

No. 203

PETITIONER,

J. E. Mc Donald et al

Petition filed May 28 1902

Viewers appointed June 4 1902

Report filed Aug. 30 1902

Date of hearing _____ 190

Report approved Sept 5 1902

Order of survey _____ 190

Surveyor's Report filed _____ 190

Declared County Road ^{not} Dis allowed 190

See Book _____ Commissioners' Proceedings,

pages _____

Recorded, Road Book, pages _____

_____ County Clerk

PETITION FOR ROAD

TO THE HON. BOARD OF COUNTY COMMISSIONERS, of Gallatin County, Montana:

The Undersigned, ^{four persons.} Your petitioners, Citizens of the United States, respectfully show and represent that they are residents of Road District No. 1 and 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, ~~100~~⁷⁵ 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 a point in the County Road known as the Camp Creek Road, said point being near the center of Section 33 T. 1 S. R. 3 E., thence southwesterly through section 33 said township and Range, and through section 5, 7, & 18, T. 2 S. R. 3 E. and through sections 18 and 24 T. 2 S. R. 2 E. and intersecting with the Virginia City Road near the crossing of Elk Creek as shown on annexed map.

(C) For land owners see map.

C. M. Thorne
Harris Edwards
M. T. Noble

ROAD DIST NO 1	
NAMES:	NAMES:
1 J. C. McDermott	6 Will. B. Black
2 John McDermott	7 John Black
3 L. L. Dwyer	8 E. M. Simky
4 George Moore	9 J. W. Together
5 Mrs. A. Black	10 J. H. P. Stone

ROAD DIST NO 2	
NAMES:	NAMES:
1 Ellen E. Patten	6 John Vennwolf
2 Robert Leach	7 Pete Durancean
3 G. S. Pinceny	8 George H. Lusk
4 Ch. L. Brock	9 John White
5 Mrs. Walbrath	10 Harry H. Hoke

OFFICE OF

County Clerk and Recorder,

GALLATIN COUNTY, MONTANA.

HON. J. L. PATTERSON,

Chairman of the Board of County Commissioners, Gallatin County, Montana.

Geo. E. Davis

DEAR SIR:—You are hereby notified that a petition for a County Road has been received in this office,

signed by *J. E. McDonnell and others* of Road District No. _____

The petition above referred to, petitions that a Road be established, commencing Beginning at a point in the County Road, known as the Camp Creek Road,

said point being near the center of Section 33, in Township One (1)

South of Range Three (3) East, thence Southwesterly through Section 33,

said Township and Range, and through Sections 5, 7, and 13, Township Two

(2) South of Range Three (3) East and through Sections in Township Two

(You are hereby notified to appoint three Viewers to view the above proposed Road, the Virginia City Road, near the crossing of Elk Creek as shown on Map.

Yours, Very Respectfully,

E. V. Blankenship
County Clerk and Recorder.

Dated at Bozeman, Montana, this *4th* day of *June* 19*62*.

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. Thorpe
Horace Edwards
Mat Neible

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 *4* day of *June* 19*62*.

Warrant for Road Viewers.

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

Messrs E. M. Dunfee, Anacru Edwards & Mark Nibel,

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 4th
day of June 1902, to view and lay out a proposed road, as prayed for in the
petition of J. E. M. Donnell and others, described as follows, to-wit:

Beginning at a point in the County Road, known as the Casu Creek Road,
said point being near the center of Section 33, in Township One (1)
South of Range Three (3) East, thence Southwesterly through Section 33,
said Township and Range, and through Sections 5, 7, and 13, Township Two
(2) South of Range Three (3) East and through Sections in Township Two
(2) South of Range Two (2) East and intersecting with the Virginia City
Road, near the crossing of Elk Creek as shown on Map.

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 14th
day of August 1902, commencing at the place designated in said petition as the
starting point of the road sought to be at 8 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 2nd
day of August 1902.

E. S. Blauhschiff
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.

Horace Edwards

Subscribed and sworn to before me this 13th day
of Aug. 1902

C. M. Dhoofen
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.

C. M. Dhoofen

Subscribed and sworn to before me this 11th day
of August 1902

E. M. Blankenship, Co. Clerk
By J. B. Buzard, Deputy,

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.

Matt Kiehl

Subscribed and sworn to before me this 13th day
of Aug. 1902

C. M. Thorpe

County Surrogate

This must be returned to the County Clerk after execution.

REPORT OF ROAD VIEWERS.

ROAD NO. 203

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

We, the undersigned Road Viewers, consisting of Matt. Nailor, Horace Edwards,
+ C. M. Thorpe, appointed by the Board of County Commissioners

appointed to view a proposed road running from a point in the County Road known as the
Camp Creek Road near the center of Sec 33 T. 1 S. R. 3 E.

to a point in the Virginia City Road near the crossing of Elk Creek
as described in the annexed petition, say, That on the 14th day of Aug.

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

Beginning at a point in the County Road known as
the Camp Creek Road, said point being near
the center of Section 33 T. 1 S. R. 3 E. thence south-
westerly through Section 33, said Township and
Range, and through Sections 5, 7, 18 & 19, T. 2 S. R. 3 E.,
and through Section 24 T. 2 S. R. 2 E. and
intersecting the Virginia City Road near the
crossing of Elk Creek as shown on annexed map.

The length of the proposed road is about 5 miles.

The grades of the proposed road would be easy and
the ground over which it passes is suitable for road
building. For names of land owners along the proposed
road are shown on the annexed map.

The probable cost of constructing the proposed road including
a cattle pass for A. R. Williams on Sec. 19 T. 2 S. R. 3 E.
is \$2000.

We find the principal object of this petition, and the
main benefits to be derived by opening the proposed
road is to obtain a cutoff from the Camp Creek Road,
to the Virginia City Road, making a saving of about
2 miles in distance. The road as petitioned for
runs diagonally through several sections while the
road law requires that roads be laid out on section
lines when practicable. We believe that a large portion

of the proposed road could be laid out along or
near section lines, and if laid out as petitioners
for it would ^{be} changed into section lines where
practicable. If laid out on section lines there would
be no saving in distance, and the road would not
be as good as the Camp Creek Road.
There are no settlers along the proposed road so that
it would not provide an outlet for anyone.
We do not believe that the benefits to be derived from
the proposed road would justify the expense, and
therefore would recommend that the petition be
rejected.

REPORT OF BOYD MEMBERS

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

~~_____~~
~~_____~~
~~_____~~
~~_____~~

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

Mr. A. R. Williams claims damages amounting to a cattle pass, and about 60 rods 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:

~~_____~~
~~_____~~
~~_____~~
~~_____~~

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

We believe said road not to be practical and not of public utility and necessity and do not recommend the establishment of the same.

Dated Aug. 14 A. D., 1890

C. M. Thorpe
Matt Diebel
Horace Edwards } Road Viewers.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.
Registered Letter Parcel No. 181 Rec'd AUG 2 1902, 190
of Co. Clerk

addressed to Mr. C. M. Thorpe
Bozeman, Mont.

L. L. KIRK,

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.
Registered Letter Parcel No. 178 Rec'd AUG 2 1902, 190
of Co. Clerk

addressed to Mr. Matt Noble
Bozeman, Mont.

L. L. KIRK,

P. M.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.
Registered Letter Parcel No. 177 Rec'd AUG 2 1902, 190
of Co. Clerk

addressed to Mr. Horace Edwards
Ballou, Mont.

L. L. KIRK,

P. M.

Form 1548. REGISTRY RETURN RECEIPT sent AUG 4 1902, 190

Reg. No. 78 from Post Office at Bozeman, Mont.

Reg. Letter / Reg. Parcel Addressed to Mr. Matt Neibel
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 address, the name of both address and recipient must appear.

Matt Neibel
P. F. Shaw

* Erase letter or parcel according to which is sent.

Form 1548. REGISTRY RETURN RECEIPT sent AUG 4 1902, 190

Reg. No. 87 from Post Office at Bozeman, Mont.

Reg. Letter / Reg. Parcel Addressed to M. 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 address, the name of both address and recipient must appear.

M. C. M. Thorpe

* Erase letter or parcel according to which is sent.

T. 1 S. R. 3 E

29 28 27 26 25 30 29 28 27 26

32 33 34 35 36 31 32 33 34 35

5 4 3 2 1 6 5 4 3 2

ROAD DIST. No 1

ROAD DIST. No 2

8 9 10 11 12 7 8 9 10 11

T. 2 S. R. 2 E

T. 2 S. R. 3 E

17 16 15 14 13 18 17 16 15 14

20 21 22 23 24 19 20 21 22 23

MADISON COUNTY

29 38 27 26 25 30 29 28 27 26

