

St Clairsville, O., March 4 1879

The Commissioners met in regular session at Auditor's Office, and appointed Joseph Carle  
Loman H. Green and Martin Caldwell

Viewers, and Jennings Perkins Surveyor, of said proposed road.  
To meet at Wm Armstrongs on Tuesday April 15 1879 at 10 o'clock A.M.

ATTEST:  
M. Coffland  
County Auditor.

Henry Fisher  
A. M. Harrison  
J. Potts  
Commissioners.

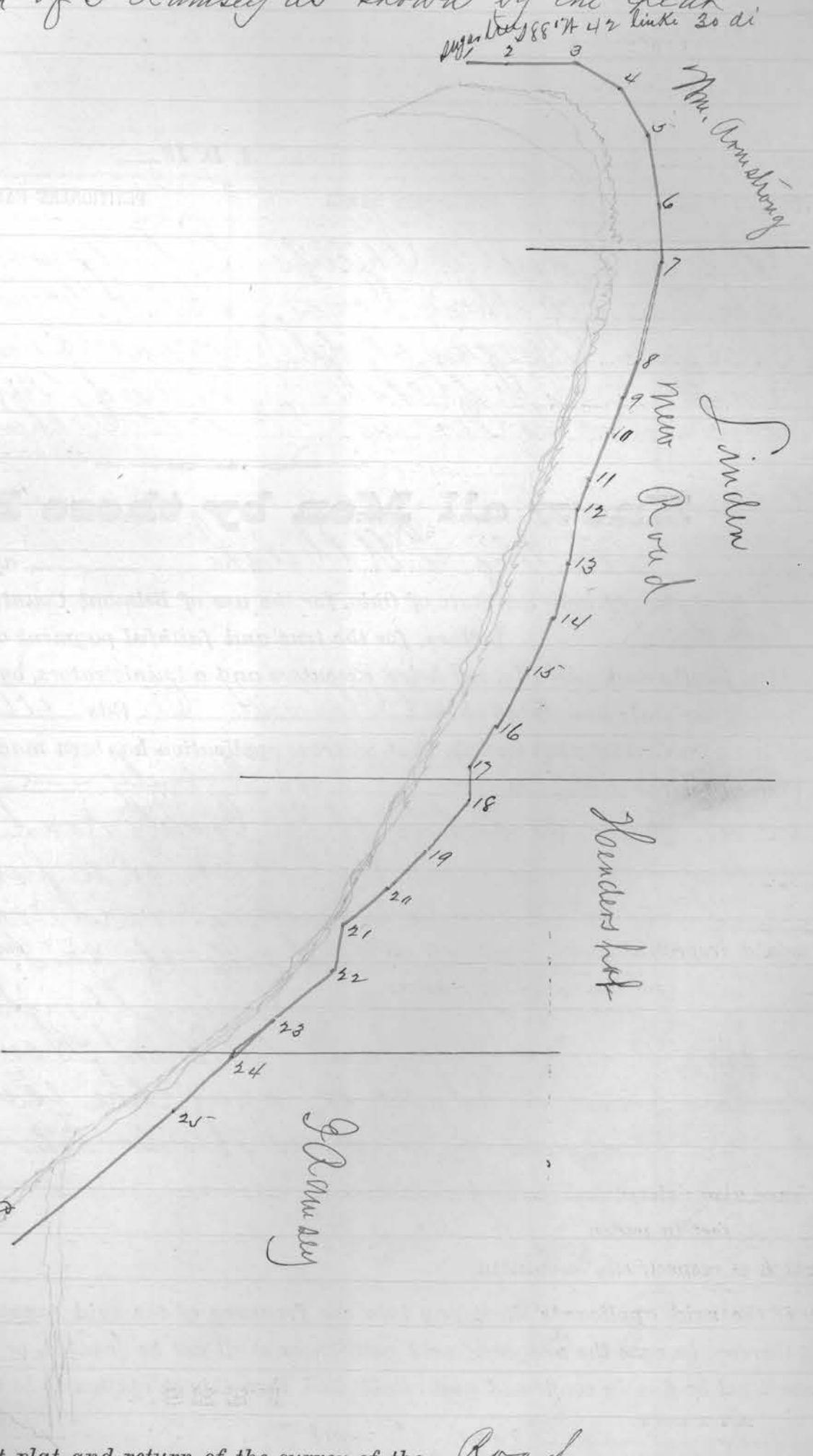
### Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated March 4th 1879, proceeded, on the 15th day of April to survey and mark the Proposed Alteration described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Commencing on the lands of Wm. Armstrong at a stake. Thence around the Creek bank through lands of Mrs Linden, M Henderson and ending on the land of J Ramsey as shown by the Plat

No	Bearing	Distance
1	N 88 E	40 17 links
2	" 87 "	10 10
3	" 64 "	6 3
4	" 35 "	7 17
5	" 13 1/2 "	10
6	" 10 "	6 6
7	" 10 "	1 14
8	" 87 "	14 8
9	" 15 "	5 19
10	" 10 "	5 19
11	" 10 "	7 2
12	" 15 "	4 21
13	" 5 "	8
14	" 8 "	7 23
15	" 17 "	8
16	" 24 "	9 16
17	" 28 "	6 20
18	" 6 E	4 17
19	" 32 W	9 22
20	" 41 "	7 18
21	" 45 "	8 6
22	" 6 "	6 22
23	" 45 "	10 16
24	" 40 "	8 11
25	" 42 "	13 20
26	" 45 "	28 12



Dist on Armstrong 44 R 18 links  
 " " Linden 79 " 20 "  
 " " Henderson 56 " 12 "  
 " " Ramsey 42 " 7 "  
 223 " 7 "

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

Jennings Perkins Surveyor of said Road

# REPORT OF VIEWERS.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your March session, A. D. 1879, we the undersigned, Viewers appointed under said order, met with Jennings Perkins Surveyor, at Mr. Armstrongs on the 15th day of Apr 1879 and were severally sworn to discharge, faithfully and impartially the duties required of us in said order.

Isaac Ramsey and Thomas A Welsh were selected by us as chain carriers, and Thomas Linden 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 Said Alteration of said road as follows:

Commencing on the bank of Captina Creek at corner of a field at the first finding South of William Armstrongs residence and on the lands of Mr. Armstrongs thence running down said Captina Creek keeping on the North and East side of said Captina through the lands of Mr. Armstrong a distance of forty (44) four rods and eighteen links to the lands of Amy Lendon and keeping said North and East side of said Captina Creek through and upon the lands of Amy Lendon a distance of seventy nine rods (79) and twenty 20 links to the lands of Michael Henderson and thence keeping the east side of said Captina Creek through and upon the land of Michael Henderson a distance of fifty (56) six rods and twelve links to the lands of Isaac Ramsey and 42 rods and seven links thence on and across the said lands of Isaac Ramsey to where it intersects said County road at the east end of the ford below Michael Henderson making the whole distance of said Alteration of two hundred and twenty three rods and seven links (223R 7 links)

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

Sometimes the Creek is not fordible and said Alteration avoids two findings of said Captina Creek

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

All of which is respectfully submitted, }  
April 15th A.D. 1879 }  
and May 28, 1879 second meeting

J Carle  
Martin Caldwell  
L H Green } Viewers.

F E E S			
<u>J Carle</u>	Viewer,	2	days, \$ 3.00
<u>Martin Caldwell</u>	"	2	" \$ 3.00
<u>L H Green</u>	"	2	" \$ 3.00
<u>Jennings Perkins</u>	Surveyor,		days, \$ 5.00
<u>T. A. Welsh</u>	Chainman,	1	days, \$ 1.00
<u>Isaac Ramsey</u>	"	1	" \$ 1.00
<u>Thos Linden</u>	Marker,	1	" \$ 1.00



## Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the Alteration petitioned for by W. Armstrong 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 Amy Ludow Ten 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 No Damages Claimed \_\_\_\_\_ dollars;  
 To \_\_\_\_\_ dollars;  
 To \_\_\_\_\_ dollars;  
 To \_\_\_\_\_ dollars;

J. Carley  
Martin Caldwell  
L. H. Green } Viewers and Jurors to award Damages.

April the 15th A.D. 1879

St. Clairsville, O., June 2d 1879

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:  
M. J. Coffland Sup }  
 County Auditor.

A. M. Braden  
Henry Gashy  
A. J. Potts } Commissioners.

St. Clairsville, O., June 3d 1879

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:  
M. J. Coffland Sup Aud }

A. J. Potts  
Henry Gashy  
A. M. Braden } Commissioners.

St. Clairsville, O., June 4th 1879

The Commissioners met in regular session, and the report of the Viewers in favor of the establishment of said Alteration 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 Amy Ludow a land owner, by reason of the location of said road through her premises, said report was also publicly read. And the Board being of opinion that the compensation awarded

By said viewers to said Claimant to wit, Abby  
 Leedom Compensation \$10.00 is reasonable and just.  
 But that said road is not of sufficient importance  
 to the public to warrant the payment of said Com-  
 pensation, out of the County Treasury, it is ordered that  
 the petitioners pay, or tender to pay the said Claimant  
 forthwith, the amount as assessed to her, and that  
 no further proceedings be had in the premises,  
 until such payment or tender shall have been  
 made.

Attest  
 W. H. Coffland  
 Auditor.

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



# ROAD PETITION.

For an Alteration of a Road in Richland and Puttuy Tps.

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 or near a brack tree on the County road on the lands of Thomas Johnson. Thence through the lands of Thomas Johnson. Thence through the lands of Moses Workman to intersect the State road at or near said M Workmans Mill.

Dated this May 1st A. D. 1879

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
Thomas Johnson	James Johnson	Conrad Neff	Michael O'Grady
Robert Clark	George Hess	John Clark	Wm. Greenlee
John Stewart	Robert Ross	James McFarland	David Johnson
Owen Michan	John Neff	William Boyd &	John Johnson
Mr. Kearny	James Cunningham		

## Know all Men by these Presents,

That we, \_\_\_\_\_ and \_\_\_\_\_ 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 \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 18\_\_\_\_\_

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: Beginning at or near a brack tree on the County road on the lands of Thomas Johnson, thence through the lands of Thomas Johnson, thence through the lands of Moses Workman to intersect the State road at or near said M Workmans Mill.

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. H. Coffland  
Auditor

Thomas Johnson SEAL  
John Stewart SEAL  
SEAL

St Clairsville, O., June 2d 1879

The Commissioners met in regular session at Auditor's Office, and appointed Joshua Morley  
Daniel Greenwood and Hugh M. Miller  
Viewers, and Chalkley Dawson Surveyor, of said proposed road,  
To meet at Thos Johnson on Thursday Aug 14 1879 at 10 o'clock A.M.

ATTEST: W. P. Coffland Sub  
County Auditor.

Henry Fisher  
Ab. J. Potts Commissioners.

### Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated June 2d 1879, proceeded, on the 14 day of August to survey and mark the Alteration of County Road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Description of a Survey made Aug 14<sup>th</sup> 1879 for an Alteration of a County road. Variation 2° West Scale 1 1/4 rods to one inch, Beginning at Station No. 1 at a point where the County road crosses the line between J & A Johnston from which a Locust 2 feet in diameter bears N 87 1/2° W 400 rods and a Hickory 10 in in diameter bears S 10 1/2° E 360 rods and running thence

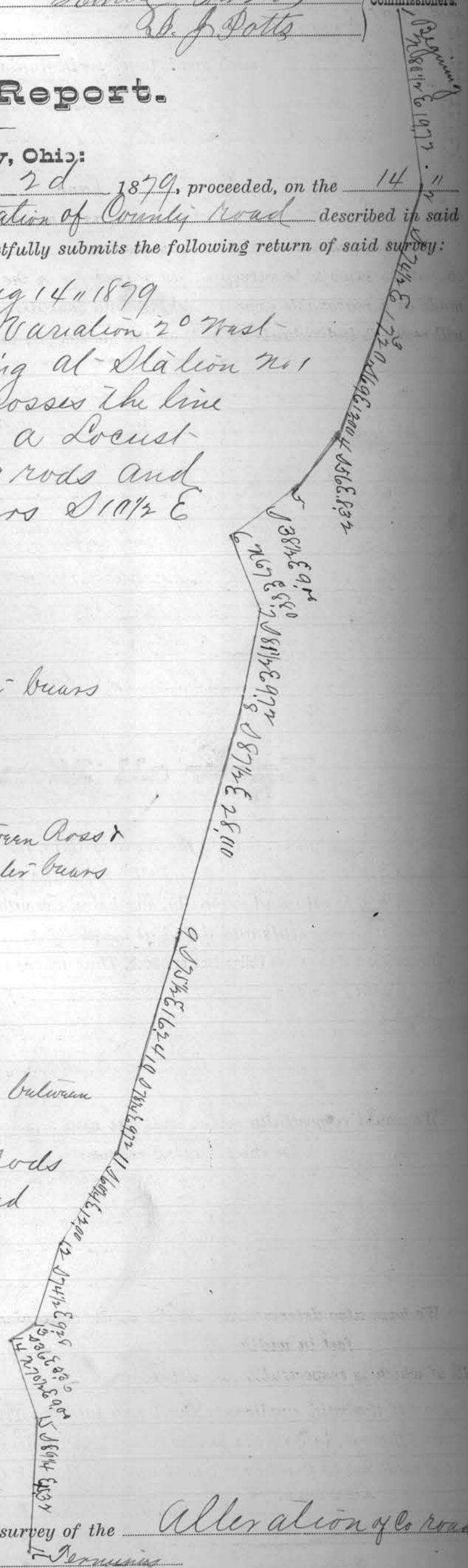
Sta	Bear	Dist.
1	N 80 1/2° E	19.72
2	S 74 1/2° E	17.20
3	S 69° E	12.00
4	S 56° "	8.32
5	N 88 1/2° "	9.00
6	N 65° "	8.80
7	S 81 1/2° "	9.72
8	N 77 1/2° "	28.00
9	N 75 1/2° "	16.24
10	N 78 1/4° "	9.72
11	N 60 1/4° "	12.00
12	N 74 1/2° "	9.28
13	N 36° "	3.32
14	N 70 1/2° "	9.00
15	S 89 1/4° "	15.32
#6		

an Elm. 2 feet in diameter bears N 30° W 36 rods.  
6 rods south of line between Ross & Hoess.  
a Sugar 2 1/2 ft diameter bears N 27° E 60 rods.

at 600 rods crosses line between Johnston & Harkman to center of County road

Total distance 187.64 rods

Total distance of line of present road 208.62



I Certify that the above is a correct plat and return of the survey of the Alteration of Co road named above.  
Chalkley Dawson Surveyor of said Alteration



# REPORT OF VIEWERS.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your June session, A. D. 1879, we the undersigned, Viewers appointed under said order, met with Chauncy Dawson Surveyor, at Thomas Johnston's on Aug. 14th 1879 and were severally sworn to discharge, faithfully and impartially the duties required of us in said order.

James Johnston and Wm. Johnston were selected by us as chain carriers, and Thomas Johnston 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 Said Alteration of said road as follows:

Beginning for the same near a beech tree in the County road at a point where the line between Thomas Johnston and James Johnston crosses the said County road, and running thence to the north of said road in a North Easterly direction to a point south and near the line between Robt Ross and Thomas Johnston thence on the south side of said line in a South Easterly direction through the lands of Thomas Johnston to the line between said T Johnston & Moses Workman, thence nearly East 18.37 rods on the lands of said Workman intersecting the County road on the lands of said Workman.

(For farther information see Surveyors report)

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

First; The proposed Alteration very much shortens the line of said road (say 20 rods) Second; The grade of the proposed line is much lower than the grade of the old road. The grade of said road being at our point an elevation of 16 degrees. The grade of the proposed line at its highest point is only 7 degrees and we think for these reasons that the public would very much be benefited by said Alteration

We have also determined that the public convenience requires that such Alteration shall be established 33 feet in width.

All of which is respectfully submitted. Sept 1st 1879

J. W. Hiley  
D. Steensrod  
W. McMillen } Viewers.

FEEES.					
<u>J. W. Hiley</u>	Viewer,	<u>7</u>	days,	\$ <u>300</u>	<u>J. Johnston</u> Chainman, <u>1</u> days, \$ <u>100</u>
<u>D. Steensrod</u>	"	<u>7</u>	"	\$ <u>300</u>	<u>Wm. Johnston</u> " <u>1</u> " \$ <u>100</u>
<u>W. McMillen</u>	"	<u>7</u>	"	\$ <u>300</u>	<u>Thos Johnston</u> Marker, <u>1</u> " \$ <u>100</u>
				Surveyor,	days, \$ _____

### 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., Sept 1st 1879

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:  
 M A Coffland }  
 County Auditor.

Henry Fisher }  
 A. J. Potts } Commissioners.  
 M. H. ... }

St. Clairsville, O., Sept 2d 1879

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:  
 M A Coffland }

A. J. Potts }  
 Henry Fisher } Commissioners.  
 M. H. ... }

St. Clairsville, O., Sept 3d 1879

The Commissioners met in regular session, and the report of the surveyor and viewers appointed to survey and view said road was this day publicly read being the third reading of the same and now comes Moses Northman by his attorney R E Chambers and moves the Board to discuss the application of said Thos Johnson for reasons following  
 First. The proceedings in the matter of said alternation are irregular and illegal. The petition for said alternation not being sufficient in law.



- Second. The report does not contain a description of the road established or altered purporting to be made.
- Third. The report fixes no initial points, no intermediate or terminal points. No plat is filed with said report, and no reference is therein made to any plat thereof.
- Fourthly. The reasons given purporting to be reasons for the establishing of said alternation, are insufficient in law.
- Fifth. The report does not show the proposed alternation to be of any convenience or utility to the public.
- Sixth. The report does not show the legal establishment of any road or alternation.
- Seventh. The report is irregular and defective and illegal in other important particulars.

Moses Hookman by  
R. E. Chambers, Atty.

The Board after hearing the arguments of Counsel, sustains said motion and orders that said petition be dismissed without further proceedings, and that the petitioners pay the costs and expenses that have been caused by their foresaid application.

Attest

J. J. Potts } Commissioners  
Henry Trask } of  
A. W. Anderson } Belenout County.

