

T2N R4E

No. 335

PETITIONER,

E. L. Sarrells

Petition filed Feb - 16 - 1900

Viewers appointed April - 5 - 1900

Report filed " 7 - 1900

Date of hearing June - 10 - 1900

Report approved " - 10 - 1900

Order of survey " - 10 - 1900

Surveyor's Report filed 1900

Declared County Road Oct - 3 - 1900

M. H. Lewis

Chairman

See Book 10 Commissioners' Proceedings,

pages 571-335 - 582-622

T2N, R4E

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. *Ten (10)*, 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 (40)* 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 S.W. Cor. Sec. 34, and the S.E. Cor. Sec. 33, Township 2 N. Range 4 East. Running North about 220 rods, Thence N.W. about 50 rods, Thence North to Sec. line, Thence West to S.E. Cor. Sec. 29 and the N.E. Cor. Sec. 32 Twp 2 N. R 4 East. Road will run over sections 28, 33, and 34.*

*Owned by Henry Clouinger, Cowan Estate, Ed. Sorrells, W.A. Hough, J.P. Sorrells, N.W. Ray, G.W. White,*

*All parties giving their consent, except Henry Clouinger, and Mrs. Kate Cowan. Mrs. Kate Cowan not being in the state. The probable cost of such right-of-way where such consent is not had is not known. To give an outlet to the various ranches in this neighborhood, to do away with gates, and crossing of fields.*

No. 2325

### Road Petition

Petitioner G. L. Sorrells

Filed ..... 190...

FILED

FEB 16 1910

W. C. Grandenburg  
County Clerk

..... Deputy

NAMES

1. Berrish Prost Fisher
2. W. C. Hough
3. W. S. Howard
4. R. M. Guthrie
5. H. W. Ray

NAMES

6. P. M. Robinson
  7. Nelson Spaulding
  8. Ursel White
  9. J. D. Man
  10. J. P. Sorrells
- L. A. Miller

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 *E. H. Sorrells and others*.....  
.....of Road District No.....

The petition above referred to, petitions that a Road be established, commencing *at the S.W. cor Sec 24, and the S.E. cor Sec 27, T. 21 N. 4 E.* running north about 320 rods, thence N.W. about 50 rods, thence north to Sec line, thence west to S.E. corner of Sec 29 and the N.E. corner Sec 27, T. 21 N. 4 E.

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 *April* 19*02*

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:

*Fred J. Brown*  
*W. J. Bennett*  
*C. H. Mac Donald*

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 *April* 19*02*

# Warrant for Road Viewers.

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

Mr. Fred M. Brown

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  
April 1910, to view and lay out a proposed road, as prayed for in the petition of  
E. L. Sorrells and others, described as follows, to-wit:  
Beginning at the S.W. corner of Section 34, and the S.E. corner of  
Section 33, Township 2 north range 4 e. st.; running north about 220 rods  
thence N.W. about 50 rods; thence west to S.E. corner section 29 and the  
N.E. corner section 32 same 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 Fred M. Brown and W. J. Brannell & C. H. McQuill, who were duly appointed as  
Viewers on said road by the Board of County Commissioners on the 20<sup>th</sup> ~~11<sup>th</sup>~~ day of April  
1910, 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 13th  
day of April 1910.

W. E. Brandenburg  
County Clerk.

By \_\_\_\_\_ Deputy.

# 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 5th day of  
April 1910, to view and lay out a proposed road, as prayed for in the petition of  
E. L. Sorrells and others, described as follows, to-wit:

Beginning at the S.W. corner of Section 34, and the S.E. corner of  
Section 33, Township 2 north range 4 east; running north about 220 rods  
thence N.W. about 50 rods; thence west to S.E. corner section 29 and the  
N.E. corner section 32 same 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 Fred M. Brown and \_\_\_\_\_, who were duly appointed as  
Viewers on said road by the Board of County Commissioners on the 20<sup>th</sup> day of April  
1910, 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 13th  
day of April 1910.

\_\_\_\_\_  
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.

Walter Thompson

Subscribed and sworn to before me this 20<sup>th</sup> day

of April 1910

Fred M. Brown  
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 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.

A. J. Bowtell

Subscribed and sworn to before me this 20<sup>th</sup> day

of April 1910

Fred M. Brown  
County Surveyor

This must be returned to the County Clerk after execution.

# REPORT OF ROAD VIEWERS.

ROAD NO. 335

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

We, the undersigned Road Viewers, consisting of Fred M. Brown  
W. J. Bennett, Walter Thompson

appointed to view a proposed road running from the south east corner  
of Sec. 33 Township 2 North Range 2 East  
to the North West corner of said section  
as described in the annexed petition, say, That on the 20th day of April  
A. D., 1910 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:

The line as described in the petition.  
The owners of the land are (The Lemann Estate  
Henry C. Longger, H. N. Ray, E. L. Lovell, W. C. Hough  
and J. P. Lovell.

Estimated cost  
4 bridges \$75.00  
Earthwork 125.00  
\$200.00



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

H. N. Bay, E. L. Lovell, W. A. Hough, J. P. Lovell

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

The Cowan Estate asks \$125.00 damages and that the county move their fences and ditches

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:

Allow Henry C. Long \$50.00 providing he builds his own fence and furnishes material. Move Mrs. Lewis fence.

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 April 20 1910 A. D., 188

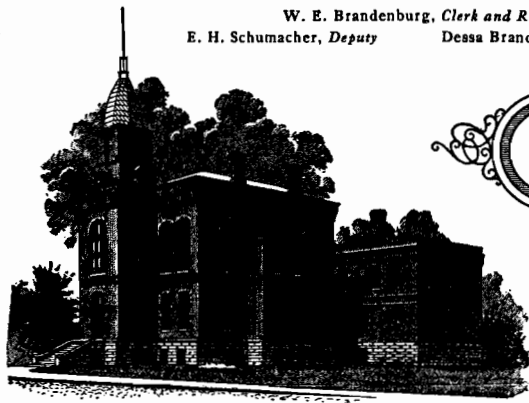
Fred M. Brown } Road Viewers.
W. J. Bowdell }
Walter Chapman }

RECORDED

APR 28 1910

W. E. Brantley  
County Clerk

.....County



County of Gallatin  
State of Montana

Office of

Clerk and Recorder  
Gallatin County

Bozeman, Montana, May, 24, 1910. 191

Mrs Kate Cowan,

City:

Mrs Cowan:-

You are hereby notified that the Board of County Commissioners will meet in regular session on Friday, June, 10, 1910; and on that date at 3:00 o'clock p.m. will take up the damages for the road petitioned for by E. L. Sorrells and others.

The Road viewers in their report to the Board allow you damages to the amount of moving your fences.

The Board at that time will either accept or reject the report of the road viewers.

Yours very truly,

County Clerk.

*Copies of this notice mailed to Henry  
Clemenger - Mrs Kate Cowan and George White  
W. E. Brandenburg  
Co. Clerk.*

Manhattan, Ind.  
April 23, 1910.

Mr Fred W. Brown:

County Surveyor, Boyerston, Ind.

Dear Sir,

I herewith acknowledge receipt of your letter with inclosure of consent blank of the 22<sup>nd</sup> inst, and in reply to same, will say that we, <sup>are</sup> perfectly willing to give that twenty feet <sup>wide</sup> right of way through or along the North line of our  $\frac{1}{4}$  sec, but will not agree to place our fence on said line at our own expense. Taking in consideration that this proposed road is of very little benefit if any to our place, but out of consideration of the people that are closed in, I believe in fact, we know that we are doing very nicely to give the 20 foot strip of fine land for that purpose. Therefore the fences must be placed on the the new line at no expense to us at all, as well if need to be all water ditches properly protected. I am surprised that we would be asked not only to give a part of the right of way, but to go to the <sup>the</sup> other expense of fences. It remains

Very Truly Yours,  
W. E. White.

Belgrade, Mont.

May 30<sup>th</sup> 1910

Mr. Wm. Brandenburg.

Dear Sir:

Your statement in regard to the board through my hands, received and I have a few lines in regard to this myself to write you.

Mr. Barber I asked me to write you what my damage was worth, which I did & from the way you wrote you I did not hear from any one but the witness. I am told by one of them that they did not estimate the damage but Sorrells

told them I would take \$50 and they took his word for it and never said one word to me. I told Sorrells I would take \$50 for the land nothing said of the fencing, but I can't take less than \$100 and do the fencing. Now Mr. Brandenburg they are rather imposing upon me in way to face - this road by clearing up the road that has been traveled for 30 years and was laid out long. Why not - then keep that road as a main road?

I shall be at the meeting  
June 10 but ask you to  
please send this letter  
to one of the commissioners  
or Mr. Brown

Yours & Obligz  
Henry Horinger



Belgrade, Mont  
April 28<sup>th</sup>/0

Dear Sir:

The Surveyor asked me to state to you what damage I ask for the right of way for road along the west line of my ranch.

I think the least that I can say is \$100 (one hundred dollars) and we do the fencing.

Yours very truly,

Henry Cloninger  
R.F.D. No. 1, Belgrade.

# To the County of Gallatin, State of Montana :

I Hereby Agree, and consent to give 20 feet for a Right of Way  
for a County Road, through or along the South line of

Sec. 28, T. 2N, R. 4E

as viewed and surveyed by Fred M. Brown, W. J. Brownell, Walter Thompson  
on the 20<sup>th</sup> day of April 1900. And hereby agree to  
place my fences on said lines without charge to the County.

Signed J. P. Soule

Dated at Belgrade, Mont this 20<sup>th</sup> day of April 1900

## ACKNOWLEDGEMENT.

STATE OF MONTANA, }  
County of Gallatin, } ss. On this 20<sup>th</sup> day of April  
A. D. 1900, before me Fred M. Brown County Surveyor  
in and for said County, came J. P. Soule

who is personally known to me to be the person... described in and who signed the annexed consent  
for right of way and acknowledged to me that ...he had executed the same freely and voluntarily,  
for the uses and purposes therein expressed.

IN WITNESS WHEREOF, I hereunto set my hand the day and year first above written.

Fred M. Brown  
County Surveyor



**To the County of Gallatin, State of Montana :**

I **Hereby Agree**, and consent to give Twenty feet for a Right of Way  
for a County Road, through or along the South line of Sec. 28  
Township 2 North, Range 4 East

Sec. \_\_\_\_\_, T. \_\_\_\_\_, R. \_\_\_\_\_

as viewed and surveyed by Fred M. Brown, W. I. Brown, Walter Henry  
on the Twenty day of April ~~190~~ 1900 And hereby agree to  
place my fences on said lines without charge to the County.

Signed W. A. Hough

Dated at Belgrade, Mont this 20 day of April 1900

**ACKNOWLEDGEMENT.**

STATE OF MONTANA, }  
County of Gallatin, } ss. On this 20<sup>th</sup> day of April  
A. D. 1900, before me Fred M. Brown, County Surveyor  
in and for said County, came W. A. Hough

who is personally known to me to be the person... described in and who signed the annexed consent  
for right of way and acknowledged to me that ...he had executed the same freely and voluntarily,  
for the uses and purposes therein expressed.

IN WITNESS WHEREOF, I hereunto set my hand the day and year first above written.

Fred M. Brown  
County Surveyor

**To the County of Gallatin, State of Montana:**

I **Hereby Agree**, and consent to give the necessary feet for a Right of Way for a County Road, through or along the route described in the section for road No. 335

Sec. 33-34, T. 2 N, R. 4 E, as viewed and surveyed by Fred M. Brown, W. J. Burnett, Walter Thompson on the 20th day of April 1900 And hereby agree to place my fences on said lines without charge to the County.

Signed E. L. Souells

Dated at Belgrade, Mont. this 20th day of April 1900

**ACKNOWLEDGEMENT.**

STATE OF MONTANA, }  
County of Gallatin, } ss. On this 20th day of April  
A. D. 1900, before me Fred M. Brown, County Surveyor  
in and for said County, came E. L. Souells

who is personally known to me to be the person... described in and who signed the annexed consent for right of way and acknowledged to me that ...he had executed the same freely and voluntarily, for the uses and purposes therein expressed.

IN WITNESS WHEREOF, I hereunto set my hand the day and year first above written.

Fred M. Brown  
County Surveyor

**To the County of Gallatin, State of Montana:**

I Hereby Agree, and consent to give 20 feet for a Right of Way  
for a County Road, through or along the South line of

Sec. 28, T. 2 N., R. 4 E  
as viewed and surveyed by Fred M. Brown, W. J. Bennett, Walter Thompson  
on the 20<sup>th</sup> day of April 1900. And hereby agree to  
place my fences on said lines without charge to the County.

Signed H. N. Ray

Dated at Belgrade Mont this 20<sup>th</sup> day of April 1900

**ACKNOWLEDGEMENT.**

STATE OF MONTANA, }  
County of Gallatin, } ss. On this 20<sup>th</sup> day of April  
A. D. 1900, before me Fred M. Brown, County Surveyor  
in and for said County, came H. N. Ray

who is personally known to me to be the person... described in and who signed the annexed consent  
for right of way and acknowledged to me that ...he had executed the same freely and voluntarily,  
for the uses and purposes therein expressed.

IN WITNESS WHEREOF, I hereunto set my hand the day and year first above written.

Fred M. Brown  
County Surveyor

REGISTRY RETURN RECEIPT.

Form 1548.

Received from the postmaster registered article, the original number of which appears on the reverse side of this card.

Date of delivery May 25, 1910  
(To be filled in by person signing receipt.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Kate Corwin  
(Signature or name of addressee.)

\_\_\_\_\_  
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee or the person in whose care it is addressed, except upon addressee's written order or a written order from the sender transmitted by the mailing postmaster and duly verified.

When the above receipt has been properly signed, it must be postmarked with the name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form 1548.

Received from the postmaster registered article, the original number of which appears on the reverse side of this card.

Date of delivery May 26, 1910  
(To be filled in by person signing receipt.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

W. L. White  
(Signature or name of addressee.)

\_\_\_\_\_  
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee or the person in whose care it is addressed, except upon addressee's written order or a written order from the sender transmitted by the mailing postmaster and duly verified.

When the above receipt has been properly signed, it must be postmarked with the name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.

REGISTRY RETURN RECEIPT.

Form 1548.

Received from the postmaster registered article, the original number of which appears on the reverse side of this card.

Date of delivery \_\_\_\_\_, 19\_\_\_\_  
(To be filled in by person signing receipt.)

When delivery is made to an agent of the addressee, both addressee's name and agent's signature must appear in this receipt.

Henry Blominger  
(Signature or name of addressee.)

\_\_\_\_\_  
(Signature of addressee's agent.)

A registered article must not be delivered to anyone but the addressee or the person in whose care it is addressed, except upon addressee's written order or a written order from the sender transmitted by the mailing postmaster and duly verified.

When the above receipt has been properly signed, it must be postmarked with the name of delivering office and actual date of delivery and mailed to its address, without envelope or postage.