

Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned Viewers of the County Road petitioned for by Thos. Ault, 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 <u>John P. Neff</u>	<u>Thirty</u> (30)	(30) dollars;
To <u>Wm. Grimes</u>	<u>Twenty</u> (20)	(20) dollars;
To <u>James King (Hous)</u>	<u>One hundred</u> (100)	(100) dollars;
To <u>Thos. Mitchell</u>	<u>Seventy</u> (70)	(70) dollars;
To <u>Wm. Mitchell</u>	<u>Eighty</u> (80)	(80) dollars;
To <u>J. J. King</u>	<u>One hundred & twenty</u> (120)	(120) dollars;
To <u>Wm. Gullett</u>	<u>One hundred</u> (100)	(100) dollars;
To <u>Michael O'Grady</u>	<u>One hundred & seventy five</u> (175)	(175) dollars;
To <u>Geo. Neff</u>	<u>One hundred & sixteen</u> (116)	(116) 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 <u>John P. Neff</u>	<u>Twenty</u> (20)	(20) dollars;
To <u>Wm. Gullett</u>	<u>Twenty</u> (20)	(20) dollars;
To <u>Thos. Mitchell</u>	<u>Twenty</u> (20)	(20) dollars;
To <u>James King (Hous)</u>	<u>Five</u> (5)	(5) dollars;
To <u>Wm. Mitchell</u>	<u>Twenty</u> (20)	(20) dollars;
To <u>Michael O'Grady</u>	<u>Twenty</u> (20)	(20) dollars;
To <u>Wm. Grimes</u>	<u>Twenty</u> (20)	(20) dollars;

Isaac Booth
James Gladden
Robt. Merritt
Viewers and Jurors to Award Damages.

October 22d 1877

St. Clairsville, O., Dec 3d 1877

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:

H. W. Coffland
County Auditor.

W. J. Potts
Henry Trasher
A. M. Anderson
Commissioners.

St. Clairsville, O., Dec 4th 1877

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:

H. W. Coffland

W. J. Potts
Henry Trasher
A. M. Anderson
Commissioners.

St. Clairsville, O., Dec 5th 1877

The Commissioners met in regular session, and the report of the Surveyor and Viewers was this day publicly read, being the third reading of the same, and said Viewers having filed a separate report, in writing, of the amount of compensation and damages which they have assessed to landowners, by reason of the location of said road through their several premises, said report was also publicly read, the amount of compensation and damages so awarded is as follows.

To John P. Neff. \$30⁰⁰ Compensation & \$20⁰⁰ damages Pd 1195
" William Grimes 20⁰⁰ Pd. 50. 20⁰⁰ Pd. 50.

Jaynes King (Heirs)	\$100 ⁰⁰ Compensation Pd.	\$40 ⁰⁰ Damages. Pd.
Thomas Michal	70. Pd. 1078 Do.	30 ⁰⁰ Do. Pd 1078
William Nichol	81. Do.	57 ⁰⁰ Do. "C" page 358
H. J. King	120. Pd. 1139 Do.	57 ⁰⁰ Do. Pd. 1139
William Follett	110. Pd. 1067 Do.	40 ⁰⁰ Do. Pd. 1067
Michael O'Grady	175. Pd. order 1066 Do.	125 ⁰⁰ Pd. Do Order 1066.
George Heff	116 "C" page 358 Do.	30 ⁰⁰ Do "C" page 358

And now comes J. N. Shannon atty. for reumotors, and represents to the Board, that the report of the viewers is informal, that they have made no report in accordance with the Statute in such cases made and provided, and asks that said proceedings be dismissed, said motion overruled by Board, whereupon Board proceeded to hear testimony for and against the establishment of said road, and Board having previously granted a view and survey of a County Road on the opposite side of McMahons Creek, which view and survey to be reported at March Session 1878. On motion of Henry Frasher further consideration of said application postponed until the 4th day of March Session. A. D. 1878.

attest
 W. N. Coffland,
 Auditor

J. J. Potts }
 Henry Frasher } Commissioners
 A. M. Anderson } of
 Belmont County

St. Clairsville O, March. 7th 1878

The Commissioners met in regular session, and as per above order the foregoing petition taken under consideration, whereupon Board decided that they had no authority to further postpone consideration of and final action upon said petition for the purpose of hearing further testimony, Commissioner Anderson dissenting.

And the Board being of opinion that the Compensation and damages awarded by said viewers to the several claimants is reasonable and just, that said road will be of public utility, and of sufficient importance to the public to justify the payment of said Compensation and damages out of the County Treasury; and no petition for review being filed. It is ordered that the County Auditor draw his order upon 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 road, be recorded, and that said road be established a public highway, forty feet in width except so much as is otherwise described on plat of said road.

It is further ordered, that the County Auditor issue, in the name of the Board, an order to the Trustees of Paltney and Richland Townships directing them to cause said

road to be opened according to law.

William Nichol, F. J. King et al give notice of appeal from the establishment of said road, and the amount of Compensation and damages awarded.

Attest
W. H. Coffland
Auditor

A. M. Anderson
Henry Frasing
D. J. Potts } Commissioners
of Belmont County.

Steubenville O. May 21, 1878

BE it remembered that heretofore to wit, on the 7th day of March 1878, a final order was made by this Board, on the petition of Thomas Ault and others, establishing a County Road as shown in the foregoing reports. And afterwards, to wit, on the 23d. day of March 1878, George Neff and William Nichol two lapsed owners on the line of said proposed road, perfected an appeal as to the assessment of Compensation and damages and afterwards, to wit, on the 27th. day of March 1878, a transcript of proceedings had before the Board of County Commissioners was filed in the Probate Court of Belmont County.

And afterwards, to wit, on the 16th. day of May 1878, a Certified transcript of proceedings had before said Probate Court, was filed in this office in the words and figures following, to wit,

BE it remembered that heretofore, to wit, on the 27th day of March A.D. 1878 William H. Coffland, County Auditor of Belmont County Ohio, filed herein a Transcript of the proceedings of the County Commissioners in relation to the assessment of Compensation and damages by reason of the establishment of a County road, together with the original papers. And afterwards, to wit, on the 27th. day of March, the following proceedings were had in this Court and entered upon the journal thereof, in the words and figures following, to wit.

George Neff and others, plaintiffs vs. March 27, 1878
Thos. Ault and others, defendants. Appeal from the County Commissioners in relation to the assessment of Compensation and damages by reason of the establishment of a County road.

This day I saw the County Auditor of this County, and caused to be filed herein, the original papers, Certified transcript of all proceedings and orders had or made by said Commissioners touching this case. Whereupon it is ordered that the same be entered upon the docket of this Court.

L. H. Carrally
Probate Judge.

And afterwards, to wit, on the 3d day of April 1878, Cause the parties by their attorneys, and filed herein an agreement in writing, in the words and figures following, to wit, It is agreed, that, in the cases, of James Orr vs. Alexander Wiley et al. and the case of Alexander Wiley et al vs. James Orr, and the case of George Neff & William Nichol being appeal from Order of Commissioners, establishing roads and confirming damages. -

ROAD PETITION

For a Alteration of Road in Smith 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 Alteration of a County road on the line hereinafter described; and pray that your body will institute and order the proper proceedings in the premises to Alter

such road, to-wit: Beginning at Being the County Road leading from McMahon's Corners to Kelpbringer's Mill. Beginning at a point where said road crosses the line between lands of William Fulton and James Phillips running thence parallel with said line on lands of James Phillips forty five or fifty rods thence to intersect old road on top of the hill opposite a white-oak tree.

Dated this July 27 A. D. 1877

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
<u>Geo. Phillips</u>	<u>Abiram McCaughey</u>	<u>John Stetian</u>	
<u>Isaac Lash</u>	<u>Josiah Raudsey</u>	<u>Deiney Gilbert</u>	
<u>Jm. Workman</u>	<u>Geo. A. Capton</u>		
<u>R. M. Dent</u>	<u>Robt. J. Workman</u>		
<u>A. C. Ramaguy</u>	<u>J. H. Phillips</u>		

Know all Men by these Presents,

That we, James Phillips and Henry Huch 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 Delaware this 2d day of Sept 1877

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 on the following line, to-wit:

Being the County Road leading from McMahon's Corners to Kelpbringer's Mill. Beginning at a point where said road crosses the line between lands of William Fulton and James Phillips running thence parallel with said line on lands of James Phillips forty five or fifty rods thence to intersect old road on top of hill opposite a white-oak tree.

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:

W. E. Stamp

James Phillips
Henry Huch



St. Clairsville, O., Sept 3d. 1877

The Commissioners met in regular session at Auditor's Office, and appointed

Viewers, and *C. C. Thompson and Jonas Perkins* Surveyors of said proposed road. at 10 o'clock P.M. *Sept 2d. 1877.*

ATTEST:

W. H. Coffland Dep.
County Auditor.

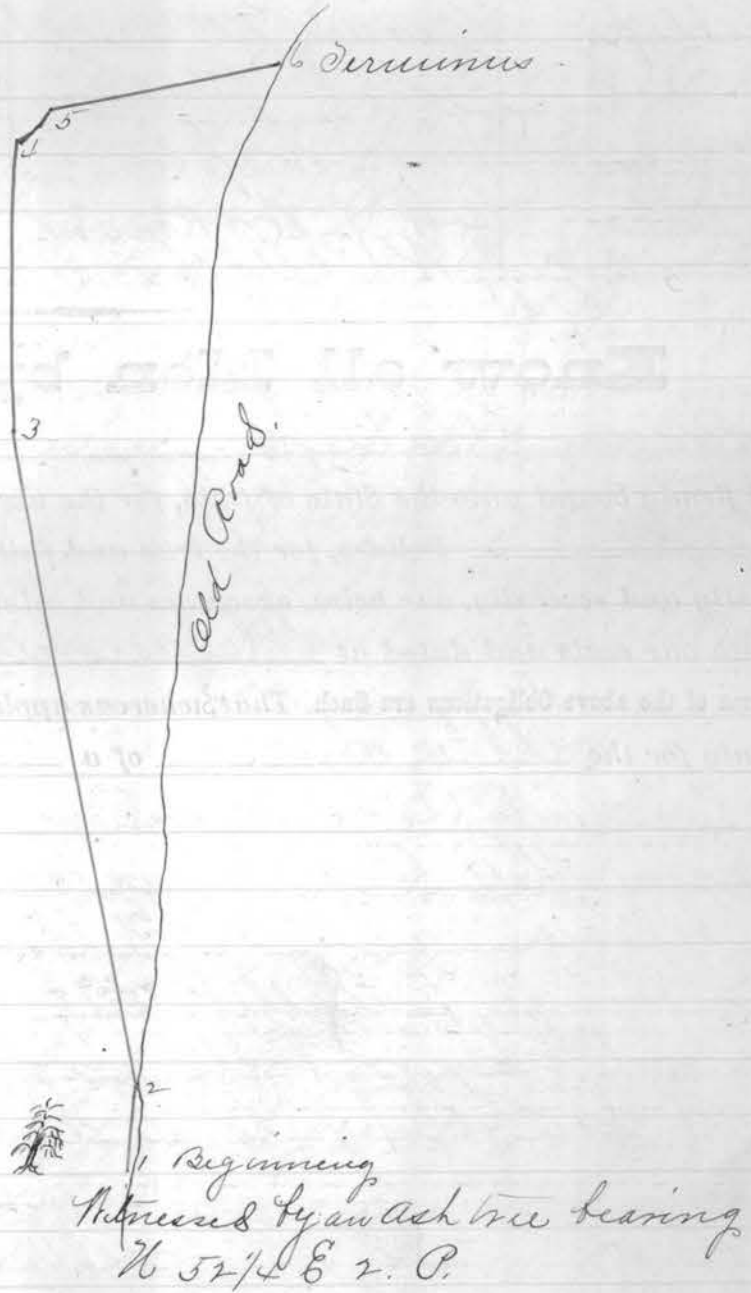
William Barber
A. M. Anderson } Commissioners.

Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated *October 3d. 1877*, proceeded, on the *3d day* day of *October* to survey and mark the *Road* described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Beginning in the old road at a point witnessed by an ash bearing N. 52 1/4 E. 2 Perches. thence S. 76 4.32 P. to Station 2, thence S. 73 1/2 E. 34.48 P. to Station 3, thence S. 12 1/2 E. 15 P. to station 4, thence S. 77 3/4 W. 2.36 P. to Station 4, thence S. 64 3/4 W. 12 P. to old road.



I Certify that the above is a correct plat and return of the survey of the *alteration of Road* named above

Marshall Thompson Surveyor of said *Road*

REPORT OF VIEWERS.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your September session, A. D. 1877, we, the undersigned, Viewers appointed under said order, met with Marshall Thompson Surveyor, at James Phillips on Oct. 3d. 1877 and were severally sworn to discharge, faithfully and impartially the duties required of us in said order.

If any viewer is unable to attend, here state by whom the vacancy was filled.

James A. Kiley and Thomas Greiner were selected by us as chain carriers, and J. M. Phillips as a marker, who were also duly sworn.

We then proceeded to view said proposed Alteration 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:

We find that said alteration would be a advantage to the principal petitioner, and the accommodations of the traveling community not be materially injured.

We would respectfully report that the said Alteration ought to be established for the following reasons:

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

All of which is respectfully submitted, {
October 3d. 1877

C. C. Workman
James Perkins
Am. M. Armstrong } Viewers.

FEES:

<u>C. C. Workman</u> Viewer, 1 days, \$ <u>1.50</u>	<u>J. A. Kiley</u> Chainman, 1 days, \$ <u>1.00</u>
<u>James Perkins</u> " 1 " \$ <u>1.50</u>	<u>Thos. Greiner</u> " 1 " \$ <u>1.00</u>
<u>Am. M. Armstrong</u> " 1 " \$ <u>1.50</u>	<u>J. M. Phillips</u> Marker, 1 " \$ <u>1.00</u>
<u>Marshall Thompson</u> Surveyor, 3 days, \$ <u>9.00</u>	

Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned Viewers of the _____ petitioned for by _____ 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 _____ 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 _____ dollars;

To _____ dollars;

To _____ dollars;

To _____ dollars;

To _____ dollars;

 _____ } Viewers and Jurors to Award Damages.

18

St. Clairsville, O., December 3d 1877

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: W. N. Coffland }
 County Auditor.

J. J. Potts
Henry Trusmy
A. M. Anderson } Commissioners.

St. Clairsville, O., December 4th 1877

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. N. Coffland }

J. J. Potts
Henry Trusmy
A. M. Anderson } Commissioners.

St. Clairsville, O., December 5 1877

The Commissioners met in regular session, and the report of the Surveyor and Viewers appointed to survey and view said road, as described in the above petition, was this day publicly read. Being the third reading of the same, whereupon Amos William Fulton Esq. and files a Recurrence to the location of said road, also a motion to dismiss said petition for the following reasons: 1st. That the Viewers have made no report authorizing the establishment of said Road, or alteration thereof. 2d Said Viewers have not reported in favor of the establishment of said road, or alteration thereof, or against the same.

3d said viewers have not in their pretended report, described any road to be established, or alteration of any road to be made and for other good and sufficient reasons

Willigw Shulton
for himself and others,

The Board being of opinion, after due consideration, that said report of viewers is informal, 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,

Attest,
W. H. Coffland
Auditor.

J. J. Potts }
Henry Foster } Commissioners
A. M. Anderson } of
Belmont County.

ROAD PETITION

For a Alteration of Road in Richland 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 Alteration of a County road on the line hereinafter described; and pray that your body will institute and order the proper proceedings in the premises to alter such road, to-wit: Beginning at Being the alteration of the County Road on the lands of Joseph Woodmansee, in Richland Township in said County, being in the S. E. part of the N. W. Quarter of Section 9, in Township 7, of Range 4, said alteration to consist in changing said road from the former location, to the line upon which the same are now used, as changed and opened for travel by the Supervisor of Road District No. 5 Richland Township, in the year 1876.

Dated this Sept. 3d. A. D. 1877

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
Joe Woodmansee	R. D. Thompson	W. J. Clart	Moses Boggs
Joshua Morley	Mr. Liu, Sr.	Danl. Harris	
Danl. Steward	J. M. Mitchell	C. F. Mill	
Mr. Francis	Geo. Brown	J. H. Glass	
Mr. Alexander	Robt. Kerr	E. L. Piggott	

Know all Men by these Presents,

That we, Joseph Woodmansee and J. M. Riley 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 3d day of Sept 1877

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 on the following line, to-wit:

On the lands of Joe Woodmansee in Richland Township, in said County being in the S. E. part of the N. W. Quarter of Section 9, in Township 7, Range 4, said alteration to consist in changing said road from the former location to the line upon which the same are now used, as changed and opened for travel by the Supervisor of Road Dist. No. 5 Richland Township, in year 1876.

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:

W. E. Stamp

Joseph Woodmansee
J. M. Riley

