

256E

No. 292

PETITIONER,

*Q. Lawrence
Isaac Abbott et al*

Petition filed *May, 25,* 1907

Viewers appointed *Aug, 5,* 1907

Report filed *Aug, 28,* 1907

Date of hearing 190...

Report approved 190...

Order of survey 190...

Surveyor's Report filed 190...

Declared County Road 190...

*This petition is denied
by the Board on the
2nd of July 1907*

W. H. Davis

Chairman of Board

See Book *10* Commissioners' Proceedings,

pages *373 - 285 - 314 - 325 - 343*

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 of and freeholders in Road District No. 5, 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..... 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)(b) Beginning at a point in the already established road about 500 ft N.W. of SE. Cor. of Sec 26, T2 S 6 E running thence south easterly as near as possible along the present travelled road leading up Bear Canyon, a distance of about 300 ft in Sec 26, about 550 feet across SW 1/4 Sec 25 and thence across a portion of the N 1/2 and SE 1/4 of Sec 36 T2 S R 6 E and continuing south through a portion of the NE 1/4 of Sec 1, T3 S R 6 E to the mouth of the Gulch where the Bogeman Lumber Co. are now operating.

(c) E 1/2 SE 1/4 of Sec 26 belongs to Frank Hoell

SW 1/4 " " 25 " " Taylor Trent
 N 1/2 of NW 1/4, and NE 1/4 of NW 1/4, and NW 1/4 of SW 1/4 of Sec 36 belongs to N.B. Williams

SE 1/4 of NW 1/4 and NE 1/4 of SW 1/4 and SW 1/4 of NE 1/4 and NW 1/4 of SE 1/4 of Sec 36 belongs to Lafayette Hoodring
 S 1/2 of SE 1/4 of Sec 36 - 2 S 6 E owned by J.H. Court

S² S² Sec 36 - T2S R6E - is
Sec 1, T3S R6E is State land.

(D) all do not consent

(E) Those who do not consent as follows
Mrs L. Woodring wants the Road fenced
D. H. Court

NAMES		NAMES	
1	O. Lawrence	6	W. J. Taylor
2	J. B. Quantie	7	Edward H. Court
3	Scott White	8	Mrs L. Woodring
4	Jacob Casals	9	Frank Hall
5	C. A. House	10	H. A. King

No.
Road Petition

Petitioner *O. Lawrence*
Filed *O. Lawrence* 190..

FILED
MAY 28 1907
W. E. Brandenburg
County Clerk

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 .. *P. Lawrence* ..
.....of Road District No.

The petition above referred to, petitions that a Road be established, commencing ... *a. t. a. front in County road about 500 feet from bar. Sec 26 T2S6E and leading up Bear Canyon across part Sec 25, and across part of Sec 36, to mouth of Gulch to where Bozeman Lumber Co are now operating* ..

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 ... *5th* day of ... *August* ... 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
Thomas Lewis
John H. Ruess

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 ... *5th* day of ... *August* ... 190*7*

Warrant for Road Viewers.

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

Mr. *Norvey Sloan*

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 5th day of August 1907, to view and lay out a proposed road, as prayed for in the petition of O. Lawrence and others, described as follows, to-wit:

The Viewers are to view that part of the road called for in the petition that crosses that part of Section 36, T.2.S.R.6 E. and to determine if possible where the old public highway is located and locate the same.

You are hereby ordered to meet to be sworn according to law and assume the duties of your office, in company with *John A. Harris & Thomas Lewis*, who were duly appointed as Viewers on said road by the Chairman of the Board of County Commissioners on the 19th day of August 1907, 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 13th

day of August 1907.

W. E. Brandenburg
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 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.

John H. Jones

Subscribed and sworn to before me this 26 - day

of August 1907
189

J. H. Sloan
C. 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.

Thomas Lewis

Subscribed and sworn to before me this 26 day

of August 207
189

J. H. Sloan
C. Surveyor

This must be returned to the County Clerk after execution.

FILED

JUL 28 1907

W. E. Brundage
County Clerk

By _____
Deputy

THE WITHIN IS
EXAMINED, FOUND CORRECT AND IS HERE-
BY APPROVED

Report

BY ORDER OF THE BOARD, THIS
DAY OF *Sept* A. D., 1907

3d

CHAIRMAN,
ATTEN: COUNTY CLERK

REPORT OF ROAD VIEWERS.

ROAD NO. _____

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

We, the undersigned Road Viewers, consisting of _____

Thomas Lewis
John H. Dawes
J. H. Sloan

appointed to view a proposed road running from *up Bear Canyon*
through a portion of Sections 26, 25, and 36
to *T3S R6E*

as described in the annexed petition, say, That on the *26* day of *August*
A. D., *1907* 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 find that the old road through
Sec 36, T3S R6E coincides very closely with
the present travelled road and therefore
we would recommend that a county
road be established over this route
with the following change from
the present travelled road.

In the S 24 1/4 Sec 25 T3S R6E the
road should be established on the east
bank of the creek along an old travelled
grade, and in order not to cut off
the water from this land it will be
necessary to construct a cattle pass
to let stock down to the creek.

Through Mr. W. H. Williams land the old
road leads between this house and
barn and we would recommend that
the road be established here or above
the house if Mr. Williams so desired.

Through the S 1/2 of SE 1/4 Sec 36, the road may be
thrown over next the bank as agreed by
Isaac Aldritt and G. H. Court.

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

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

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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:

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

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

Dated Aug 27 A. D., 1907

Thomas Lewis
J. H. Daves.
J. H. Shaw

} Road Viewers.