REMONSTRANCE.

To the Honorable Boardof Commissioners of Belmont County, Ohio:

The undersigned resident freeholders of said County, residing in the vicinity of the county road, the alteration of which is petitioned for by Joseph Pfeffer et al, said road leading from a point in the present road near the tenant house on the farm of Eleanor Scherrer, through the lands of said Eleanor Scherrer and the lands of Kate Cumisky, Mary Cumisky and Margaret Haren, and the lands of Thos. Watson, to a point northeast of a bridge in the road leading to Barnesville, remonstrate against and object to the alteration of said road, or any part of the same between the points named for the reasons that the alteration of said road is unnecessary and not required by the public convenience; and for the further reason that a good road can not be made on the line proposed by the petitioners at a reasonable expense, and also for the reason that irreparable damage would be done to the several land owners by the proposed alteration of said road.

Signed, Kate Cumisky and 52 others.

St. Clairsville, · O Apr. 19, 1909. The Board of County Commissioners met this day in special session and the Board having at their session held December 9th, 1908 established said road according to the prayer of the petition and the report of the viewers and Surveyor appointed, and it appearing that Katherine Cumisky, Mary Cumisky, Margaret Haren and James Sanderson did on the 29th day of December 1908 file with the County Auditor their bond as required by law, appealing from the decision of the County Commissioners in their award of compensation and damages in said matter, and it further appearing that the County Auditor did certify to the Probate Court a full transcript of the proceedings of this Board relative to said petition and establishment, and it further appearing that said matter has been settled between the interested parties and the Probate Judge having certified a copy of his journal of proceedings relative to said matter as follows: Transcript of Doctet and Journal Entries of the Proceedings of the Probate Court of Belmont County, Ohio, with reference to the petition of Joseph Pfeffer and others for the alteration of a County Road in Somerset Township, Belmont County, Ohio. Probate Court, Belmont County. Katherine Cumisky, Mary Cumisky and Margaret Haren, plaintiffs Doc. 9 vs. page 135 Jos. Pfeffer and W. M. Mccort No. 15411 road appeal December 31st, 1908 Transcript and original papers filed and jury ordered drawn as provided by law, and order to draw jury issued to Clerk and Sheriff. Cause set for trial on the 10th dau of February, 1909 at 8 o'clock A.M. and continued. Notice ordered and issued to appellants and obligors: journal 37, page 71, January 22d, 1909: Order to draw a jury returned and filed indorsed with names of jurors drawn. January 22d, 1909: Venire issued. Notice to appellant and obligors issued. January 30, 1909: Notice returned and filed endorsed with return of Sheriff. Feb. 1, 1909: Alias notice to Margaret Haren issued to Sheriff of Monroe County. Feb. 10, 1909: Venire returned and filed endorsed with return of Sheriff. Feb. 10, 1909: On motion and by agreement of parties cause continued to April 14th, 1909 at 9 o'clock A. M. Journal 37, page 137. Apr. 2,1909: On motion of plaintiff, this cause was dismissed at cost of plaintiff, journal 37, page 237. Katherine Cumisky et al, plaintiffs, Journal 37 vs Page 71, Joseph Pfeffer et al, defendants. Dec. 31, 1908 road A transcript of the record of the County Commissioners of this County duly certified according to law, as showing all the ordered and proceedings had or made by or before them in the relation to the alteration of a certain county road, petitioned for by Joseph Pfeffer et al and also the original papers therein, were this day received from the Auditor of this County in pursuance of the appeal of Katherine Cumisky, Mary Cumisky and Margaret Haren, from the final decision of the said County Commissioners, confirming the assessment of compensation and damages made by the viewers of said road in their be-It is therefore by the Court ordered that a jury of twelve men be selected and returned by the sheriff and Clerk of Courts of this County as is provided by law. And it is further ordered that this cause be set for trial on the 19th day of February 1909, and that a venire issue directed to the Sheriff, commanding said jurors to appear in this enter court on said day and hour, and that summons be issued according to law to all the appellants and all the obligors in the bond given by the petitioners for the alteration of said county road, to attend at the same time and place, and this cause is continued. John S. Cochran, Probate Judge, Katherine Cumisky et al, plaintiffs, journal 37 vs page 137. Joseph Pfeffer et al, defendants Feb. 10, 1909. Road appeal. On motion and by agreement of all parties this cause is continued to April 14, 1909 at 9 o'clock A. M. John C. Nichols, Probate Judge. Katherine Cumisky, Mary Cumisky, Margaret Haren, plaintiffs, journal 37 vs page 237 Joseph Pfeffer and W. M. McCort. April 2, 1909. Road Appeal. This day on motion of counsel for the plaintiffs this cause is dismissed at the costs of the plaintiffs, which are here adjudged against them, taxed at \$50.87, John C. Nichols, Probate Judge. State of Ohio, Belmont County ss: I, John C. Nichols, Judge and ex-officio clerk of the Probate Court of Belmont County, Ohio, do hereby certify that the foregoing is a true and correct transcript of the Docket and journal entries of the proceedings in said Court with reference to the above entitled matter. In witness whereof, I have hereunto set my hand and affixed the seal of said court, at St. Clairsville, Ohio, this 9th day of April A. D. 1909. John C. Nichols, Judge and ex-officio Clerk of said Probate Court.

It appearing from the certificate of said Court that no change in the compensation and damages has been made on account of any proceedings in said Court, therefore it is ordered that the proceedings of this Board had on the 9th day of December, 1908, relative to the compensation and damages and the establishment of said alteration, be and the same are hereby affirmed.

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

Commissioners

ATTEST:

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ROAD PETITION.

For	Establishment	Road	in	Colerain township	

To the Board of Commissioners of Belmont County, Ohio:

The undersigned petitioners, resident freeHolders of said County, respectively represent, that the public convenience requires the location of a County road along the following described route, to-wit: Beginning at railroad bridge near public school; thence east along church street past Cope's residence to the country road near Mrs. Barton's residence. Said point of beginning being in the Barton and Colerain pike, and point of ending in County road; and the entire lenght of said road being in Colerain township, Belmont County, Ohio.

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

(See Commissioners Journal page 304, Vol. 10.)

Dated this.

A. D. 19

PETITIONERS' NAMES	PETITIONERS' NAMES	PETITIONERS' NAMES	PETITIONERS' NAMES
	W.W. Bradford F.W. Boggs E.C. Cope R.A. McEachen R.M. Simpson Moses Gallagher	Geo: A.P. Theaker E.P. Bailey E.U. Fox Alvin Barton Sylvester C. Brown O.W. Bundy and 7 others	

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That we,...

W.W. Bradford, E.C. Cope

Sealed with our seals and dated at Berton, Ohlo The Combinson of the chore obligations are such That there are application has been made to the Board of Citioners of said Behmont County for the establishment of a County? road on the following line, Beginning at railroad bridge near public school; thence east along ohmren street past pe's residence to the County road near Mrs, Bartons residence, said point of beginning ing in the Barton and Colorain pike and point of ending being in County road and the entire origin of said road being in Colerain township, Belmon County, Ohio. Yow if the said applicants shall pay into the Treasury of the said County the amount of all costs an enses accreting thereon, in coss the prayer of said petitioners shall not be granted, or when the proceedings a warmance thereof shall not be finally confirmed and established, then this obligation to be void; otherwise to all force in law. ATIEST. R.M. Simpson William Wells St. Clairsville, O., Nov. 23rd, 1908 I Clairsville, O., Nov. 23rd, 1908 St. Clairsville, O., Nov. 23rd, 1908 The Commissioners med in _special _ ession at their office, and the Board being satisfied that the oing petition was signed by at least tweiter freeholders of the County, residing in the vicinity of the said county road, and that the proper notices had been given according to law, bond filed, approved and according to law, bond filed, the filed of discharging their efficial duity relative to the object prayed for in the foregoing petition. ATIEST. A.S. Beatty. Caust seather. A.S. Biollowsy.	he Auditor	. AT	rest:		}	on-re -	esiden	t la n d						uired 	by lau)		
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ACTION NO. 100 MILES NO. 12 MIL	stoners of	anid Pa	Im ont 1	Torentre +	Con tha	es	tabli	shmen	t of	~ (County	γ.	o or		7 - 6-77	7	eran o
										s app	licatio	n has	been n	rade t	to the L		

and W.S. Barton

Report of Viewers.

ers appointed u	your order, issued at younder said order, met wi	th. John A.	Bond	Surveyor, at.	Barton	<i>o</i>
Dec. 4th.	and were severe	illy sworn to di	ischarge, faithf	ully and impartia	$lly, the\ duties$	require
in said order.		R W				
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5 5	y.	28			(A)	K
	•	v 3.		THO TO	oalasted by us	as cha:
Arch Dunn	and.	Harry Mi	rker who were	also dulu sworn	skiecieu og us	us chui
ers, anaJoh	n Wiley eded to view said propos	ed. Road	Ker, who were	on the line d	escribed in yo	our orde
caused the sam	e to be surveyed, "as pro	ayed for in the	petition, or as	near the same as	in our opinio	n a god
can be made	at a reasonable expense.	taking into co	onsideration the	e utility, convenier	nce, and incom	nvenien
expense which	will result to individuals	as well as the	public," by the	stablishment	of said road a	s follou
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We would res	pectfully report that the	said road		ought	to be esta	blishe
	for the following reas	ions:	1.5. p		16	
	t is public convenien	oo Ond The	t it chortens	the distance bo	etween Barto	n and
Hammington	and the surrounding of	ommunity 3r	d. That it is	a reasonable g	rade and can	be ma
Farming	and one sarrounding	J. J.)		H
reasonable	expanse.		12 40	* * *	18	
				*	28	
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We have also	determined that the put	blic convenienc	ce requires that	such ros.	d	sh
stablished3	feet in width.				VIII	
of which is resp	pectfully submitted,	4	0.S. Ne	gus)
Dec. 7th	19 08		W.L. Ki	nsey ·		View
4	8	** 94 34	L.D. Mi	tchell		
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0 C N	V7071107 . E 01	<i>tys</i> , \$24.00	TILOIT DUING	Cnainn	ian, aa	ys, ∅
0.S. Negus	3 3	181		200 2 2 10 10 10 10 10 10 10 10 10 10 10 10 10		0
W.L. Kinsey	" 2 de	uys, \$4.00	Harry Mitch	mell "	da	ys, \$.2.

Separate Report of Viewers.

The undersigned, Vi	iewers of the	petitioned for by	
and others, make the follo	owing separate report	t of the compensation and damages assessed an	d awarded by them
		elow have filed their written applications for t	
		ended and returned with this report.	
${\it Compensation for la}$	nd taken for said roa	ad has been awarded in the following sums:	
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Each of the above sur	ms has been assessed	without deduction for benefits to any property	of the owner, which
vould accrue by the opening	ng of said road.	®	4
		ges to be paid to claimants whose premises w	ill be rendered les
aluable by the opening an	d construction of said	id road through the same:	
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	¥ 3	St. Clairsville, O., Dec. 7th, 1908	· 10
The Commissioners m	net in recular session	a, and the report of the Surveyor and Viewers of	
nd view the road, as descr	ribed in the above neti	ition, was read the first time.	ppointed to survey
CONTRACTOR AND SECURITION OF CONTRACTOR AND CONTRA	The tite of the table of poor		980 A
ATTEST:)	A.G. Holloway	
A.W. BeAtty	}	Robt. McMillen	Commissioners.
······································	County Auditor.	J.W. Martin) 1
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9 8	* *	St. Clairsville, O., Dec. 8th, 190	
The Commissioners m	iet in regular session,	, and the report of the Surveyor and Viewers a	ppointed to survey
nd view the road, as descr	ribed in the above peti	ition, was read the second time.	,
ATTEST:		A.G. Holloway	\
MILESI:	1	robt. MaMillen	1.
A.W. Beatty	7		Commissioners.

J.W. Martin

County Auditor.

St. Clairsville, O.,n Dec. 9th

19 08

The Commissioners met in regular session, and ______ The report of the viewers in relation to the establishment of said road having been this day publicly read for the third time and being favor for said road, and no objections being made nor damages claimed nor assessed nor petition for rewiew filed and the board being of the opinion that said road as laid out and surveyed, will be of public utility it is ordered that the report of said viewers, with the survey and plat of said road be resorded, and that said road, be established a public highway 30 ft. in width; that the County Auditor issue the necessary order to the trustees of Colerain township to open said road according to law.

ATTEST:

A.W. Beatty
Auditor.

A.G. Holloway

Robt. McMillen Commisssioners

J.W. Martin

Surveyor's Report.

To	the	Board	of	Commissioners of	Belmont	County,	Ohio:
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38 878 1	
The undersigned, in obedience to your order, dated Nov. 23rd 1908,	proceeded on the 4h
day of December, 1908 to survey and mark the proposed County road	described in Atita orde
under the direction of the Viewers therein named, and respectfully submits the following	ing return of said survey:

Commenceing at an bron pin in the center of the Barton pike from which the N W corner of Dr. Cope's building bears S 5° 2.9' E 60.80 ft. thence S 60° 40'E 194.9 ft. to station no.2 on Rebecca McGarr from which the S E Corner of Barton school house bears S 63° 12' E 25.65 ft. thence S 6.9° 47' E 377.50 ft. to station number 3 on Rebecca McGarr from which the N E corner of Catholic church building bears S 17° 44' E 25.65 ft. thence S 70° 44' E 579 ft. to station number 4 on Rebecca McGarr; thence N 82° 20' E 64.70 ft. to station :no.5 on County road the end from which the S E corner of Anna P. Bartons house bears n 62° 15' W 137 ft.

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

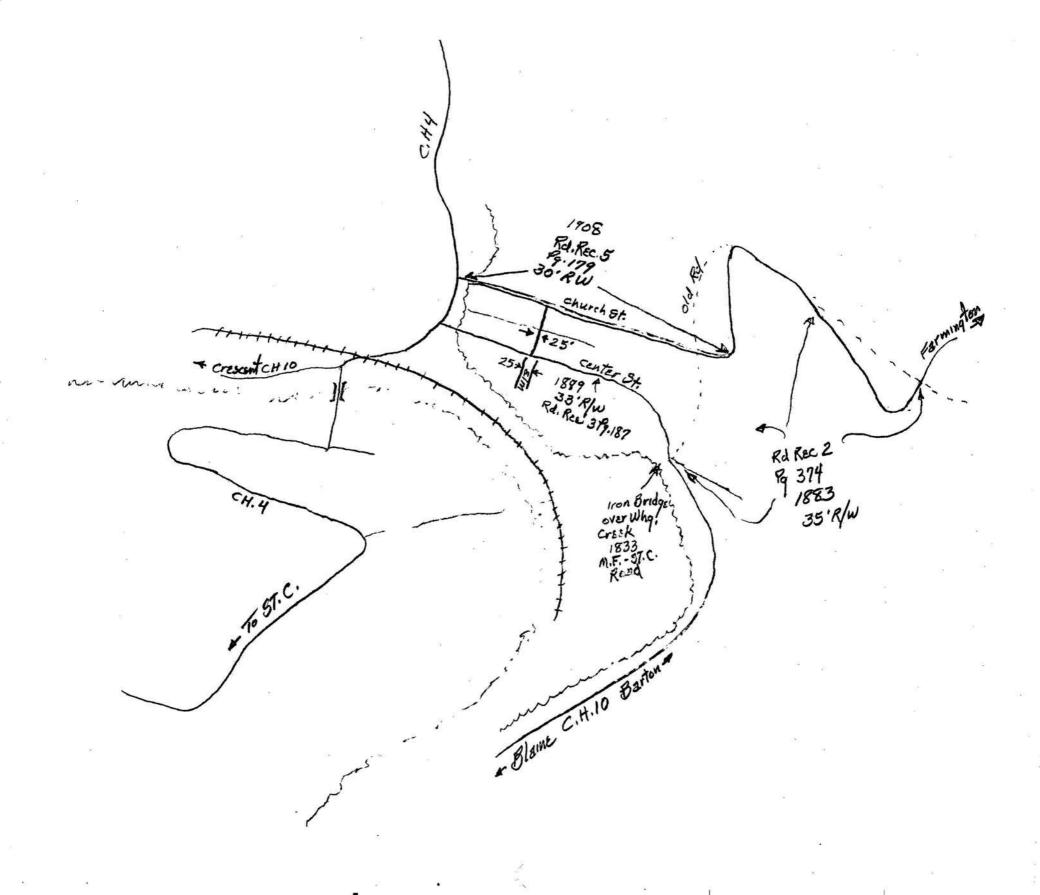
Fron-Pin center of Barton Pik Plat of County Road. W.W. Bradford. N.W. Cprnet of Dr. Copes S. Ecorner, of Barton Schoolhouse bears S 530/2' E 25.65' Building Bears \$502.9' F60. 80

N. Ecorner of Catholic Church building bears \$ 17° 44' E 26.65 feet

194.90 2.248 Tosta. Noz. on Rebecca M. Garr 3 8 70 44 E 579.00 9.650 " " 5 in county Road 54 1216.10 = 2303 miles in length

S. E corner of Anna P. Barton's house N620 15'W 137 feet

30'8/w Rd. Rec. 5 Church St. C.H. # 18 5 Babby Alice Center 25 St. C.H. *10 25 Elm St.



	ROAD PI	ETITION.	
For Alterat	ion	Road in Warren townsh	ip
the Board of Com	missioners of Belmont Coun	nty, Ohio:	
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(See	Commissioners Journal Vol.	10, page 175.)	v
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PETITIONERS' NAMES	PETITIONERS' NAMES	PETITIONERS' NAMES	PETITIONERS' NAMES
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Plat of County Jacob Reishman and wife Road. Jacob Rashman H. K. Grier Sec. 28 Scale 100 Ft. to an Inch ba 4/4 S.E. Cor. Sec. 34