

St Clairsville, O., March 1st 1880

The Commissioners met in regular session at Auditor's Office, and appointed Thomas Pyle
Smith Hurst and John A. Neff
Viewers, and Marshall Thompson Surveyor, of said proposed road, to meet at W. S. George's
on Tuesday March 16th 1880 at 10 o'clock A. M.

ATTEST:
M. A. Coffland Sec
County Auditor.

O. Mehan
J. Patts
Commissioners.

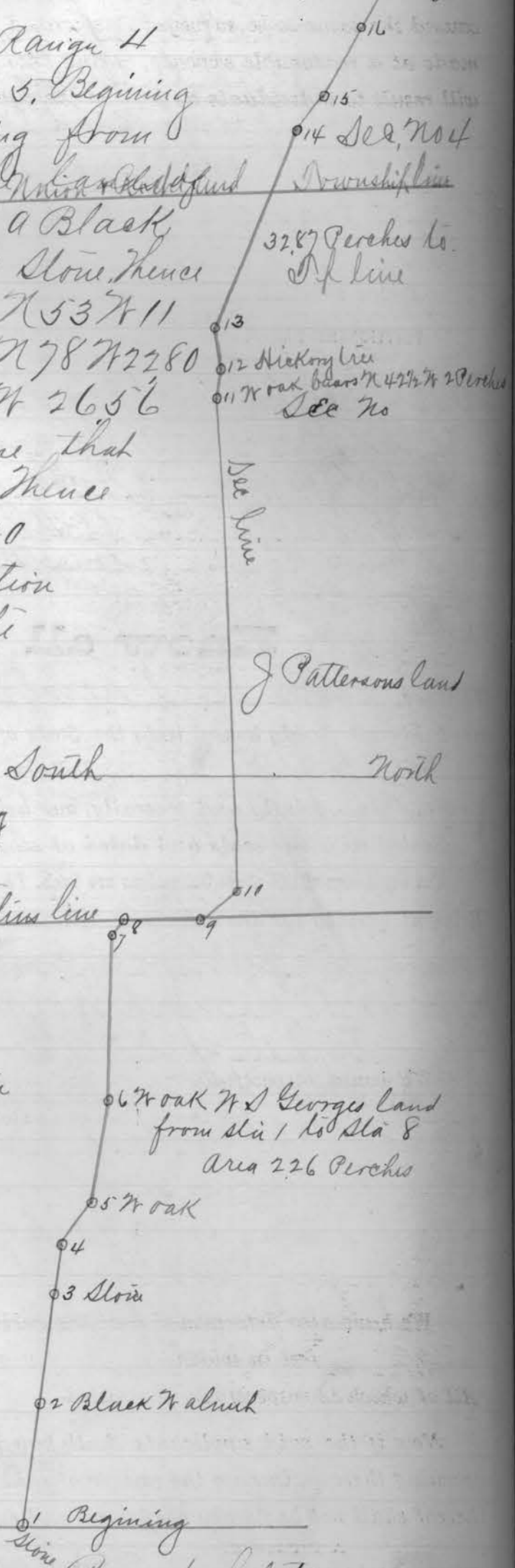
Surveyor's Report.

Scale 30 Rods to inch
County road
18 Hickory trees
458 rods

To the Board of Commissioners of Belmont County, Ohio;

The undersigned, in obedience to your order, dated March 1st 1880, proceeded, on the 16th
day of March 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.

and being in Section No 34 Township 7 and Range 4
and also in Section No 4 in Township No 8 of Range 5. Beginning
at a stone in the center of the County road leading from
the National road to Uniontown Pike and on the W. S. George's
N 79 W 26.80 perches to a Black
walnut, thence N 80 W 24.28 Perches to a stone, thence
N 3 W 75 W 10.80 Perches to a stake, thence N 4 W 53 W 11
Perches to a white oak with 3 marks, thence N 78 W 22.80
Perches to a white oak near a run, thence N 86 W 26.56
Perches to a stake, thence N 49 W 3.56 to the line that
divides the lands of W. S. George and J. P. Newlin, thence
N 2 E 16.28 Perches to a stake, thence N 33 1/2 W 10
Perches to section line, thence west with the section
line 108 Perches to a stake from which a white
oak bears N 42 1/2 W 2 Perches, thence N 75
W 6.44 Perches to a Hickory tree, thence
S 84 W 9.56 Perches near a white oak thence South
N 66 W 32.87 Perches to township line continuing
on same course from Station 13 to Station 14
is 47.08 Perches, thence N 44 1/2 W 9.20 Perches to
a stake, thence N 57 W 17.84 Perches thence
N 57 W 13.68 Perches thence S 88 W 36.40 Perches
to a stone in the center of the County road
leading from the National road to Uniontown
from which a Hickory tree bears N 4 3/4
W 4.88 Perches



I Certify that the above is a correct plat and return of the survey of the
named above for by James P. Newlin et al
Marshall Thompson Surveyor 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. 1880, we the undersigned, Viewers appointed under said order, met with Marshall Thompson Surveyor, at N S George's on 16th of March and were severally sworn to discharge, faithfully and impartially the duties required of us in said order.

Jacob Gosselt and Calvin Jones were selected by us as chain carriers, and R P Robb 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 location of said road as follows:

Beginning in the center of the County road leading from the National Road to Uniontown and on the land of N S George. And through the lands of N S George in a North western course to intersect the line between the land of James P Newlin and N S George thence ^{with} the section line between J P Newlin and John Patterson thence through the lands of Mrs Robb. Thence through the lands of the heirs of Robert Boyd to the center of County road leading from the National road to Uniontown and for further report of said road see Surveyors report hereto attached.

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

first. That James P Newlin & John C Patterson and other petitioners have no outlet to a public highway except by trespassing. And the said road will be of a general benefit and public utility.

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. {
March 16th 1880

Thos Pyle
Smith Hoirst
John A Neff } Viewers.

FEES.

<u>Smith Hoirst</u>	Viewer,	1	days,	\$150	<u>Jacob Gosselt</u>	Chainman,	1	days,	\$100
<u>J A Neff</u>	"	2	"	\$300	<u>Calvin Jones</u>	"	1	"	\$100
<u>Thos Pyle</u>	"	3	"	\$450	<u>R P Robb</u>	Marker,	1	"	\$100

Marshall Thompson Surveyor, 3 days, \$15⁰⁰
Jm S Smith & J P Qualifying Viewers fees \$1⁰⁰ Paid Mar 13 80

Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the road petitioned for by Gas P. Nuolin Et al 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>H. S. George</u>	<u>Seventy five</u>	<u>(873.00)</u>	dollars
To	<u>Heirs of Robert Boyd (decd.)</u>	<u>Twenty five</u>	<u>(825.00)</u>	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	<u>H. S. George</u>	<u>One hundred thirty three</u>	<u>(8133.00)</u>	dollars;
To	<u>Heirs of Robert Boyd</u>	<u>Fifty five</u>	<u>(855.00)</u>	dollars;
To				dollars;
To				dollars;

Mrs Pyle
Smith Hoist
John A Neff } Viewers and Jurors to award Damages.

March 16th 1880

St. Clairsville, O., June 7th 1880

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 }
 County Auditor.

Henry Trasher
A. J. Rotts
O. Muehler } Commissioners.

St. Clairsville, O., June 8th 1880

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 and }
and }
 County Auditor.

Henry Trasher
O. Muehler
A. J. Rotts } Commissioners.

St. Clairsville, O., June 9th 1880

The Commissioners met in regular session, and the report of the Surveyor and Viewers in favor of the establishment of said road 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, and the Board being of opinion that the compensation and damages awarded by said viewers to the several claimants to wit:

To W. S. George \$75.00 Compensation and \$133.00 Damages
" " " " " 25.00 " " " " " 53.00 " " " " " "

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. It is further ordered that the County Auditor issue in the name of the Board an order to the Trustees of Richland Township and Union Township directing them to cause said road to be opened according to law.

Attest
W. H. Coffland
Dist. Auditor

C. Melhan
Henry Truesher
J. F. Potts } Commissioners
of
Belmont County

R. B. Boyd Et al by their Attorney J. A. Charlesworth Esq gives notice of appeal from the amount of compensation and damages

At Clairsville O Dec 8th 1880

It is remembered that heretofore to wit on the 2nd day of July 1880 W. H. Coffland County Auditor in and for Belmont County Ohio transmitted and filed in this Court the original papers in the proceedings and a certified transcript from the Record of the Commissioners of said County of all the proceedings and orders had and made by and before the said Commissioners in the matter of the establishment of a County Road petitioned for by James P. Newlin Et al. and afterwards to wit on the 30th day of July 1880 the following proceedings were had in this Court and entered on the Journal of the Court as follows and figures following to wit

R. B. Boyd Agent of the Heirs of Robert Boyd deceased }
vs }
James P. Newlin and }
Oppo C. Patterson }
} July 3rd 1880
} Road Case appealed

This day came William H. Coffland Auditor of Belmont County Ohio and produced the original papers in the proceedings upon the petition of Jas. P. Newlin Et al. to establish a County Road before the Commissioners of said County together with a certified transcript from their Record of all proceedings and orders had or made before them therein and the appeal bond of said plaintiff filed in their office and approved by said Auditor for an appeal to this Court from the confirmation by said Commissioners of the assessment and allowance of
(See Page 543 for continuation of Record)

ROAD PETITION.

For a _____ Road in _____

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 _____ of a _____ road on the line hereinafter described, and pray that your body will institute and order the proper proceedings in the premises to _____ such road, to-wit: Beginning at _____

Your Petitioner respectfully represents that by reason of the removal of the monuments or other causes the true course of the County Road leading from Keyzers Ridge in said County to the Ohio River and known as the Cemetery Hill Road, has become uncertain and is in dispute. Therefore your Petitioner prays your Honorable Body to take such steps to find and mark the true line of said Road, as you may be authorized by law to take. By order of the City Council of the City of Bellair
D. Danford
City Solicitor

Dated this _____ A. D. 18 _____

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.

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 _____ 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 _____ of a _____ road on the following line, to-wit:

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.

SEAL
SEAL
SEAL

St Clairsville, O., March 3d 1880

Robt. Clark

The Commissioners met in regular session at Auditor's Office, and appointed William Alexander & David Wagner.

Viewers, and J. M. Riley Surveyor of said proposed road. to meet at Belmont City on Wednesday May 20 1880 at 10 o'clock a.m.

ATTEST:

W. H. Coffland, County Auditor.

Thomas Grashes

O. Methan

Commissioners.

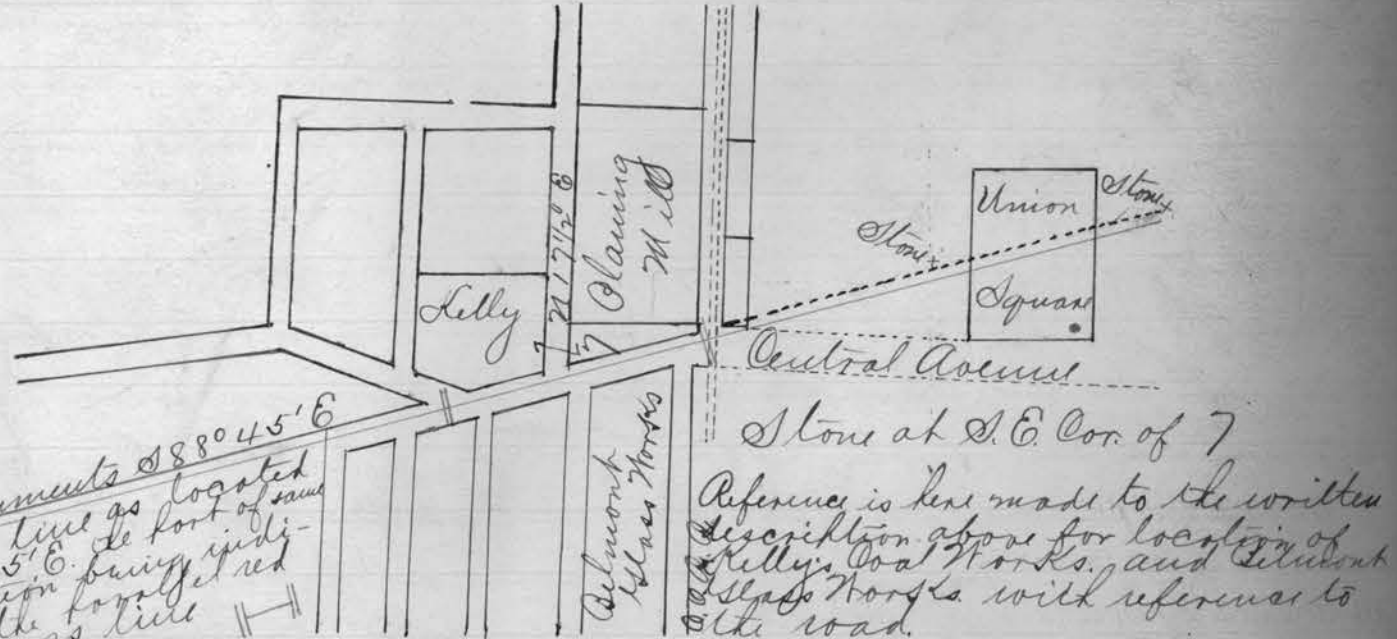
J. F. Potts

Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated March 3rd 1880, proceeded, on the 6th day of May 1880 and subsequent days to survey and mark the line of the County Road when described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

The Road in question was established as a public highway 40 feet in width by order of the Commissioners of Belmont County Ohio December 8th 1825. The proceedings in relation thereto being recorded in Belmont County Road Record Volume I at Page 67, and the original plat thereof is recorded at length in Record of Road Plats Vol I at page 257. An alteration of said Road was made and established in March 1830. The minutes thereof being found in minute Book II at pages 296, 297, 321 and 322, and the order for opening and description of the line of alteration is found in a Road Record neither numbered nor pagged, at the March Session 1830. Although the alteration evidently begins in the vicinity of the point of present difficulty after careful examination I am satisfied that the same is west of, and does not effect or change the Road from the original line of location at the point in question, although the lines called for at the beginning of said alteration are not now to be found to a certainty, yet stumps are pointed out as the remains of said trees, and are south of the line located by me as the line of the old road. The two maps called for as the initial point on the original line of the road, are not now, in my possession and no other monuments or calls for said road line, are given, and that the road at the point in question, was laid on or near the line, which divides the lands (in 1825 owned by Reuben Harris and Saml Buchanan) now owned by O. Kelly and the Belmont Glass Works, and it became necessary in order to locate said line to resort to the deeds of Harris and Sullivan, Buchanan and Kelly and others, and the records of surveys of said line, and by carefully tracing lines & surveys adjacent to connected with and indicating the location of said line known as the "Harris Farm line" and "Rodifer Farm line" back and north, the same, which accordingly did, and pointed out the same to the viewing herein, and the bystanders I would respectfully report that the said "Harris Farm" and "Rodifer Farm" line was located and marked by stakes as and for the line of the road in question, at the point in controversy is with reference to a line of stone monuments heretofore set (by S. J. Putnam & Co as I am informed) and as for said Harris Farm line parallel with and 1.04 rd south of said Putnam line, and that in the direction of the line of Monroe and Noble Streets, in Belmont Ohio, said land line and road line is S 17 1/2 W 1.10 rods from the line of said Putnam monuments with reference to said line so located by me as the line of the road. I find and report that the new brick building of the Belmont Glass Works is distant at a right angle 6 feet 3 inches and the new frame of Main Building of the Belmont Glass Works is distant at a right angle 20 feet 10 inches, that Kellys Coal seal is at a right angle 20 feet 8 inches, and that Kellys Coal chute is distant at a right angle 38 feet 9 inches. The foregoing line was run with a variation of 2" N. or in other words with the instrument adjusted so as to correct a magnetic reading of N 20 E as as to read North the line run with instrument adjusted to N 20 E 45' E running through the River



Stone Line of Stone monuments S 88° 45' E Land and Road line as located by me S 88° 45' E being indicated by the corner line

Reference is here made to the written description above for location of Kellys Coal Works, and Belmont Glass Works with reference to the road.

I Certify that the above is a correct plat and return of the survey of the Road Line named above. Shown in red ink

June 7th 1880

J. M. Riley

Surveyor of said Line

REPORT OF VIEWERS.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your March session, A. D. 1880, we the undersigned, Viewers appointed under said order, met with J. M. Riley Surveyor, at Bellairs O. on May 10th 1880 and were severally sworn to discharge, faithfully and impartially the duties required of us in said order. W. C. Doer in want of notice we the undersigned failed to meet on May 6th 1880 but afterward being notified met on May 10th 1880 and William Alex under one of the viewers appointed, failing to meet with us on that day, within the time limited by law, we with the surveyor proceeded to fill the vacancy in the Board of Viewers, by appointing Wm Alexander and _____ were selected by us as chain carriers, and _____ as a marker, who were also duly sworn.

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

and thereupon adjourned to meet at the Mayors Office in Bellairs Ohio, on May 20th 1880 at 10 O'clock A.M. of which appointment and meeting we caused notice to be given said William Alexander and on May 20th 1880 said William Alexander viewer still failing to meet with us we again adjourned to meet at the place before named at 10 O'clock A.M. May 27th 1880 and notified said Alexander May 27th 1880. William Alexander still failing to meet with us. We proceeded to view the line of said road at the point where the same is in controversy to wit West of Noble Street in Bellairs Ohio, and especially between the property of O. O. Kelly, and that of the Belmont Glass Works and J. M. Riley surveyor having in pursuance of instructions given him by us at our first meeting, made the necessary survey and staked out the line of said road at the points where the same is in controversy, or where the line of said road is alleged to be uncertain, and in dispute, we respectfully report that we have found and marked the line of said road in pursuance of our appointment as shown by the report of the surveyor, which report is here referred, and made a part of this our report. We would respectfully report that the trees called for as monuments in the record of the line of this road are not now in existence, and that the only means of determining the line of said road was by tracing adjacent surveys, and locating a large line upon which, as appears by the record of said Belmont Glass Works, the line of the road in question at a point in dispute was laid for particulars as to location of line as adopted J. M. Riley Surveyors Report.

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

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

All of which is respectfully submitted.
June 7th 1880

Robert Clark
David Wagner } Viewers.

FEES.			
<u>Robert Clark</u>	Viewer,	44	days, \$6 ⁰⁰
<u>David Wagner</u>	"	4	" \$6 ⁰⁰
<u>J. M. Riley</u>	"		" \$ _____
<u>J. M. Riley</u>	Chainman,	3	days, \$3 ⁰⁰
<u>Geo. Anderson</u>	"	1	" \$1 ⁰⁰
<u>Frank Rice</u>	Marker,	7	" \$7 ⁰⁰
<u>J. M. Riley</u>	Surveyor,	13	days, \$65 ⁰⁰

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;
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., June 7th 1880

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. D. Coffland Dep. Aud^r }
County Auditor.

Henry Trasher }
O. Mehan } Commissioners.
J. J. Potts }

St. Clairsville, O., June 8th 1880

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. D. Coffland Dep. Aud^r }

Henry Trasher }
O. Mehan } Commissioners.
J. J. Potts }

St. Clairsville, O., June 9th 1880

The Commissioners met in regular session, and the viewers appointed to view and survey the County Road, located upon petition of the Council of Bellaire City, the place of beginning and true course of which has become uncertain having filed their report with a plat and survey of said road, it is ordered that said report, plat and survey be recorded and that the lines of said road as established by said reviewers be henceforth taken and received to be the true course of same.

Attest
M. D. Coffland Dep. Aud^r

Henry Trasher }
J. J. Potts } Commissioners
O. Mehan } of Belmont County