

No. 359

PETITIONER

JOHN C. MADDOX *et al.*

Petition filed *APRIL 20* 191*1*

Viewers appointed *June 8* 191*1*

Report filed *June 25* 191*1*

Date of hearing 191

Report approved 191

Order of survey 191

Surveyor's Report filed 191

Declared County Road 191

Disallowed Oct 3, 1911.

W. H. Davis

Chairman

See Book *11* Commissioners' Proceedings,

pages *91*

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. 7, 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 30 ft 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. Comencing at the corners of the N. W. corner of the N.E. quarter Sec 16 and South West corner of the S.E. quarter of Sec 9, thence 1/2 mile East to the corners of N.E. quarter of Sec 16 and the S.E. corner of Sec 9

B. along the sec line between the N.E. quarter of sec 16 and the S.E. quarter of sec 9.

C. John C Maddox and John Hopkins

D. I Yes Both Parties consent

E.

F.

G. to make an outlet to the main Public Road.

Gussis E. Melvin

No. 359

Road Petition

Petitioner John C. Maddox

Filed April 20, 1911

NAMES

- 1 Matt Nickel
- 2 John Phillips
- 3 Gussie E. Melvin
- 4 J. B. Williams
- 5 H. P. Rainey

NAMES

- 6 John C. Maddox
- 7 G. J. Lockhart
- 8 Thomas Broderman
- 9 Arthur C. Kunk
- 10 Samuel R. Maddox

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

John C. Maddox and others

of Road District No. *7*

The petition above referred to, petitions that a Road be established, commencing at *N.W.*

corner of NW quarter sec 16. thence East 1/2 mile to corner of NE quarter sec 16.

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 *8th* day of *June* 191*1*

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:

Fred M. Brown

W. J. Evans

Philip Laupsow

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* 191*1*

Warrant for Road Viewers.

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

Mr.

You are hereby notified that you were duly appointed Road Viewer by **W.H. Davis, Chairman of** the Board of County Commissioners of Gallatin County, Montana, on the **5th** day of **June** 19**11**, to view and lay out a proposed road, as prayed for in the petition of **JOHN C MADDIX** and others, described as follows, to-wit:
Commencing at the Northwest Corner of the Northeast quarter of section sixteen (16) TOWNSHIP TWO(2) NORTH of Range Seven(7) East thence running due East one half of a mile.

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 **24th day** of **June** 19**11**, commencing at the place designated in said petition as the starting point of the road sought to be **established** 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 **14th** day of **June** 19**11**.

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.

[Handwritten Signature]

Subscribed and sworn to before me this 24 day

of June ~~1897~~ 1911

[Handwritten Signature: 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.

[Handwritten Signature]

Subscribed and sworn to before me this 24 day

of June ~~1897~~ 1911

[Handwritten Signature: Fred M. Brown, County Surveyor]

This must be returned to the County Clerk after execution.

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:

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

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.....

As this road is a private and not a public highway
We believe said road *is not* to be practical and *is not* of public utility and necessity and do *not* recommend the establishment of the same.

Dated *June 24 1891* A. D., 189.....

Wm. Brown
J. P. Evans
P. L. Lamson } Road Viewers.

Sedan Montana

4-18-1911

To The Honorable Board of
County Commissioners
Bozeman Mont

Dear sirs enclosed please
find Road Petition which
we should like for you to
consider at your next meeting
and Oblige

John C Maddox
Sedan

Gallatin Co
Montana.

U. S. Registered Mails go to every post office in the world. Letters and parcels may be registered at any post office or at any post-office station, and by rural carriers throughout their routes. Letters will be registered by letter carriers in the residential districts of cities.

For registered mail delivered through a U. S. post office, the sender receives, without request or extra charge, a return receipt signed by the addressee or his agent. For registered mail delivered in a foreign country the sender receives without extra charge a form of return receipt if the words "Return Receipt Demanded" appear on the envelope or wrapper.

Letter Parcel } No. 5348 P. O., Bozeman, Mont.
 Received for registration 6/14, 1911, from Co. Clerk
 addressed to N. P. Evans
Sedan, Mich.
 class postage prepaid. Postmaster, per M

U. S. Registered Mails go to every post office in the world. Letters and parcels may be registered at any post office or at any post-office station, and by rural carriers throughout their routes. Letters will be registered by letter carriers in the residential districts of cities.

For registered mail delivered through a U. S. post office, the sender receives, without request or extra charge, a return receipt signed by the addressee or his agent. For registered mail delivered in a foreign country the sender receives without extra charge a form of return receipt if the words "Return Receipt Demanded" appear on the envelope or wrapper.

Letter Parcel } No. 5349 P. O., Bozeman, Mont.
 Received for registration 6-14, 1911, from Co. Clerk
 addressed to Philip's Lampson
Sedan, Mich.
 class postage prepaid. Postmaster, per M

Letter

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 June 17, 1911
 (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.

(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.

