

No. 478

PETITIONER

S. J. Elliott

Petition filed Jan. 31 1914

Viewers appointed July 3 1914

Report filed July 21 1914

Date of hearing 191.....

Report approved 191.....

Order of survey 191.....

Surveyor's Report filed 191.....

Declared County Road 191.....

*See
petition
470*

See Book 11 Commissioners' Proceedings,

pages 435-347-337

Recorded, Road Book, pages

County Clerk

THE WITHIN Petition IS EXAMINED FOUND CORRECT, AND IS HEREBY ~~APPROVED~~ Disallowed BY ORDER OF THE BOARD, THIS THE 25 DAY OF March A. D. 1914.
Chas. Williams CHAIRMAN.
ATTEST: _____
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. 4, 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 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:
 - (a) The general route of the proposed road is as follows: one mile west between sections 20 and 29, thence directly south a short distance thence again west to the County Road between sections 19 and 30, all in Township 2, south of Range 5 east in said Gallatin County.
 - (b & c) The said road from east to west would pass along the south side of the southeast quarter of the southeast quarter of section 20 owned by Stephen White; the south side of the southwest quarter of the southeast quarter and the southeast quarter of the southwest quarter of section 20 owned by C. E. Soderstrom; along the south side of the southwest quarter of the southwest quarter of section 20, owned by S. F. Elliott; along the south side of the southeast quarter of section 19 owned by F. L. Blackwood; along the north side of the northeast quarter of section 29 owned by Steve O'Donnell (under contract from Lyman J. Morgan); along the north side of the northwest quarter of section 29 owned by A. B. Blackwood; and along the north side of the north half of the northeast quarter of section 30 owned by Viola Reed, wife of W. B. Reed who was formerly Viola Daugherty;
 - (d) All of the above owners consent to the opening of said road, except A. B. Blackwood.

(g) The necessity for and advantages of the proposed road are as follows: To extend the county road west along the line above indicated and to connect with existing roads at either end, for the convenience of all of the persons above named, as well as for the convenience of the public generally.

NAMES

- 1 S. F. Elliott
- 2 B. E. Soderstrom
- 3 Steve G. Donnell
- 4 W. J. Conrad
- 5 O. K. Nord
- Samuel Nesmet

NAMES

- 6 E. B. Lamme
- 7 O. W. Ballett
- 8 J. G. Collett
- 9 John G. Chapman
- 10 Ezra Albert
- Thos Nash
- G. C. Miles

No

Road Petition

Petitioner S. F. Elliott

Filed Jan 31 1914

Petition for Road

Office Of
County Clerk and Recorder

Gallatin County, Montana

Chas Waterman

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

S. J. Elliott et al

..... of Road District No.....

The petition above referred to, petitions that a Road be established, commencing

Running one mile west between sections twenty (20) and twenty nine (29) thence directly south a short distance, yhence again west to the County road between sections nineteen (19) and thirty (30) all in township two (2) south, range five (5) east.

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 3rd day of February 1914

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

Thos J. Fowler

Thos Matthews

to act in behalf of the Board of County Commissioners as Viewers of the above petitioned Road.

Yours Very Respectfully,

Chas Waterman

Chairman of the Board of County Commissioners, Gallatin County, Montana

Dated at Bozeman, Montana, this 3 day of February 1914

Warrant for Road Viewers.

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

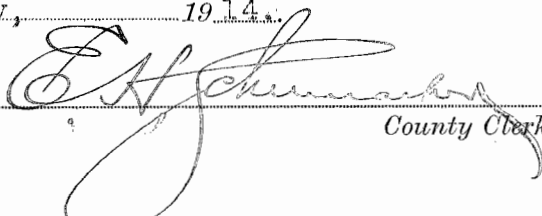
Mr. Fred M. Brown,

You are hereby notified that you were duly appointed Road Viewer by S. F. Elliot et. al the Board of County Commissioners of Gallatin County, Montana, on the third day of February 1914, to view and lay out a proposed road, as prayed for in the petition of Thos. J. Fowler and Thos. Mathews, and others, described as follows, to-wit: Running one mile west between Sections twenty (20) and twenty-nine (29), thence directly south a short distance, thence again west to County Road between Sections nineteen (19) and thirty (30) all in Township Two (2) South, Range Five (5) East.

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in company with Thos. J. Fowler, and Thos. Mathews, who were duly appointed as Viewers on said road by the Board of County Commissioners on the tenth day of February 1914, commencing at the place designated in said petition as the starting point of the road sought to be opened 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 fourth day of February, 1914.


County Clerk.
By _____ Deputy.

Copy for file

Warrant for Road Viewers.

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

Mr. Fred M. Brown, Thos. J. Fowler, and Thos. Matthews.

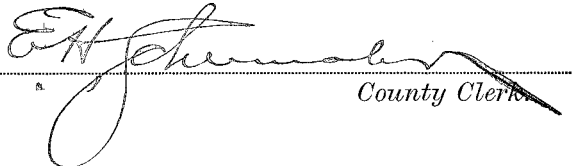
You are hereby notified that you were duly appointed Road Viewer by S. F. Elliot et. al. the Board of County Commissioners of Gallatin County, Montana, on the third day of February, 1914, to view and lay out a proposed road, as prayed for in the petition of and others, described as follows, to-wit:

Running one mile west between Sections twenty (20) and twenty-nine (29) thence directly south a short distance, thence again west to County Road between Sections nineteen (19) and thirty (30) all in Township Two (2) South, Range Five (5) East.

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 tenth day of February 1914, commencing at the place designated in said petition as the starting point of the road sought to be opened 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 fourth day of February 1914.


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.

J. J. Fowler

Subscribed and sworn to before me this 6th day

of February 189 1914

J. W. Schumacher
COUNTY CLERK IN AND FOR
GALLATIN COUNTY, STATE OF MONTANA

By E. B. Sipton
Deputy

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.

J. T. Matthews

Subscribed and sworn to before me this 7th day

of July 189 1914

J. W. Schumacher
COUNTY CLERK IN AND FOR
GALLATIN COUNTY, STATE OF MONTANA
By E. B. Sipton
Deputy

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.

Lud M. Brown

Subscribed and sworn to before me this *9th* day

of *February* ~~189~~ *1914*.

E. H. Schumacher

Co. Clerk

This must be returned to the County Clerk after execution.

Report of Viewers on
S. F. Elliott Road # 418.

FILED

FEB 21 1914

[Handwritten signature]
OK

REPORT OF ROAD VIEWERS FOR ROAD # 418.

To The Honorable Board of County Commissioners,
Gallatin County, Montana.

Gentlemen:-

We the undersigned, viewers, duly appointed by your Honorable Body to view the S.F. Elliott Road # 418 beg leave to report as follows.

That on Feb. 10, 1914, the day set for viewing said road we repaired to the point of beginning of the road and viewed it over its entire length, that we then saw or have seen all interested parties, excepting Mr. E.L. Blackwood, who is out of the State, and we submit the following facts and recommendations for your consideration.

(1) The description of the road is as follows:-

Beginning at the S.E. corner of Sec. 20, T. 2 S., R 5 E., thence west one mile to the S.W. corner of said section 20, thence south along the section line about 9 rods to the line between Mr. E.L. Blackwood's property and that of Mr. Bert Reid thence west along said division line to the County Road the total length being about 1.1 miles.

(2) We estimate the cost of constructing this road to be \$2500.00

(3) We believe the following land owners are damaged in the following amounts:-

C. E. Salderstrom	No damages.
Bert Blackwood	\$150.00
Steve O'Donell	\$70.00
Ed. Blackwood	No damages
Bert Reid	" "
Steve White	\$85.00

(4) Mr. S.F. Elliott agrees to give the right of way and his written consent is hereto attached.

(5) The damages asked by non consenting land owners are as follows:-

C. E. Salderstrom	\$220.00
Bert Blackwood	\$200.00
Steve O'Donell	\$70.00
E. L. Blackwood,	Not found.

Bert Reid No damages

Steve White \$350.00

(6) We believe the route described in the petition is not a practicable route for a road as a part of it is through very wet swampy ground and two bridges, one across Middle Creek and one across Dry Creek will be required.

The road is not a necessity to the public in general as the County now has a road which practically parallels this road.

We believe Mr. Elliott to be the only man who would use this road who is not now on a County Road and that for about \$125.00 he could purchase a private right of way from Mr. Salderstrom, which will be much cheaper for both Gallatin County and himself than the proposed road.

We recommend that should Mr. Elliott purchase the right of way as suggested above that Gallatin County work said right of way.

In view of the above facts we recommend that the petition in its present form be not allowed.

Dated this 21 day of Feb. 1914.

Signed.

Fred M. Brown

Thos. J. Fowler

J. T. Matthews

TO GALLATIN COUNTY ,MONTANA/

We the undersigned hereby agree to give the necessary right of way for the public road as petetioned for in the attached petetion where the same is on or over our lands and agree to place our fences on the lines of said road all without expense to Gallatin County.

18

17

16

15

14

13

19

20

21

22

23

24

30

29

28

27

26

25

31

32

33

34

35

36

E. Blackwood
 S. H. Blackwood
 C. E. Solderstrom
 W. H. S.

H. B. Blackwood
 A. B. O'Connell

True Meridian

10
 20
 30
 40
 50
 60
 70
 80
 90
 Scale: 40 Chains to an Inch.

No. 131

40