

ROAD PETITION.

For ALTERATION Road in COLERAIN TOWNSHIP.

To the Board of Commissioners of Belmont County, Ohio:

We the undersigned resident freeholders of Colerain Township, residing at or near the Town of Barton on or near the road leading from Barton to the National Pike and in the Vicinity of the proposed change of said road hereinafter described, do hereby petition your honorable body that a part of said road (which has been destroyed by a deep cut made by the B & O R.R. Company and the W. & W. Ry. Company) be changed so as to connect with the Barton and Crescent Road and thence with the Barton and Crescent Pike, to-wit:- Beginning for the same at a point on the said Barton, National Pike Road, approximately, about 600 feet southerly or above said deep cut; thence in a northwesterly direction a distance of about 800 feet through the lands of The Belmont Land Company along the bench of the hill, and by or near a drive way leading to a peddling Coal Mine and to a point about 500 feet east of the section line dividing sections 24 and 30; thence in a northerly direction through the lands of the said Belmont Land Company, a distance of 250 feet to Wheeling Creek; tence crossing said creek and through the land of John H. Anderson, a distance of about 40 feet to the Barton and Crescent Road. We further petition that a day be set for hearing of this petition, and that Viewers be appointed in accordance with the statutes regulating the laying out altering etc. of a County Road.

Dated this A. D. 189

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
Thomas Ayers, E. N. Bogs, Frank Ayers, E. C. Wenzel F. W. Boggs, A. J. France John Devault W. A. Williams	J. H. Denham William L. Wells J. Gillett Michael Warak, and 30 others.		

Know all Men by these Presents:

That we, Thomas Ayers, and E. N. Boggs,
are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of
Two Hundred, (\$200.00) 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 _____ this _____ day of _____ 189

The Conditions of the above obligations are such, That whereas application has been made to the Board of Commis-
sioners of said Belmont County for the Alteration of a County Road road on the following line, to-wit:

Known as the Barton and National Pike Road at or nar Barton.

Now if the said applicants shall pay into the Treasury of the said County the amount of all costs and ex-
penses 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:

Thomas Ayers

E. N. Boggs,

(See C.J. Vol. 8, Page 476)

St. Clairsville, O., May 8th, 1905 189

The Commissioners met in Special session at their office, and the Board being satisfied that the fore-
going 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 Lee Hays, Peter Helpbringer and Mahlon Nichols
three disinterested freeholders of the County, viewers, and John A. Bond surveyor
of said proposed road, to meet the Store of E. N. Boggs, Barton, Ohio.
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 land owners by publication, as required by law.

ATTEST:

A. W. Beatty

County Auditor.

Robert McMillen

J. W. Martin

A. G. Holloway

Commissioners.

Report of Viewers.

to the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your May 8th, 1905 session, A. D. 189 , we the undersigned, viewers appointed under said order, met with John A. Bond Surveyor, at E. N. Bogg's Store on 23rd May, 1905 and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

We took to our assistance Winfield Burns a

and Charles Wiley were selected by us as chain carriers, and John Hopkins 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 Alteration of said road as follows:

(For Description see Page 308 this Volume)

We would respectfully report that the said County Road ought to be Established & Opened for the following reasons: At the present time it is impossible to travel on the

original road leading from the National Road to Barton and Territory on the north side of Wheeling Creek on account of said Road having been destroyed near Barton by a deep and wide cut made for additional railway tracks and change of the channel of wheeling creek; that the highway bridge on said road and formerly over the tracks of the Cleveland Loraine & Wheeling Railway Company has been totally destroyed, and the new road as located by the viewers and surveyed, is the most direct and convenient and least expensive to open and maintain than any other road that can be located to connect with said original road.

We have also determined that the public convenience requires that such Road shall be established 40 feet in width for part thereof and 50 feet for part thereof as shown by the plat of surveyor hereto attached.

of which is respectfully submitted, }
June 5, 1905 189 }
P. W. Helpbringer }
L. L. Hays } Viewers.
Mahlon Nichols }

FEEES.

<table border="0" style="width: 100%;"> <tr> <td style="width: 30%;">P. W. Helpbringer</td> <td style="width: 10%;">Viewer,</td> <td style="width: 10%;">2</td> <td style="width: 10%;">days,</td> <td style="width: 10%;">\$</td> <td style="width: 10%;">3.00</td> </tr> <tr> <td>I. L. Hays</td> <td>"</td> <td>2</td> <td>days,</td> <td>\$</td> <td>3.00</td> </tr> <tr> <td>Mahlon Nichols</td> <td>"</td> <td>2</td> <td>days,</td> <td>\$</td> <td>3.00</td> </tr> <tr> <td>John A. Bond</td> <td>Surveyor,</td> <td>1</td> <td>days,</td> <td>\$</td> <td>5.00</td> </tr> </table>	P. W. Helpbringer	Viewer,	2	days,	\$	3.00	I. L. Hays	"	2	days,	\$	3.00	Mahlon Nichols	"	2	days,	\$	3.00	John A. Bond	Surveyor,	1	days,	\$	5.00	<table border="0" style="width: 100%;"> <tr> <td style="width: 30%;">Winfield Burns</td> <td style="width: 10%;">Chainman,</td> <td style="width: 10%;">1</td> <td style="width: 10%;">days,</td> <td style="width: 10%;">\$</td> <td style="width: 10%;">1.00</td> </tr> <tr> <td>Charile Wiley</td> <td>"</td> <td>1</td> <td>days,</td> <td>\$</td> <td>1.00</td> </tr> <tr> <td>John Hopkins</td> <td>Marker,</td> <td>1</td> <td>days,</td> <td>\$</td> <td>1.00</td> </tr> <tr> <td colspan="6" style="text-align: right;">Plat and Description \$1.00</td> </tr> </table>	Winfield Burns	Chainman,	1	days,	\$	1.00	Charile Wiley	"	1	days,	\$	1.00	John Hopkins	Marker,	1	days,	\$	1.00	Plat and Description \$1.00					
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Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the Road petitioned for by Thomas Ayers 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	The Belmont Land Co.,	Two hundred, fifty and 00/100	Dollars;
To			Dollars;
To	Said Compensation is for the property purchased by the Belmont Land Company		Dollars;
To	from Robert Hughes and Wife as described by deed herein attached and to be conveyed		Dollars;
To	to Belmont County for Road Purposes.		Dollars;
To			Dollars;
To			Dollars;
To			Dollars;

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		Dollars;
To		Dollars;
To		Dollars;
To		Dollars;
To		Dollars;
To		Dollars;
To		Dollars;
To		Dollars;

P. W. Helpbringer	} Viewers and Jurors to award damages.
I. L. Hays	
Mahlon Nichols	

189

(See C. J. Vol. 9, Page 11)

St. Clairsville, O., June 5th, 1905 189

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:

A. W. Beatty County Auditor.

Robert McMillen	} Commissioners.
J. W. Martin	
A. G. Holloway	

(See C. J. 9, Page 16)

St. Clairsville, O., June 6th, 1905 189

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:

A. W. Beatty County Auditor

Robert McMillen	} Commissioners.
J. W. Martin	
A. G. Holloway	

See C. J. Vol, 9, Page 20)

St. Clairsville, O., June 7th, 1905. 189

The Commissioners met in regular session, and th report of the Viewers in favor of the establish-
ment of said road was this day publicly read for the third time, and said viewers having
filed a separate report in writing of the amount of compensation which they have assessed to
land owners by reason of the establishment of said road through their premises which report
was also publicly read, and the Board being of the opinion that the compensation awarded by
said viewers to the claimant to-wit:-

Compensation The Belmont Land Company \$250.00

is reasonable and just; that said road will be a public utility and of sufficient im-
portance to the public to justify the payment of said compensation out of the County Treasury
and no petition for review having been filed it is ordered that the County Auditor issue
his warrant on the County Treasurer in favor of said claimant for the amount of said com-
pensation so awarded; that the several reports of the viewers with the survey and plat of
said established road be recorded and that the said road be and the same is hereby es-
tablished a public highway, 40 feet in width from station---- to station----- and 50 feet in
width from station-----to station-----, that the the County Auditor issue the necessary or-
der to open said road according to law.

ATTEST:

A. W. Beatty
County Auditor

Robert McMillen
J. W. Martin
A. G. Holloway.
Commissioners

(Order to open Mailed June 28th, 1905.)

Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated May 8th, 1905 18923, proceeded on the 23 day of May to survey and mark the Proposed County Road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Beginning at a gas pipe on the edge of County Road leading from St. Clairsville to Barton from which a Walnut Tree 10" in diameter bears S. 44° 55' W. 140.4 feet; thence N. 68° 49' W. 845.40 along the center of Hardesty street to Station 2; thence along a semicircle described from a radius of 169.2' from a point midway between station 2 and 3; thence from station 3 S. 88° 55' E. 209' to station 4 along center line of Main Street; as shown on plat os South Barton; thence with the center of said Main Street S. 78° 52' E. 468.50' to station 5; thence N. 11° 08' W. 265.34' feet over lots 45 and 18 and westerly 10' in width of Lot 44 and 17 to station 6 on north boundary of lot No. 18 and center of Wheeling Creek; thence through and over all the following described property, to-wit:- Part of Section No. 24,--Township No. 6 Range No. 3, Beginning at the N. W. corner of land owned by J. H. Anderson; thence southerly, along the westerly line of said Anderson's land about 90 feet to the lands of Belmont Land Company; thence westerly up 1 said line of Wheeling Creek to the land conveyed heretofore to James Noel by deed recorded in Volume 114, page 468, of the deed records of Belmont County; thence northerly along said Noel land about 90' feet to the N. E. Corner of said Noel Land; thence easterly along the southerly line of the lands of Newton Ayers about 56 feet to the place of beginning containing 5,040 Square Feet, more or less. The Road as located and surveyed from station 1 to station 3 is forty feet in width; from station 3 to station 5 is fifty feet wide; from station 5 to station 6 is forty feet in width; from station 6 to station 7 is fifty six feet wide.

Subject to the present right of way of the Wheeling & Western Railway Company on main Street as shown on the plat of South Barton, Ohio.

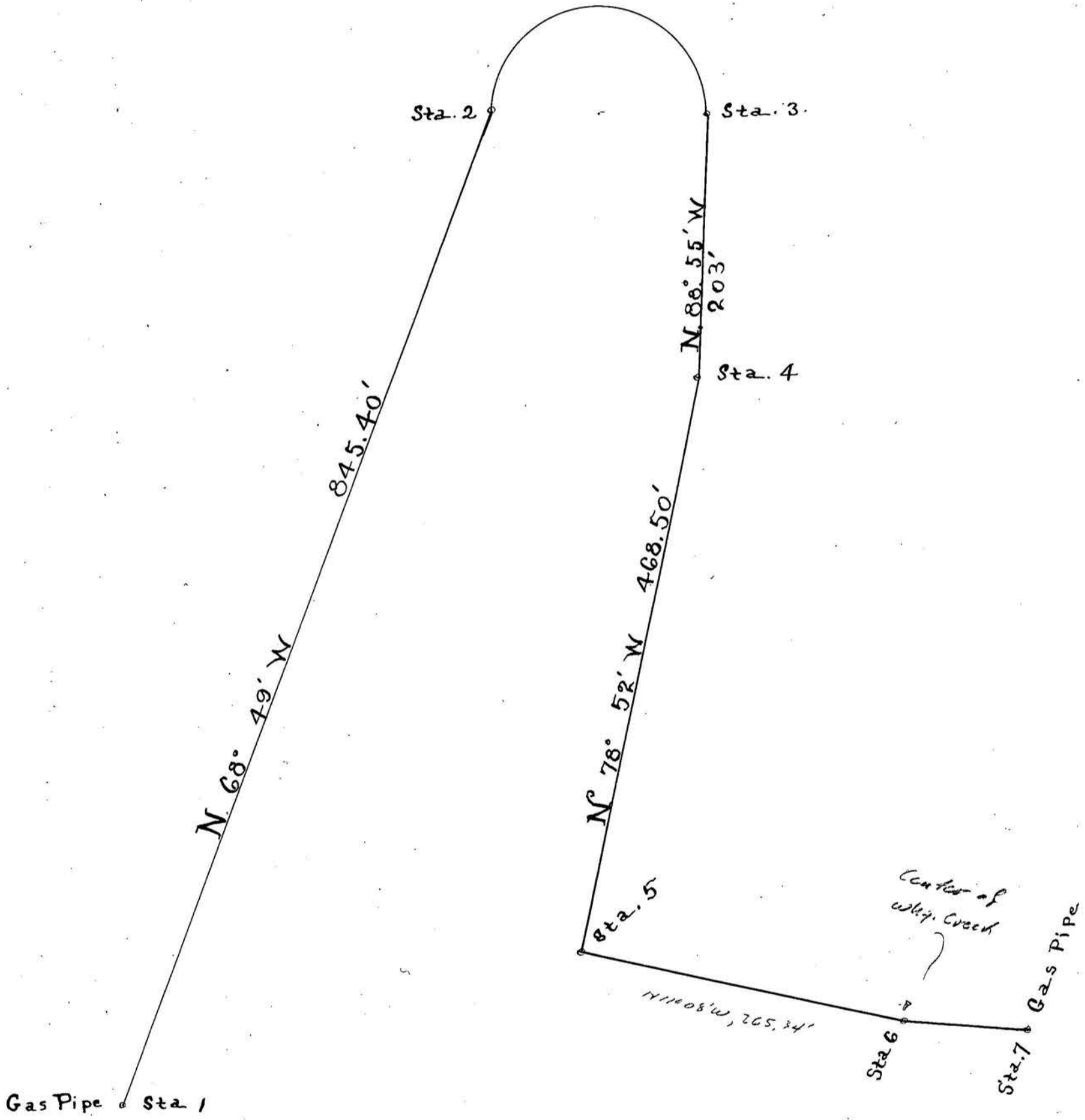
I Certify, That the above is a correct plat and return of the survey of the Proposed County Road named above.....

John A. Bond

Surveyor of said Road

Plat of _____ County Road _____ Road.

Thomas Ayers.



ROAD PETITION.

For ALTERATION Road in SMITH TOWNSHIP

To the Board of Commissioners of Belmont County, Ohio:

Your petitioners, resident freeholders of said County, residing in the vicinity of the alteration hereinafter described, respectfully represent, that the public convenience requires the alteration of the County Road in Smith Township leading from McMahon's Creek Road to the Warnock Pike in said County, as follows: Beginning at the point in said Road where the line between the lands of Walker and Elizabeth E. Fulton crosses said road; thence in a southeast direction through the lands of Elizabeth E. Fulton around the hill to a dead Red Oak, on the line between the lands of Elizabeth E. Fulton and James Arthur; thence in a southeast direction through the lands of James Arthur to the McMahon's Creek Road at a point about 25 rods west of the Coal Bank of James Artheu.

Your petitioners, therefore, asks that the necessary proceedings may be had to establish said alteration according to law and so much of the original road as is rendered unnecessary by such alteration shall be and remain vacated.

(See C. J. Vol 8, Page 465.)

Dated this February 1st, 1905 A. D. 189

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
Walker Fulton	Geo. T. Fulton		
Elizabeth E. Fulton	James Warnock		
H. D. Wiley	W. W. Watt		
R. F. Denham	W. E. Mann and three others		
W. D. Denham			
William A. McPetridge			
Mary R. Denham			
Maria Denham			

Know all Men by these Presents:

That we, Walker Fulton and J. W. Jackson are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of Two Hundred (\$200.00) 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, Ohio this 3 day of April, 1905 189

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 Alteration of a County Road road on the following line, to-wit:

Situated in Smith Township, leading from McMahon's Creek Road to the Warnock Pike in said County as follows: Beginning at a point in said Road where the line between the lands of Walker Fulton and Elizabeth E. Fulton crosses said Road ; thence in a south east direction through the lands of Elizabeth E. Fulton around the hill to a dead Red Oak tree; on the line between the lands of Elizabeth E. Fulton and James Arthur; thence in a southeast direction through the lands of James Arthur to the McMahon's Creek Road at a point about 25 rods west of the Coal Bank of James Arthur.

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:

Walker Fulton SEAL.
J. W. Jackson SEAL.
SEAL.

See C. J. 8, Page 465)

St. Clairsville, O., April 3, 1905 189

The Commissioners met in Special 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 E. E. Scatterday, Miles Hart and Jacob Parkinson three disinterested freeholders of the County, viewers, and John A. Bond surveyor of said proposed road, to meet at the Residence of Walker Fulton 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 land owners by publication, as required by law.

ATTEST:

A. W. Beatty
County Auditor.

Robert McMillen
J. W. Martin
A. G. Holloway } Commissioners.

Report of Viewers.

The Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your April 4th, 1905 session, A. D. 1899, we the undersigned, Viewers appointed under said order, met with John A. Bond Surveyor, at Walker Fulton's on April 25th, 1905 and were severally sworn to discharge, faithfully and impartially, the duties required in said order.

For Description see Page 318

Allen Bond and George Fulton were selected by us as chain
men, and John Fulton as a marker, who were also duly sworn.

We then proceeded to view said proposed County 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 Alteration of said road as follows:

(For Description see Page 318, this Volume)

We would respectfully report that the said County Road ought to be Established
for the following reasons:

The old road is too steep and it is almost impossible to maintain same as originally located. Public necessity demands a better grade which is obtained by new road

We have also determined that the public convenience requires that such County Road shall
be established 30 feet in width.

All of which is respectfully submitted,
May 6, 1905

E. E. Scatterday
Miles R. Hart
Jacob Parkinson } Viewers.

FEES.

<u>E. E. Scatterday</u> Viewer, 2 days, \$ 3.00	<u>Allen Bond</u> Chainman, 1 days, \$ 1.00
<u>M. R. Hart</u> " 2 days, \$ 3.00	<u>George Fulton</u> " 1 days, \$ 1.00
<u>Jacob Parkinson</u> " 3 days, \$ 4.50	<u>John Fulton</u> Marker, 1 days, \$ 1.00
<u>John A. Bond</u> Surveyor, 1 days, \$ 5.00, plat & Description \$1.50	

Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the County Road petitioned for by Walker Fulton 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	James Arthur	Twenty six and 44/100	Dollars;
To			Dollars;
To			Dollars;
To			Dollars;
To			Dollars;
To			Dollars;
To			Dollars;
To			Dollars;

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	E. E. Fulton	Ninety two and 64/100	Dollars;
To	James Arthur	Twenty three and 56/100	Dollars;
To	E. E. Scatterday		Dollars;
To			Dollars;
To			Dollars;
To			Dollars;
To			Dollars;

E. E. Scatterday	} Viewers and Jurors to award damages.
Miles R. Hart	
Jacob Parkinson	

May 6th, 1905 189

(See C. J. Vol. 9, Page 11)

St. Clairsville, O., June 5, 1905 189

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:	}	Robert McMillen	} Commissioners.
A. W. Beatty		J. W. Martin	
County Auditor.	A. G. Holloway		

(See C. J. Vol. 9 Page 16)

St. Clairsville, O., June 6th, 1905 189

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:	}	Robert McMillen	} Commissioners.
A. W. Beatty		J. W. Martin	
County Auditor.	A. G. Holloway		

(See C. J. Vol. 9, Page 20)

St. Clairsville, O., June 7, 1905. 189

The Commissioners met in regular session, and the report of the viewers in favor of the alteration of said road was this day publicly read for the thrid time and said viewers having filed a separate report in writing of the amount of compensation and damages which they have assessed to land owners by reason of th e establishment of said road through their several premises which report was also publicly read. The viewers having awarded Compensation and damages as follows:

James Arthur	Compensation	\$26.44	Damages	\$23.56
E. E. Fulton	"	"	"	\$92.64

and Walker Fulton, Husband and Agent for E. E. Fulton being present and agreeing to accept Fifty Dollars (\$50.00) in full of all damages, and the Board being of the opinion that the compensation and damages so awarded and agreed upon as follows;

James Arthur	Compensation	\$26.44	Damages	\$23.56
E. E. Fulton	"	"	"	\$50.00

would be reasonable and just; that said road would be a public utility and of sufficient improtance to the public to justify the payment of said compensation and damages out of the County Treasury, and no petition for review having been filed it is ordered tha the County Auditor i sue his warrant on the County Treasurer in favor of said Claimants for the amount of compensation and damages so-awarded to them-respectively; -- that the several reports of the viewers with the survey and plat of said established road be recorded and that said road be and the same is hereby established a public highway 30 feet in width, that the County Auditor issue the necessary order to the Trustees of Smith Township to open said road according to law.

ATTEST:
A. W. Beatty
County Auditor.

Robert McMillen
J. W. Martin
A. G. Holloway,
Commissioners

(Order to open Mailed June 28th, 1905)

Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated April 3, 1905 189²⁵, proceeded on the 25 day of April to survey and mark the Proposed County Road described in said order under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

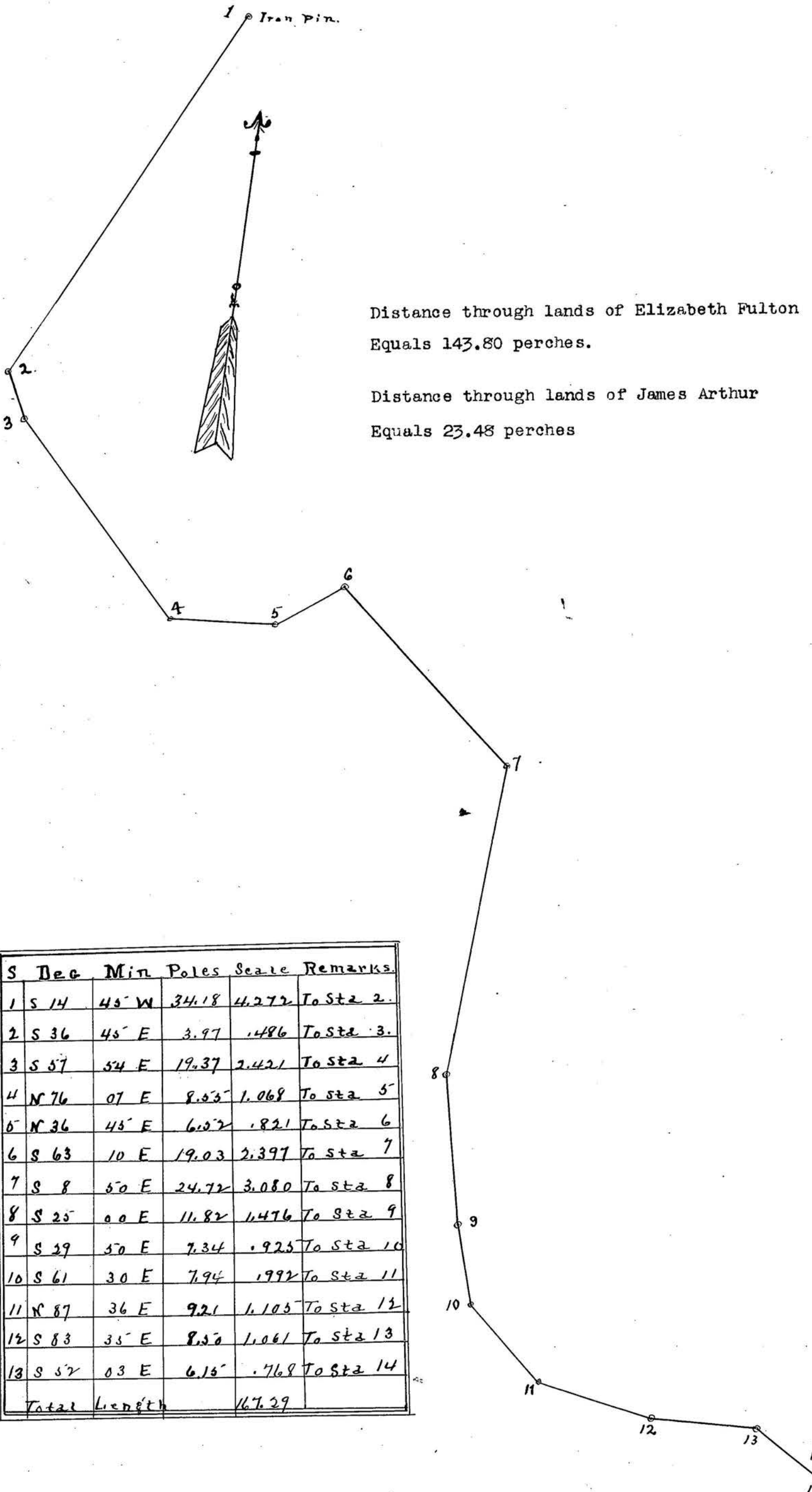
Commenced at an iron pin driven in the center of County Road leading from McMahons Creek Road to Warnock Pike from which a Black Walnut Tree 5" bears S. 64° 30' 35 1/4 linkk thence the following courses through lands of Elizabeth Fulton to line between said Elizabeth Fulton and James Arthur 7 links beyond Station 11; thence from station 1 S. 14° 45' W. 34.18 P. to station 2; thence S. 36° 45' E. 3.97 P. to station 3; thence S. 57° 54' E. 19.37 P. to station 4, near County Road; thence N. 75° 07' E. 8.55 P. to station 5 near an old orchard; thence N. 36° 45' E. 6.52 P. to station 6 in a hollow near an orchard; thence S. 63° 10' E. 19.03 P. to station 7, near second hollow; thence 8° 80' 5E. 24.72 P. to station 8 from which a Black Walnut Tree 8" D. bears S. 89° 30' E 33.25 links; thence S. 25° 00' E. 11.81 P. to station 9; thence S. 29° 50' E. 7.34 P. to station 10; thence S. 61° 30' E. 7.94 P. to station 11 from which a Hickory tree 18" D. Bears N. 00° 30' E. 53 1/2 Links; thence N. 87° 36' E. 9.21 P. to station 12 on lands of James Arthur; thence S. 83° 35' E. 8.50 P. to station 13; thence S. 52° 03' E. 6.15 P. to an iron pin driven in center of County Road leading from Glencoe to George Fulton's Farm; Said proposed road being 167.29 P. Long.

I Certify, That the above is a correct plat and return of the survey of the Proposed Road named above.....

John A. Bond

Surveyor of said Road

Plat of _____ County Road _____ Road.
Walker Fulton



S	Dec	Min	Poles	Scale	Remarks
1	S 14	45 W	34.18	4.272	To Sta 2.
2	S 36	45 E	3.97	.486	To Sta 3.
3	S 57	54 E	19.37	2.421	To Sta 4
4	N 76	07 E	8.53	1.068	To Sta 5
5	N 36	45 E	6.02	.821	To Sta 6
6	S 63	10 E	19.03	2.397	To Sta 7
7	S 8	50 E	24.72	3.080	To Sta 8
8	S 25	00 E	11.82	1.476	To Sta 9
9	S 29	50 E	7.34	.925	To Sta 10
10	S 61	30 E	7.94	.992	To Sta 11
11	N 87	36 E	9.21	1.105	To Sta 12
12	S 83	35 E	8.50	1.061	To Sta 13
13	S 52	03 E	6.15	.768	To Sta 14
Total Length			167.29		