

No. 197

PETITIONER,

Gas. N. Moore et al.

Petition filed Sept 3<sup>d</sup> 1901.

Viewers appointed Dec. 6<sup>th</sup> 1901.

Report filed Feb. 27<sup>th</sup> 1902

Date of hearing April 1<sup>st</sup> 1902

Report approved April 1<sup>st</sup> 1902

Order of survey April 1<sup>st</sup> 1902

Surveyor's Report filed July 2<sup>d</sup> 1902

Declared County Road July 19<sup>th</sup> 1902

By Order of Board  
Geo. E. Davis  
Chairman,

See Book 10 Commissioners' Proceedings,

pages 62

Recorded, Road Book, pages

County Clerk

F I L E D

Sept 3rd 1901  
E. W. Lamson  
County Clerk  
By H. W. Morgan

# 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 \_\_\_\_\_, 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, <sup>60</sup>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:

Running East one half mile and south one half mile from the S. E. corner of Sec. 13 T. 1 N. R. 4 E. at a point on the Belgrade and Pass Creek, or Compromise Road to the Belgrade and Spring Hill Road, which crossed the East Gallatin at James Moore's Rancho.

Said road to run east as above 1/2 mile between N. W. 1/4 sec 19 the property of Frank Miller and Lot 1 Sec. 18 property of Accola Bros &

property of E. E. Slaughter thence south 1/2 mile between N. W. 1/4 sec. 19 property of Frank Miller & N. E. 1/4 sec. 19 T. 1 R. 5 E. property of Harriet Milton to connect with county road.

We would respectfully represent that the proposed road is now & has been an open & much traveled road for many years by the general public. That it connects two important & much traveled highways. That it needs very little work to put it in excellent condition.

NAMES:

- 1 Jas. M. Moore
- 2 Jerome Waterman
- 3 The Belgrade Co. Ltd.
- 4 C. E. Milton
- 5 J. L. Stout
- 6 Rufus Thompson

NAMES:

- 6 Thornton A. Street
- 7 Thos. E. Davis
- 8 M. W. Conwell
- 9 J. J. Thomas
- 10 B. Johnston

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 Geo. M. Moore et al

of Road District No. \_\_\_\_\_  
The petition above referred to, petitions that a Road be established, commencing \_\_\_\_\_  
\_\_\_\_\_ road to the Selgrade and Spring Hill Road, which crosses the  
\_\_\_\_\_ the East Gallatin River at \_\_\_\_\_  
\_\_\_\_\_ road to run that 1/8 mile as above described between \_\_\_\_\_  
\_\_\_\_\_ Sec. 18, the property of Frank Miller and lot 1 of Sec. 18, the property of  
\_\_\_\_\_ and the property of \_\_\_\_\_ South 1/8 mile between  
\_\_\_\_\_ Sec. 18, property of Frank Miller & \_\_\_\_\_ Sec. 18 & 1,  
\_\_\_\_\_ Sec. 9, property of Harriet Nelson to connect with the County Road.

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 6th day of December 1901.

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: O. M. Thorp  
~~D. N. Williams~~  
D. N. Williams  
Geo. E. Stinson

to act in behalf of the Board of County Commissioners as viewers of the above petitioned Road

Yours, Very Respectfully,

Geo E Davis  
Chairman of the Board of County Commissioners, Gallatin County, Montana.

Dated at Bozeman, Montana, this 6, day of Dec. 1901.

NOTICE OF PETITION FOR OPENING PUBLIC ROAD.

Notice is hereby given that ten or more resident freeholders of Road District 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 road be laid out and established.

A description of the route of the road which it is proposed to lay out and establish is as follows, to-wit:-

To run East one half mile and South one half mile from the S.E. corner of Sec. 13, T 1, N R. 4 E, at a point on the Belgrade and Pass Creek or Compromise Road to the Belgrade and Spring Hill Road, which crosses the East Gallatin River at James Moore's Rancho.

Said Road to run East as above described 1/2 mile between N.W. 1/4 of Sec. 19 the property of Frank Miller and lot 1 of Sec. 18 property of Accola Bros. and property of E. E. Slaughter thence South 1/2 mile between N.W. 1/4 of Sec. 19 property of Frank Miller & N.E. 1/4 of Sec. 19 T 1, N R. 5 E, property of Harriet Melton to connect with the County Road.

Said proposed Road will be viewed by viewers appointed by 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 26th day of February A. D. 1902.

Said viewing to commence at (11) Eleven O'Clock <sup>a.m.</sup> of said day.

Very Respectfully

*E. V. Blankenship*

County Clerk and Recorder in and for Gallatin County, Mont.

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

*Jas. M. Moore* being first duly sworn deposes and says, that ~~as the~~

he received from the County Clerk of said County, on the 11 th day of February A. D.,

1902, three copies of the annexed notice, and that on the 12 day of February 1902 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 each terminal branch of the road East and South 1/2 mile from S.E. corner of Sec. 13, T 1, N R. 4 E.

and further deponeth sayeth not.

*Jas M. Moore*

Subscribed and sworn to before me this 13 day of Feb. A. D., 18902

*E. V. Blankenship*  
County Clerk

By *J. P. Morgan* W. C.

# Warrant for Road Viewers.

*copy*

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

*W. C. Moore, D. N. Williams & Geo. E. Stinson,*

You are hereby notified that you were duly appointed Road Viewer by Chairman of the Board of County Commissioners of Gallatin County, Montana, on the 6th day of December 1901, to view and lay out a proposed road, as prayed for in the petition of Geo. M. Moore and others, described as follows, to-wit:  
To run East One Half Mile and South One Half Mile from the S. E. corner of Sec 15 T 1, R. 4 E, at a point on the Belgrade and Pass Creek or Com- promise road to the Belgrade and Spring Hill Road, which crosses the East Gallatin River at James Moares' Rancho.  
Said road to run East 1/2 mile as above described between N. W. 1/4 of Sec 19, the property of Frank Miller and lot 1 of Sec. 18, the property of Access Pros., and property of H. E. Slaughter thence South 1/2 mile betw- een N. W. 1/4 of Sec. 19, property of Frank Miller & N. E. 1/4 of Sec. 19 T 1, R. 5 E, property of Harriet Melton to connect with the County road.

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 26th day of February 1902, commencing at the place designated in said petition as the starting point of the road sought to be at 11<sup>00</sup> 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 13th day of February 1902.

*W. C. Shuburshik*  
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. Hooper*

Subscribed and sworn to before me this 21<sup>st</sup> day  
of Feb 1902

*E. A. Blankenship, Clerk*  
*By S. P. Burgard, Dep.*

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.

*Geo. E. Stinson*

Subscribed and sworn to before me this 26<sup>th</sup> day  
of Feb 1902

*C. M. Hooper*

*County 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.

D. H. Williams

Subscribed and sworn to before me this 26 day  
of Feb 1902

G. M. Thayer

County Surveyor



# REPORT OF ROAD VIEWERS.

ROAD NO. ....

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

We, the undersigned Road Viewers, consisting of C. M. Dwyer, S. R. Williams  
 + Srs. Stinson appointed by the Board of County  
 Commissioners

appointed to view a proposed road running from the N.W. Corner of Sec 19, T. 1 N.,  
R. 5 E.  
 to the center of Sec. 19. said T. & R.  
 as described in the annexed petition, say, That on the 26 day of Feb.  
 A. D., 1902 we assembled at the place designated in the petition, as the starting point of such proposed  
 road and proceeded to view the same, and submit the following report:

1. The width of the proposed road, the description of the center line of the same, the length, how  
 defined, the marks and sources, grades, character of ground, description of the land and owners of the  
 same, over which the proposed road passes, and probable cost of constructing the said road, as follows:

The width of the proposed road is 40 feet.  
 The description of the center line is as follows  
 to wit:— Beginning at the N.W. Corner of Sec. 19  
T. 1 N. R. 5 E. thence East 1/2 mile, to the 1/4 Sec. Cor.  
between Sections 18 & 19. thence South along  
 the 1/4 Section line to the Center of said Sec. 19.  
 at which point it connects with the Belgrade and Spring  
Hill Road.

The length of the proposed road is 1 mile.  
 The line of the road is marked by the U.S. Gov. lines & Corners.  
 The ground is marshy level. and at some points  
 rather wet.

The names of the land owners along the proposed road  
 are as follows

- Frank Miller N.W. 1/4 Sec 19 T. 1 N. R. 5 E.
- Aceola Bros. S.W. 1/4 of S.W. 1/4 Sec 18.
- E.E. Slaughter S.E. 1/4 of S.W. 1/4 Sec. 18.
- Mrs. H. Milton N.E. 1/4 Sec. 19.

The road is an open and traveled road. and has been  
 for several years. The fences are not on the correct lines  
 as above described however. The north and south portion  
 as now fenced being all on Mrs. Milton's land,  
 and the East and West portion being mostly on land  
 owned by Frank Miller. There should be stakes set on the correct  
 center line before any fences are changed.  
 While the road is open & traveled, there should be some

work done on the East and west portion of the proposed road. the bridge should be replaced with a culvert and fill, which would probably cost. \$50 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:

Thompson Street for S.W. 1/4 of S.W. 1/4 Sec 18 T. 116 R. 5 E.  
E.E. Stauplin has been written to  
at Kilt River Ill.

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

Frank Miller claims \$125.00 for 20 feet on the  
North + East side of N.W. 1/4 Sec. 19 and for changing  
fences.  
Mrs. H. Melton claims \$30.00

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 estimate the damages to Frank Miller in  
excess of benefits at \$50.00 (being \$30.00 for land on N.W. portion \$20.00 for ex. work)  
and to Mrs. Melton at \$30.00.

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

We are informed that the proposed road was  
run and established about 1886, also that  
the county has done work on the road.  
We find this road to be much needed in getting to  
school, also as a public benefit.

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

Dated Feb 26 A. D., 1892

C. M. D. Sharp

D. W. Williams

Geo. O. Stinson

Road Viewers.

Bozeman, Montana, December 1st 1902



The County Clerk, of Gallatin County,

Road

Fund warrant of Gallatin County, No 82

for \$30.<sup>00</sup>

Damage in full, on Road No 197 as petitioned for by Jas. M. Burroughs  
see minute book 9 Page 208.

in favor of Juss. H. Melton, the same being

Mary C. Murry paid \$50.<sup>00</sup> Oct 7, 1905.

Juss H Melton

a.a.c. clock.

Bozeman, Montana JAN 16 1904

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

Gentlemen:-

I hereby report to your Honorable Body that on  
JAN 16 1904 I filed in the office of the County Clerk  
of Gallatin County, Montana, the Plat and Field Notes of

*James M. Moore Road No. ~~147~~<sup>197</sup> Sec P. 43 Vol B of Books*

Very Respectfully,

*E. M. Throp*  
County Surveyor.

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County Clerk and Recorder

OF GALLATIN COUNTY, MONTANA.

*Copy*

BOZEMAN, MONTANA, March 14th 1902.

*Frank Miller & Harriet Gulton*

Bellevue, Mont.,

*Sirs & Madams* You are hereby notified to appear before the Board of Commissioners of Gallatin County, at this office, at 10 o'clock A.M. April First A.D. 1902, and state cause for damage in the Road as petitioned for by Jas. M. Moore et al.

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

Very Respectfully

*Signed E. V. Blankenship*  
Clerk.

**To the County of Gallatin, State of Montana:**

I **Hereby Agree**, and consent to give 20 feet for a Right of Way, for a County Road, ~~through or along~~ the South side of S.W. 1/4 of S.W. 1/4

and as now fenced along the spangh near S.W. cor  
as viewed and surveyed by E. M. F. Hoop, S. H. Williams & Geo. Stinson.

on the 26<sup>th</sup> day of Feb. 1902 And hereby agree to place

my fences on said lines without charge to the County.

Signed Thomson A. Street

Dated at Belgrade this 26 day of Feb 1902

**To the County of Gallatin, State of Montana:**

I **Hereby Agree**, and consent to give 20 feet for a Right of Way, for a County Road, ~~through or along~~ the South side of S.E. 1/4 of S.W. 1/4 of

Sec. 18, T. 1 N., R. 5 E.  
as viewed and surveyed by E. M. F. Hoop, S. H. Williams, & Geo. Stinson.

on the 26<sup>th</sup> day of Feb. 1902 And hereby agree to place

my fences on said lines without charge to the County.

Signed C. E. Slaughter

Dated at Plagg Centre, Idaho this 7 day of March 1902

# 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. W. corner of Sec. 19, in Twp 1, N. R. 5, E. 7, thence running East 1/2 mile, to the 1/4 Sec. corner between Sections 18 & 19, thence South along the 1/4 Section line to the center of said Section 19, at which point it connects with the Belgrade and Spring Hill Road.

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

Dated April 1st 1902 1892

*E. L. Blankenship*  
Clerk,

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

Date of Posting July 2 18902

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

Melvin E. Rice being first duly sworn deposes and says, that as the person appointed by the County Surveyor he received from the County Clerk of said County, on the 2nd day of July A. D., 18902, three copies of the annexed notice, and that on the 2nd day of July 18902 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, one midway on said road, and one at the terminus as above described

and further deponeth sayeth not.

Subscribed and sworn to before me this 8<sup>th</sup> day of July A. D., 18902  
Melvin E. Rice  
C. M. Thorpe,  
Co. Surveyor.



REGISTRY RECEIPT.

Post Office at Bozeman, Mont.

Registered Letter Parcel No. 251 Rec'd FEB 13 1902, 190

of County Clerk Gallatin Co.

Bozeman, Mont.  
addressed to C. M. Thorne  
Bozeman, Mont.  
H. B. Burkitt, P. M.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.

Registered Letter Parcel No. 250 Rec'd FEB 13 1902, 190

of County Clerk Gallatin Co.

Bozeman, Mont.  
addressed to Geo E. Stinson  
Bozeman, Mont.  
H. B. Burkitt, P. M.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.

Registered Letter Parcel No. 249 Rec'd FEB 13 1902, 190

of County Clerk Gallatin Co.

Bozeman, Mont.  
addressed to D. W. Williams  
Reliance, Mont  
H. B. Burkitt, P. M.

Form 1548.  
**REGISTRY RETURN RECEIPT** sent FEB 14 1902, 190

Reg. No. 250 from Post Office at Bozeman, Mont.

\*Reg. Letter / \*Reg. Parcel } Addressed to Geo. E. Stinson, Esq.  
Bozeman, 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 addressee, the name of both addressee and recipient must appear.

Geo. E. Stinson

\* Erase letter or parcel according to which is sent.

Form 1548.  
**REGISTRY RETURN RECEIPT** sent FEB 14 1902, 190

Reg. No. 251 from Post Office at Bozeman, Mont.

\*Reg. Letter / \*Reg. Parcel } Addressed to Mr. C. M. Thorpe  
Bozeman, 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 addressee, the name of both addressee and recipient must appear.

C. M. Thorpe

\* Erase letter or parcel according to which is sent.

Form 1548.  
**REGISTRY RETURN RECEIPT**, sent FEB 13 1902, 190

Reg. No. 249 from Post Office at Bozeman, Mont.

\*Reg. Letter / \*Reg. Parcel } Addressed to D. H. Williams  
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.)

SIGN ON DOTTED LINES TO THE RIGHT.

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

D. H. Williams

\* Erase letter or parcel according to which is sent.

When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.

A penalty of \$300 is fixed by law for using this card for other than official business.

**Post Office Department,**

OFFICIAL BUSINESS.

POST OFFICE AT



RETURN TO:

*Co. Clerk*

Name of Sender, \_\_\_\_\_

Street and Number, }  
or Post Office Box. }

Post Office at \_\_\_\_\_

County of \_\_\_\_\_

State of \_\_\_\_\_

When the registered letter or parcel accompanying this card is delivered, the Postmaster will require signature to the receipt on the other side, also on his record of registered deliveries, and mail this card without cover to address below.

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OFFICIAL BUSINESS.

POST OFFICE AT



RETURN TO:

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Street and Number, }  
or Post Office Box. }

Post Office at \_\_\_\_\_

County of \_\_\_\_\_

State of \_\_\_\_\_

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**Post Office Department,**

OFFICIAL BUSINESS.

POST OFFICE AT



RETURN TO:

*Co. Clerk*

Name of Sender, \_\_\_\_\_

Street and Number, }  
or Post Office Box. }

Post Office at \_\_\_\_\_

County of \_\_\_\_\_

State of \_\_\_\_\_

