

No. 353

PETITIONER

James Scollard et al

Petition filed January 20 1911

Viewers appointed March 8 1911

Report filed June 8 1911

Date of hearing 1911

Report approved 1911

Order of survey 1911

Surveyor's Report filed Oct 6 1911

Declared County Road June 8 1911

W. H. Davis
Chairman

See Book 11 Commissioners' Proceedings,
pages 24

Recorded, Road Book, pages

County Clerk

Petition for Road

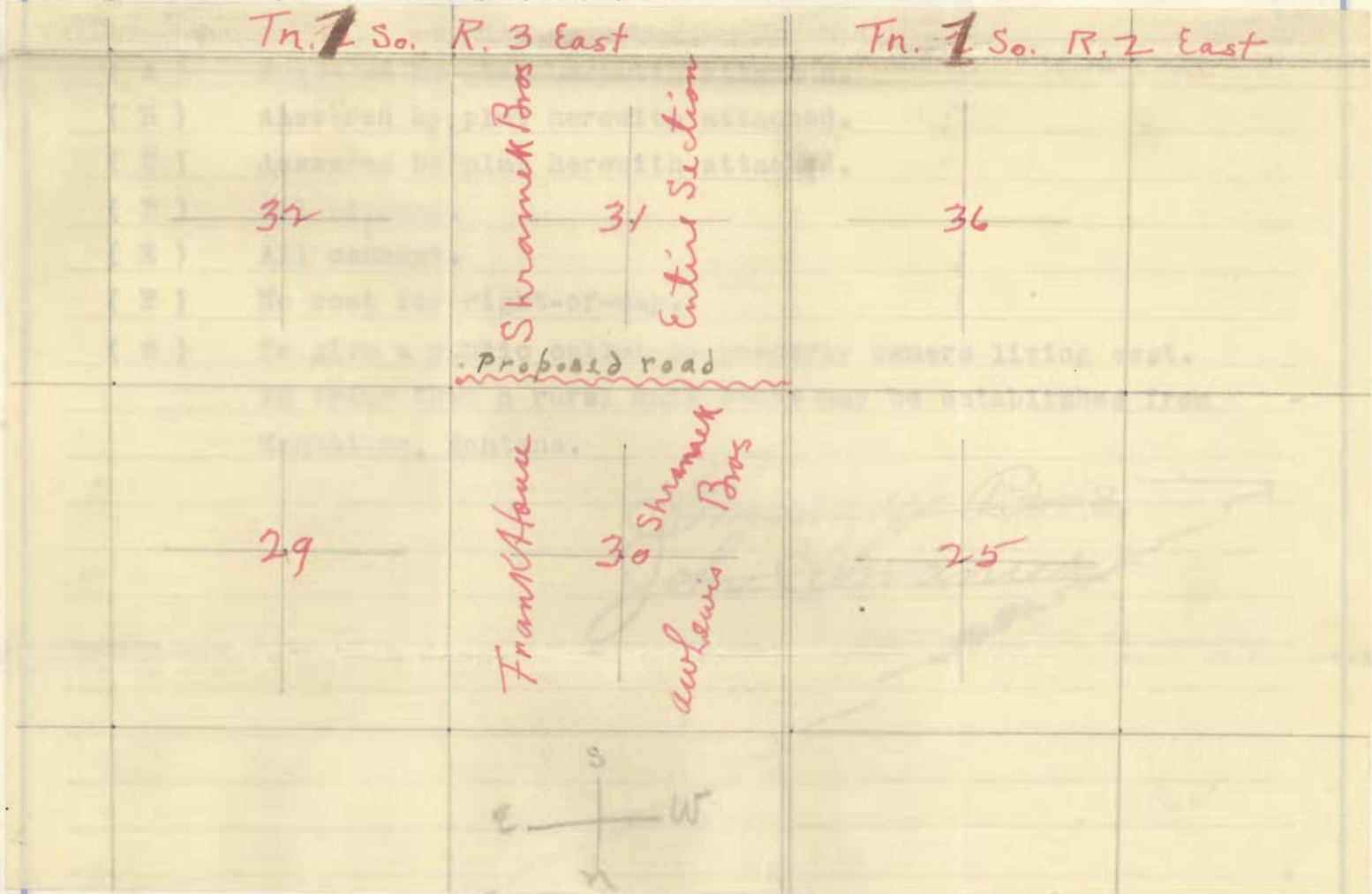
To The Hon. Board of County Commissioners, of Gallatin County, Mont.:

THE UNDERSIGNED, Your petitioners, Citizens of the United States, respectfully show and represent that they are residents and freeholders in Road District No. 8, in the County of Gallatin, State of Montana, and taxable therein for road purposes, when 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 - Sixty - 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:



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Petition for Road

- (A) Answered by plat herewith attached.
- (B) Answered by plat herewith attached.
- (C) Answered by plat herewith attached.
- (D) All consent.
- (E) All consent.
- (F) No cost for right-of-way.
- (G) To give a public outlet to property owners living ewst.
In order that a rural mail route may be established from
Manhat'an, Montana.

Stranney
John Stranney

No. 353

Road Petition

Petitioner James Scotland
Filed Jan. 20th 1911

NAMES

NAMES

- 1 James Scotland
- 2 Thomas Bris. ²⁴ John Thomas
- 3 ~~Edmond~~
- 4 D. A. Robertson
- 5 L. R. Churchill

- 6 Adolph Hertel
- 7 A. W. Lewis
- 8 J. V. Scotland
- 9 J. M. B. Beasts
- 10 Frank House

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

James Scollard & others of Road District No. 8

The petition above referred to, petitions that a Road be established, commencing at NE corner sec. 31, T. 1. S. R. 3 E. thence running on section line due west one mile connecting the county roads now existing

You are hereby notified to appoint three Viewers to view the above proposed Road.

Yours Very Respectfully,

E. H. Schumacher
County Clerk and Recorder.

Dated at Bozeman, Montana, this 8 day of March 1911

Office Of
The Board of County Commissioners
Gallatin County, Montana

E. H. SCHUMACHER, County Clerk, Gallatin County, Montana.

DEAR SIR:

In pursuance to the above notice, I hereby appoint:

W. J. Erwin
C. A. Sales
Fred. M. Brown

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 March 1911

Warrant for Road Viewers.

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

Mr. *Fred M. Brown, W. D. Erwin & C. A. Sales*

You are hereby notified that you were duly appointed Road Viewer by
the Board of County Commissioners of Gallatin County, Montana, on the **eighth** day of
March 19**11**, to view and lay out a proposed road, as prayed for in the petition of
James Scollard and others, described as follows, to-wit:
commencing at Northeast corner of section 31 T.2.S.R.3.N. thence running
on section lines due west one mile connecting the county roads now in
existence

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 Board of County Commissioners on the **sixteenth** day of **March**
19**11**, commencing at the place designated in said petition as the starting point of the road sought to be
opened up 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 **eleventh**
day of **March** 19**11**.

E. H. Johnson
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 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.

W. S. Erwin

Subscribed and sworn to before me this 16 day

of March ~~189~~ 1911

Fred M. Brown
County Clerk

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.

C. A. Sales

Subscribed and sworn to before me this 16 day

of March ~~189~~ 1911

Fred M. Brown
County Clerk

This must be returned to the County Clerk after execution.

REPORT OF ROAD VIEWERS.

ROAD NO. 353

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

We, the undersigned Road Viewers, consisting of Fred M. Brown
N. S. Ewing & G. A. Lake

appointed to view a proposed road running ~~from~~ as described in the
petition
to

as described in the annexed petition, say, That on the 16 day of March
A. D., 1911 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:

width 60 ft.
Along North line of sec 31 T. 1 S. R. 32.
No cost.

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:

None

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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 *March 16* A. D., ~~189~~ 1911

Fred M. Brown
W. J. Erwin
C. A. Salvo

Road Viewers.

To the County of Gallatin, State of Montana:

I **Hereby Agree**, and consent to give Thirty feet for a Right of Way for a County Road, through or along the North line of running east and west

Sec. 31, T. 1 S, R. 2 E
as viewed and surveyed by Fred M. Brown, W.S. Ewins & C.A. Sales
on the 16th day of March 1901. And hereby agree to place my fences on said lines without charge to the County.

Signed John Sprauet

Dated at _____ this _____ day of _____ 190_____

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.

To the County of Gallatin, State of Montana:

I Hereby Agree, and consent to give 30 feet for a Right of Way
for a County Road, through or along the South line of the SW 1/4 of
running East and West

Sec. 30, T. 1 S., R. 2 E
as viewed and surveyed by Fred M. Brown, W.S. Ewins & C. G. Sales
on the 16 day of March 1911. And hereby agree to
place my fences on said lines without charge to the County.

Signed John Shramer

Dated at _____ this _____ day of _____ 1911

ACKNOWLEDGEMENT.

STATE OF MONTANA, }
County of Gallatin, } ss. On this _____ day of _____
A. D. 1911, 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.

Failed to find land owners, mailed them
consent blanks, but have had no replies
Fred M. Brown

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