

No. 463

PETITIONER,

ARTHUR ~~BART~~ BRITAIN

Petition filed Nov 30 1906

Viewers appointed ..... 190

Report filed ..... 190

Date of hearing ..... 190

Report approved ..... 190

Order of survey Aug 8 1906

Surveyor's Report filed ..... 190

Declared County Road Aug 8 1906

Road will be granted when right of way is all furnished and fenced. 12/9/06

See Book 11 Commissioners' Proceedings,

pages 596

Recorded, Road Book, pages .....

County Clerk

# Petition For Road

No.....

To the Honorable Board of County Commissioners of Gallatin County, Montana:

Gentlemen:

We, the undersigned free holders of Road District No..... 7 ..... of Gallatin County, Montana, residing on or adjacent to the following proposed County Road, do hereby petition your honorable body to establish ..... same as a County Road, beginning at the N. quarter cor. of Sec 8, T 2 N. R 7 E; thence W along the sec line to the NW. Cor. of said sec; thence continuing W along the sec. line about 1/4 mile to the foot of the hill. thence around the S. side of the hill and N of Jas Williams house to a point in the W. line of the NE quarter of sec 17, said point being where Brittain Bros now maintain a gate; thence N along the half section about 1/4 mile to the N 1/4 cor of said Sec 17; thence N along the half sec. line of sec 8 to the N 1/4 cor thereof intersecting at this point with the present County Road.

We believe the cost of constructing this road will not exceed \$ 300.00 ..... there being no ..... steep grades, 3 ..... culverts, 0 ..... bridges necessary on the route as proposed; the soil well ..... adapted to road construction, and

We consider this road necessary for the convenience of public travel, and especially for the residents of this district, and further for the following reasons, viz:  
Those interested have no outlet either north or east and if permit must haul through coal these fields.

Names of Petitioners	Land Owned by Same to be Crossed by Proposed Road			
	Description	Sec.	Twp.	Range
<u>Arthur Brittain</u>				
<u>Jas W Williams</u>				
<u>W. H. Ingalls</u>				
<u>C. W. Burk</u>				
<u>Ma A. Melvin</u>				
<u>John C. Maddox</u>				
<u>Scott Jones</u>				
<u>Howard Maupin</u>				
<u>L. G. Davidson</u>				
<u>Thos J. Watt</u>				
<u>Ernest Wethers</u>				
<u>Chas W. Rice</u>				

For Petitioners Who Propose Donating Gratuitously the Right of Way

....., 19....

We, the undersigned, of the above petitioners, in full consideration for benefits received or to accrue to us, do hereby agree to, and by these presents do gratuitously donate to Gallatin County, Montana, a right of way through any and all lands owned by us along the line of the proposed road hereinbefore petitioned for, the route of same to be definitely determined by the Board of County Commissioners of said County, in accordance with the examination and report of viewers therefor appointed by said Board, or as viewed by the Board of County Commissioners.

The said donation to take effect and be of full force immediately (and only when) said proposed road shall be open to the public throughout its full length.

Name of Donator	Land Owned by Same to be Crossed by Proposed Road			
	Description	Sec.	Twp.	Range
<i>Mrs. A. M. Melvin</i> Wife	20ft. along the S line of the S.W. 1/4	9	2N	7E
<i>H. J. Maddox</i> Wife	20ft. along the N line of the N.W. 1/4	16	"	"
<i>J. L. Kirk</i> Wife	20ft. " " S " " " S.E. 1/4	8	"	"
<i>Mrs. J. Williams</i> Wife	for about 1/4 mile from S.E. cor.	8	"	"
<i>J. H. Hays</i> Wife	20 ft. to 40 ft. as required N.E. 1/4	17	"	"
<i>Ernest Britton</i> Wife	20 " along the E line of N.W. 1/4 as far as required	17	"	"
<i>J. L. Kirk</i> Wife	20 ft. along the S.W. line of S.W. 1/4	8	"	"
<i>J. P. Haley</i> Wife	" " " " W " " S.E. 1/4	8	"	"
<i>J. E. Davidson</i> Wife	" " " " E " " N.W. 1/4	8	"	"
<i>Mrs. F. G. Davidson</i> Wife	" " " " W " " N.E. 1/4	8	"	"
Wife				
Wife				

\* *J. G. Dandson* will not furnish any fence or wire any  
 \* *J. P. Haley* will furnish fence now of line but will not move it.  
 For Petitioners Who Propose Charging for Right of Way and Damages

....., 19....

We, the undersigned, of the first above mentioned petitioners, on demand of the Board of County Commissioners of Gallatin County, Montana, do hereby agree, and by these presents guarantee that we will by good and sufficient instrument, convey to said Gallatin County, the necessary right of way through any and all lands owned by us along the line of the proposed road as petitioned for, and on the line or route as definitely determined by the Board of County Commissioners of said County in accordance with the examination and report of the viewers therefor, appointed by said Board, for the sums of not to exceed the amounts set opposite our respective signatures below; the said sums to be received by us as compensation in full for said right of way, and any damage that may be done us, or to our lands in any manner,, by reason of such road crossing any of our said lands.

Provided, however, that no transfer shall be required or demanded of us, as hereinabove provided, prior to the opening of the said proposed road to the public, throughout its full length, and upon the lines as definitely determined upon by said Board of County Commissioners, in the manner as hereinbefore provided.

Name	Land Owned by Same to be Crossed by Proposed Road				Total Amount Proposed to be Charged for	
	Description	Sec.	Twp.	Range	Right of Way	Damages
Wife						
Wife						
Wife						



# Chapter 72, Thirteenth Session 1913, Sections 1-2-18

## CHAPTER IV

Section 1. Any ten, or a majority, of the free holders of a road district, taxable therein for road purposes, may petition in writing, the Board of County Commissioners to, establish, change or discontinue any common highway therein. When such a highway is petitioned for upon the dividing line between two counties, the same course must be pursued as in other cases, except that a copy of the petition must be presented

to the Board of County Commissioners of each County, who may appoint viewers to act jointly and the viewers so appointed must report their findings to both Boards.

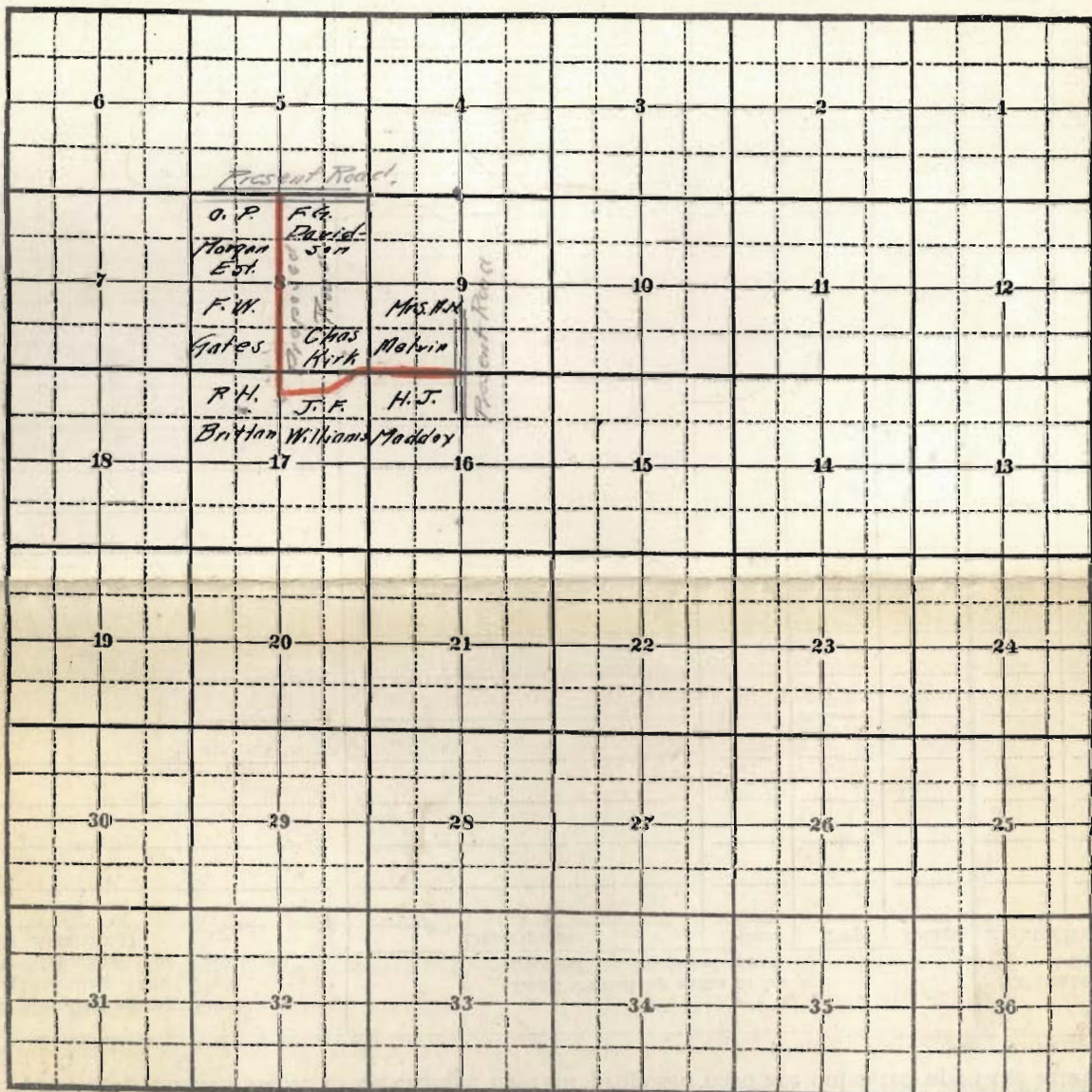
Section 2. The petition must be set forth and describe particularly the highways to be abandoned, discontinued, altered or constructed, and if the same is to be altered, laid-out or constructed, the general route thereof, over what lands, who are owners thereof, whether

such of them as can be found consent thereto, and if not the probable cost of the right-of-way, where consent is not had, the necessity for, and advantage of the proposed road.

Section 18. Highways must be laid out and opened when practicable or upon subdivision or section lines, Provided, however, that the section shall not be construed to prevent roads being laid out on diagonal lines when public purposes shall be best subserved thereby.

### Plat of Proposed Road

Township No. 2N Range No. 7E



No. 463

## PETITION FOR ROAD

Principle Petitioner.....  
**ARTHUR BRITAIN**

Filed this 30th day of Nov., 1913.  
*Arthur Britain*  
County Clerk and Recorder  
By A. Britain Deputy

Viewers  
Appointed ..... 19...  
To meet..... 19...  
At .....  
On .....

Report of Viewers  
Filed .....  
Action by the Board.....

Road Dist. No. 7

E. G. BLAIR, PRESIDENT  
S. S. WORKING, VICE-PRESIDENT

E. T. GRUWELL, CASHIER  
HUGH C. GRUWELL, ASS'T. CASH.

93-256

# FARMERS STATE BANK

ESTIMATED WORTH OF OUR STOCKHOLDERS, \$4,000,000.00

CAPITAL \$25,000.00

THE FAMOUS SHIELDS RIVER VALLEY

WILSALL, MONTANA

Dec. 8th, 1915

Mr. Brown,  
Bozeman,  
Mont.

Dear Sir:-

Brittan tells me that their is a petition before the Commissioners to put road along my east line and that it will take 20 feet off my east line. If this is correct such a petition meets my approval. I will see you when I come over and sign petition.

Yours Very Truly



Dec. 9, 1915.

Mr. Arthur Brittain,

Boseman, Montana.

Dear Sir:-

The Commissioners to-day considered your road petition and have directed me to inform you that when the right of way is all furnished and fenced without cost to Gallatin County they will grant the petition.

Yours very truly,

County Surveyor.