

Notional signing date  
Notice posted at Recorder's  
office 4-14-1901 -  
Date of signing may be

No. 182 B. Fleming  
No. of case ~~Case~~ Change in 16 mile Road

GALLATIN COUNTY,  
DISTRICT COURT,  
NINTH JUDICIAL DISTRICT,  
STATE OF MONTANA.

Petition filed Sept. 1st 1900.  
Ed. Blankenship,  
County Clerk.

Plaintiff

vs.

Defendant

Action for Viewers Report  
accepted and road  
ordered surveyed, by  
order of board, Dec. 6-1901.  
Geo. E. Davis Chairman.

As parties originally  
petitioning do not  
desire the <sup>refusal</sup> ~~refusal~~ of Plaintiff  
I have made no survey.  
C. M. Thompson  
Co. Surveyor.

Attorney for Defendant

Standard Publishing Co., Anaconda, Mont.

REVERSHILL'S DOCUMENT ENVELOPE, No. 200,  
Manufactured by Cincinnati Paper Novelty Company,  
100 W. Walnut Street, Cincinnati, O.  
Patented August 1, 1883.  
6839

# PETITION FOR ROAD.

To the County Surveyor of Gallatin County, Montana:

The undersigned, your petitioners, citizens of the United States, respectfully show and represent that they are residents of Road District No. 6, in the County of Gallatin, State of Montana, where the road hereafter petitioned for, is to be located, laid out and established, if this petition be granted. That the proposed road will be 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, 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 the right-of-way where such consent is not had; (g) the necessity for and the advantages of the proposed road as follows, to-wit:

To Charles road, commencing at station No. 57 of the survey of a road on Middle Fork of 16 mile fork of some along the bluff, running east to the end of survey, kissing north bank crossing the creek twice. terminate at B. Fleming gate distance about one mile saving eight crossings. on unsurveyed land we shall bear to all expense of building and changing of road we ask the county to furnish plans for bridges. properly establish the proposed road.

NAMES:

- 1 B. Fleming
- 2 Wm. Winter
- 3 Geo. Winters
- 4 Geo. Bennett
- 5 Donald Campbell
- 6 Carl White

NAMES:

- 6 H. R. Fleming
- 7 J. H. Miller
- 8 H. W. Day
- 9 W. E. Alexander
- 10 Millar Fleming

Road No. 182

FILED

Sept. 1st 1900  
E. V. Blaukschiff  
County Clerk.

APPEALS FOR ROAD

B. F. Filmering  
Highlands, N. C.

OFFICE OF

**County Clerk and Recorder,**

GALLATIN COUNTY, MONTANA.

HON. J. L. PATTERSON,  
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 B. F. Fleming et al  
of Road District No. 6

The petition above referred to, petitions that a Road be established, commencing  
commencing at stake No. 57 of the survey of a road on the middle fork of  
18 mile Creek, thence to run East keeping North of same along the bluff,  
also following up the Creek on the North bank, crossing the Creek twice  
and terminating at B. F. Fleming's gate, a distance of about one mile.

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

Yours, Very Respectfully,

E. V. Blankenship  
County Clerk and Recorder.

Dated at, Bozeman, Montana, this 19th day of April 1907.

OFFICE OF

**The Board of County Commissioners,**

GALLATIN COUNTY, MONTANA.

MR. E. V. BLANKENSHIP,  
County Clerk, Gallatin County, Montana.

DEAR SIR :- In pursuance of the above notice, I hereby appoint :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Yours, Very Respectfully,

\_\_\_\_\_  
Chairman of the Board of County Commissioners, Gallatin County, Montana.

Dated at Bozeman, Montana, this \_\_\_\_\_ day of \_\_\_\_\_ 190\_\_\_\_\_.

NOTICE OF PETITION TO CHANGE PUBLIC ROAD.

NOTICE, is hereby given that ten residents of Road District No. 6, of Gallatin County, State of Montana, have filed a petition in writing with the Clerk of the Board of County Commissioners of the County of Gallatin, State of Montana, said petition praying that a change be made in a Public Road the description of the same is as follows, to-wit:-

Commencing at stake No. 57 of the survey of a road on the Middle Fork of 16 Mile Creek, thence to run East keeping North of same along the bluff, also following up the Creek on the North bank, crossing the Creek twice and terminating at E.F. Fleming's gate, a distance of about one mile.

Said proposed change will be viewed by viewers appointed by the Chairman of the Board of County Commissioners, according to law, who will commence said view at the place of beginning of said change, so proposed to be made on Tuesday the 14th (fourteenth) day of May A.D. 1901.

Said viewing to commence at ten (10) O'Clock A.M. of said day.

Very Respectfully

*E. V. Blankenship*

County Clerk and Recorder, in and for Gallatin County, Mont.

State of Montana, )  
                                  ) :SS.  
County of Gallatin, )

*B. Fleming*

being first duly sworn deposes and says that he received from the County Clerk of said County on the 8th day of April A.D. 1901 three copies of the annexed and foregoing notice and that on the 14th day of May 1901 he posted a copy of said notice at each of the following points, on the line of road described in said notice, to-wit: One at the beginning-One at or near the center of the route and one at the point of termination.

*B. Fleming*

Subscribed and sworn to before me this 17th day of May A.D. 1901

*E. V. Blankenship*

I, hereby swear that I posted a copy of the above and foregoing notice of road viewing at the front door of the County Clerks Office on the 19th day of April A.D. 1901. Witness my hand this \_\_\_ day of \_\_\_ 1901.

Subscribed and sworn to before me this \_\_\_ day of \_\_\_ 1901. Co. Clerk.

OFFICE OF

County Clerk and Recorder,

GALLATIN COUNTY, MONTANA.

HON. J. PATTERSON,

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 B. Fleming et al

of Road District No. 6

The petition above referred to, petitions that a Road be established, commencing at a stake No. 57 of the survey of a road on middle fork of 16 mile Creek running East to the end of survey, keeping North, also following up the Creek on the North bank, crossing the Creek twice, terminate at P. Fleming gate. Distance about one mile.

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

Yours, Very Respectfully,

E. V. Blankenship  
County Clerk and Recorder

Dated at, Bozeman, Montana, this 9th day of July 1901.

OFFICE OF

The Board of County Commissioners,

GALLATIN COUNTY, MONTANA.

MR. E. V. BLANKENSHIP,

County Clerk, Gallatin County, Montana.

DEAR SIR:—In pursuance of the above notice, I hereby appoint:

C. M. Thorpe  
Chas. Baker  
Carl M. Brown

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

Yours, Very Respectfully,

J. Patterson  
Chairman of the Board of County Commissioners, Gallatin County, Montana.

Dated at Bozeman, Montana, this 9 day of July 1901.

*Copy*

# Warrant for Road Viewers.

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

Messrs *C. M. Thorpe, Chas. Baker & Carl M. Brown*

You are hereby notified that you were duly appointed Road Viewer by

~~Chairman~~ of the Board of County Commissioners of Gallatin County, Montana, on the *9th* day of *July* 190*1*, to view and lay out a proposed road, as prayed for in the petition of *B. Fleming* and others, described as follows, to-wit:

Commencing at # stake No. 57 of the survey of a road on middle fork of 16 mile Creek running East to the end of survey, keeping North, also following up the Creek on the North bank, crossing the Creek twice, terminate at *B. Fleming* gate. Distance about one mile.

You are hereby ordered to meet, to be sworn according to law and assume the duties of your office, in company with *each other*, who were duly appointed as Viewers on said road by the Chairman of the Board of County Commissioners on the *16th* day of *August* 190*1*, commencing at the place designated in said petition as the starting point of the road sought to be *sh one o'clock P.M.* 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 *5th* day of *August* 190*1*.

*E. J. Blankenship*  
County Clerk.

By \_\_\_\_\_ Deputy.

NOTICE OF PETITION TO CHANGE PUBLIC ROAD.

NOTICE is hereby given that ten residents ~~of~~ of Road District No. 6 of Gallatin County State of Montana, have filed a petition in writing with the Clerk of the Board of Commissioners of said County and State, said petition praying that a change be made in a Public Road. A description of which is as follows, to-wit:—Commencing at stake No. 57 of the survey of the road on the Middle Fork of Sixteen Mile Creek, thence to run East Keeping North of same along the Bluff, also following up the Creek on the North bank, crossing the Creek twice and terminating at B. Fleming's gate, a distance of about one mile.

Said proposed change will be viewed by viewers, appointed by the Board of Commissioners of Gallatin County, Mont., who will commence said view at the place of beginning of said road so proposed to be established, at One (1) O'clock P.M. on Friday the SIXTEENTH (16th) day of AUGUST A.D. 1901.

Very Respectfully

E. V. Blankenship,  
Clerk of the Board of Commissioners, of Gallatin Co., Mont.

State of Montana, )  
                          :SS.,  
County of Gallatin, )

B. Fleming being first duly sworn deposes and says that he received from the County Clerk of said County on the 20th day of July A.D. 1901, three copies of the annexed and foregoing notice and that on the 25th day of July 1901 he posted a copy of said notice at each of the following points on the line of road described in said notice, to-wit:—One at the beginning, One at or near ~~the~~ the center and One at the point of termination.

Subscribed and sworn to before me this 27th day of July A.D. 1901.  
E. V. Blankenship Co. Clerk  
W. L. Buzard Deputy

I hereby certify that I posted a copy of the above and foregoing notice of road viewing, at the front door of the Recorder's Office on the 16th day of July A.D. 1901.

E. V. Blankenship, Co  
County Clerk. W. L. Buzard, Dep.  
Subscribed and sworn to before me this 27 day of July A.D. 1901.  
E. V. Blankenship Co. Clerk  
W. L. Buzard 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.

*C. M. Brown*

Subscribed and sworn to before me this 16<sup>th</sup> day  
of Aug. 1901.

*C. M. Hooks*

*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 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.

*C. M. Hooks*

Subscribed and sworn to before me this 5<sup>th</sup> day  
of Aug. 1901.

*E. V. Blankenship*

*Co. 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 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.

*Chas. J. Baker*

Subscribed and sworn to before me this 16<sup>th</sup> day  
of Aug. 1901

*C. M. Hooper*

*Co. Surveyor.*

This must be returned to the County Clerk after execution.

## REPORT OF ROAD VIEWERS.

ROAD NO. 182

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

We, the undersigned Road Viewers, consisting of C.M. Thorpe, Chas. F. Baker,  
+ Carl Mc Brown, appointed by the Board of County Commissioners

appointed to view a proposed road running from Stake No. 57 of the Survey of a Road  
on the Middle Fork of 16 mile creek  
to B. Flummings Gate near his house.

as described in the annexed petition, say, That on the 16<sup>th</sup> day of August  
A. D., 1901 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:

The width of the proposed road is 60 feet.

The description of the center line is as follows to-wit:

Beginning at stake No. 57 of the Survey of a Road on the Middle  
Fork of 16 mile Creek, thence running easterly along or near  
the foot of the bluff on the north side of said creek.

to a point near the washed bank, thence crossing said creek  
and continuing to a point east of said cut bank, thence  
crossing said creek to the north bank and continuing along or  
near the foot of the bluff to B. Flummings gate.

The portion of the road previously laid out from Stake No. 57 of the  
Survey of said Road to the terminus thereof, to be vacated and  
discontinued, whenever this proposed road shall be established,  
except so much as may be included in the Isaac Williams Road.

The length of the proposed road is about 1 mile.

The line of the proposed road is defined by stakes.

The proposed road would have about the same grade, as the  
creek which it follows, and would be very easy.

The character of the ground is excellent for road building.

The road passes over unimproved ground, which is not claimed by  
any one.

The probable cost of constructing the proposed road is \$300.00

The petitioners agree to construct the road. (see petition.)

2. The names of the land owners who consent to give the right of way, and we hereto attach their written consent, as follows:

The Road is wholly on unsurveyed land, and is unclaimed.

3. The names of the land owners who do not consent, and the amount of damages claimed by each, as follows:

See above.

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:

See above.

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

It is reported that since the road has been built through the canyon of the middle Fork of 16 mile Creek, that the proposed road is used by many traveling to Castle and white sulphur springs, as the old road up the dry canyon is in very bad condition.

We believe said road \_\_\_\_\_ to be practical and \_\_\_\_\_ of public utility and necessity and do \_\_\_\_\_ recommend the establishment of the same.

Dated Aug. 16 A. D., 1898

Chas. J. Baker,  
Carl G. McBroon  
C. M. Thorpe } Road Viewers.