

255E 256E 355E 376E

No. 220

PETITIONER,

J. F. Metheny et al

Petition filed May 4 1903

Viewers appointed June 2d 1903

Report filed June 15 1903

Date of hearing 190

Report <sup>not</sup> approved July 6, 1903

Order of survey 190

Surveyor's Report filed 190

Declared County Road 190

Viewers Report is not approved, By order of the Board, July 6, 1903  
Geo. E. Davis Chairman

See Book 9 Commissioners' Proceedings, pages 328, 334

Recorded, Road Book, pages

G. Cameron County Clerk

# 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. 4, 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, ~~forty~~ <sup>forty</sup> 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) Commencing at the S.E. corner of the S.W. 1/4 of Sec. 36 T. 2. S. 5. E. and the N.E. Corner of the N.W. 1/4 of Sec. 1. T. 3. S. 5. E. and <sup>90</sup> east on said Township line one and one half miles till it intersects the Bozeman Creek Canyon Road on the east side of Bozeman Creek.
- (b) See Plat attached
- (c) J. Feazell, F. Metheny, C. West, J. S. Kopske, F. McVeda and Mr. Zeigler
- (d) They all give their consent, and the right of way
- (e) —
- f —
- g The main necessity is to give Messrs Zeigler and Metheny and outlet to the main road to Bozeman their houses having been built right by the township line near the center line of their farms

NAMES:

- 4 1 J. F. Mershing
- 4 2 J. J. [unclear]
- 4 3 J. J. [unclear]
- 5 4 [unclear]
- 7 5 Peter [unclear]
- 5 [unclear]

NAMES:

- 4 6 William Roth
- 4 7 J. J. Stevenson
- 4 8 [unclear]
- 4 9 E. H. Gillett
- 5 10 F. H. [unclear]
- 4 J. G. Widenus

- 5 [unclear]
- 5 Joseph [unclear]
- 4 B. L. Deussenberry
- 10 W. W. [unclear]
- 5 [unclear]
- 5 Sanford Ruffner
- 5 E. D. [unclear]
- Jerry [unclear]

OFFICE OF

County Clerk and Recorder,

GALLATIN COUNTY, MONTANA.

Geo. E. Davis

~~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 J. F. Metheny et al

of Road District, No. 4

The petition above referred to, petitions that a Road be established, commencing at the S.E. corner of the S.W. 1/4 of Sec 36, T-2, S, R-5 E and the N.E. corner of the N.W. 1/4 of Sec 1, T-3, S, R-5 E and go east on said township line one and one half miles till it intersects the Bozeman Creek Canyon road on the East side of Bozeman creek

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

Yours, Very Respectfully,

A. G. Cameron

County Clerk and Recorder.

Dated at, Bozeman, Montana, this 3 day of June 1903.

OFFICE OF

The Board of County Commissioners,

GALLATIN COUNTY, MONTANA.

A. G. Cameron

~~MR. E. V. BLANKENSHIP,~~

County Clerk, Gallatin County, Montana.

DEAR SIR:—In pursuance of the above notice, I hereby appoint:

Henry Monforton

Roy Martin

E. F. Kidd

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 3d day of June 1903.

# Warrant for Road Viewers.

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

Mr. *Roy Martin, Bozeman, Mont.*

You are hereby notified that you were duly appointed Road Viewer by *Geo. E. Davis*  
Chairman of the Board of County Commissioners of Gallatin County, Montana, on the *3rd*  
day of *June* 190*3*, to view and lay out a proposed road, as prayed for in the

petition of *J. J. Metheny* and others, described as follows, to-wit:  
Commencing at the S. E. corner of the S. 1/4 of Sec. 36, T. 2. S. R. 5. E. and  
the N. E. corner of the N. W. 1/4 of Sec. 1, T. 3. S. R. 5. E., and running east  
on said township line ~~1 1/2~~ one and one half miles to where it  
intersects with the Bozeman Creek Canyon road on the east side of  
Bozeman Creek.

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in  
company with *E. F. Kidd and H. W. Forten*, who were duly appointed as  
Viewers on said road by the Chairman of the Board of County Commissioners on the  
day of *June* 190*3*, commencing at the place designated in said petition as the  
starting point of the road sought to be *opened* 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 *6th*  
day of *June* 190*3*

*G. A. Cameron*  
County Clerk,

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

# Warrant for Road Viewers.

*Copy*

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

Mr. Henry Monforton, Roy Martin and E. F. Kidd, Bozeman, Mont.

You are hereby notified that you were duly appointed Road Viewer by Geo. E. Davis  
Chairman of the Board of County Commissioners of Gallatin County, Montana, on the 3rd  
day of June 1903, to view and lay out a proposed road, as prayed for in the  
petition of \_\_\_\_\_ and others, described as follows, to-wit:

Commencing at the S.E. corner of the S.W. 1/4 of Sec. 36, T. 2. S. R. 5. E  
and the N.E. corner of the N.W. 1/4 of Sec. 1. T. 3. S. R. 5. E., and running  
east on said township line one and one-half miles to where it inter-  
sects with the Bozeman Creek Canyon road on the east side of  
Bozeman Creek.

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in  
company with yourselves, who were duly appointed as  
Viewers on said road by the Chairman of the Board of County Commissioners on the 15th  
day of June 1903, commencing at the place designated in said petition as the  
starting point of the road sought to be opened 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  
day of June 1903

*6th*  
*W. L. Curran*  
County Clerk,

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

## Certificate of Appointment.

Office of COUNTY CLERK }  
Gallatin County, Montana. } ss.

I, A. G. Cameron County Clerk in and for said county,  
do hereby certify that on the 3rd day of June A. D., 1903  
said day being one of the days of the Regular  
term of the Board of Commissioners of said Gallatin County, an order was made and duly entered  
of record appointing Roy Martin to the office of Road  
Viewer Roy E. Martin  
Norman E. Kidd and for said County.

In Witness whereof, I have hereunto set my hand and the Seal of said  
County, at my office in the City of Bozeman, this 6th  
day of June A. D., 1903  
A. G. Cameron County Clerk.

## Certificate of Appointment.

Office of COUNTY CLERK }  
Gallatin County, Montana. } ss.

I, A. G. Cameron County Clerk in and for said county,  
do hereby certify that on the 3rd day of June A. D., 1903  
said day being one of the days of the Regular  
term of the Board of Commissioners of said Gallatin County, an order was made and duly entered  
of record appointing Henry Monforton to the office of Road  
Viewer Henry Monforton  
Norman E. Kidd in and for said County.

In Witness whereof, I have hereunto set my hand and the Seal of said  
County, at my office in the City of Bozeman, this 6th  
day of June A. D., 1903  
A. G. Cameron 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.

*E. F. Kidd*

Subscribed and sworn to before me this 13th day  
of June 1903

*A. A. Cameron*  
Co. 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.

*Henry Manfortone*

Subscribed and sworn to before me this 15th day  
of June 1903

*E. F. Kidd*

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.*

*Roy E. Martin,*

Subscribed and sworn to before me this *15<sup>th</sup>* day

of *June* 190*3*

*E. F. Kidd*

# REPORT OF ROAD VIEWERS.

ROAD NO 220

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

We, the undersigned Road Viewers, consisting of J. H. Kidd  
Roy Martin, N. Moulton

appointed to view a proposed road running from S.E. corner of SW 1/4 of Sec. 36  
T. 2. S. R. 5. E. x N.E. corner of the NW 1/4 of Sec. 1. T. 3. S. R. 5. E.  
thence due east 1 1/2 miles to Bozeman Creek East  
as described in the annexed petition, say, That on the 15th day of June  
A. D., 1903 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:

Width of Road 40 feet, length 1 1/2 miles,  
there will have to be built 3-4 foot culverts  
2-6 foot culverts and 1-20 foot bridge.  
there will have to be about 3/4 mile of brush  
cut and grading done for bridge and culverts  
about 1/2 mile.

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

Cromwell West

J. J. Reigler  
J. J. S. S. S. S. S.  
Peter McVada

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

C. West wants 1/4 of a mile of new fence and 1/4 of a mile of fence moved

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:

C. West is entitled to \$75<sup>00</sup> for fencing as stated above

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

The cost will be about \$750.- and will benefit 2 men.

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

Dated June 15<sup>th</sup> A. D., 1891903.

E. H. Kidd  
Hessie W. W. W. W. W. } Road Viewers.  
Ray C. Martin

Bozeman, Mont. June 6th. 1903.

Mr.....

Bozeman, Mont.

Dear Sir:

You are hereby notified that a meeting of the board of county commissioners an order was made appointing E.F.Kidd, Roy Martin and Henry Monforten to view and lay out a proposed road petitioned for by J.F.METHENEY and others, Commencing at the S.E.corner of the S.W.1/4 of Sec.36.T.2.S.R.5.E. and the N.E.corner of the N.W.1/4 of Sec.1.T.3.S R.5.E. and running east on said township line one and one half miles to where it intersects with the Bozeman Creek Canyon road on the east side of Bozeman Creek.

Date set for viewing June 15th 1903.

Very truly

A.A.Cameron, Co. Clerk.

Above notice was sent to the parties enumerated hereafter, notices were sent by registered mail and receipt cards are hereunto attached.

J.Feazell

F.Metheney

C.West

Jos Kopp

P.NoVada

J.J.Ziegler

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Bozeman, Mont.  
(Delivering office.)

Registered (Letter) No. 215 from Bozeman, Mont.  
(Office of origin.)

Addressed to Henry Monforter  
(Name of addressee.)

Date 6-10-1908  
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Henry Monforter  
(Signature of name of addressee.)  
Henry Monforter  
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Bozeman, Mont.  
(Delivering office.)

Registered (Letter) No. 216 from Bozeman, Mont.  
(Office of origin.)

Addressed to E. F. Kidd, Esq.  
(Name of addressee.)

Date Aug 11 1908  
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

E. F. Kidd  
(Signature of name of addressee.)  
E. F. Kidd  
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Bozeman, Mont.  
(Delivering office.)

Registered (Letter) No. 214 from Bozeman, Mont.  
(Office of origin.)

Addressed to Roy Martin  
(Name of addressee.)

Date Nov 1 1908  
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Roy E. Martin  
(Signature of name of addressee.)  
R. E. Martin  
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Bozeman, Mont.  
(Delivering office.)

Registered (Letter) No. 213 from Bozeman, Mont.  
(Office of origin.)

Addressed to Jos. Kopp  
(Name of addressee.)

Date 6-10-1908  
(Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Jos. Kopp  
(Signature of name of addressee.)  
Mrs Jos. Kopp  
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at \_\_\_\_\_ (Delivering office.)

Registered (Letter) No. 2/2 from Bozeman, Mont. (Office of origin.)

Addressed to P. McVida (Name of addressee.)

Date JUN 10 1903 (Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Peter McVida (Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at \_\_\_\_\_ (Delivering office.)

Registered (Letter) No. 209 from Bozeman, Mont. (Office of origin.)

Addressed to F. Metheny (Name of addressee.)

Date JUN 11 1903 (Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

J F Metheny (Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Bozeman, Mont. (Delivering office.)

Registered (Letter) No. 1211 from Bozeman, Mont. (Office of origin.)

Addressed to C. West (Name of addressee.)

Date JUN 11 1903 (Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

C West (Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Bozeman, Mont. (Delivering office.)

Registered (Letter) No. 210 from Bozeman, Mont. (Office of origin.)

Addressed to Mr. J. J. Zigler (Name of addressee.)

Date JUN 20 1903 (Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

J J Zigler (Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at \_\_\_\_\_ (Delivering office.)

Registered (Letter) No. 1217 from Bozeman, Mont. (Office of origin.)

Addressed to Frazell (Name of addressee.)

Date JUN 27 1903 (Date of delivery.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

J J Zigler (Signature or name of addressee.)

(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee, except upon the addressee's written order. When the above receipt has been properly signed, it must be postmarked with name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

