

No. 369

PETITIONER

A. J. Woodward et al

Petition filed Sept. 6. 1911

Viewers appointed 1911

Report filed 1911

Date of hearing 1911

Report approved 1911

Order of survey Sept. 7 1911

Surveyor's Report filed 1911

Declared County Road Sept 7, 1911

Petition

Sept 7 1911
W. H. Jones

See Book 11 Commissioners' Proceedings.
pages 88

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....., 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 60 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. Beginning at a point in the N.E. 1/4 of Section 19 where the recorded County road leading from the South to the town of Willow Creek stops then north along the fence line which has for several years been used as a continuation of the County road, about 600 feet to the South line of the Northern Pacific Ry. ^{Co. right of way} then north across the right of way of the Northern Pacific Ry. and the Chicago Milwaukee and Puget Sound Ry.

B. Over a line which has been known and used as a County road.

C. Presumably the County of Gallatin. If not A. J. Woodward, Mrs. Melissa Green and the Northern Pacific Ry.

D. all of them consent and have signed this petition.

E. None of them.

F. No cost to the County.

G. There is no public crossing over the tracks of the Northern Pacific Ry. and the C&N Ry. at Willow Creek. There is only a private crossing with gates in railroad right of way fence. The Country is settling rapidly on both the north and South sides of the two lines of railway, and the people require a direct route into and through the town in both directions.

No.....

Road Petition

Petitioner.....

Filed..... 191.....

1 *W. Nicholas Genl Supt of Pky*

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NAMES

NAMES

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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. _____, 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 _____ 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. Beginning at a point in the N.E. 1/4 of Section 19 where the recorded County road leading from the south to the town of Willow Creek, stops, thence north along the fence line, which has for years, been used as a continuation of the county road, about 600 feet, to the south line of the Northern Pacific Ry Co's right of way thence north across the right of way of the Northern Pacific and the Chicago Milwaukee and Puget Sound Ry.

B. Over a line which has been known and used as a public road

C. Presumably the county of Gallatin of Mrs. A. J. Woodward, Mrs. Melissa Green and the Northern Pacific Ry.

D. All of them consent and have signed this petition.

E. None of them

F. No cost to the county.

G. There is no public crossing over the tracks of the Northern Pacific Ry and the Chicago Milwaukee and Puget Sound Ry, at Willow Creek. There is only a private crossing with gate in railroad right of way fence. The country is settling rapidly on both the north and south sides of the two lines of railway and the people require a direct route ~~to~~ into and through the town in both directions.

No.

Road Petition

Petitioner *A. J. Woodward*

Filed *Sept. 6.* 191*1*

NAMES

- 1 *T. J. Koindlog*
- 2 *A. Woodward*
- 3 *L. H. Williams*
- 4 *Leonard West*
- 5 *Charles Howell*

NAMES

- 6 *J. P. Peterson*
- 7 *Mike Mulderig*
- 8 *H. T. Hankinson*
- 9 *James E. ...*
- 10 *J. J. Roberts*

Northern Pacific Railway Company

Butte, Mont., Sept 28th, 1911.

Mr. E. H. Schumacher.
County Clerk, Gallatin County.
Bozeman, Montana.

Dear Sir-

I have your letter of the 25th inst. regarding report that the Northern Pacific Ry. intended to close a private crossing at Willow Creek.

As you state, the petition for the opening of the county road across the railroad tracks did not refer to the closing of a private crossing. Neither has such action been considered at any time by the Northern Pacific Ry. Co. If any contract exists between this company and any one at Willow Creek which provides for a private crossing this contract will be adhered to strictly by the company.

The rumor that we intended to close a crossing was started by some one, and you can probably guess who it was, for the purpose of stirring up feeling among the people of Willow Creek against the Northern Pacific Ry.

Even if it had been our intention to close the crossing, which would have the effect of shutting off access to our depot, we would now consider your letter as notice from the commissioners to postpone such action, at least until we could satisfy the commissioners that the crossing is a private one, and not under the jurisdiction of the county.

As to the commissioners recalling their action, I would suggest that we have complied with the resolution of the commissioners and opened the county road across our tracks, protecting the crossing with standard wing fences and cattle guards, and laid double length crossing planks at both of our tracks. For the protection of stock and the C. M. & P. S. Ry. we have carried a fence along the line dividing the rights of way of the two railroads and placed a gate in the fence.

The commissioners may not approve of this fence, but it will probably not remain there long, as the C. M. & P. S. Ry. will no doubt complete the county road across their right of way as required by the commissioners resolution, at once, thereby making it unnecessary to maintain the gate.

I will appreciate it very much if you will say to the commissioners that it has not and is not our intention to do anything at Willow Creek to inconvenience any one there, but rather to co-operate with them in developing their village.

Yours very truly,

