

7-1-1905  
PLATTED IN VOL. B, PAGE 98 & 32

No. 235

PETITIONER,

C. V. Scofield et al.

Petition filed Dec 7<sup>th</sup> 1903

Viewers appointed Jan. 4 1904

Report filed Feb 1 1904

Date of hearing \_\_\_\_\_ 190...

Report approved Feb. 1<sup>st</sup> 1904

Order of survey Feb. 1<sup>st</sup> 1904

Surveyor's Report filed July 27 1904

Declared County Road Mar. 10<sup>th</sup> 1905

by order of The Board

Geo. E. Davis

Chairman

See Book 9 Commissioners' Proceedings,

pages 424, 428, 587.

Recorded, Road Book, pages \_\_\_\_\_

A. A. Cameron County Clerk

THE REPUBLICAN, BOZEMAN, MONT.

To be recorded Jan 2 1905

# 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 2 [unintelligible], 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:

*Beginning at the North East Corner of Section Five (5) in Twp. 18 of R. 3 East, thence West on Section Lines one mile; thence South on Section Lines two miles. Said proposed road will connect with the LeSelle road at the point of beginning and with the Barnhart and House roads at point of termination.*

The lands over which same is to be established and names of owners thereof are shown by "Exhibit A" hereto attached and hereto made a part.

All the owners of said lands consent to the opening of the road and lay no claim for damages.

The right-of-way will be donated.

This road if opened, will connect two existing roads, and will become the main thoroughfare to market at Manhattan for a score or more of farmers, who are now obliged to go to market through fields and to open gaps, there being no road which they can travel with a load.

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NAMES:

1. C. V. Seallard
2. [unintelligible]
3. [unintelligible]
4. [unintelligible]
5. [unintelligible]

NAMES:

6. [unintelligible]
7. [unintelligible]
8. [unintelligible]
9. [unintelligible]
10. [unintelligible]

A. M. Lewis

H. Bannant.

Lowell R. Churchill.

Martin Leach

Robert Leach

~~Wm. Potter~~

S. H. Parks

on on white

do H. Sheppard

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 *C. D. Scollard and others*  
of Road District No. *2*

The petition above referred to, petitions that a Road be established, commencing  
*at the N. E. corner of Sec. 5, T. 8, R. 3 E,*  
*thence West on Sec. lines one mile, thence*  
*South on Section lines two miles.*  
*Said proposed road will connect with the*  
*Le Sells road at the point of beginning and*  
*Danhart and House road at point of termination.*  
You are hereby notified to appoint three Viewers to view the above proposed Road.

Yours, Very Respectfully,

*A. A. Cameron*  
County Clerk and Recorder.

Dated at, Bozeman, Montana, this *4* day of *Jan* 190*4*

OFFICE OF

The Board of County Commissioners,

GALLATIN COUNTY, MONTANA.

*A. A. Cameron*  
MR. ~~E. V. BLANKENSHIP,~~  
County Clerk, Gallatin County, Montana.

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

*C. M. Thorpe*  
*Walter H. Sales*  
*B. F. Danboon*

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<sup>th</sup>* day of *Jan*, 190*4*.

# Warrant for Road Viewers.

*Copy*

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

Mr. *C. M. Thorpe, Walter H. Sales and B. F. Saubarn*

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 4th  
day of January 1904, to view and lay out a proposed road, as prayed for in the  
petition of C. V. Scollard and others, described as follows, to-wit:

Beginning at the Northeast corner of Section 5, T.1.S.R.3.E.,  
thence West on Section line one mile; thence South on Section  
lines two miles. Said proposed road to connect with the Te  
Selle road at point of beginning and with the Barnhart and  
House road at point of termination.

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 20th  
day of January 1904 <sup>at 10<sup>00</sup> O'clock, A. M.</sup>, 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 January 1904.

*[Signature]*  
County Clerk,

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

Bozeman, Montana, Jan. 14, 1904.

~~Mr. [redacted]~~  
~~[redacted]~~ *Copy*  
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 C. V. Scollard and others will meet for such view on the 20th day of Jan. 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 Northeast Corner of Section 5, in T.1 S. of R. # E. thence West on Section Lines 1 mile; thence South on Section Lines two miles. Said proposed road will connect with the "TeSelle Road" at the point of beginning and with the Barnhart and House Roads at point of termination.

You are requested to be present at such viewing.

C. M. Thorne  
B. F. Sanborn  
Walter Saler

Viewers:

Bozeman, Montana, Jan. 14, 1904.

A copy of the notice hereto attached was, on the 14th day of Jan. 1904, sent to the following land owners along the line of said proposed road :

Frank Duffin,	Manhattan.
Joe Langfrey	"
Jno. TeSelle	"
C. V. Scollard,	"

# 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. A. Sales*

Subscribed and sworn to before me this 20 day

of Jan 1904

*C. M. Thorpe*  
*Co 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. Thorpe*

Subscribed and sworn to before me this 14th day

of January 1904

*A. A. Cameron*  
*Collector*

This must be returned to the County Clerk after execution.



# REPORT OF ROAD VIEWERS.

ROAD NO. 235

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

We, the undersigned Road Viewers, consisting of Walter Sales and  
C. M. Thorpe two of the viewers appointed  
 by your honorable body on Jan 4 1904

appointed to view a proposed road running from the North East Corner of Section  
5 in T. 1 S. R. 3 E.

to the S.W. Corner of Sec. 8 said T. and Range.

as described in the annexed petition, say, That on the 20<sup>th</sup> day of January  
A. D., 1904 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: B. F. Sanborn  
the other viewer not appearing.

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 of the proposed  
road is as follows to wit:—Beginning at the N.E.  
Corner of Section 5 T. 1 S. R. 3 E. thence West on  
Section line one mile to the N.W. Corner of said  
Section 5, thence south two miles between sections  
5 and 6, and between sections 7 and 8, to the  
South West Corner of Section 8 said T. & R.

The length of the proposed road is 3 miles.

The line of the proposed road will be defined by the U.S. Gov.  
lines when surveyed. The grades will not exceed  
8 or 10 % when properly graded. The character of the  
ground is suitable for road building.

See accompanying sketch for the land over which the road  
passes and names of land owners.

<u>The probable cost of constructing the proposed road</u>	
<u>for ditches.</u>	<u>\$ 25.00</u>
<u>for grading.</u>	<u>70.00</u>
<u>Total.</u>	<u>\$ 95.00</u>

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

F. Duffin, Jan to Sells, S. Mc Kinnon.  
A. Bahrhart. Langtry and Jensen

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

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:

None.

5. The following facts, bearing upon the subject, which may be of importance to the Board:  
We find the road needed as an outlet for settlers.

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

Dated Jan. 20 1904 A. D., 187

Walter J. Sells  
C. M. Thorpe

Road Viewers.

BOZEMAN, MONTANA.

July 27 1904

To the Hon. Board of County Commissioners  
of Gallatin County Montana.

Gentlemen:-

As instructed  
by your honorable body, I have  
surveyed the C.V. Scotland Road.  
all U.S. Gov. corners are marked with  
Cochran Monument. Fence  
stakes are set for the sides of road  
& the map will be filed later.

Respectfully,

C. M. Phelps

C. Surveyor

C. M. THORPE  
COUNTY SURVEYOR GALLATIN COUNTY



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, the  
Plan and Field Notes of "C.V. SCOLLARD ROAD" No. 235

Very respectfully,

*C. M. Thorpe*  
County Surveyor.

C.V. Scollard, Road.

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

I Hereby Agree, and consent to give 30 feet for a Right of Way for a County Road, ~~through~~ or along the East side of N.E. 1/4 of Sec 7 T.1 S. R. 3 E. and 30 feet off the west side of Sec. 8 said T & R.

as viewed and surveyed by Walter Sales, and C.M. Hooper on the 20<sup>th</sup> day of January 1904. And hereby agree to place my fences on said lines without charge to the County.

*Signature*

Signed C.V. Scollard

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_\_

### ACKNOWLEDGEMENT.

STATE OF MONTANA, }  
County of Gallatin, } ss. On this 15<sup>th</sup> day of March  
A. D. 1904, before me a Notary Public  
in and for said County, came C.V. Scollard

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.

*Please escort & return to me C.M. Hooper  
Boysenon.*

Peter A. Deigler  
Notary Public in & for  
Gallatin Co., State of Montana

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

I **Hereby Agree**, and consent to give 30 feet for a Right of Way for a County Road, ~~through~~ or along the East side of S.E. 1/4 of Sec. 7, T.1 S. R.3 E.

as viewed ~~and surveyed~~ by Walter Sales and C.M. Thorne on the 20<sup>th</sup> day of January 1904 and hereby agree to ~~place my fences on said lines without charge to the County.~~

Signed S McKenna Trustee

Dated at Shelena Mont this 22 day of Januy 1904

**ACKNOWLEDGEMENT.**

STATE OF MONTANA, }  
County of Gallatin, } ss. On this 22 day of January  
A. D. 1904, before me Joseph W Chivers a Notary Public  
in and for said County, came S McKenna Trustee

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.

Joseph W Chivers

NOTARY PUBLIC in and for  
the County, State of Montana

# To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give 30 feet for a Right of Way  
for a County Road, ~~through~~ or along the East side of Section 6  
T. 1 S. R. 3 E.

Sec. \_\_\_\_\_, T. \_\_\_\_\_, R. \_\_\_\_\_

as viewed and surveyed by Walter Selis, and J. M. Stephenson

on the 25<sup>th</sup> day of January 1904. And hereby agree to

place my fences on said lines without charge to the County. Lawford and Jensen,

Signed J. M. Stephenson

Dated at Manhattan this 20 day of January 1904

## ACKNOWLEDGEMENT.

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

On this \_\_\_\_\_ day of \_\_\_\_\_

A. D. 190\_\_\_\_, before me \_\_\_\_\_

in and for said County, came \_\_\_\_\_

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.

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

I **Hereby Agree**, and consent to give 30 feet for a Right of Way  
for a County Road, ~~through~~ or along the South side of the S.W. 1/4 of  
Section 32 T. 14. R. 3 E.

as viewed and surveyed by Walter Sales, and C.M. Hooper  
on the 20<sup>th</sup> day of January 1904. And hereby agree to  
place my fences on said lines without charge to the County.

Signed J. H. Linphier

Dated at Manhattan this 20 day of January 1904

**ACKNOWLEDGEMENT.**

STATE OF MONTANA, }  
County of Gallatin, } ss. On this \_\_\_\_\_ day of \_\_\_\_\_  
A. D. 190\_\_\_, before me \_\_\_\_\_  
in and for said County, came \_\_\_\_\_

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.



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

I **Hereby Agree**, and consent to give 30 feet for a Right of Way  
for a County Road, ~~through~~ or along the North and West side of Section  
5 T. 1 S. R. 3 E.

as viewed ~~and surveyed~~ by Walter Sales and C.M. Thorpe  
on the 20<sup>th</sup> day of January 1904. And hereby agree to  
place my fences on said lines without charge to the County.

Signed Jan Te Selle  
Arie Te Selle  
Dated at \_\_\_\_\_ this 20 day of Jan 1904

**ACKNOWLEDGEMENT.**

STATE OF MONTANA, }  
County of Gallatin, } ss. On this 20<sup>th</sup> day of Jan.  
A. D. 1904, before me County Surveyor  
in and for said County, came Jan Te Selle and Arie Te Selle

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  
County Surveyor.

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

I **Hereby Agree**, and consent to give 30 feet for a Right of Way  
for a County Road, through or along the East side of S.E. 1/4 of  
Sec 7 T. 15, R 3 E

as viewed and surveyed by Walter Sales & C.M. Hoopes  
on the 20<sup>th</sup> day of January 1904. And hereby agree to  
place my fences on said lines without charge to the County.

Signed H. Bannhart

Dated at \_\_\_\_\_ this 20<sup>th</sup> day of Jan 1904

**ACKNOWLEDGEMENT.**

STATE OF MONTANA, }  
County of Gallatin, } ss. On this 20<sup>th</sup> day of Jan.  
A. D. 1904, before me County Surveyor  
in and for said County, came H. Bannhart

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. Hoopes

Co. Surveyor

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

I Hereby Agree, and consent to give 30 feet for a Right of Way  
for a County Road, ~~through~~ or along the south side of the S. E. 1/4  
of Section 32 T. 14. R. 3 E.

Sec. \_\_\_\_\_, T. \_\_\_\_\_, R. \_\_\_\_\_  
as viewed ~~and surveyed~~ by Walter H. Salas B. F. Somborn + C. M. Hoopes  
on the 20<sup>th</sup> day of January 1904. And hereby agree to  
place my fences on said lines without charge to the County.

Signed F. H. Duffin

Dated at \_\_\_\_\_ this 20<sup>th</sup> day of Jan 1904

**ACKNOWLEDGEMENT.**

STATE OF MONTANA, }  
County of Gallatin, } ss. On this 20<sup>th</sup> day of January  
A. D. 1904, before me County Surveyor  
in and for said County, came F. H. Duffin

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. Hoopes  
Co. Surveyor.

# 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~~ Beginning at the northeast corner of section five (5) in Twp. 1, S. of R. 3, E. thence east on section line one mile; thence south on section line two miles, said proposed road will connect with the TeSalle Road at the point of beginning, and with the Barnhart and House Roads at point of termination.

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

Dated July 5 1904 ~~189~~

A. A. Cameron  
Clerk,

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

Date of Posting July 9 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 7 day of July, A. D.

1904, three copies of the annexed notice, and that on the 9 day of July, 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 Starting point, one about Midway,  
and one at the terminus of road

and further deponent sayeth not.

Subscribed and sworn to before me this 27 day of July, A. D. 1904

A. A. Cameron  
Clerk

REGISTRY RETURN RECEIPT.

Form No. 1548

Received from the Postmaster at Manhattan, Mont.  
Bozeman, Mont.  
 Registered <sup>{Letter}</sup>~~Parcel~~ No. 110, from \_\_\_\_\_ (Office of origin.)  
 Addressed to Mr. Frank Duffin (Name of addressee.)  
 Date \_\_\_\_\_, 190\_\_\_\_ (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. Frank Duffin (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 Manhattan, Mont.  
Bozeman, Mont.  
 Registered <sup>{Letter}</sup>~~Parcel~~ No. 28, from \_\_\_\_\_ (Office of origin.)  
 Addressed to B. F. Saurion (Name of addressee.)  
 Date \_\_\_\_\_, 190\_\_\_\_ (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. B. F. Saurion (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 Manhattan, Mont.  
Bozeman, Mont.  
 Registered <sup>{Letter}</sup>~~Parcel~~ No. 29, from \_\_\_\_\_ (Office of origin.)  
 Addressed to Walter N. Sales (Name of addressee.)  
 Date 1/9, 1904 (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. N. Sales (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.

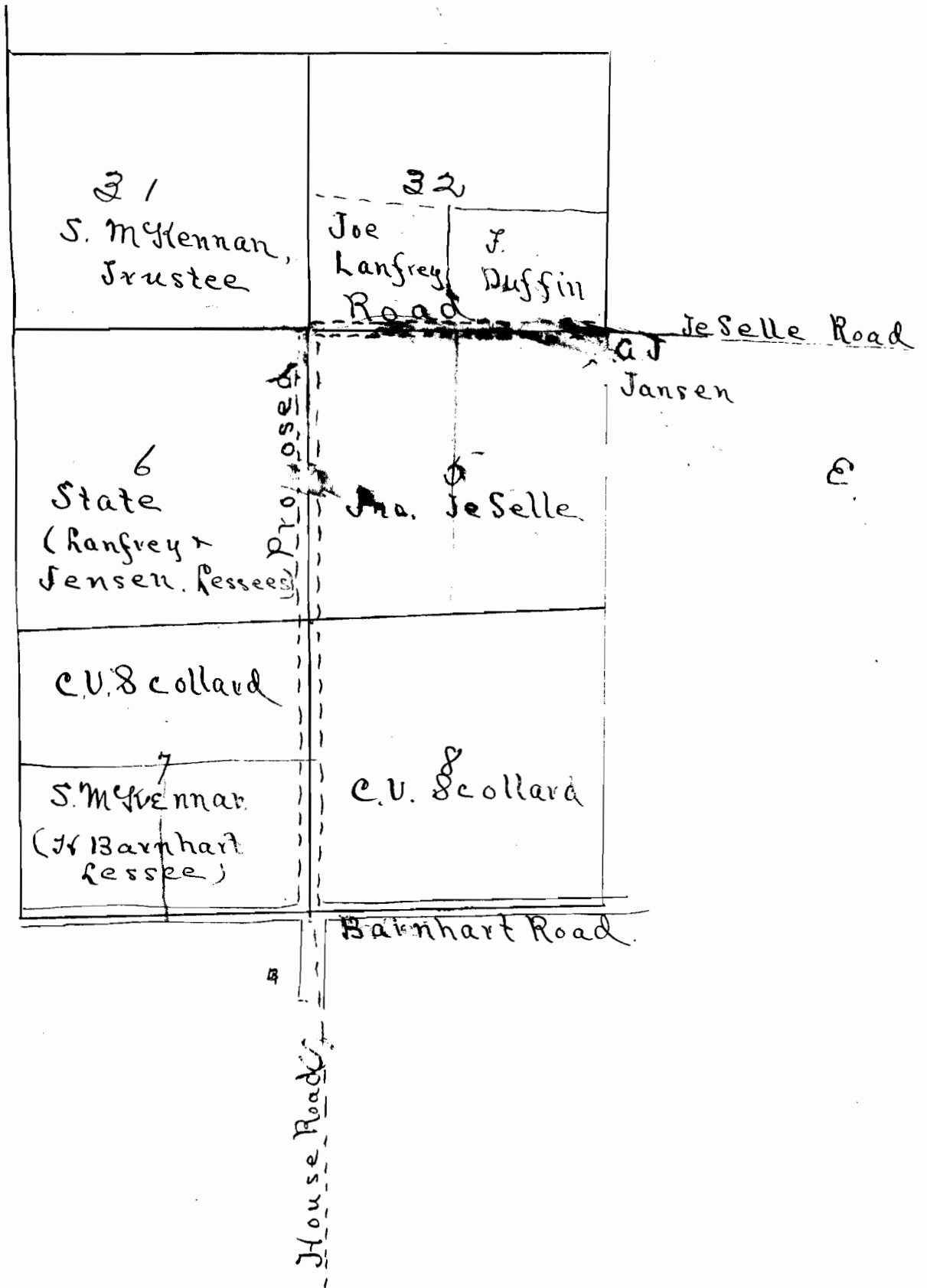
Form No. 1548.

Received from the Postmaster at Bozeman, Mont.  
Bozeman, Mont.  
 Registered <sup>{Letter}</sup>~~Parcel~~ No. 30, from \_\_\_\_\_ (Office of origin.)  
 Addressed to C. M. Thorpe (Name of addressee.)  
 Date Jan 12, 1904 (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 (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.

# Exhibit A

W.



Draft of Proposed Scollard Road  
 In Tpls of R 3 E.  
 Showing Route and Names of  
 Abutting Owners.