

1528

No. 310

PETITIONER,

Richard Bruner et al

Petition filed June 2 1908

Viewers appointed June 2 1908

Report filed " 10 1908

Date of hearing 190

Report approved July 7 1908

Order of survey 190

Surveyor's Report filed 190

Declared County Road 190

Petition denied on report July 7 '08  
W. H. Davis  
Chairman

See Book 10 Commissioners' Proceedings,  
pages 388-402

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. One....., 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 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) The starting point of the road asked for is at the <sup>SE</sup> corner of Section one T.1.S.R.2.E. and runs due west on the section line between sections one and twelve to ~~the~~ corner of section one and thence north on the section line between sections ~~one~~ one and two same township and range, to N.W corner of section one.

(c) E. A. Lee NW 1/4 of Sec 12, T.1.S.R.2.E.  
Ernest ~~Lee~~ Contract to NW 1/4 Sec 12 S 2 of Section 41 T.1.S.R.2.E.  
With Gallatin ~~County~~ Co. NW 1/4 Section 10 T.1.S.R.2.E.  
J. E. Scollard E 2 of Section 2 T.1.S.R.2.E.

(e)

(f)

(g) The proposed road gives an outlet for the people living in this locality who have no road. Namely Ernest ~~Lee~~ J. E. Scollard John Tolbert Martin ~~Spencer~~ & P. Scollard.

Also the proposed road give an outlet  
to Logan & Manhattan.

- NAMES
1. Richard Brewer
  2. C. H. Scollard
  3. Martin A. Hunter
  4. E. Lee
  5. Louie R. Churchill
  6. G. H. Churchill

- NAMES
6. Elva L. Tolbert
  7. J. B. Rowley
  8. W. Barnes Towell
  9. M. M. Gonnell
  10. M. H. Crowley
  - John B. Sloan
  - Jimmie M. Campbell
  - S. B. Hutchinson

No. 310

### Road Petition

Petitioner Richard Brewer

Filed 190

**FILED**

W. E. Grandenburg  
County Clerk

Demurrer

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 *Richard Brewer and other* .....  
..... of Road District No. 1.....

The petition above referred to, petitions that a Road be established, commencing *at the Southeast corner of section one T. 1 S. R. 2 E and run due west on the section line between sections one and twelve to the <sup>SW</sup> corner of section one and thence north on the section line between sections one and two same township and range, to N.W. corner of section one.*

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 *2* day of *June* 190*8*.

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:

*J. H. Sloan*  
*B. F. Sanborn*  
*Harry White*

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 *June* 190*8*.

# 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 **June** 190 **8**, to view and lay out a proposed road, as prayed for in the  
petition of **Richard Brewer** and others, described as follows, to-wit:

The starting point of the road asked for is at the **SE** corner of  
Section one T.1.S.R.2.E. and runs due west on the section line bet-  
ween sections one and twelve to the **SW** corner of section one and  
thence due north on the section line between sections one and two,  
same township and range, to **NE** corner of section one.

You are hereby ordered to meet <sup>at Manhattan</sup> to be sworn according to law and assume the duties of your office, in  
company with J. H. Sloan, Harry White & O. J. Sauter, who were duly appointed as  
Viewers on said road by the ~~Chairman of the~~ Board of County Commissioners on the **2nd 8th**  
day of **June** 190 **8**, <sup>at 10:00 o'clock A. M.</sup> commencing at the place designated in said petition as the  
starting point of the road sought to be **viewed** 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 **4th**  
day of **June** 190 **8**.

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.

*Stitt Huling* X  
8<sup>th</sup> day

Subscribed and sworn to before me this \_\_\_\_\_ day

of *June* 1908  
189

*J. H. Sloan*  
A Surgeon

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.

*Harry White* X  
8<sup>th</sup> day

Subscribed and sworn to before me this \_\_\_\_\_ day

of *June* 1908  
189

*J. H. Sloan*  
A Surgeon

This must be returned to the County Clerk after execution.

**FILED**

JUN 1908

*W. C. Scarborough*  
County Clerk.

Deputy.

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

BY ORDER OF THE BOARD, THIS

DAY OF *July* A. D., 1908

ATTEST *W. C. Scarborough* CHAIRMAN

*W. C. Scarborough*

# REPORT OF ROAD VIEWERS.

ROAD NO. 310

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

We, the undersigned Road Viewers, consisting of

*Harry White*  
*Stall Huling*  
*W. Sloan*

appointed to view a proposed road running ~~from~~ as described in the  
annexed petition No. 310

to

as described in the annexed petition, say, That on the 8 day of June  
A. D., 1908 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 do not see the necessity for  
nor the advantages of such a road and  
therefore do not recommend the construction  
of the road as petitioned.*



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:

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

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:

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

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

Dated ..... A. D., 189 .....

Harry White  
J. H. Heulung  
J. L. Swan

} Road Viewers.

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

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

Registered <sup>(Letter)</sup> ~~Packet~~ No. 4425, from Bozeman, Mont.  
(Office of origin.)

Addressed to Harry White  
(Name of addressee.)

Date 7/1, 1908  
(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. } Harry White  
(Signature or name of addressee.)

} Mrs Harry White  
(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.

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

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

Registered <sup>(Letter)</sup> ~~Packet~~ No. 4426, from Bozeman, Mont.  
(Office of origin.)

Addressed to B. F. Sanborn  
(Name of addressee.)

Date \_\_\_\_\_, 190\_\_\_\_  
(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. } B. F. Sanborn  
(Signature or name of addressee.)

} Ed Sanborn  
(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.