

No. 207

PETITIONER,

G.C. Howard Et-Al.

Petition filed June 6 1902

Viewers appointed June 6 1902

Report filed Aug. 30th 1902

Date of hearing Oct 1st 1902

Report approved 190

Order of survey 190

Surveyor's Report filed 190

Declared County Road 190

Viewers report

rejected. By order

of the Board Dec 31st 1902

Geo. E. Davis

Chairman

See Book 9 Commissioners' Proceedings,

pages -292-

Recorded, Road Book, pages

County Clerk

FILED

June 6, 1907
J. W. Blankenship
County Clerk.
By O. P. Morgan
Deputy.

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. 5, 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:

(A) Beginning at the end of the county road near the south East corner of Sec 26 T2 S R6 E then run in a southeasterly direction along the old as near as practicable to the Perls County line. (C.) Geo Howards - H. Williams L. Woodrings State Land N.P. RR. Government - J.T. Mathew Starbird & Hills

(B) Start at near S.E. corner S26 T2 S R6 E and run south east to or near the N.E. corner of Sec 16. T3 S R7 E

(D) G.C. Howard

(E) J.B. Quarstein
B.A. Rouse
L. Woodring

(F) Chas. Howard

(G) Susan S. Sawyer

Harry Wood

W.H. Lee

A. Bigelow

J.J. Bilton

J. Reynolds

W.W. Wolverton
has been
divided

NAMES:	
1	Paul Taylor
2	J.P. Carlson
3	
4	
5	

NAMES:	
6	
7	
8	
9	
10	

OFFICE OF

County Clerk and Recorder,

GALLATIN COUNTY, MONTANA.

HON. ~~J. L. PATTERSON~~

Geo. E. Davis

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 *G. C. Howard and others,*
of Road District No. *5*

The petition above referred to, petitions that a Road be established, commencing
beginning at the end of the County Road near the south east corner
of section 26, T. 2, S. 2, R. 6E, then run in a southeasterly direction along
the old road as near as practicable to the Park County line.

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 *June* 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:

C. M. Thorpe
W. W. Wolverton
Chas. Hoff

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 *June* 190*2*.

NOTICE OF PETITION FOR OPENING PUBLIC ROAD.

Notice is hereby given that fifteen resident taxpayers of Road Dist. No. 5 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 end of the County Road near the South East Corner of Section 26, in Tp 2, S R. 6 E, then run in a Southeasterly direction along the old road as near as practicable to the Park County line.

Said 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 at ~~2:45 (P.M.)~~ (8) O'Clock A.M. Saturday July 26th A.D. 1902.

Respectfully
E. H. Blukuship
County Clerk and Recorder,
Gallatin County, Montana.

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

Geo. C. Howard being first duly sworn deposes and says, that ~~as the~~

he received from the County Clerk of said County, on the 10th day of July A. D.,

1902, three copies of the annexed notice, and that on the 14th day of July 1902 ~~YKA~~ 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 and one at the point of termination

George C. Howard

and further deponeth sayeth not.

Subscribed and sworn to before me this 15th day of July A. D. 1902

*before
Post at Bluk's Office
July 10th*

E. H. Blukuship
County Clerk

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. Throck

Subscribed and sworn to before me this 25th day
of July 1902

E. V. Blankenship, Co. Clk
By L. P. 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.

W. W. Washburn

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

C. M. Throck
C. 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.

L. P. Hoff

Subscribed and sworn to before me this 26th day
of July 1902

C. M. T. Hoover
Co. Surveyor

This must be returned to the County Clerk after execution.

Boyer

Warrant for Road Viewers.

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

Messrs *C. M. Thrupe, W. W. Wolveston & Chas. Hoff*

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* 190*2*, to view and lay out a proposed road, as prayed for in the petition of *J. C. Howard* and others, described as follows, to-wit:

Beginning at the end of the County Road near the South east corner of Section 26, T 2, S R, 6E, then run in a Southeasterly direction along the old road as near as practicable to the Park County line.

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 *July* 190*2*, 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 herunto set my hand, at my office this *14th* day of *July* 190*2*.

E. J. Blankenship
County Clerk.

By _____ Deputy.

REPORT OF ROAD VIEWERS.

ROAD NO. 207

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

We, the undersigned Road Viewers, consisting of W. W. Woolverton,
C. P. Hoff and C. M. Thorpe, appointed by the
board of county commissioners, on June 6th 1902.

appointed to view a proposed road running from the end of the county road
near the S.E. corner of Sec. 26 T.2 S. R.6 E., thence southeasterly
to along or near the old road to the Park Co. line.
as described in the annexed petition, say, That on the 26th day of July
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 60 feet.
The description of the center line is as follows:
Beginning at the end of the county road near the
South East corner of Sec. 26 T.2 S. R.6 E. thence running
in a southeasterly direction along the old road
on the line as surveyed in July 1899 ^{except on G.C. Howard's land} when we cross the creek ^{thence}
thence to the foot of hill at Williams, thence along the bluff
to the west of the old road, dipping on the east side of
Bear Creek and intersecting said survey near
L. Woodrings, ^{this change is made to save a bad hill,} thence along the line of said survey
which follows the old road to the Park County line.
The length of the proposed road is about 6 miles.
The kind of the road is defined by the survey of July
1899 except as above described.
The character of the ground over which the proposed road
passes is suitable for road building.

For description of land and names of owners over which
the proposed road passes see accompanying sketch.
We find the road now open & traveled, although
very much in need of repairs & improvements.
We estimate the probable cost of the change of road
at Williams place at \$5000 and would recommend
that not less than \$5000 be expended in repairs and
improvements on the portion of road below the
main tree Camp.

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

G.C. Howard consents, provided the road crosses the creek on his land so that there will be water for stock, but does not consent to a cattle pass. The road has been laid out crossing the creek as he desires, and Howard agrees to do considerable road work.

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

~~G.C. Howard does not consent on the line of the old road~~
W.H. Williams claims damages amounting to a cattle pass and fence on each side of road which would require about 180 rods of fence.
L. Woodring claims damages amounting to a cattle pass.

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:

~~G.C. Howard a cattle pass.~~
to W.H. Williams a cattle pass and our fence 90 rods.
to L. Woodring a cattle pass.

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

We find that in connection with the extensive tin camp of Walter Cooper and Co. a great deal of hauling is being done over this road, and believe it should be made a county road and properly improved.

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

Dated

July 26

A. D., 1892

C.M. Thorpe
W.W. Woodrington
L.P. Hoff

Road Viewers.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.
Registered Letter Parcel No. 94 Rec'd JUL 17 1902, 190
of Co. Clerk
Bozeman, Mont.
addressed to Mr. Chas. Hoff
Bozeman, Mont.
W. B. BURKET, P. M., P. M.

REGISTRY RECEIPT.

Post Office at Bozeman, Mont.
Registered Letter Parcel No. 95 Rec'd JUL 17 1902, 190
of Co. Clerk
Bozeman, Mont.
addressed to Mr. H. H. Tolbert
Bozeman, Mont.
W. B. BURKET, P. M., P. M.

REGISTRY RECEIPT.

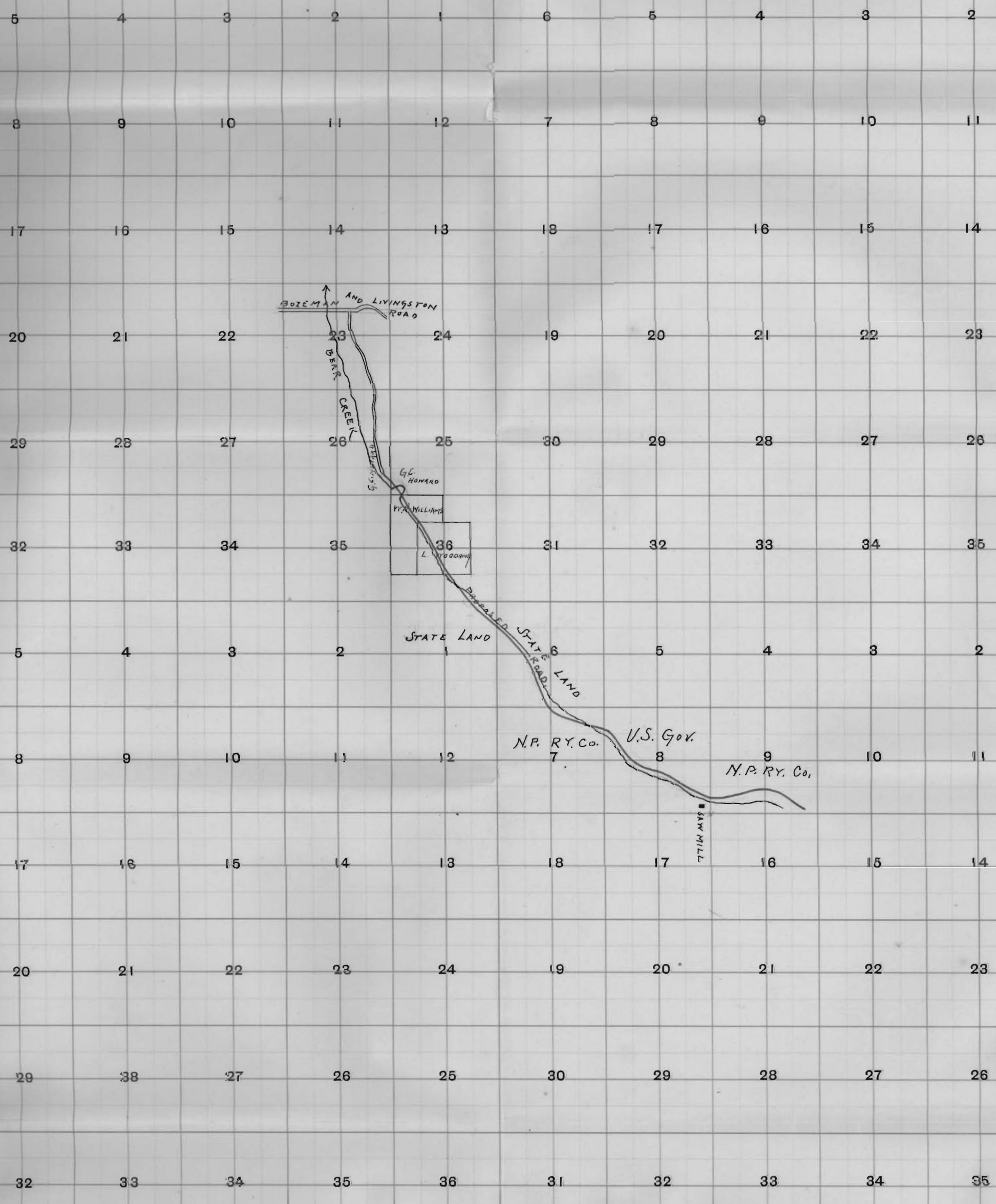
Post Office at Bozeman, Mont.
Registered Letter Parcel No. 96 Rec'd JUL 17 1902, 190
of Co. Clerk
Bozeman, Mont.
addressed to Mr. C. M. Thorpe
Bozeman, Mont.
W. B. BURKET, P. M., P. M.

Form 1546. REGISTRY RETURN RECEIPT sent JUL 17 1902, 190
Reg. No. 96 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. C. M. Thorpe
When delivery is made to other than addressee, the name of both addresser and recipient must appear.
* Erase letter or parcel according to which is sent.

Form 1546. REGISTRY RETURN RECEIPT sent JUL 17 1902, 190
Reg. No. 94 from Post Office at Bozeman, Mont.
*Reg. Letter / Reg. Parcel Addressed to Mr. Chas. Hoff
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. C. P. Hoff
When delivery is made to other than addressee, the name of both addresser and recipient must appear.
* Erase letter or parcel according to which is sent.

Form 1546. REGISTRY RETURN RECEIPT sent JUL 17 1902, 190
Reg. No. 95 from Post Office at Bozeman, Mont.
*Reg. Letter / Reg. Parcel Addressed to Mr. H. H. Tolbert
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. H. H. Tolbert
When delivery is made to other than addressee, the name of both addresser and recipient must appear.
* Erase letter or parcel according to which is sent.

Township No. _____ Range No. _____ Mer. _____



T. 3 S. R. 7 E