

1558

No. 246

PETITIONER,

A. J. Hamilton et al

Petition filed Sept. 3. 1904

Viewers appointed Sept. 7 1904

Report filed December 7th 1904

Date of hearing 190...

Report approved 190...

Order of survey 190...

Surveyor's Report filed 190...

Declared County Road 190...

Rejected by order
of the Board

March 10th 1905

Geo. E. Davis

Chairman

See Book 9 Commissioners' Proceedings,

pages 516, 548, 587.

Recorded, Road Book, pages

County Clerk

AA

Petition For Road.

To The Hon. Board of County Commissioners, of Gallatin County, Mont.:

The Undersigned, Your petitioners, Citizens of the United States, respectfully show and represent that they are residents of and freeholders in Road District No. 3, in the County of Gallatin, State of Montana, and taxable therein for road purposes, 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 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 such right-of-way where such consent is not had.
- (g) The necessity for and advantages of the proposed road as follows, to-wit:

(a) The general route of the proposed road is as follows, to-wit: Beginning at a point in the public highway, near where the same crosses the Northern Pacific Railway, to-wit; near the center of the west line of Section Twenty-two (22), or where Belgrade road leaves said section line in Township One (1) South of Range Five (5) East, in Gallatin County, Montana, the said starting point being in Road District No. 3, a legal subdivision of said Gallatin County, thence running north along the west side of said Section Twenty-two (22), from the starting point to the north-west corner thereof, thence continuing north along the west side of the South-west Quarter of Section Fifteen (15), said Township and Range; thence north half a mile on section line to the north-west corner of said Section Fifteen (15); thence west half a mile on section line to the south-west corner of the South-east Quarter of Section Nine (9), said township and range; thence north one and one-fourth miles on quarter-section lines until the same intersects and connects with the public highway running east and west at said point and known as the Flannery Lane; also at said point of termination said proposed road connects with and becomes the southern extension of a public highway running north and south on said quarter-section lines and known as the Joe Davis or Penwell Road. All of said proposed road is located in said Road District No. 3, and in said Township One (1) South of Range Five (5) East.

(b) It is proposed in establishing this road to procure and condemn for a right-of-way therefor a strip of land forty (40) feet in width off the west side of said Section Twenty-two (22), from the starting point of said road north to the North-west corner of said Section Twenty-two (22); also it is proposed to condemn therefor a strip of land forty (40) feet in width from off the west side of the Southwest Quarter of said Section Fifteen (15), from which point on to the termination of said road, it is proposed to procure and condemn a strip of land for said road twenty (20) feet in width each way from and on each side of the section and quarter-section lines, throughout the remainder of the length of the proposed road, as above described.

(c) The following are the owners of the lands sought hereby to be procured and condemned for road purposes, to-wit: Mrs. _____ Jones is the owner of the forty-foot strip of land to be taken off the west side of the North-west Quarter of said Section Twenty-two (22) J. H. Wells is the owner of the West Half of the West Half of said Section Fifteen (15).

Charles Border owns the North-east Quarter of Section Sixteen (16), said Township and Range.

Patrick Twohy owns the East Half and Charles Backes owns the West Half of Section Nine (9), said Township and Range.

James Arnold owns the South Half of the South Half of Section Four (4), said Township and Range.

(d) The following of the above-named owners consent to the opening of said road and donate that portion of the right-of-way which passes over their said lands: J. H. Wells, Charles Border, Charles Backes, and James Arnold consents thereto, having already been paid for said right-of-way through his said land.

(e) Those owners not consenting are Mrs. _____ Jones and Patrick Twohy.

(f) Mrs. _____ Jones claimed damages to the amount of \$1500.00, but petitioners believe that the actual damages to which she is entitled for that portion of the right-of-way which is taken from her lands will not exceed \$150.00.

Mr. Patrick Twohy claims damages to the amount of _____

she is entitled for that portion of the right-of-way which is taken from her lands will not exceed \$150.00.

Mr. Patrick Twohy claims damages to the amount of _____
Petitioners believe and accordingly estimate the benefits of said road to Mr. Twohy exceed the damage done to his lands, for the reason that the opening of said road will connect said Twohy's two ranches at a distance of one-fourth of a mile from each other, where under present conditions claimant is forced to travel three-fourths of a mile through fields of other people and on public road in passing from his home ranch to the lands above described.

Petitioners therefore estimate that the total cost of procuring a right-of-way for said road, where the consent of abutting owners is not given, will not exceed \$150.00.

(g) Such said road is necessary as an outlet to market, and otherwise, to Charles Backes, Charles Border, Patrick Twohy, J. H. Wells, Charles Beck, Matt Flannery and William Flannery. These parties, have at present no outlet or road from their lands to any existing public highway. They are entirely dependent on the good will of the owners of lands intervening between their own land and the public highways existing for privileges of passage to and from their said lands.

Furthermore, there is at present no cross-road to the Bozeman-Belgrade road from the Reise Creek road for a distance of about five miles; yet a road of this character and for this purpose, is highly necessary and desirable.

Said proposed road, if laid out on the route herein described will at all times be a good road with fewer bridges and a better road-bed than any other route that can be selected for the purposes for which the road is desired. Also the cost of maintaining this road, if it be opened, will be far less than that of maintaining a road on any other possible route.

Said road is the shortest and most direct route from the Twohy and Penwell neighborhoods on the East Gallatin River, to Bozeman, and is for this reason highly necessary and desirable for the use and benefit of the communities aforesaid.

NAMES
1. A. J. Hamilton
2. [unclear]
3. Chas. J. Borden
4. R. G. Spain
5. G. W. Spring
F. B. Weaver

NAMES
6. J. H. Kennedy
7. C. F. Stryker
8. J. C. Miller
9. John A. Moore
10. Jas W. Moore
M. W. Penwell
Matt & Peannus

OFFICE OF

County Clerk and Recorder,

GALLATIN COUNTY, MONTANA.

HON. J. L. PATTERSON,

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

Gentlemen

~~THE STATE~~ You are hereby notified that a petition for a County Road has been received in this office,

signed by A. J. Hamilton and others

of Road District No. 3

The petition above referred to, petitions that a Road be established, commencing at a point in the public highway, near where the same crosses the Northern Pacific Railway, to-wit, near the center of the west line of Sec. 22, or where Belgrade road leaves said Sec.

line in T. 1 S. R. 5 E., in Gallatin Co. Montana, the said starting point being in Road Dist. No. 3, a legal subdivision of said Gallatin county, thence running north along the west side of said Sec. 22, from the starting point to the N. W. corner thereof, thence continuing N. along the W. side of the S. W. 1/4 of Sec. 15, said T. & R.; thence N. half a mile on Sec. line to the N. W. Cor. of said Sec. 15, thence W. 1/2 mile on Sec. line to the S. W. Cor. of the S. E. 1/4 of Sec. 9, said T. & R.; thence N. 1/4 miles on quarter-section lines until the same intersect and connects with the public highway running E & W. at said point and known as the Flannery Lane; also at said point of termination said proposed road connects with and becomes the southern extension of a public highway running N. & S. on said quarter-section lines and known as the Joe Davis and Pennell Road. All of said proposed road is located in said Road Dist. No. 3, and in said T. 1 S. of R. 5 E.

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

7 day of Sept 1904

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, ^{the Board} hereby appoints:

C. M. Thorpe
Matt Neible
A. N. Bull

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 7 day of Sept. 1904.

Copy

Warrant for Road Viewers.

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

Mr. *L. M. Thoype, Matt Heible & A. N. Bull*

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 *7th* day of *Sept.* 190*4*, to view and lay out a proposed road, as prayed for in the petition of *A. T. Hamilton* and others, described as follows, to-wit:

Commencing at a point in the Public Highway, near where the same crosses the Northern Pacific Railway, to-wit:- near the center of the west line of sec. 22, or where Belgrade Road leaves said sec. line in T. I.S. of R. 5.E. in Gallatin Co. Mont. the said starting point being in Road Dist. No. 3, a legal sub-division of said Gallatin County, thence running along the west side of sec. 22, from the starting point to the N.W. corner thereof, thence continuing north along the west side of the S.W. 1/4 of sec. 15, said Twp. & Range, thence N. half a mile on sec. line to the N.W. corner of said sec. 15, thence west one half mile on sec. line to the S.W. Cor. of the S.E. 1/4 of sec. 9 said T. & R., thence N. 1/4 miles on quarter sec. lines until the same intersects with the Public Highway running E. & W. at said point of termination and known as ~~the~~ *Blannery Lane*, also at said point of termination, said proposed road connects with and becomes the southern extension of a public highway running ~~of~~ *of* said quarter section lines and known as the *Joe Davis & Penwell Road*. All of said proposed road is located in said Road District No. 3 and in said T. I.S. of R. 5.E.

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 4th day of Oct. 1904, commencing at the place designated in said petition as the starting point of the road sought to be established 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 19th day of Sept. 1904.

A. A. Cameron
County Clerk,

By H. R. Markin
Deputy.

We, the undersigned land owners along the line of the proposed new road petitioned for by A. T. Hamilton et. al. do hereby certify that we were, on Nov. 17th 1904 served with a copy of the Notice of Viewing hereto attached:

Chas A Backus

J. H. Wells

Mary Morgan
By Thomas T Jones

Chas. Barber in California
Delivered notice to Chas Campbell, 4 S. T.

Pat - Tooley

James Arnold
by J. B. Flannery

Bozeman, Montana, Nov. 17, 1904.

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 petitioned for by A. T. Hamilton et. al. will meet for such view on the 21st day of November, 1904 at 10 o'clock A. M. at the point designated in said petition as the starting point of said proposed road, which is more fully described as follows, to wit:-

Commencing at a point in the public highway near where the same crosses the Northern Pacific Railway, to wit:- near the center of the West side of Sec. 22, or where the Belgrade Road leaves said Sec. line in T.1 S. of R.5 E. in Gallatin County, Montana. The said starting point being in Road Dist. No. 3, a legal subdivision of said Gallatin County; thence running along the West side of Sec. 22 from the starting point to the N.W. Cor. thereof; thence continuing North along the West side of the S.W. 1/4 of Sec. 15, said T. & R.; thence North 1/2 mile on Sec. line to the N.E. Cor. of said Sec. 15, thence West 1/2 mile on Sec. line to the S.W. Cor. of the S.E. 1/4 of Sec. 9, said T. & R.; thence North 1 1/4 miles on 1/4 Sec. lines until the same intersects with the public highway running east and west at said point and known as the Flannery Lane, also at said point of termination said proposed road connects with and becomes the southern extension of a public highway running North and South on ~~the~~ said 1/4 Sec. lines, and known as the Joe Davis and Penwell Road. All of said proposed road is located in said Road District No. 3 and in said T.1 S. of R.5 E.

In case there are any matters regarding which you wish to consult the Viewers, please meet them near that portion of you land crossed by the line of said proposed road.

C. M. Thorpe,
Matt. Nichel,
A. M. Pull

Viewers

See County Letter Press book for copy of Notices delivered to
Land Owners along the Jones Road No. 246. Notices were delivered
Oct. 3, 1904 to the following land owners:

Chas. Backes

Chas. Border,

J. H. Wells,

James Arnold,

Patrick Toohey,

Mrs. Jones.

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. Thorne

Subscribed and sworn to before me this 3rd day
of October 1904

A. A. Cameron

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.

A. N. Bull

Subscribed and sworn to before me this 4th day
of Oct 1904

C. M. Thorne

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.

Matt Niebel

Subscribed and sworn to before me this *21st* day
of *Nov* 190*7*

C. M. Thomas
Co Surveyor

This must be returned to the County Clerk after execution.

REPORT OF ROAD VIEWERS.

ROAD NO. 246

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

We, the undersigned Road Viewers, consisting of A. N. Bull and C. M. Thorpe, two of the viewers appointed to view a proposed road running from the Bozeman and Belgrade Road where the same leaves the Section line between sections 21 and 22 T. 15. R. 5E. to a point in the Flannery Lane where the same is crossed by the N. & S. center line of sec 4 said T. & R. appointed to view a proposed road running from said point on Oct. 4th 1904 we assembled at the place designated in the petition as the starting point of such proposed road, and as Matt. Nickel the other viewer did not appear we adjourned until to Nov. 17th 1904 at 10 o'clock A.M. and notified Mr. Nickel and the land owners of the change, as described in the annexed petition, say, That on the 21st day of November

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: all three viewers being present.

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 to wit:—
Beginning at a point in ^{the center line of the} Bozeman and Belgrade Road where said road leaves the Section line between sections 21 and 22 T. 15. R. 5E. On the north side of the N. P. Ry. Co's. right of way. thence East 20 feet, thence North parallel with said Section line to a point 20 feet East of the $\frac{1}{4}$ Section Corner between sections 15 and 16 said T. & R., thence west 20 feet to said $\frac{1}{4}$ Section Corner, thence north along the Section line between said sections 15 and 16 to the Northeast Corner of sections 16; thence West $\frac{1}{2}$ mile along the line between section 9 and 16 to the $\frac{1}{4}$ Section Corner between said sections, thence North through the center of section 9 to the $\frac{1}{4}$ Section Corner between sections 9 and 4 said T. & R. thence North along the North and South Center line of said section 4, $\frac{1}{4}$ mile, to the Center line of the County road running East and West, and known as the Flannery Lane, the center being the terminus as described in the petition & the length of the proposed road is about $3\frac{1}{4}$ miles.
The line of the proposed road is defined by iron monuments placed at the U.S. Cor. Corners, and at the beginning and terminus the road having been surveyed in Jan. 1903, the land over which the proposed road passes is nearly level and suitable for road building. The lands over which the proposed road passes and names of owners thereof are shown on the annexed map.

The probable cost of constructing the proposed road is as follows.

For 14 culverts and 4 bridges.	\$554.00
For Grading.	150.00
Total	\$704.00

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. H. Wells. Chas. A. Backes. Chas. Border had gone to California but his written consent was given Oct. 2 1902. See Road No. 211. Right of way through James Arnold's was secured Dec. 9 1902 See also Road No 211

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

Mrs. Mary M. Jones claims \$1,000 damages.
Patrick Torkey claims damages for fence and \$2000 per acre for land amounting to for fence \$175.00
and for 3.65 acres of land 73.00
total \$248.00

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:

We estimate the damages in excess of benefit to Mrs. Mary M. Jones for 1.97 acres of land \$197.00
for 130 rods of fence at 45¢ per rod 58.50
total. \$255.50

We believe the benefits to Patrick Torkey resulting from the proposed road will fully equal the damages, as he has no public road to his land

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

See next
page

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

Dated Nov. 23 A. D., 1904

C. M. Thorpe
A. D. Bull
Matt Michel } Road Viewers.

The fact that the land owners along the road as petitioned for have never been able to agree on the location of a road, induced us to investigate the various routes which were proposed, hoping that a road could be located that would be satisfactory to all parties.

We first considered the proposition of Thomas Jones to give a 40 foot right-of-way on the North and West sides of his land and fence the same, or, if the road runs North from his N.W. corner to give 40 feet along the West side and 25 feet along his North line for a private road to the Wells place and fence the same (See accompanying agreement and map) We consider this very liberal on the part of Mr. Jones, but find that the objection to running the road on Mr. Jones' West line and then North, while it would be a less expensive road to construct, would not give a public road to the Matt. Flannery and Wells places. And if the road is run from Mr. Jones' N.W. Corner East $1/2$ mile thence North $1/2$ mile thence West $1/2$ mile would cause $1-1/2$ miles of travel for only gaining $1/2$ mile of distance.

After viewing the road as petitioned for we went over the line which Mrs. Jones desires, running from her N.W. corner East and following the line between her land and that of Mr. Chas. Beck and between the lands of Chas. Beck and M.H. Allen and intersecting the County Road at the S.E. corner of Sec. 22, T.1 S., R.5 E. (See annexed map)

On this route the cost of the right-of-way would be as follows Mrs. Jones will give $1/2$ the Right-of-way on line between her land and that of J.H. Wells and all the Right-of-way on the line between her land and that of Chas. Beck and fence the same without cost to the County and will contribute \$50.00 in cash.

Mr. Wells will give $1/2$ the Right-of-way between his land and that of Mrs. Jones and fence same without cost to the County.

Mr. Allen will give $1/2$ the Right-of-way on North line of N.E. $1/4$ of S.E. $1/4$ of Sec. 22 for \$75.00 and fence.

Mr. Beck will give all the Right-of-way on line between his land and the east side of Allen's for the cost of $3/4$ mile of fence, provided the County will properly grade and ditch the road. or will give all the Right-of-way between his land and Allen's, a distance of $3/4$ mile and fence same for \$475.00.

We believe this route would accommodate fully as many as the routes petitioned for, if not more, and would be quite satisfactory to all parties. The greatest objection to this route is that a portion passes over ground which is quite wet and swampy. The cost of construction would probably be \$200.00 greater than on the route petitioned for.

On the route petitioned for Mrs. Jones asks \$1000.00 for Right-of-way, while on the Mrs. Jones, Beck & Allen Route the best price we have been able to get is \$475.00

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give 40 feet for a Right of Way
for a County Road, ~~through~~ or along the West side of the S.W. 1/4 of Sec 23
T. 1 S. R. 5 E. and 40 ft. square in S.W. corner of N.W. 1/4
of said Sec 23, and 40 feet off the S. side of the
S.E. 1/4 of N.E. 1/4 of Sec. 22, T. 1 S, R. 5 E
as viewed and surveyed by A. K. Bull, Matt Nibel & C. M. Thops
on the 21st day of November 1904. And hereby agree to
place my fences on said lines for the sum of \$445.00 to the county to
without charge to the County. drain the road along
Allen's East line north to Shays's.
Signed C. F. Beck
Dated at _____ this 5th day of Dec 1904

ACKNOWLEDGEMENT.

STATE OF MONTANA, }
County of Gallatin, } ss. On this 5th day of Dec
A. D. 1904, before me Co Surveyor
in and for said County, came C. F. Beck

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. Thops
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 side of the W. 1/2 of
Sec 9 T.1 S. R 5 E.

as viewed ~~and surveyed~~ by A. N. Brill Matt Nibel & C. M. Thayer
on the 21st day of Nov 1904 And hereby agree to
place my fences on said lines without charge to the County.

Signed Chas. A. Bookes

Dated at _____ this 21 day of Nov 1904

ACKNOWLEDGEMENT.

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

On this 21st day of Nov
A. D. 1904, before me Go. Surveyor
in and for said County, came Chas. A. Bookes

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. Thayer

Go. Surveyor

Wells

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 side of the N.W. 1/4 of Sec.

15 T. 1 S. R. 5 E. and 40 off the West side of

the S.W. 1/4 of said Sec. 15 (and if necessary will

give 20 feet off the South side of said S.W. 1/4)

as viewed and surveyed by A.K. Bull, Matt. Michel & C.M. Thorne

on the 21st day of Nov. 1904. And hereby agree to

place my fences on said lines without charge to the County.

Signed J.H. Wells

Dated at _____ this 1st day of Dec 1904

ACKNOWLEDGEMENT.

STATE OF MONTANA, }
County of Gallatin, } ss. On this 1st day of Dec

A. D. 1904, before me County, Snowberger

in and for said County, came J.H. Wells

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 hereto set my hand the day and year first above written.

C.M. Thorne

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 North side of the N.W. 1/4 of
Sec 22 T. 1 S. R. 5 E and 40 ft off the E. side of
the N.E. 1/4 of N.W. 1/4 and 40 ft off the North and East sides
of the S.W. 1/4 of N.E. 1/4 of said Sec 22 the same being a continuous
rights of way,
as viewed and surveyed by A. N. Bull. Matt Wiebel & C. M. Thorne
on the 21st day of Nov. 1904. And hereby agree to
place my fences on said lines without charge to the County. Mary M Jones.

Signed By Thomas Jones

Dated at _____ this 3 day of Dec 1904

ACKNOWLEDGEMENT.

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

On this 3d day of Dec.

A. D. 1904, before me County Surveyor
in and for said County, came Thomas Jones

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. Thorne
Co Surveyor

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give 40 feet for a Right of Way for a County Road, through or along the West side of the S.W. 1/4 of Sec. 23 T. 1 S. R. 5 E.

as viewed and surveyed by A. H. Bull, Matt. Nickel, & C. M. Thorpe on the 21st day of November 1904

And hereby agree to place my fences on said lines without charge to the County, provided the County will pay all expenses for fence and properly drain the road. which I estimate at \$1000.00 and build an A. No. 1 fence for 1/2 mile

Signed C. F. Beck

Dated at this 5 day of Dec 1904

ACKNOWLEDGEMENT.

STATE OF MONTANA, } ss. On this 5th day of Dec

A. D. 1904, before me County Surveyor in and for said County, came C. F. Beck

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 40 feet for a Right of Way

for a County Road, ~~through~~ or along the North and West sides of the

S.E. 1/4 of Sec. 16 T. 15. R. 5 E. and along the West
sides of the N.E. 1/4 of Sec. 21 to the Bogerman & Belgrade
Road provided the same shall be a County Road.

If a County road shall be laid ^{Sec.} running N + S. ^{T.} through the center
^{R.} of said Sec. 16, I will then give a private roadway
25 feet in width along the N. side of said S.E. 1/4 of Sec. 16 and will fence
the same. on the day of 190 And hereby agree to

place my fences on said lines without charge to the County.

Signed Thomas J Jones

Dated at _____ this 21 day of Nov. 1904

ACKNOWLEDGEMENT.

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

On this 21st day of Nov.

A. D. 1904, before me

County Surveyor
Thomas J. Jones

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.

C. M. Hopkins

Co Surveyor.

C. M. Thorpe,
CIVIL ENGINEER AND SURVEYOR.
OFFICE: CITY HALL

COUNTY SURVEYOR.
U. S. DEPUTY MINERAL SURVEYOR.

Bozeman, Montana, Dec. 5 1904

To the honorable board of County Commissioners
of Gallatin County Montana

Gentlemen:-

I hereby agree to
pay in cash to Gallatin County Montana
\$50.00 whenever the road ^{on what is known}
^{running by the house,}
as the Mrs. Jones route, connecting with
the County Road at Mr. Allen's, shall be
opened for travel.

Thomas Jones

COUNTY SURVEYOR.
U. S. DEPUTY MINERAL SURVEYOR.

Bozeman, Montana, Dec 6 1904

to the County of Gallatin, State of Montana,
I hereby agree to give the following described
tract of land for a County road, (provided
Chas. Beck who owns the adjoining land will
give the balance of the 40 foot right of way
at the same rate), ^{said right of way} described as follows to wit:—
Beginning at a point in the north line of the N.W. 1/4
of S.E. 1/4 of Sec. 22 T. 1 S. R. 5 E. said point being
40 feet west of the N.E. corner thereof, thence
East to the E. 1/4 Sec. Cor. of said Sec. thence south
40 ft., thence north westerly to the place of
beginning, the County to build a good substantial
fence on the south line of the above described right of
way, also to secure from Chas. Beck the 1/2 of the fence
along the East side of said S.E. 1/4 so that said fence
may remain on the section line. My fence for 1/2 the
distance along the north side of said N.E. 1/4 of S.E. 1/4
to become the property of Gallatin County.
Said County to pay me the sum of \$4500

M. H. Allen

REGISTRY RETURN RECEIPT.

Form No. 1548.

Received from the Postmaster at Bozeman, Mont.

(Delivering office.)

Registered ^(Letter)~~(Parcel)~~ No. 627, from Bozeman, Mont.

(Office of origin.)

Addressed to C. M. Thorge

(Name of addressee.)

Date _____, 190

(Date of delivery.)

C. M. Thorge

(Signature or name of addressee.)

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

(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. 634, from Bozeman, Mont.

(Office of origin.)

Addressed to A. N. Bull

(Name of addressee.)

Date Sept 20 1904, 190

(Date of delivery.)

A. N. Bull

(Signature or name of addressee.)

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

(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. 637, from Bozeman, Mont.

(Office of origin.)

Addressed to Matt Nibel

(Name of addressee.)

Date _____, 190

(Date of delivery.)

Matt Nibel

(Signature or name of addressee.)

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

(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.

Township No.

1

S

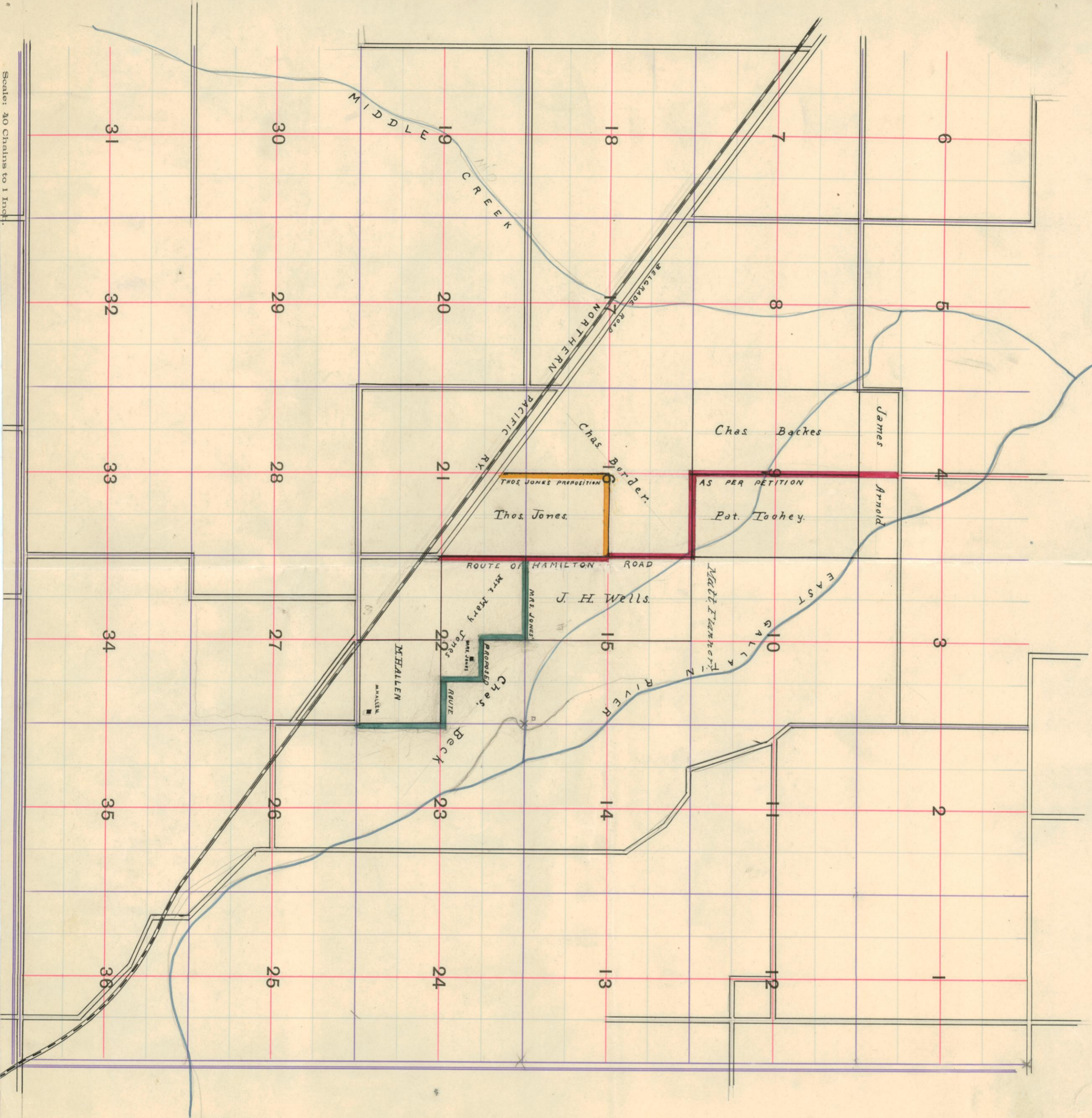
Range No.

5

E

Mer.

Scale: 40 Chains to 1 Inch.



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Township No. 1 ^{Re} Range No. 8 Mer.

