

ROAD PETITION,

For Vacation of _____ Road in York Tp

To the Board of Commissioners of Belmont County, Ohio:

Your petitioners, residents and legal electors of said County, respectfully represent that the public highway known as the Steubenville and Marietta Road leading up the Ohio river from Little Captina Creek where the County road leading up said creek intersects said road in York township in said County, to the mouth of Pipe Creek in Mead township, has become entirely useless to the public generally, by reason of land slides, washed and carried away by the Ohio river, rendering it impossible to re-locate and establish a road along said route.

Your petitioners therefore ask your Honorable Body to vacate so much of said Steubenville and Marietta Road as is located between the following points, to-wit: Beginning at a point in said road at Little Captina Creek at the intersection of the County road leading up said Little Captina Creek in York Tp, thence up said Ohio river through the lands of Michael Dorsey to the section line of fractional section number three (3) in said York township, a distance of about two hundred and fifty yards.

Your petitioners further represent that the portion of said road herein sought to be vacated is of no use to the public or any part thereof and the same has been wholly abandoned.

Respectfully Submitted for your consideration by

Dated this _____ A. D. 189__

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
Michael Dorsey	W J Rauser	J B Gibson	Wm Brill
Chas F Ramsay	C. E. Brown	R. Stewart	David Brown
J. W Ramsay	Geo B Ramsay	David Jackson	Jacob Boger
Allen Ramsay	Wm M. Brown	Rufus Woods	Thos Gordon
Geo W McMurry	Frank Stewart	Jno Wm Ruble	Geo Anshutz
Ferdinand Dorsey	John Bowen	Volney Nikolaus	Jno L Widman
A R McMurry	Wm H. Gibson	John Rauser.	W H Rupp
	A S Reamer	H J Zink	Frank A Gibson

REPORT OF VIEWERS.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your Dec 8 session, A. D. 1892, we the undersigned, Viewers appointed under said order, met with Jno A Bond Corneley, Surveyor, at Pawlatah Ohio on Dec 20 1892 and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

Ira B Nichols and W C Bergendthal were selected by us as chain carriers, and A C Suvall as a marker, who were also duly sworn.

We then proceeded to view said proposed vacation of a part of a State road on the line described in your order, and caused the same to be surveyed, "as prayed for in the petition, or as near the same as in our opinion a good road can be made at a reasonable expense, taking into consideration the utility, convenience, and inconvenience and expense which will result to individuals as well as the public," by the of said road as follows:

And upon actual view of the premises and a careful examination of the record of the survey and plat of the State road referred to in the report of the surveyor herein made, we find that the part of the State road running north from Little Captina creek through the lands of Michael Dorsey to the section line of Fractional Sec. No 3, as mentioned in the order, is not used for public travel and we therefore recommend the vacation of that part of the State road, beginning at a point in said Little Captina creek and thence running north through the lands of Michael Dorsey to the section line of fractional Sec. No 3 of York Tp in Belmont Co and State of Ohio. Our report recommending a vacation of that part of the State road through the lands of Michael Dorsey, north of Little Captina creek, is based upon the conclusion determined by actual view of the premises and a careful examination of the record of the survey and plat of the State road, as mentioned in the Surveyors report and we are of the opinion that no part of the line of the present outlet, running through the lands of Michael Dorsey from the line of said fractional Sec. No 3 to Little Captina Creek, it is on the line of the State road that formerly passed through the lands of said Dorsey up the Ohio river, said outlet being 200 yards or more therefrom. As to whether any part of said outlet is on the line of any public way we are unable to determine

We would respectfully report that the said outlet ought to be but we are reasonably certain that a great portion of said outlet, viz; the north end, has not been a public way, and we are in doubt as to whether any part of the south end of said outlet, is on the line of a public way, but we believe, from all the data we have concerning the matter, that no part of said outlet is on the line or survey of the State road described as passing through the lands of Michael Dorsey. It may be, that the south end of said outlet is on the line or survey of the county road leading up Little Captina creek; if that be true, then said north end is a public way leading into the lands of said Michael Dorsey but not through said lands to the line of said fractional Sec. No. 3

Respectfully Submitted { E B Armstrong, G. W. Poulson, Daniel Myers

We have also determined that the public convenience requires that such shall be established feet in width.

All of which is respectfully submitted, Dec 23 1892

E B Armstrong, G. W. Poulson, Daniel Myers } Viewers.

FEES.

Table with 4 columns: Name, Role, Days, Amount. Includes E B Armstrong (Viewer, 3 days, \$4.50), Ira B. Nichols (Chainman, 2 days, \$2.00), W C Bergendthal (Chainman, 1 day, \$1.00), A. C Suvall (Marker, 1 day, \$1.00), Jno A Bond (Surveyor, 4 days, \$26.30), and 126 miles @ 6.30.

St. Clairsville, O., Sep. 5 - 1892

The Commissioners met in regular session, and the applicants, thirty one in number, freeholders and electors of Belmont County, residing in that portion of the county in which a state road leading up the Ohio river from Little Captina Creek where the county road leading up said creek intersects said road in York Tp in said county, to the mouth of Pipe Creek in Mead Tp, beginning at a point in said road at Little Captina Creek at the intersection of the County road leading up said Little Captina Creek in York Tp; thence up said Ohio river through the lands of Michael Dorsey to the section line of fractional section number 3 in said York Tp, a distance of about 250 yards, is located, having filed their petition for the vacation of said road, it is ordered that before further proceedings be had upon said application, one or more of the petitioners execute to the State of Ohio, for the use of the County, a bond in the sum of One Hundred Dollars, conditioned according to law, with sureties to be approved by this board.

Attest: Miles R. Hart }
W. J. Frechman } Commissioners
Silas Bailey }

Auditor.

St. Clairsville, Ohio, Sep 6 1892,

In the matter of the petition of }
Michael Dorsey, et al, to vacate } The Commissioners met in
a state road, } Regular Session and Michael Dorsey,
H. C. Bergundthal and Madison M. Scott } having
filed a bond in the sum of One hundred dollars, payable
to the State of Ohio, for the use of the County, conditioned for
the payment of the costs of said application in case the
prayer of the petitioners be not granted with H. C. Bergundthal
and M. M. Scott as sureties thereon, which bond is accepted
and approved. And it appearing that notice of the filing of
said petition has been given, according to law, said peti-
tion was publicly read, for the first time, and continued
to the next regular session of the board, for further proceed-
ings.

Attest: Miles R. Hart. }
W. J. Frechman } Commissioners,
Silas Bailey }

Auditor.

St. Clairsville, O Dec. 7, 1892

The Board met this day in regular session, and the petition of Michael Dorsey et al, was this day publicly read the second time, and thereupon came Vincent Boner, A. C. Duwall, and W. V. Hogg attorney for H. C. Caldwell, et al, other freeholders of Belmont County, and filed their written objections to the vacation of said road. It is therefore ordered that one or more of said objectors enter into a bond payable to the State of Ohio, for the use of the County in the sum of One Hundred dollars, conditioned for the payment

SURVEYOR'S REPORT.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated _____ 189____, proceeded, on the _____ day of _____ to survey and mark the _____ described in said order, under the direction of the viewers therein named, and respectfully submits the following return of said survey: of the costs of a view of said road, in case the same be finally vacated, with sureties to be approved by the board, before further proceedings be had upon said objections.

Attest:

Auditor,

Miles R. Hart.
W. D. Mechem. }
Silas Bailey }
Miles R. Hart. } Commissioners

St. Clairsville O. Dec. 8, 1892,

In the matter of the petition }
of Michael Donsey et al to }
vacate a state road }
}

Filing of bond of Objectors,

W. V. Hoge, one of the objectors to the vacation of said road, having filed his bond in accordance with the former order of the board, with J. F. Charlesworth and Isaac H. Gaston, sureties thereon, which is accepted and approved. It is ordered that E. B. Armstrong, G. W. Paulson and Samuel Myers, three disinterested persons, be, and they hereby are, appointed to view said road, together with John A. Bond, Surveyor, and report their opinion as to the vacation of the same, according to law; and that they meet at the Powhatan House, Powhatan, O. on the 20th day of Dec. 1892, at 10 o'clock A.M. and after having performed the duties of their appointment, that they make report to this board, at its next regular session.

W. D. Mechem }
Silas Bailey }
Miles R. Hart. } Commissioners

St. Clairsville O. Dec 8, 1893.

Board met this day in Regular Session, and after carefully examining the report of viewers as to the vacation of said road, it is ordered that said petition be dismissed, without further proceedings, and that the petitioners pay the costs and expenses that have been caused by their aforesaid application. Petitioners give notice of appeal.

W. D. Mechem }
Silas Bailey }
Miles R. Hart. } Commissioners

Surveyors Report.

To the Board of Commissioners of Belmont County, O:
The undersigned in obedience to your order, dated Dec. 8, 1892,
proceeded on the 20th day of Dec. to State road described
in said order, under the direction of the viewers therein named,
and respectfully submits the following return of said survey.
We met at Powhatan on Dec. 20, 1892, all the viewers present,
Ira B. Nichols, W. C. Bergendhal, Chairmen; and A. C. Sawall,
marker. We proceeded to the point of beginning and found that
the original field notes would be required before we could
proceed further. Obtained the same from the auditors office and
found the record for a state road leading from Washington Co.,
to Indian Whelung. Surveyed in 1806. This being the only record
that could be found of a road leading via Powhatan to Whelung
we began at the point of beginning and found that the
bearing taken from the record had no reference to the State
road which the petition asked to be vacated. Under the cir-
cumstances we adjourned and present reports.

John A. Bond,
County Surveyor.

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ROAD PETITION,

For Establishment Road in Kirkwood Tp.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned petitioners resident freeholders of said County, respectfully represent that the public convenience requires the location of a County road along the following described route, to-wit:

Beginning at a point in the Hendrysburgh and Moorefield Road, in said County, in Section 17, Township 9 and Range 9, where the County Road petitioned for by Moses Perkins and others, and established, March 9, 1892, intersects the said Hendrysburgh and Moorefield Road on the lands of Samuel Perkins in said Township, thence in an Eastern direction, on said road established March 9, 1892, to the Section line between Sections 11 and 17, thence North on said Section line on the lands of Samuel Perkins to the bridge across Stillwater, thence in a North easterly direction through the lands of Moses Perkins to an ash tree on the lands of L. F. Murphy, and thence in a North Easterly direction through the lands of L. F. Murphy, H. J. Murphy and G. A. Murphy, in a North easterly direction to intersect the Hendrysburgh and Moorefield Road about 12 rods South of the residence of H. J. Murphy.

Said petitioners therefore ask that such proceedings may be had to establish such road as required by law.

Dated this Dec 5 A. D. 1892

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
L. F. Murphy	Wm Huff	J. L. Boyd	W. C. Wesley
J. W. Perkins	Thos D Parks	Wm W. Grove	A. C. Penn
L. J. Murphy	Charles Huff	A. I. Reynolds	R. P. Majors
J. R. Murphy	R. J. Dunn	A. Lyman	J. S. Taylor
H. W. Russell	Jos M. McElwain	Nelsie Murphy	J. W. Majors
Samuel Russell	David Gordon	A. J. Jones	and 38. others
Samuel Arters	James Kaiser	J. D. Money	

Know all Men by these Presents:

That we, L. F. Murphy and J. W. Shannon are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of One hundred Dollars, for the true and faithful payment of which, well and truly to be made, we bind ourselves, jointly and severally, our heirs, executors and administrators, by these presents.

Sealed with our seals and dated at St. Clairsville this 5th day of December 1892

The Conditions of the above Obligations are such, That whereas application has been made to the Board of Commissioners of said Belmont County for the location of a County road on the following line, to-wit:

The original petition is hereto attached and made a part hereof and marked Exhibit "B"

Now if the said applicants shall pay into the Treasury of the said county the amount of all costs and expenses accruing thereon, in case the prayer of said petitioners shall not be granted, or when the proceedings had in pursuance thereof shall not be finally confirmed and established, then this obligation to be void; otherwise to be in full force in law.

ATTEST.

L. F. Murphy Seal
J. W. Shannon Seal

St. Clairsville, O., Dec 5 1892

The Commissioners met in regular session at their office, and the Board being satisfied that the foregoing petition was signed by at least twelve freeholders of the county, residing in the vicinity of the of said county road, and that the proper notices had been given according to law, bond filed, approved and accepted, thereupon the Board appointed Jos W Laughlin, W. R. Bartlow and W. A. Merrill three disinterested freeholders of the county, viewers, and J. A. Bond surveyor of said proposed road, to meet at L. F. Murphy January 10. 1893 at 10 o'clock for the purpose of discharging their official duties relative to the object prayed for in the foregoing petition. And the Auditor is authorized to notify all non-resident landowners by publication, as required by law.

ATTEST:

County Auditor.

W. J. McKean
Silas Boyley
Miles R. Hunt Commissioners.

Know all Men by these Presents:

That we, L. F. Murphy and J. W. Shannon are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of One hundred Dollars, for the true and faithful payment of which, well and truly to be made, we bind ourselves, jointly and severally, our heirs, executors and administrators, by these presents.

Sealed with our seals and dated at St. Clairsville this 5th day of December 1892

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The original petition is hereto attached and made a part hereof and marked Exhibit "B."

Now if the said applicants shall pay into the Treasury of the said county the amount of all costs and expenses accruing thereon, in case the prayer of said petitioners shall not be granted, or when the proceedings had in pursuance thereof shall not be finally confirmed and established, then this obligation to be void; otherwise to be in full force in law.

ATTEST.

_____ }
_____ }

L. F. Murphy Seal
J. W. Shannon Seal
_____ Seal

St. Clairsville, O., Dec 5 1892

The Commissioners met in regular session at their office, and the Board being satisfied that the foregoing petition was signed by at least twelve freeholders of the county, residing in the vicinity of the _____ of said county road, and that the proper notices had been given according to law, bond filed, approved and accepted, thereupon the Board appointed Jos W Laughlin, W. R. Carleton & W. H. Merrill three disinterested freeholders of the county, viewers, and J. A. Bond surveyor of said proposed road, to meet at L. F. Murphy January 10. 1893 at 10 o'clock a.m. for the purpose of discharging their official duties relative to the object prayed for in the foregoing petition. And the Auditor is authorized to notify all non-resident landowners by publication, as required by law.

ATTEST:

_____ }
County Auditor.

W. J. McPherson
Silas Bailey
Miles R. Hunt } Commissioners.

REPORT OF VIEWERS.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your Dec 9 session, A. D. 1892, we the undersigned, Viewers appointed under said order, met with Geo A Bond Surveyor, at the residence of on Jan 10 and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

Mr. M. L. Carleton failing to appear Mr. G. A. Price of Flushing Sp was chosen to fill the vacancy

Geo B. Nichols and A J Murphy were selected by us as chain carriers, and Geo H. Patrick as a marker, who were also duly sworn.

We then proceeded to view said proposed road on the line described in your order, and caused the same to be surveyed, "as prayed for in the petition, or as near the same as in our opinion a good road can be made at a reasonable expense, taking into consideration the utility, convenience, and inconvenience and expense which will result to individuals as well as the public," by the establishment of said road as follows:

We would respectfully report that the said road ought to be granted for the following reasons:

It is the shortest, most direct and the best grade connecting the Hendrysburg and Moorefield road with the Flushing and Hendrysburg road.

We have also determined that the public convenience requires that such road shall be established thirty three feet in width.

All of which is respectfully submitted, }
January 11 1893 }

J. W. Saughlin
W. A. Merritt
Geo A Price } Viewers.

VIEWERS		FEES	
<u>J. W. Saughlin</u>	Viewer, <u>2</u> days, \$ <u>3.00</u>	<u>Geo B. Nichols</u>	Chainman, <u>2</u> days, \$ <u>2.00</u>
<u>W. A. Merritt</u>	" <u>3</u> " \$ <u>4.50</u>	<u>A. J. Murphy</u>	" <u>2</u> " \$ <u>2.00</u>
<u>Geo A. Price</u>	" <u>2</u> " \$ <u>3.00</u>	<u>Geo H. Patrick</u>	Marker, <u>2</u> " \$ <u>2.00</u>
<u>Geo A. Bond</u>	Surveyor, <u>2</u> days, \$ <u>1.00</u>		
	<u>miles & plat</u>		<u>5.50</u>
			<u>Ad 878</u>

Ad 879
Ad 89
Ad 912

SEPARATE REPORT OF VIEWERS.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the Road petitioned for by L. F. Murphy and others, make the following separate report of the compensation and damages assessed and awarded by them to persons entitled thereto. The parties named below have filed their written applications for the said allowances, according to law, and the same are hereto appended and returned with this report.

Compensation for land taken for said road has been awarded in the following sums:

- To Mrs. Perkins - Two hundred & fifty dollars
To H. G. A. Murphy Fifty dollars
To
To
To
To
To
To
To

Each of the above sums has been assessed without deduction for benefits to any property of the owner, which would accrue by the opening of said road.

The following sums are allowed as damages to be paid to claimants whose premises will be rendered less valuable by the opening and construction of said road through the same:

- To
To
To
To
To
To
To
To
To

J. W. Saughlin
W. A. Merritt
Geo. A. Price } Viewers and Jurors to award damages.

Jan 11 1893

St. Clairsville, O., Feb 6 1893

The Commissioners met in regular session, and the report of the Surveyor and Viewers appointed to survey and view the road, as described in the above petition, was read the first time.

ATTEST:
County Auditor.

W. S. Wechem
Silas Bailey
Miles R. Hart } Commissioners.

St. Clairsville, O., Feb 7 1893

The Commissioners met in regular session, and the report of the Surveyor and Viewers appointed to survey and view the road, as described in the above petition, was read the second time.

ATTEST:

W. S. Wechem
Silas Bailey
Miles R. Hart } Commissioners.

St. Clairsville, O., March 8 1893

The Commissioners met in regular session, and further consideration of said report was postponed until June session.

W. S. Mechem }
Silas Bailey } Commissioners
Miles R. Hart }

St. Clairsville O., June 5 - 1893

Board met this day in regular session, and further consideration of said report was postponed until June 19, 1893, at 11 o'clock a. m.

W. S. Mechem }
Silas Bailey } Commissioners
Miles R. Hart }

St. Clairsville, O., June 19, 1893, and

Board met this day in adjourned session, after hearing statements for and against the establishment of said road, board refuse to adopt the report of the viewers and therefore dismiss the proceedings at the cost of the petitioner, who is a bondsman.

W. S. Mechem }
Silas Bailey } Commissioners
Miles R. Hart }

Auditor

v

ROAD PETITION,

For Vacation of a Road in Kirkwood Tp

To the Board of Commissioners of Belmont County, Ohio:

Your petitioners, freeholders of said County, residing in that part of the County through which the county road leading from the Hendryburgh and Morefield Road, to the Flushing and Hendryburgh Road, established on petition of Moses Perkins and others, by the Commissioners of said County, on March 9, 1892, passes, respectfully represent and ask that so much of said road as lies between the following points, be vacated, to-wit: Beginning for the same at the intersection of said road, of the Section line between Sections 11 and 17 in township 9, and Range 6 in said County thence in an easterly direction to and across the Still-water Creek and thence in a North easterly direction to a point where it intersects the Flushing and Hendryburgh Road, for the following reasons to-wit:

1st Because it is unfit and inconvenient for public travel, is steep, will require constant expenditure of money to keep it in repair and runs parallel with another County road about 80 yds, the entire way.

Dated this _____ A. D. 189__

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
L. F. Murphy	Wm Huff	J. G. Boyd	W. C. Wesley
J. W. Perkins	Thomas D. Parks	A. J. Reynolds	A. C. Penn
A. J. Murphy	Charles Huff	Wm W. Brown	R. P. Major
J. K. Murphy	R. J. Deun	A. Lynn	A. D. Taylor
A. W. Russell	Joe M ^c Elwaine	Walter Murphy	L. W. Major
Samuel Russell	David Gordon	A. H. James	J. C. Roby and
Samuel Aster	James Kaiser	J. D. Morgan	38 others