

PLATED ON P 67

T3 77E

No. 223

PETITIONER,

J. M. Haley et al

Petition filed June 8 1903

Viewers appointed Oct 15 1903

Report filed Dec 7 1903

Date of hearing none required 1903

Report approved Dec 7 1903

Order of survey " " 1903

Surveyor's Report filed June 6 1904

Declared County Road Aug 9 1904

By Order of the Board
This the 9 day of Aug
1904

Geo. E. Davis
Chairman

See Book 9 Commissioners' Proceedings,
pages 408, 402, 452, 509

Recorded, Road Book, pages

J. J. 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. 6, 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~~ ^{forty} 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 N.W. corner of the E. 1/2 of the E. 1/2 of Sec. 32, Township 3 N. Range 4 E. and run due south 1 mile and connect with road at the south West corner of the E. 1/2 of the E. 1/2 of section 32 Township 3 N. Range 4 E.
- (b) It would divide the E. 1/2 of the E. 1/2 & the W. 1/2 of the E. 1/2 of Sec 32, T. 3 N. R. 4 E.
- (c) Charley Tudor, John W. Eline and J. B. Harmer
- (d) J B Harmer ^(id) does. W. Tudor & W. Eline does not
- (f) John W. Eline twenty five dollars damage
- (g) ^(a) To get to school ^(b) To get to church, ^(c) To get to town, To get to timber

Charles Tudor has not proved up on his land

NAMES:

- 1 J. M. Haley
- 2 H. M. Edwards
- 3 Paul C. Williams
- 4 J. H. Reed
- 5 W. E. Eline

NAMES:

- 6 Mr. Dennis O'Brien
- 7 William V. Ballantine
- 8 W. M. Lewis
- 9 J. M. Buler
- 10 J. B. Harmer

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 *T. M. Haley and others*

residents of Road District No

The petition above referred to, petitions that a Road be established, commencing at the N.W. corner of the E² of E² of Sec 32, T3N, R4E, running south one mile and connect with road at S.W. corner of E² of E² of Sec. 32, same T, and R.

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 *15* day of *Oct* 190*3*

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 :

C. M. Thorpe
William Brainard
Stephe Collicutt

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 *15th* day of *Oct* 190*3*.

Warrant for Road Viewers.

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

Mr. *Wm Brainard, Stephen Collicutt and C. M. Thorpe*

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 15th
day of October 1903, to view and lay out a proposed road, as prayed for in the
petition of T. M. Haley and others, described as follows, to-wit:

Commencing at the Northwest corner of the East half of the East
half of Sec. 32, T. 3. N. R. 4. E., running South one mile to connect
with road at the Southwest corner of the East half of the East
half of Sec. 32, same T. & R.

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in
company with yourself, who were duly appointed as
Viewers on said road by the Chairman of the Board of County Commissioners on the
day of November 1903 at 10¹² O'clock P. M. 11th
5 A, 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 hereto set my hand, at my office this 15th
day of October 1903.

Geo. E. Davis
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.

B. M. Thomas

Subscribed and sworn to before me this 2nd day
of Nov. 1903

A. A. Cameron
Co. Clerk

This must be returned to the County Clerk after execution.

REPORT OF ROAD VIEWERS.

ROAD NO. 223

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

I
We, the undersigned Road Viewers, ~~consisting of~~ *C.M. Hooper* appointed
to view a ~~proposed~~ road running from the
N.W. Corner of the E. 1/2 of the E. 1/2 of Sec. 32 T. 3 N. R. 4 E.
to the S.W. Corner thereof.

appointed to view a proposed road running from

to

as described in the annexed petition, say, That on the *11th* day of *Nov.*

A. D., 1903, ~~we assembled~~ *I went to* 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:~~
(as the other viewers did not appear I)

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 north west corner of
the E. 1/2 of the E. 1/2 of Sec 32 T. 3 N. R. 4 E.
thence South over 1 mile to the County Road
on the south line of said Sec. 32
The length of the road is one mile.
The grade will probably not exceed 10%.
The line of the road will be defined by the subdivision
line of the section when surveyed.
See accompanying sketch for the line of road and
names of land owners.
There will be no expense for constructing the
road.

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

J. B. Hornum.

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

Chas. Tudor. Claim \$15⁰⁰ for fence material
Geo. W. Shaw claims 25⁰⁰ for fence material
and land.

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:

to Chas. Tudor \$15⁰⁰
to Geo W. Shaw. 25⁰⁰

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

This road is needed in getting to timber.
and as a cross road between the two County
roads.

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

Dated Nov. 11th A. D., 18903

C. M. D. Hoops

Road Viewers



Bozeman, Montana, Aug 26, 1904 ~~89~~

The County Clerk, of Gallatin County,

Road

Fund warrant of Gallatin County, No 711

for \$ 25⁰⁰

in favor of for damages allowed on road No

223, petitioned for by J. M. Haley et al.

Geo M Schaur



Bozeman, Montana, January 4, 1904 ~~89~~

The County Clerk, of Gallatin County,

Road

Fund warrant of Gallatin County, No 592

for \$ 15⁰⁰

in favor of

Chas Tudor, for damages

for road # 223; J. M. Haley road.

Charles Tudor

Bozeman, Montana, Oct. 26, 1903.

Dear Sir:-

You are hereby notified that we the undersigned Road Viewers appointed by the Board of County Commissioners of the County of Gallatin, State of Montana, to view and mark out a proposed new road as prayed for in the petition of T. M. Haley and others, will meet for such view on the 11th day of November 1903, at 10 o'clock A.M. at the point designated in said petition as the starting point of said proposed road, which is described as follows, to wit:-

Beginning at the N.W.Cor. of the East 1/2 of the East 1/2 of Sec. 32, T.3 N. R.4 E. and run due South 1 mile and connect with road at the S.W.Cor. of the E. 1/2 of the E.1/2 of Sec. 32, T.3 N. R.4 E.

You are requested to be present at such viewing.

C. M. Thorpe

Stephen Collett

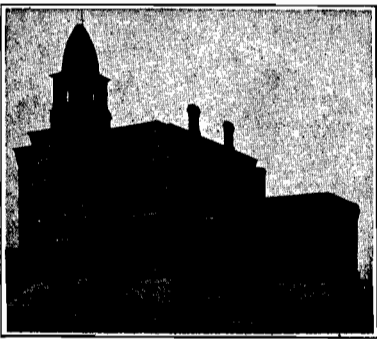
Wm. Brauward

Viewers.

Bozeman, Montana, Oct. 26, 1903.

A copy of the notice hereto attached was, on the 26 day of Oct. sent by registered mail to the following property owners

Chas. Tudor,	Bozeman Gallop
John W. Cline	Bozeman,
J. B. Hornum,	.



OFFICE IN CITY HALL

Bozeman, Montana, March 5, 1906.

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

Gentlemen:- I hereby certify to your Honorable Body
that I have this day filed in the office of the County Clerk
of Gallatin County, Montana, the Plat and Field Notes of _____

"HORMAN ROAD" No. 223

Very respectfully

C. M. Thorpe
County Surveyor.

BOZEMAN, MONTANA, JUN 6 1904 190

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

Gentlemen:-

As ordered I have surveyed the Haley Road, No. 223 the starting point and terminus of which are marked with substantial iron monuments and at several points along the line of said road I set a stake on the center line and stakes out 20 feet each side for the fence line. Three Notices of Opening were posted along the line of said Road.

I request further time for the filing of the map of said road.

Respectfully,

C. M. Thorpe

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 West Line of the E 1/2 of
the E 1/2 of Sec. 32 T. 3 N. R. 4 E

as viewed ~~and surveyed~~ by C. M. G. Hooper
on the 11 day of Nov 1903. And hereby agree to
place my fences on said lines without charge to the County.

Signed J. B. Hornum

Dated at _____ this 14 day of Nov 1903.

ACKNOWLEDGEMENT.

STATE OF MONTANA, }
County of Gallatin, } ss. On this 14th day of Nov.
A. D. 1903, before me County Surveyor
in and for said County, came J. B. Hornum

who is personally known to me to be the person... described in and who signed the annexed consent
for right of way and acknowledged to me that he had executed the same freely and voluntarily,
for the uses and purposes therein expressed.

IN WITNESS WHEREOF, I herewith set my hand the day and year first above written.

C. M. G. Hooper
Co. Surveyor

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 East Line of the S.W. 1/4 of the
N.E. 1/4 of Section 32 T. 3 N. R. 4 E.
the road to follow ^{1/4 mile west of} Section line for the mile
Sec. _____, T. _____, R. _____

as viewed ~~and surveyed~~ by C. M. Thorpe
on the 11th day of Nov. 1903. And hereby agree to

place my fences on said lines ~~without charge to the County.~~ for the sum of 25⁰⁰
Signed Geo. W. Shaw
Manhattan

Dated at _____ this 11 day of Nov. 1903.

ACKNOWLEDGEMENT.

STATE OF MONTANA, }
County of Gallatin, } ss. On this 11 day of Nov.
A. D. 1903, before me Co. Surveyor
in and for said County, came Geo. W. Shaw.

who is personally known to me to be the person... described in and who signed the annexed consent
for right of way and acknowledged to me that ...he had executed the same freely and voluntarily,
for the uses and purposes therein expressed.

IN WITNESS WHEREOF, I hereunto set my hand the day and year first above written.

C. M. Thorpe.
Co. Surveyor.

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 East line of the N.W. 1/4 of N.E. 1/4 of Sec. 32, T. 3 N., R. 4 E. 1/4 mile west of the road to follow Section line for the mile.

Sec. _____, T. _____, R. _____

as viewed ~~and surveyed~~ by C. M. Thorpe on the 11th day of Nov. 1903. And hereby agree to

place my fences on said lines ~~without charge to the County.~~ for the sum of \$15.00 for fence wire 1/4 mile.

Signed Charley Tudor Manhattan.

Dated at _____ this 11 day of Nov. 1903.

ACKNOWLEDGEMENT.

STATE OF MONTANA, }
County of Gallatin, } ss. On this 11th day of Nov. A. D. 1903, before me Co. Surveyor in and for said County, came Charley Tudor.

who is personally known to me to be the person... described in and who signed the annexed consent for right of way and acknowledged to me that he had executed the same freely and voluntarily, for the uses and purposes therein expressed.

IN WITNESS WHEREOF, I hereunto set my hand the day and year first above written.

C. M. Thorpe
Co. Surveyor

N0223

NOTICE OF OPENING PUBLIC ROAD.—BOZEMAN CHRONICLE PRINT.

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 Northwest corner of the E. 1/2 of the E. 1/2 of section 32,
 T. 5. N. R. 4. E., running due South one mile and connect with road at
 the Southwest corner of the E. 1/2 of the E. 1/2 of Section 32, same
 Township and Range.

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

Dated May 28, 1904 189

A. A. Currier
Clerk,

By _____
Deputy.

Date of Posting May 31 1904 189

State of Montana,
County of Gallatin.

C. M. Thorpe, being first duly sworn, deposes and says, that as the
County Surveyor he received from
 the County Clerk of said County, on the 24 day of May, A. D.

1904, three copies of the annexed notice, and that on the 31 day of May, 1904,
 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 terminus
of said road

and further deponent sayeth not.

C. M. Thorpe

Subscribed and sworn to before me this 6 day of June, A. D. 1904

A. A. Currier
Clerk

REGISTRY RETURN RECEIPT.

Form No. 1548.

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

Registered ^(Letter) ~~(Parcel)~~ No. 942, from Bozeman, Mont.
(Office of origin.)

Addressed to Stephen Collicott
(Name of addressee.)

Date Oct 22, 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.

Stephen Collicott
(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.

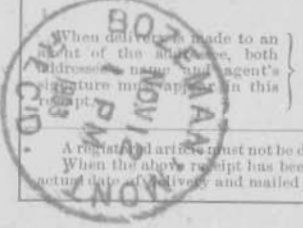
Form No. 1548.

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

Registered ^(Letter) ~~(Parcel)~~ No. 948, from Bozeman, Mont.
(Office of origin.)

Addressed to Wm. L. Brainard
(Name of addressee.)

Date _____, 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.

W. L. Brainard
(Signature or name of addressee.)

G. V. Brainard
(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) ~~(Parcel)~~ No. 944, from Bozeman, Mont.
(Office of origin.)

Addressed to C. M. Thorpe
(Name of addressee.)

Date Oct 28, 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. M. Thorpe by
(Signature or name of addressee.)

A. S. Thorpe
(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.

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REV. LEWIS,

T. 3 N. R. 4 E.

SINES ROAD

CHARLES TUDOR

GEO. W. SHAW.

U.S. GOV.

J. B. HORMEN.

PROPOSED ROAD

Scale: 40 Chains to 1 Inch.

ROAD TO DRY CREEK

