

No. 340

PETITIONER,

F. J. Williams et al

Petition filed April - 1 - 1900

Viewers appointed June - 8 - 1900

Report filed Aug - 3 - 1900

Date of hearing 1900

Report approved 1900

Order of survey 1900

Surveyor's Report filed 1900

Declared County Road Oct - 3 - 1900

H. H. Davis
Chairman

See Book 10 Commissioners' Proceedings,

pages 579-622

TIS, R1W

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. *E. Lewis*, 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... *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:

(a) Along the East and South lines of the N.E. 1/4 of the S.E. 1/4 of Sec. 10. Township 1. South Range 1. West as shown by sketch

(b) Over the N.E. 1/4 of the S.E. 1/4 of Sec. 10. Township 1. South Range 1. West

(c) Lamonie Horob

(d) Yes

(e) None

(f) No cost

(g) The change asked for will put the road on subdivision lines as it is it cuts land in two

Dotted lines for writing the body of the petition.

NAMES

- 1. G. J. Williams
- 2. John Walbert, Jr.
- 3. Ed. Walbert
- 4. W. M. Sorngas
- 5. H. A. Harwood

NAMES

- 6. Ruse J. Roberts
- 7. C. P. Peterson
- 8. J. P. Peterson
- 9. W. B. Gungley
- 10. H. Harwood

No. 340.

Road Petition

Petitioner: G. J. Williams et al

Filed: April 1, 1900.

FILED

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 ^{change in} County Road has been received in this office, signed by T. J. Williams.....
.....of Road District No. 11.....

The petition above referred to, petitions that a Road be established, commencing ex. per.
petition # 340.....
.....
.....
.....
.....

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 8th day of June 1900.

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. A. Buttman.....
Geo. J. Callahan.....

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 8th day of June 1900.

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.

John J. Gallagher

Subscribed and sworn to before me this *Twenty* day

of *July* ~~189~~ 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 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.

Wm. H. Battelma

Subscribed and sworn to before me this *Twenty* day

of *July* ~~189~~ 1910

Fred M. Brown
County Surveyor

This must be returned to the County Clerk after execution.

REPORT OF ROAD VIEWERS.

ROAD NO. 340

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

We, the undersigned Road Viewers, consisting of Fred M. Brown, William H. Buttler and John J. Callaghan.

appointed to view a proposed road running from

to

as described in the annexed petition, say, That on the twentieth day of July 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:

[Lined area for report content]

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

• Lamon Howls

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

None

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:

Not any

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

The change will put the road on the subdivison lines

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

Dated July, 20, A. D., 189 1910.

Freid M. Brown }
Wm. H. Buttelman } Road Viewers.
John J. Guinegan }

RECEIVED

AUG 3 1910

U.S. DEPARTMENT OF JUSTICE

DEPT. OF JUSTICE

RECEIVED
RECORDED, INDEXED, FILED AND SERIALIZED
BY ASSISTANT

BY CLERK OF COURT
AUG 11 1910

U.S. DEPARTMENT OF JUSTICE
COUNTY CLERK

To the County of Gallatin, State of Montana:

I **Hereby Agree**, and consent to give Forty feet for a Right of Way for a County Road, through or along the route as described in the petition

Sec. 10, T. 1, south, R. 1, west as viewed and surveyed by Fred M. Brown, William H. Buttlerman, and J.J. Callaghan on the twentieth day of July 1900. And hereby agree to place my fences on said lines without charge to the County.

Signed Mona Howls

Dated at Willow Creek this 2 day of Aug 1900

ACKNOWLEDGEMENT.

STATE OF MONTANA, }
County of Gallatin, } ss. On this _____ day of _____
A. D. 190___, before me _____
in and for said County, came _____

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.

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
the Board of County Commissioners of Gallatin County, Montana, on the 5th day of
June 1910, to view and lay out a ~~proposed~~ ^{changes in} road, as prayed for in the petition of
T.J. Williams and others and others, described as follows, to-wit:
Along the east and south lines of the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section 10,
Township 1 South range 1 ~~xx~~ West.

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, who were duly appointed as
Viewers on said road by the Board of County Commissioners on the 20th day of July
1910, commencing at the place designated in said petition as the starting point of the road sought to be
changed 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 11th
day of July, 1910.

County Clerk.

By _____ Deputy.

10

TOWNSHIP 18 SOUTH RANGE 14 WEST

