby given that after sixty days from the date of posting this notice, a public highway a 60 ft. right of way will be opened over the following route, to-wit: Commencing at the N.W. cor. of Sec. 14, T1, S. R. 3 E, and running West 4 miles along the Sec. line except at the bend in the W.G.I. Co., s' Canal on the line between Sections 10 & 15, where viewed, to leave the Sec. line and run to the South crossing said gulch on a grade not exceeding 8 % to N.W. corner of Sec. 18 T 1, S R, 3 E.

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

Dated **March 5th A.D. 1902.** ~~7th~~

E. J. Blankenship
Clerk,

By _____ Deputy.

Date of Posting Mar 27 1902

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

C. M. Hooper being first duly sworn deposes and says, that as the County Surveyor he received from the County Clerk of said County, on the 30th day of March, A. D., 1892, three copies of the annexed notice, and that on the 27 day of March, 1892 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 Starting point of the proposed road, one about midway on said road. and one at the terminus.

and further deponeth sayeth not.

Subscribed and sworn to before me this 31st day of March, A. D., 1902

C. M. Hooper
E. J. Blankenship
County Clerk

REGISTRY RECEIPT.

Post Office at _____
Registered Letter Parcel No. *268* Rec'd _____, 190
of *Co. Clerk*
addressed to *C. M. Thorpe*

_____, P. M.

REGISTRY RECEIPT.

Post Office at *Bozeman, Mont*
Registered Letter Parcel No. *269* Rec'd *Mar 12*, 1901
of *Co Clerk Gallatin Co*
addressed to *Robt Leach*
Manhattan Mont
W. S. Burkitt, P. M.

REGISTRY RECEIPT.

Post Office at *Bozeman, Mont.*
Registered Letter Parcel No. *270* Rec'd *Mar 12*, 1901
of *Co Clerk Gallatin Co*
addressed to *G. J. Jansen*
Manhattan Mont
W. S. Burkitt, P. M.

Form 1548.

REGISTRY RETURN RECEIPT sent _____, 190

Reg. No. 268 from Post Office at Bozeman, Mont.

*Reg. Letter { Addressed to C. M. Thorpe
Reg. Parcel {

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 addressee, the name of both address and recipient must appear.

* Erase letter or parcel according to which is sent.

C. M. Thorpe

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:

Name of Sender, _____

Street and Number, }
or Post Office Box. }

Post Office at _____

County of _____

and date of delivery.

Bozeman, Mont.

State of _____



Township No. 1 S. Range No. 3 E. Mer. #

MANHATTAN

BASE LINE ROAD

CAMP CREEK ROAD

