

1545

No. 311

PETITIONER,

J. O. Nash and others

Petition filed June 2 - 1908

Viewers appointed June 2 - 1908

Report filed June 10 - 1908

Date of hearing 190

Report approved 190

Order of survey 190

Surveyor's Report filed 190

Declared County Road 190

This petition is reported by the Board this 4th day, 1909.

M. H. Davis
Chairman

See Book 10 Commissioners' Proceedings,
pages 388-496

TIS, MAE - 32

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. 8, 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:

beginning at the present County Road at a point at the N. E. corner of section 32, in Township 1 S. R. 4 E. running due south on section line to a point about 100 rods North of the S. E. corner of section 32, thence turning S. E. and running through the S. W. quarter of Section 33, keeping just above the ditch known as the Kuhn ditch, then on S. E. through the North half of Section 4 T. 2 S. R. 4 E. keeping just above said ditch, then running ~~almost~~ *between and southwest 1/4* South through the S. E. quarter of Section 4 in said Township and connecting with another proposed road at a point on the section line ~~about 80 rods west of the S. E. corner of section 4 of said~~ *at south centre of sec 4* Township.

The owners of the land over which the proposed road will run are as follows:

- William Lawrence, and Frank Heiskell.
- J. P. Nash and T. S. Kirk.
- T. S. Kirk.
- Mrs. Rowland *does not consent*
- William Lawrence gives land free, wants a fence removed and built.

- J. P. Nash gives land and moves and builds fence free.
- T. S. Kirk will give land where the road is on section line but wants \$30.00 per acre for land where the road runs wholly on his land and wants fences moved and built.

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 J.P. Nash and others.....

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

The petition above referred to, petitions that a Road be established, commencing Beginning at the present county road at a point at the NE corner of section 32, T.1.S.R.4.E. running south on section line to a point about 100 rods north of the SE corner of sec. 32, then turning SE and running through the SW 1/4 of Sec. 33, keeping just above the ditch known as the Kuhn ditch, then on SE through the north half of section 4, T.2.S.R.E.4. keeping just above said ditch, then running south between the SE 1/4 and SW 1/4 of section 4, and connecting with another proposed road at a point on the section line at south centre of section 4, 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....2..... day of June 1908.....190..

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
George Hull
Ezra Alsop

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....2..... day of June 1908.....1908

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...and.....day of June.....1908, to view and lay out a proposed road, as prayed for in the petition of.....
..J.B. Nash.....and others, described as follows, to-wit
..Beginning at the present County Road at a point at the SE corner of Sec. 32
..in T. 1. S. R. 4. N., running due south on section line to a point about 100..
..yards north of the SE corner of section 33, thence turning SE and running through the SE 1/4 of section 33, keeping just above the ditch known as the Kahn Ditch, thence SE through the North half of section 4, T. 1. S. R. 4. N., keeping just above said ditch, then running south between the south 1/2 and SE 1/4 of said section 4, and connecting with another proposed road at a point on the section line at south centre of section 4 of said township.....

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 of1908, commencing at the place design ated 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 bridge 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 lines.

In witness whereof I hereunto set my hand, at my
..... office this.....day of
1908.

.....
County Clerk.

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.

C. A. Sales

Subscribed and sworn to before me this 9 day

of June 1908

J. H. Sloan
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 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.

G. T. Hull

Subscribed and sworn to before me this 7 day

of June 1908

J. H. Sloan
Co. Surveyor

This must be returned to the County Clerk after execution.

REGISTRY RETURN RECEIPT.

Form No. 1548.

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

Registered ^{Letter}~~Parcel~~ No. 4423, from Bozeman, Mont.
(Office of origin.)

Addressed to Ezra Allsop,
(Name of addressee.)

Date 7/9, 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.

Ezra Allsop.
(Signature or name of addressee.)
Linda E. Allsop
(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 Bozeman, Mont.
(Delivering office.)

Registered ^{Letter}~~Parcel~~ No. 4424, from Bozeman, Mont.
(Office of origin.)

Addressed to George Hull,
(Name of addressee.)

Date 6-5, 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.

G. J. Hull.
(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.

TOWNSHIP
1
SOUTH

TOWNSHIP
2
SOUTH

Scale 40 chains to an inch.

24

25

36

23

26

35

22

27

34

21

28

33

20

29

32

19

30

31

FRANK HEISLER

T.S. KIRK

T.S. KIRK

E. LAWRENCE

Wm. Lawrence

W. WASH

SGEOMETER

MRS HOWLAND

MRS HOWLAND

50