

No. **373**

PETITIONER

*Charles F. Baker*

Petition filed *February 13th* 1917

Viewers appointed *By Board Nov 21* 1917

Report filed ..... 191

Date of hearing ..... 191

Report approved ..... 191

Order of survey *Nov* ..... 191

Surveyor's Report filed ..... 191

Declared County Road *Aug 6* 1917

*M. H. Dennis*

*Chairman*

See Book *11* Commissioners' Proceedings.

pages *176*

Recorded, Road Book, pages .....

County Clerk

# 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 and freeholders in Road District No. Six, in the County of Gallatin, State of Montana, and taxable therein for road purposes, when the road, hereinafter 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,B,C, ) Shown on accompanying map.

( D & E ) Consent blanks accompany this petition.

( F ) No cost to Gallatin County.

( G ) This road is to replace in part the present road and will be a great improvement thereon. The road will give numerous settlers a way to reach the Post Office of Josephine as well as the station at the same place and is the only road connecting Josephine with another wagon road.

No. 373

Road Petition

Petitioner *Charles F. Baker*

Filed *Feb. 13th* 1912

NAMES

- 1 *Charles F. Baker*
- 2 *Anna Baker*
- 3 *(Paul Jones)*
- 3 4 *Jennie Hatfield*
- 4 5 *Wm. H. Orghart*
- 5 *Miller Fleming*
- 6 *Geo. Bennett*

NAMES

- 26 *J. J. Miller*
- 27 *(W. Smith)*
- 28 *J. A. Scheytz*
- 9 *(Ben Bennett)*
- 10 *B. O. Hatfield*
- 11 *D. Campbell*

*J. J. Miller*  
*James Murray*  
*George Scheytz*  
*Wm. H. Orghart*  
*George Smith*  
*Thomas F. Call*  
*Charlie W. Campbell*  
*William D. Smith*

April 12th-1916.

Mr. C. M. Giles,  
Mandlow, Montana.

Dear Sir:-

Mr. Callaghan has asked me to take up the road proposition that you wrote him about. The Commissioners are willing to furnish the necessary material for this bridge for this road, but are not willing to do any work on the road. At the time the petition was granted, the parties interested in this road agreed to construct it themselves. Mr. Baker must have some mistaken idea as to the right of way agreements on this road or he would not have built the fences you say he has.

I am writing Mr. Baker concerning this and enclosing him a copy of the agreement signed by Mrs. Baker; a copy of which I am also sending you. All parties giving right of way signed agreements similar to this which gives Gallatin County absolute title to the right of way.

Hoping that you and Mr. Baker will be able to adjust this matter between yourselves, I am,

Yours very truly,

County Surveyor.

FB-MC

April 18th-1916.

Mr. Chas. Baker,  
Josephine, Montana.

Dear Sir:-

Mr. Callahan has asked me to write you regarding a road through your place which Mr. C. M. Giles desires to open and work.

On August 6th, 1912, this road was declared a county road by the Board of County Commissioners and I believe at that time all the people in that neighborhood desired the road. According to the maps of the road, near the SE Cor. of Sec. 34, owned by Anna Baker the right of way is all on Sec 34, so that the road may circle around a hill instead of going over it. The road comes back to the section line in the NW Cor. of Sec. 2 and follows between Sec. 2 and Sec. 34 to Josephine. You will notice from the copy of the consent blank signed by Anna Baker that she agrees to give twenty (20) feet where the road is one-half on her land and forty (40) feet around the hill where the road is all on her land and further agrees to assist in the construction of the road.

This petition was granted so long ago that no doubt you have forgotten the circumstances.

Mr. Giles writes as follows:-

"Mr. C. F. Baker has placed a fence across the road that comes from the road on the side hill. There is no gate in fence."

By virtue of the consent blanks signed by Anna Baker and others, Callahan County holds a clear title to the right of way for this road, and I believe that when you understand the matter you will, no doubt, remove this fence across the right of way and there should be no more trouble connected with the road.

If you want any further information in this matter, please let me know.

Yours very truly,

County Surveyor.

Josephine Montana April 14-1916

Mr Char. Callaghan  
Bozeman Mont.

Dear Sir

I have not heard from  
you about the road yet

Mr C F Baker has placed a fence  
across the road that comes from the  
road on the side hill, there is no gate  
in fence. I saw Mr Watkins and he  
said he was with Mr Baker & Brown  
and heard him say to Brown that  
he could swing around that hill  
and Mr Watkins also said that Mr  
Baker sign papers to give 20 ft of right  
away from that corner to the rail  
road track. The other 20 ft being rail  
road land, which after the road was  
mapped he bought this rail road land  
knowing there was going to be a road  
made there. I would like to make  
this road to the creek wide right away

and the other side some time in  
May. Hoping to hear from you soon

Dumain

Yours truly

C. M. Giles

P.S. If you write me send it to  
Maudlow Mont. incase B. B. Hatfield

TO THE COUNTY OF GALLATIN, STATE OF MONTANA:

I Hereby Agree, and consent to give Twenty feet for a Right of Way for a County Road, through or along the South line of section 34, T.5 N., R.5 E. where said line is the center of the road as shown on the accompanying map and forty feet where the road is entirely within said section 34. as viewed and surveyed by Fred M. Brown, Chas. Callaghan & Chas. Waterman, on the \_\_\_\_\_ day of \_\_\_\_\_ 191

And hereby agree to place my fences on said lines without charge to the County. I further agree with the assistance of neighbors to construct a passable road over the above ground.

Signed Anna Baker

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 191



Mandlow, Mont.,

2-9-12

Mr. Fred M. Brown,

Dear Sir:

Enclosed please find road petition. I got eleven (11) Free Holders and thirteen (13) others that are interested in the road to sign. There are two names in the free holder list which ~~belonged~~ in the other list as they are not titled land owners.

Mr. Ben Bennett & Carl Giles.

Hoping you get this through alright for me and thanking you for your time and trouble with it.

Very Resp

C. L. Waldman,

Mandlow, Mont.

# To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give Twenty feet for a Right of Way

for a County Road, through or along the South line of section 34, T. 5 N., R. 5 E.  
where said line is the center line of the road as shown on the accompanying map and forty feet where the road is entirely within said section 34.

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

as viewed and surveyed by Fred M. Brown, Chas. Callaghan & Chas. Waterman.

on the \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_ And hereby agree to

place my fences on said lines without charge to the County. I further agree with the assistance of neighbors to construct a passable road over the above ground.

Signed Anna Baker

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

## 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 Forty feet for a Right of Way for a County Road, through or along the lands shown to belong to me on the accompanying map.

Sec. 2, T. 4 N., R. 5 E.  
as viewed and surveyed by Fred M. Brown, Chas. Callaghan & Chas. Waterman.  
on the \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_\_ And hereby agree to

place my fences on said lines without charge to the County. I further agree to construct a passable road over the above described lands.

Signed C. L. Watkins

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

## 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.....**Forty**.....feet for a Right of Way  
for a County Road, through or along the ..... ~~lands shown to belong to me on the~~  
~~accompanying map~~.....

..... Sec. **2** , T. **4 N.** , R. **5 E.** .....

as viewed and surveyed by..... **Fred M. Brown, Chas. Callaghan & Chas. Waterman.**  
on the ..... day of ..... 190..... And hereby agree to

place my fences on said lines without charge to the County. I further agree to con-  
struct a passable road over the above described lands.

Signed *Bessie Baker*

Dated at ..... this ..... day of ..... 190.....

## 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 forty feet for a Right of Way for a County Road, through or along the East half of Sec. 11, T. 4 N., R. 5 E. as shown on the accompanying map.

Sec. \_\_\_\_\_, T. \_\_\_\_\_, R. \_\_\_\_\_ as viewed and surveyed by Fred M. Brown, Chas. Callaghan & Chas. Waterman. on the \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_ And hereby agree to place my fences on said lines without charge to the County.

Signed Jennie Hatfield

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

## 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 Forty feet for a Right of Way for a County Road, through or along the ~~lands shown to belong to me on the accompanying map.~~

Sec. 2, T. 4 N., R. 5 E.

as viewed and surveyed by Fred M. Brown, Chas. Callaghan & Chas Waterman.

on the \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_ And hereby agree to

place my fences on said lines without charge to the County. I further agree to construct a passable road over the above described lands.

Signed Mary Baker Giles

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

## 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.

\_\_\_\_\_  
\_\_\_\_\_

Anna M Baker

Josephine  
2nd  
Old Mt  
6 1/2 cor Sec 34  
9 grades

First Standard Parallel North

3435

S.E. Cor Sec 34

East

North East  
Street 1/1600

Mary Baker

Bessie Baker

C.L. Watkins

N.P.R.Y.



