

T5N R7E ✓

No. 474

PETITIONER,

T. J. Quigley

Petition filed June 6 1906

Viewers appointed Aug 8 1906

Report filed Aug 20 1906

Date of hearing 190

Report approved of Viewers 1906

Order of survey Sep 7 190

Surveyor's Report filed 190

Disallowed.
Declared County Road June 26 1909

See Book 11-13 Commissioners' Proceedings,

pages 596-624 37

Recorded, Road Book, pages

County Clerk

Petition For Road

No. 474....

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

Gentlemen:

We, the undersigned free holders of Road District No..... of Gallatin County, Montana, residing on or adjacent to the following proposed County Road, do hereby petition your honorable

body to establish The.... same as a County Road, beginning at the Gallatin County...
line between sections 16 & 17, T 5 N, R 7 E; thence south one
mile to the quarter corner between sections 20 & 21; thence
south westerly along the ridge and connecting with the road as
now surveyed in the NE 1/4 of Sec 32 near Campbell's House

We believe the cost of constructing this road will not exceed \$.....
there being steep grades, culverts, bridges necessary
on the route as proposed; the soil..... adapted to road construction, and

We consider this road necessary for the convenience of public travel, and especially for the residents of this district, and further for the following reasons, viz:

To make a connection with the Meagher County road which
connects with the Livingston To Great Falls Automobile Road
at Ringling.

Names of Petitioners	Land Owned by Same to be Crossed by Proposed Road		
Description	Sec.	Twp.	Range
<u>R. J. Quigley</u>			
<u>Ch. B. Smith</u>			
<u>George Smith</u>			
<u>Daniel Doby</u>			
<u>Jos. White</u>			
<u>Dave Winter</u>	<u>E 1/2 Sec 20</u>		
<u>Mr Winter</u>	<u>E 1/2 Sec 29</u>		
<u>Ora Blahely</u>			
<u>James Christison</u>			
<u>Mrs Jennie Campbell</u>	<u>E 1/2 Sec 57 1/4 R 7 East</u>		
<u>W. H. Campbell</u>	<u>E 1/2 Sec 32 R 7 East</u>		
<u>E. Douglas</u>			
<u>Harry J. Messer</u>			
<u>A. H. Godley</u>			
<u>Miller Johnson</u>			
<u>Thomas Gall</u>			

For Petitioners Who Propose Donating Gratuitously the Right of Way

....., 19....

We, the undersigned, of the above petitioners, in full consideration for benefits received or to accrue to us, do hereby agree to, and by these presents do gratuitously donate to Gallatin County, Montana, a right of way through any and all lands owned by us along the line of the proposed road hereinbefore petitioned for, the route of same to be definitely determined by the Board of County Commissioners of said County, in accordance with the examination and report of viewers therefor appointed by said Board, or as viewed by the Board of County Commissioners.

The said donation to take effect and be of full force immediately (and only when) said proposed road shall be open to the public throughout its full length.

Name of Donator	Land Owned by Same to be Crossed by Proposed Road			
	Description	Sec.	Twp.	Range
<i>David Winter</i>	<i>Will not build fence</i>			
Wife <i>Mary Winter</i>				
<i>Geo Winter</i>	<i>1/2 Sec 29</i>	<i>29</i>	<i>7</i>	<i>7</i>
Wife <i>Mary Winter</i>				
<i>A. W. Campbell</i>	<i>1/2 Sec 32 T5 R7 E</i>			
Wife <i>Mrs Jennie Campbell</i>	<i>1/2 Sec 5 T4 R7 East</i>			
Wife <i>Alo Goolsby</i>	<i>N. E. 1/4 Sec 12, T4 R7 E</i>			
Wife <i>Alice Goolsby</i>				
Wife				
Wife				
Wife				

For Petitioners Who Propose Charging for Right of Way and Damages

....., 19....

We, the undersigned, of the first above mentioned petitioners, on demand of the Board of County Commissioners of Gallatin County, Montana, do hereby agree, and by these presents guarantee that we will by good and sufficient instrument, convey to said Gallatin County, the necessary right of way through any and all lands owned by us along the line of the proposed road as petitioned for, and on the line or route as definitely determined by the Board of County Commissioners of said County in accordance with the examination and report of the viewers therefor, appointed by said Board, for the sums of not to exceed the amounts set opposite our respective signatures below; the said sums to be received by us as compensation in full for said right of way, and any damage that may be done us, or to our lands in any manner, by reason of such road crossing any of our said lands.

Provided, however, that no transfer shall be required or demanded of us, as hereinabove provided, prior to the opening of the said proposed road to the public, throughout its full length, and upon the lines as definitely determined upon by said Board of County Commissioners, in the manner as hereinbefore provided.

Name	Land Owned by Same to be Crossed by Proposed Road				Total Amount Proposed to be Charged for	
	Description	Sec.	Twp.	Range	Right of Way	Damages
Wife						
Wife						
Wife						

Chapter 72, Thirteenth Session 1913, Sections 1-2-18

CHAPTER IV

Section 1. Any ten, or a majority, of the free holders of a road district, taxable therein for road purposes, may petition in writing, the Board of County Commissioners to, establish, change or discontinue any common highway therein. When such a highway is petitioned for upon the dividing line between two counties, the same course must be pursued as in other cases, except that a copy of the petition must be presented

to the Board of County Commissioners of each County, who may appoint viewers to act jointly and the viewers so appointed must report their findings to both Boards.

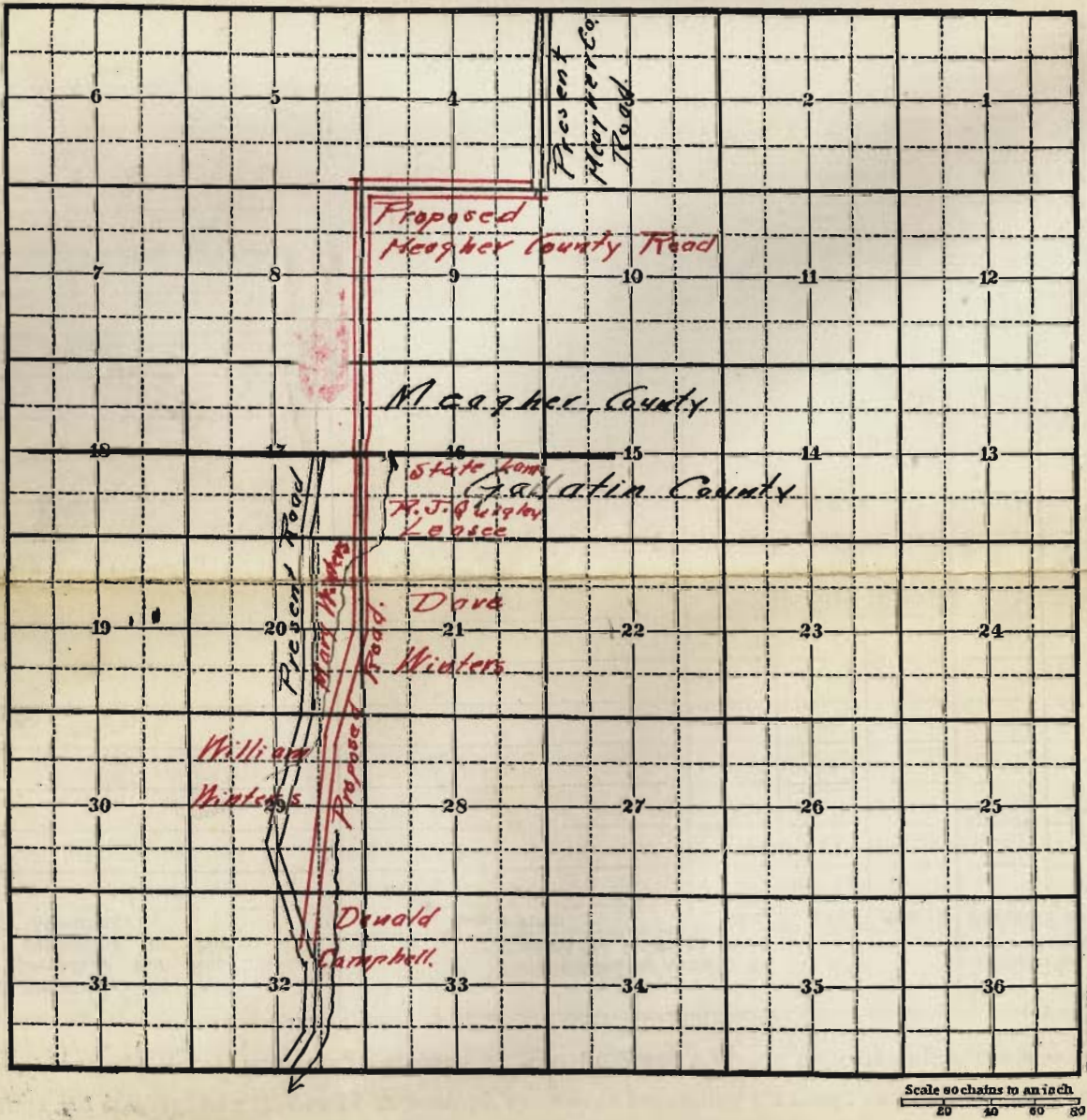
Section 2. The petition must be set forth and describe particularly the highways to be abandoned, discontinued, altered or constructed, and if the same is to be altered, laid-out or constructed, the general route thereof, over what lands, who are owners thereof, whether

such of them as can be found consent thereto, and if not the probable cost of the right-of-way, where consent is not had, the necessity for, and advantage of the proposed road.

Section 18. Highways must be laid out and opened when practicable or upon subdivision or section lines, Provided, however, that the section shall not be construed to prevent oads being laid out on diagonal lines when public purposes shall be best subserved thereby.

Plat of Proposed Road

Township No. 5 N Range No. 7 E



No. 474...

PETITION FOR ROAD

Principle Petitioner.....
R. J. Quigley

Filed this 16th day of June, 1916.
R. J. Quigley
County Clerk and Recorder

By R. J. Quigley Deputy

Viewers
Fred M. Brown
John Denny
Geo. Gales

Appointed Aug. 8, 1916.

To meet for a general 1916...

At Aug. 19, 1916.

On

Report of Viewers

Filed

Action by the Board.....
Not Granted

Road Dist. No. 7.....

Warrant for Road Viewers.

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

Mr. Fred M. Brown

You are hereby notified that you were duly appointed Road Viewer by _____
the Board of County Commissioners of Gallatin County, Montana, on the 19th day of
August 1916, to view and lay out a proposed road, as prayed for in the petition of
R. J. Quigley, and others, described as follows, to-wit:
Beginning at the Gallatin County line between sections 16 and 17, T 5N,
R 7E; thence south one mile to the quarter corner between sections
20 & 21; thence south westerly along the ridge and connecting with the road as
now surveyed in the N.E. 1/4 of Sec. 32, near Campbell's House.

(Meet on Agreement)

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in
company with Geo. Giles and John Deoney, who were duly appointed as
Viewers on said road by the Board of County Commissioners on the 19th day of August
1916, 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 8th
day of August 1916.

County Clerk.

By _____
Deputy.

Warrant for Road Viewers.

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

Mr. Geo. Giles,

You are hereby notified that you were duly appointed Road Viewer by _____
the Board of County Commissioners of Gallatin County, Montana, on the 19th day of
August 19 16, to view and lay out a proposed road, as prayed for in the petition of
R. J. Quigley and others, described as follows, to-wit:
Beginning at the Gallatin County line between sections 16 and 17, T 5N
R 7E; thence south one mile to the quarter corner between sections
20 and 21; thence south westerly along the ridge and connecting with the
road as now surveyed in the NE $\frac{1}{4}$ of Sec. 32, near Campbell's House.

(Meet on Agreement)

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in
company with Fred M. Brown and John Deeney, who were duly appointed as
Viewers on said road by the Board of County Commissioners on the 19th day of August
19 16 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 8th
day of August 19 16

County Clerk.

By _____ Deputy.

Warrant for Road Viewers.

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

Mr. John Deeney

You are hereby notified that you were duly appointed Road Viewer by _____
the Board of County Commissioners of Gallatin County, Montana, on the 19th day of
August 1916, to view and lay out a proposed road, as prayed for in the petition of
R. J. Quigley and others, described as follows, to-wit:
Beginning at the Gallatin County line between Sections 16 and 17, T 5N,
R 7E; thence south one mile to the quarter corner between sections
20 and 21; thence south westerly along the ridge and connecting with the
road as now surveyed in the NE $\frac{1}{4}$ of Sec. 32, near Campbell's House.

(Meet on Agreement)

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in
company with Fred M. Brown and Geo. Giles, who were duly appointed as
Viewers on said road by the Board of County Commissioners on the 19th day of August
1916 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 8th
day of August 1916

County Clerk.

By _____ Deputy.

Report of Road Viewers

ROAD PETITION NO.

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

We, the undersigned, Fred M. Brown, C. C. Scheyth and
....., appointed to view a proposed

running from the Gallatin County line between sections 16 & 17, T. 5 N., R. 7 E
thence south one mile to the quarter corner between sections 20 & 21;
thence south westerly along the edge and corner with the road as
now surveyed in the N.E. 1/4 of Sec. 32 near Grantsville here
as described in Petition No., state, that on the day of,
191..., we assembled on the course of proposed road, having previously notified all resident owners or agents
of land over which the proposed road or change passes of the place, day, date and hour of meeting, and we
make the following findings:

1st. The course, termini, length and probable cost of construction of the proposed highway or change as
follows: from the Gallatin County line between sections 16 & 17, T. 5 N., R. 7 E,
thence south one mile to the quarter corner between sections 20 & 21;
thence south westerly along the edge and corner with the road as
now surveyed in the N.E. 1/4 of Sec. 32 near Grantsville here
Length about two miles
Cost about \$4000.00

2nd. The estimate of damages to owners of lands over which it is proposed to run the highway, or that
may be affected by the proposed change, including the cost of any additional fencing required, is as follows:

3rd. The names of land owners who consent to give the right of way with their written consent thereto,
as follows:

4th. The names of owners who do not consent, including non-resident land owners, and the amount of damage claimed by each, as follows:

5th. The feasibility, desirability and cost of any other route or change serving the same purpose, with the necessity for a greater, or the practicability of a less width than petitioned for, as follows:

6th. The following facts, bearing upon the subject, which may be of interest to the Board:

We find that the people along the proposed road are satisfied with the present road through the fields and are willing to open the gates and travel as they have been doing.

All the owners of right of way are willing to give the land but not to build the fence.

We believe that as the present arrangement is satisfactory at present that the Board would not be justified in purchasing this right of way and constructing the road and for this reason

We believe said road not necessary to be practical and not of public utility, and not necessary, and do not recommend the establishment of the same.

Date Aug 19, 1916

Lued M. Brown
C. H. [Signature]

VIEWERS

Viewers' Oath or Affirmation

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

I, Fred M. Brown, County Surveyor of Gallatin County, Montana, do solemnly swear (or affirm) that I will discharge all the duties pertaining to the office of viewer of a proposed County road, from the Gallatin County line between sections 16 & 17, T. 5N. R. 7E. three south one mile to the quarter corner between sections 20 & 21, three south westerly along the ridge and connecting with the road as now surveyed with NE 1/4 of Sec 32 near Cambelle Horn. as described in Road Petition No. 474, faithfully and impartially according to law, so help me God.

Dated this 17th day of August, 1916



Fred M. Brown
 County Surveyor
W. J. Schueller
 Clerk and Recorder
W. R. Dwyer
 Deputy

Sworn and subscribed to before me this 17th day of August, 1916

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

J. P. Deery and L. W. Schuyler being first duly sworn, each for himself, do solemnly swear (or affirm) that he will discharge the duties pertaining to the office of viewer of a proposed County road from the Gallatin County line between sections 16 & 17, T. 5N. R. 7E. three south one mile to the quarter corner between sections 20 & 21, three south westerly along the ridge and connecting with the road as now surveyed with NE 1/4 of Sec 32 near Cambelle Horn, as described in Road Petition No. 474 faithfully and impartially according to law, so help me God.

Sworn and subscribed to before me this 18th day of August, 1916

J. P. Deery
L. W. Schuyler
Fred M. Brown
 County Surveyor

Written Consent of Land Owners

We, the undersigned, each for himself, consent to, and will give the right of way across our lands for proposed Road Petition No. on course as recommended by the viewers in this report.

.....

.....

.....

.....

.....

.....

Viewers' Report

Road Petition No. 474

VIEWERS

Frank M. Brown

L. A. Shryatt

STATE OF MONTANA, } ss.
County of Gallatin,

I hereby certify that the within instrument was filed in this office on the.....

21st day of August, 1916,

at 8:45 clock P. M.

D. J. Chumachen
County Clerk and Recorder

By [Signature]
Deputy

REGISTRY RETURN RECEIPT.

Form 1548.

Received from the postmaster registered article, the original number of which appears on the reverse side of this card.

Date of delivery 8/9 1916
 (To be filled in by person signing receipt.)

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

John Deeney
 (Signature or name of addressee.)

 (Signature of addressee's agent.)

Registered matter, the delivery of which has not been restricted by the sender or the addressee, is deliverable to any responsible person who customarily receives the ordinary mail of the addressee. (See sec. 335, P. L. and E.)
 When the above receipt has been properly signed, it must be postmarked with the name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

INFORMATION.

To obtain a receipt showing delivery, endorse the article, across its face, "Receipt desired." A check mark (✓) or (V) in the space after the words "Receipt desired," the letter "A" in the space after the words "Delivery restricted to addressee in person," or the letter "O" after the words "Delivery restricted to addressee or order," indicates that a return receipt is desired, or that delivery is restricted as stated. The absence of a check mark or of the letters "A" and "O" indicates that no return receipt is desired and that delivery is not restricted.

Letter Parcel No. 415 P. O., Bozeman, Mont.
 Received for registration AUG 8 1916, from _____
 addressed to Go Clerk, John Deeney, Bozeman, Mont.
 Receipt desired _____ Delivery restricted _____
 (See printed information on this receipt.) } To addressee in person _____
 } To addressee or order _____
 _____ class postage prepaid. Postmaster, per J

INFORMATION.

To obtain a receipt showing delivery, endorse the article, across its face, "Receipt desired." A check mark (✓) or (V) in the space after the words "Receipt desired," the letter "A" in the space after the words "Delivery restricted to addressee in person," or the letter "O" after the words "Delivery restricted to addressee or order," indicates that a return receipt is desired, or that delivery is restricted as stated. The absence of a check mark or of the letters "A" and "O" indicates that no return receipt is desired and that delivery is not restricted.

Letter Parcel No. 416 P. O., Bozeman, Mont.
 Received for registration AUG 8 1916, from _____
 addressed to Go Clerk, Josephine Mon...
 Receipt desired _____ Delivery restricted _____
 (See printed information on this receipt.) } To addressee in person _____
 } To addressee or order _____
 _____ class postage prepaid. Postmaster, per J