

No. June 1871 Term, 190

Public Road in Chest Township

versus

P. S. #1 - Page 275

Vacated

BORO

start
J. Curry
W. Wagner
waukesha
stop

Chest

H.

Begin at Bridge across
Chest Cr. to a public
road

Prof Jan 11, 1872

33-16

Jan'y 28 1872

Order to view and
lay out road leading
from foot logs at J. A.
Curry to the division
between Hugh Callahan and
Wm H. Wagoner

Now Jan'y 11th 1872 Confirmed
absolutely By the Court

\$1,250.00 Paid by J. A. Curry
9 June 1871

Entered in Road Book
pages 275 & 276

Sept 28, 1871

Confirmed J. A. Curry and
ordered to be laid out
33 feet wide except
where bridging and
side cutting is necessary
then to be only 16 feet wide

By the Court
M. C. Cull

Acce view, to wit, Vincent & Co 1871 Waller & McCarty
attorneys for William H. Wagoner, Joseph J. Johnston
and others, who intervene against the logging

for the want of a road or highway, leading from at or near the foot of

at Salley's to the division line of Hugh Callahan
and the wagon

Report of the Damages

And therefore praying the Court to appoint proper persons to view and lay out the same, according to law. Whereupon, the Court, upon due consideration had of the premises, do order and appoint

John Mc. Cummings, Chas. Howell & Lewis Boyce

who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to view the ground proposed for said road; and if any two of them agree that there is occasion for such road, they shall proceed to lay out the same, as agreeably to the desire of the petitioners as may be, having respect for the best ground for a road, and the shortest distance, in such manner as to do the least injury to private property; and shall make report thereof, stating particularly whether they judge the same necessary for a public or private road, together with a plot or draft thereof, and the courses and distances, with reference to the improvements through which it may pass, to the next Court of Quarter Sessions to be held for said county. In which report they shall state that they have been sworn or affirmed according to law.

By THE COURT.

Healey
Clerk of the Sessions.

that in pursuance thereof after
due and public notice according to Law
having been duly sworn and affirmed
all the viewers appointed by Said order
having viewed the ground proposed for
the within mentioned road And the
undersigned viewers do agree there is occasion
for a road as desired by the petitioners
and that the dam is necessary for a public
road And having had respect to shortest
distance and best ground for road we
have laid it out in such a manner
as should do the least injury to private
property and as far as practicable agreeably
to the desire of the petitioners And do return
for public use the following described road
commencing at the Bridge built by James
Curry across Chest Creek and intersecting road
thence thence through the arable lands of
James Curry South Eighty Degrees East
four perches and five tenths of a perch thence
South fourteen Degrees East nineteen perches
thence South forty Degrees East three
perches to the line of James Curry thence
through the improvements of William H.
Wagoner the dam course thirty one perches
thence through the dam along the shore
of the Creek South nine Degrees East to the

out of this road file exceptions to the
report of beavers viz

The report does not state that the
owners of lands through which the
road passes had personal notice
of the time of the view, and no
quick notice was given, and no offer
being was given them the present at the
assessment of damages.

2. The report of owners does not show named
the owners of lands through which the road
passes, and no assessment of dam-
ages, nor nothing is said of the damage
done to Joseph Johnston through whose
lands the road passes.

3. Because the report shows this road to be lo-
cated partly on a road already laid out

William Fielding

Atty for Expts, &c

four perches Thence South two Degrees West
 eleven perches and five tenths of a perch
 Thence South forty five Degrees East twenty
 seven perches and five tenths of a perch
 Thence by the improvements of the Dam
 South fifteen and three quarter Degrees
 west thirty one perches Thence by the
 Dam on road already made South
 Sixty six and a quarter Degrees East
 thirty three perches to Division line of
 Wagners and others thence the Dam corner
 Eighteen perches and three quarters of perch
 to the public Road entire length two
 hundred and three perches a plot or Deft
 whereof is hereunto annexed which said
 Road so as aforesaid laid out we are of the
 opinion is necessary for a public Road
 and we assess the damages done to
 William H. Wagoner by the laying out of
 this Road one hundred and fifty Dollars we
 assess damages to James Curry to be none
 Witness our hands and seals this twenty
 fifth day of August 1871

N. L. Boyer (Seal)
 J. L. Mannings (Seal)
 C. L. Thomas (Seal)



