

153E

No. 2821

PETITIONER,

*A. Doornbos et al*

Petition filed *April 1,* 1907

Viewers appointed *April 2,* 1907

Report filed *May 6,* 1907

Date of hearing ..... 190

Report approved ..... 190

Order of survey ..... 190

Surveyor's Report filed ..... 190

Declared County Road ..... 190

*This petition was  
decided by the Board this  
4th day of July 1909*

*W. H. Davis  
Chairman*

See Book 10 Commissioners' Proceedings,

pages 247-497 T15, R3E

Recorded, Road Book, pages .....

County Clerk

Filed April, '07  
W. E. Dwyer  
Bank

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. \_\_\_\_\_, in the County of Gallatin, State of Montana, and taxable therein for road purposes, where 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 sixty (60) 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 proposed is as follows: Beginning at a point in the present highway at the southeast corner of the southwest quarter (SW.1/4) of section twenty-two (22) in township one (1) south, range three (3) east, Gallatin County, Montana; thence running as nearly as practicable in a northeasterly direction on water grade to the southwest corner of section fourteen (14), said township and range; thence following the present county highway to a point about sixty (60) rods north of the said southwest corner of said section 14; thence following along the north bank of a dry run draining into

-3-

-2-

Carp Creek, along the private way now traversed through said section, to the northwest corner of the northeast quarter (NE.1/4) of said section; thence north two (2) miles on quarter section line as nearly as may be practicable, to the east and west county road, along the north line of section two (2), said township and range.

(b and c) It is proposed to establish this road over the west half of the east half (W.1/2 of E.1/2) of section twenty-two (22), township one (1) south, range three (3) east, belonging to Sake Bookma; the east half of the northeast quarter (E.1/2 of NE.1/4) of said section 22, belonging to the State of Montana; the southwest quarter (SW.1/4) of section fourteen (14) of said township and range, belonging to Harriet E. Walrath; the northwest quarter (NW.1/4) of said section 14 belonging to J. Addie Walrath; the northeast quarter (NE.1/4) of said section 14 belonging to Amos Walrath; the southwest quarter (SW.1/4) of section eleven (11), said township and range, belonging to John Ver Wolf; the southeast quarter (SE.1/4) of said section 11, belonging to Alfred Leach; the northeast quarter (NE.1/4) of said section 11 belonging to George H. Leach; the northwest quarter (NW.1/4) of said section 11 and that portion of the south half (S.1/2) of section two (2), said township and range, lying south of the Noreland Canal, belonging to Jan S. Dyk; and that portion of said section 2 lying north of and under the said Noreland Canal, belonging to John E. Fos.

(d) The following of the above named owners consent to the opening of said road:

(e) The following of the above named owners of said lands do not consent to the opening of said road:

*Alfred Leach*  
*J. S. Dyk*

TO THE HONORABLE GOVERNOR OF THE DISTRICT OF COLUMBIA (M.T.V.) OF 1914  
FROM THE BOARD OF SUPERVISORS OF THE DISTRICT OF COLUMBIA

(f) The probable cost of such right-of-way where such consent is not had is as follows:

*Adelbert Strong*  
*B. J. ...*  
*D. G. ...*  
*H. ...*  
*J. ...*

(g) The necessity for, and advantages of, the proposed road are as follows: The present highway from the territory to the southwest of the northern terminus of said road is over and through a very heavy country, making it almost impossible to haul the produce of said community to market. The proposed road described in the above and foregoing petition is more in the nature of an alteration of the existing road, changing the same from the hilly grounds to the west to a water grade, thus making the same highly advantageous to all farmers in marketing their crops and to all haulers of freight for the immense territory to the south and west of said road. Furthermore, the residents of said district to the south and west thereof have no other outlet over which they can deliver their said crops than the hilly roads above described. Furthermore, said road shortens the hauling distance for the people of said community to either Manhattan or Belgrade. We furthermore <sup>petition and</sup> ~~additionally~~ recommend that the present existing highway on the quarter section line in section 22, and the present existing highway between sections 15 and 14 be ~~ordered~~ closed in so far as the same shall be abandoned, or may become unnecessary by the establishment of the road herein described. In our opinion, the necessity for these two portions of the present road will cease to exist with the establishment of the road herein petitioned.

NAMES.

NAMES.

- 1. ~~John Douglas~~
- 2. ~~Henry J. Thomas~~
- 3. ~~Ed. Johnson~~
- 4. E. W. Staples
- 5. J. H. Dancy
- 6. L. K. ...
- 7. Geo. ...
- 8. John Weidenauer
- 9. Mary ...
- 10. ...
- 11. Frank ...
- 12. Horace Edwards
- 13. A. R. Williams
- 14. E. M. ...
- 15. W. B. Black
- 16. J. J. Davis
- 17. Alvah Davis
- 18. Alfred Poullet
- 19. J. L. ...
- 20. E. ...
- 21. A. ...
- 22. James ...
- 23. Edward ...
- 24. Joseph ...
- 25. B. ...
- 26. A. W. ...

- 27. Adalbert ...
- 28. ...
- 29. B. S. ...
- 30. A. C. ...
- 31. D. A. ...
- 32. H. D. ...
- 33. A. ...
- 34. ...
- 35. ...
- 36. ...
- 37. ...
- 38. ...
- 39. ...
- 40. ...
- 41. ...
- 42. ...
- 43. ...
- 44. ...
- 45. ...
- 46. ...
- 47. ...
- 48. ...
- 49. ...
- 50. ...
- 51. ...
- 52. ...

OFFICE OF  
COUNTY CLERK AND RECORDER

GALLATIN COUNTY, MONTANA.

HON. W. H. DAVIS,

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 *A. Hornbush*

.....of Road District No.....

*The petition above referred to, petitions that a Road be established, commencing beginning*  
at a point in the present highway at the SW corner of the SW  $\frac{1}{4}$  of Sec. (22) in T.1 S.R.3 E., thence as nearly as practicable in a northeasterly direction on water grade to the SW corner of Sec. (14), said township and range; thence along the present County road to a point about sixty rods north of said SW corner of said Sec. (14); thence along the north bank of a dry running draining into camp creek, along the private way now traversed through said section, to the NW corner of the NE  $\frac{1}{4}$  of said section. Thence north two miles on quarter section line as near as practicable, to the east and west County road, along the north line of section two, said township and range.

You are hereby notified to appoint three Viewers to view the above proposed Road.

Yours Very Respectfully,

*W. E. Brandenburg*  
County Clerk and Recorder

Dated at Bozeman, Montana, this *2nd* day of *April* 190*7*

OFFICE OF  
THE BOARD OF COUNTY COMMISSIONERS

GALLATIN COUNTY, MONTANA.

W. E. BRANDENBURG,  
County Clerk, Gallatin County, Montana.

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

*Harvey Sloan*  
*Ronald Cameron*  
*Engene Buckley*

to act in behalf of the Board of County Commissioners as viewers of the above petitioned Road.

Yours Very Respectfully,

*W. H. Davis*  
Chairman of the Board of County Commissioners, Gallatin County, Montana

Dated at Bozeman, Montana, this *2nd* day of *April* 190*7*

# Warrant for Road Viewers.

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

Mr. \_\_\_\_\_

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 2nd \_\_\_\_\_

day of April \_\_\_\_\_ 1907, to view and lay out a proposed road, as prayed for in the

petition of A. Doornbos \_\_\_\_\_ and others, described as follows, to-wit:

Beginning at a point in the present highway at the SE corner of the  
SW  $\frac{1}{4}$  of section (22) in T 1/ S. R. 5 E., thence run as nearly as pract-  
icable in a northeasterly direction on water grade to the southwest  
corner of Sec. (14), said township and range; thence following the  
present county road to a point about sixty rods north, of said SW corner  
of said section (14), thence along the ~~private way now traversed~~ north  
bank of a dry run draining into Camp Creek, along the private way now  
traversed through said section, to the northwest corner of the north-  
east quarter of said section; thence north two miles on quarter section  
line as near as practicable, to the east and west County road, along  
the north line of section two, said township and range.

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in  
company with \_\_\_\_\_, who were duly appointed as

Viewers on said road by the Chairman of the Board of County Commissioners on the \_\_\_\_\_

day of \_\_\_\_\_ 190 \_\_\_\_\_, commencing at the place designated in said petition as the

starting point of the road sought to be \_\_\_\_\_ 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 \_\_\_\_\_

day of \_\_\_\_\_ 190 \_\_\_\_\_.

County Clerk,

By \_\_\_\_\_

Deputy.



# 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.

*Eugene Buckley*

Subscribed and sworn to before me this 15 day

of April 1907  
1897

*J. N. Swan*  
County 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.

*D. Cameron*

Subscribed and sworn to before me this 15 day

of April 15 1897

~~*D. Cameron*~~  
~~*D. Cameron*~~

*J. N. Swan*  
County Surveyor

This must be returned to the County Clerk after execution.

Bozeman, Montana,

190

Received from

*W E Brandenburg*

*Warrant for Road Viewers*

DOLLARS

For

*viewing Nooribus Road # 282*

BY

*J B Sloan*

## REPORT OF ROAD VIEWERS.

ROAD NO.....

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

We, the undersigned Road Viewers, consisting of

Engine Buckley, Donald Cameron  
and J. H. Stout

appointed to view a proposed road running from along Camp Creek  
in Sections 22, 14, 11, 2, T 15, R 3 E

to

as described in the annexed petition, say, That on the 15<sup>th</sup> day of April  
1907  
A. D., 1 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:

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:

We recommend that the present road on the NW cor of the SE 1/4 sec 22 T 15 R 3 E be changed so as to run north east instead of on the section line; leaving the present road 125 yds more or less south of said NW cor of SE 1/4 and intersecting the present road about 125 yds east of the same corner, thereby lessening a very steep grade

In our estimation the cost to the County of this change should not exceed \$50.00 We could not find Mr. Jake Boekma the owner, and hence could not get his opinion regarding the matter

We further recommend the following change in Sec 14, T 15, R 3 E.

To leave the present road at a point about 60 rods north of the SW cor sec 14, to run along the south bank of a dry run about 30 rods to a cliff, thence along the cliff through the stack yard of

Amos Walrath thence along the private way through said Sec 14 to the N.W. cor of the N.E. 1/4 of said Sec 14 and connecting here with present road.

The road as petitioned north of this point can be obtained only by condemning the right of way, except for one half mile where right of way could be bought of John Bernold at 50<sup>00</sup> per acre.

There is at present a road, a half mile distant, on either side, running north parallel to the proposed road, although the same are quite hilly and are more difficult for travel than a road as petitioned.

On account of the probable quite excessive cost of continuing the proposed change north of this said N.W. cor of N.E. 1/4 Sec 14, we recommend that only the changes as described should be made.

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

.....  
.....  
.....  
.....

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

Amos Harvath objects to the proposed change in Sec 14, unless the proposed changes north are also made

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:

.....  
.....  
.....  
.....

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

The present roads following section lines are very hilly and the changes as recommended will be quite an improvement and benefit to the farmers south of this point.

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

Dated April 15 A. D., 189-1907

Signature Engene Buckley }  
W. Cameron } Road Viewers.  
Harry Sloan }

U. S. Registered Mails go to every post office in the world. Letters and parcels may be registered at any post office or at any post-office station, and by rural carriers throughout their routes. Letters will be registered by letter carriers in the residential districts of cities.

For registered mail delivery through a U. S. post office, the sender receives, without request or extra charge, a return receipt signed by the addressee or his agent. For registered mail delivery through foreign country the sender receives without extra charge a form of return receipt if the words "Return Receipt Demanded" appear on the envelope or wrapper.

Letter Parcel } No. 1166 P. O., Bozeman, Mont.

Received for registration 4/9, 1907, from \_\_\_\_\_

addressed to Donald Cameron,  
City.

1 class postage prepaid. Postmaster, per M

**REGISTRY RETURN RECEIPT.** Form No. 1548.

Received from the Postmaster at Bozeman, Mont.  
(Delivering office.)

Registered Letter Parcel No. 1166, from Bozeman, Mont.  
(Office of origin.)

Addressed to Mr. Donald Cameron,  
(Name of addressee.)

Date 4-13, 1907  
(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.

April 13 D Cameron  
(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.