

Rd Petition #104

received June 3, 1896

Approved Dec. 11, 1896

Commission Journal 8 pg 221

Plat Book A pg 188

PETITION FOR ROAD.

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

The undersigned, your petitioners, citizens of the United States, respectfully show and represent that they are freeholders of Road District No. 22 in the County of Gallatin, in the State of Montana, and taxable therein for road purposes; that they reside in the vicinity of the road hereinafter petitioned for; that the proposed road will be a public convenience, and we think the public good requires it.

Your petitioners respectfully ask your Honorable Body to lay out, locate and establish a County road sixty feet wide, in said road district, to be a public highway therein, and show:

(a). The general route of the proposed road. (b). Over what lands it is proposed to be established. (c). Who are the owners thereof. (d). Whether such of them as can be found consent thereto. (e). Who of them do not consent. (f). The probable cost of the right of way where such consent is not had. (g). The necessity for and the advantages of the proposed road, as follows, to-wit:

(a) Beginning at a point about thirty rods East of the North-west corner of the South-west quarter of the North-east quarter of section twenty three, in Township two South, Range six East, in Gallatin County, Montana, thence running in a Southeasterly direction between the bluff and creek to the mouth of Bear canyon. Crossing the East and West 1/4 sections lines of section twenty three about 84 rods West of the East one quarter stake, the South line of said section 23, about fifty rods West of the South-east corner of said section 23, the East and West one quarter lines of section twenty six about twenty rods West of the one quarter stake of said section 26, the East line of said section 26 about twenty rods North of the South-east corner of said section 26, all in Township two South, Range six East, and all in road district 22 of said county.

(b) It will cross the following lands:
 The S.W. 1/4 of the N.E. 1/4 of section 23, owned by Reynolds.
 The S.E. 1/4 of section 23, owned by Mrs. Lawrence.
 The E 1/2 of the N.E. 1/4 of said section 26, owned by Taylor Trent.
 The E 1/2 of the South-east quarter of said section 26, owned by George Howard.

(c & d) None of the above named property owners consent to give a right of way for said proposed road over the above described line across their respective tracts of land.

(f) The probable cost for such right of way will be as follows: Across the land of Reynolds \$500.00; across the land of Lawrence \$225.00; across the land of Trent \$100.00, and across the land of Howard \$100.00. The proposed road is the only means of reaching Bear Canyon, where a very large number of residents of Gallatin County get all their fire wood. In said Canyon is located a saw mill where is abundance of good timber for sawing purposes, and this is the only means of getting from said mill to the ~~road~~ ^{road} or to market. There are also coal mines up said canyon which would be developed if any road was provided from them. That said road if established would require little if any work to put or keep it in repair for public travel. There would be but two bridges to be put in and they would be very small not costing more than twenty five dollars each. That without this proposed it is necessary to cross fields and citizens are required to pay for that privilege in order to get into said canyon.

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|--------------------------|-------------------------|
| (2) <u>W. C. ...</u> | (18) <u>John B. ...</u> |
| (3) <u>G. W. Belcher</u> | (4) <u>John S. ...</u> |
| (5) <u>Mrs. ...</u> | (6) <u>...</u> |
| (7) <u>...</u> | (8) <u>...</u> |
| (9) <u>...</u> | (10) <u>...</u> |

Names.

Ed. White
Francis Lawrence
Elmer Lawrence
Orlando Lawrence
Malinda Lawrence
N. W. ...
M. J. ...
Grant J. ...
W. ...
J. L. ...
E. & King

Names.

James A. Brown
James ...
W. Marshall
Thomas Jones
W. ...
Wm Hoffman
Wm ...
Wm ...
Alex ...
Jacob ...
Membair

J. M. ...
W. ...
H. ...
W. ...
W. ...
W. ...
W. ...

W. ...
Isaac Aldritt
W. ...

FILLED

JUN 3 1896

Walter A. ...
County Clerk.

By Mrs. ... Deputy

The within petition is ...
appeared ...
named ...
of ...
to ...
day of June, A. D. 1896 ...
in the ...
of the ...
and ...
in the ...
board of ...
June 3/96

W R

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 am a disinterested citizen of Gallatin County, Montana, and not a petitioner for said road; that I will faithfully and impartially perform, according to law, the duties of ROAD VIEWER of the road recited in the petition, reference to which is had in the instructions embodied in the notice of appointment by the Board of County Commissioners.

Thomas Lewis

Subscribed and sworn to before me this 25th day

of June 1896

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 am a disinterested citizen of Gallatin County, Montana, and not a petitioner for said road; that I will faithfully and impartially perform, according to law, the duties of ROAD VIEWER of the road recited in the petition, reference to which is had in the instructions embodied in the notice of appointment by the Board of County Commissioners.

B. E. Bice

Subscribed and sworn to before me this 25th day

of June 1896

C. M. Thorne
Co. Surveyor

This must be returned to the County Clerk after execution.

REPORT OF ROAD VIEWERS.

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

WE, the undersigned Road Viewers, appointed by the Board of County Commissioners, at the
June Term of said Board to view a proposed road running from a point about 30 Rods
 E. of N.W. Corner of the S.W. 1/4 of the N.E. 1/4 of Sec. 23 T25 R6E
 to the mouth of Bear Canyon say,
 That on the *25th* day of *June*, 189*6*, we started from *this above*
described point, the place designated in the petition as the starting point of such proposed road and
 proceeded to view and lay out the same, and submit the following report:

1. The course, termini, length and probable cost of constructing the proposed road, as follows:
from the above starting point we laid out said road N.W. to point
near N.W. cor. of S.W. 1/4 of N.E. 1/4 of said sec 23 thence south easterly near Reynolds
house and between the creek and bluff to mouth of Bear Canyon
Length of Road about 2 miles. The probable cost of opening
road for travel including clearing, grading & bridges, \$395 =

2. The estimate of damages to the owner of any land over which it is proposed to run the highway, as
 follows: *A. Reynolds owner of 1/2 of N.E. 1/4 sec 23 T25 R6E \$150 =*
Mrs. M. Lawrence S.E. 1/4 of said sec 23 \$35 = Taylor Trust
N.E. 1/4 of sec 26 said T&R. \$35 = Geo. Howard S.E. 1/4 sec 26 \$70 =

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

4. The names of land owners who do not consent and the amount of damages claimed by each, as
 follows: *A. Reynolds \$400 = Mrs. M. Lawrence \$125 =*
Geo. C. Howard \$100 =

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

We believe said road *is* to be practicable and *is* of public utility and
 necessity and do *not* recommend the establishment of the same.

Dated *June 26th*, A. D., 189*6*

Thomas Lewis
B. F. Beigel
C. M. Thorpe } Road Viewers.

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 am a disinterested citizen of Gallatin County, Montana, and not a petitioner for said road; that I will faithfully and impartially perform, according to law, the duties of ROAD VIEWER of the road recited in the petition, reference to which is had in the instructions embodied in the notice of appointment by the Board of County Commissioners.

C. M. Thorpe

Subscribed and sworn to before me this 22nd day

of June 1896

Walter H. Diller Co. Clerk
By N. S. Corbly Deputy

This must be returned to the County Clerk after execution.

Report of Road Viewers
on Alldritt Road

Filed June 26th 1896

Walter H. Sales County Clerk
By H. S. Corbly Deputy

Laid over until
the Dec. Term

By Order of
the Board of
Comrs

J. H. Ellis
Sept-12-1896 Chairman

June 25th 1896

I hereby consent to give
the right of way for a County
Road 60 ft. in width along
the line as viewed and
laid out on this date
through the N.E. 1/4 of section
26 T. 2 S. R. 6 E.

Provided the County of Bellas
furnish the material for one
fence along said line to
consist of four wires, and
Red Cedar posts every two rods.
Estimated cost about \$35⁰⁰

Provided the above agreement
will not prejudice his rights
as a homestead

Taylor Trent