

# ROAD PETITION.

For an alteration of a County Road in Smith Township

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 part of the County 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 Leading from Jesse Wilkison's to Centerville to be reviewed and changed. Beginning at a point in the County Road, at the corner of the lands of E. P. Lucas, and Jas. N. Stonebraker in Smith Township, and running in a north west direction, north of hollow through the lands of Wm Dixon near sassafras tree on hill, to the lands of Jesse Wilkison, thence north west, south of Chestnut stump on lands of Jno. P. Lucas thence south of hollar bushes, through the lands of Jno P. Lucas to a point south of oak and sugar bushes near corner of meadow on lands of Jesse Wilkison, thence through lands of Jesse Wilkison, to a road near brick kiln on lands of Jno. P. Lucas. The place of termination your petitioners therefore ask that such proceedings may be had as are authorized and required by law, for the establishment of a road along the proposed route and further pray that the County Road, on which line of low ground stands, be extended to express said road, above mentioned, and in case the above roads be established that the County Road from place of A. D. beginning to Jesse Wilkison's be vacated.

Dated this October 16<sup>th</sup> 1882 A. D.

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
Josephus Lucas	J. O. Porterfield	Leaudis Bryson	Jno. Hookman
Jno. P. Lucas	Matthew Jordan	E. P. Lucas	Paul Lucas
Jesse Wilkison	Jas. E. McKelvey	E. J. Keepley	William Barrett
Jas. Hart	Jno. A. Bryson	L. N. Keuch	Silas J. Ault and 20 others

## Know all Men by these Presents,

That we, Josephus Lucas and Elihu Perkins 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 4<sup>th</sup> day of December 1882




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:

Reference is made herein to record of original Petition above, for description of route of the foregoing described alteration of a County Road

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.

R. A. Garrett

Josephus Lucas   
Elihu Perkins   


being satisfied that the foregoing petition was signed by at least twelve freeholders residents of the County and in the vicinity of the proposed road at St. Clairsville, O. Dec 4<sup>th</sup> 1882  
 The Commissioners met in regular session at Auditor's Office, and appointed Viewers and Surveyor of said proposed road. Jonas Perkins James  
 Morris Cope  
 H. Taylor  
 O. Mearns  
 Commissioners.  
 W. J. Coffland Sup  
 County Auditor.  
 WEDNESDAY JANUARY 16<sup>th</sup> 1883

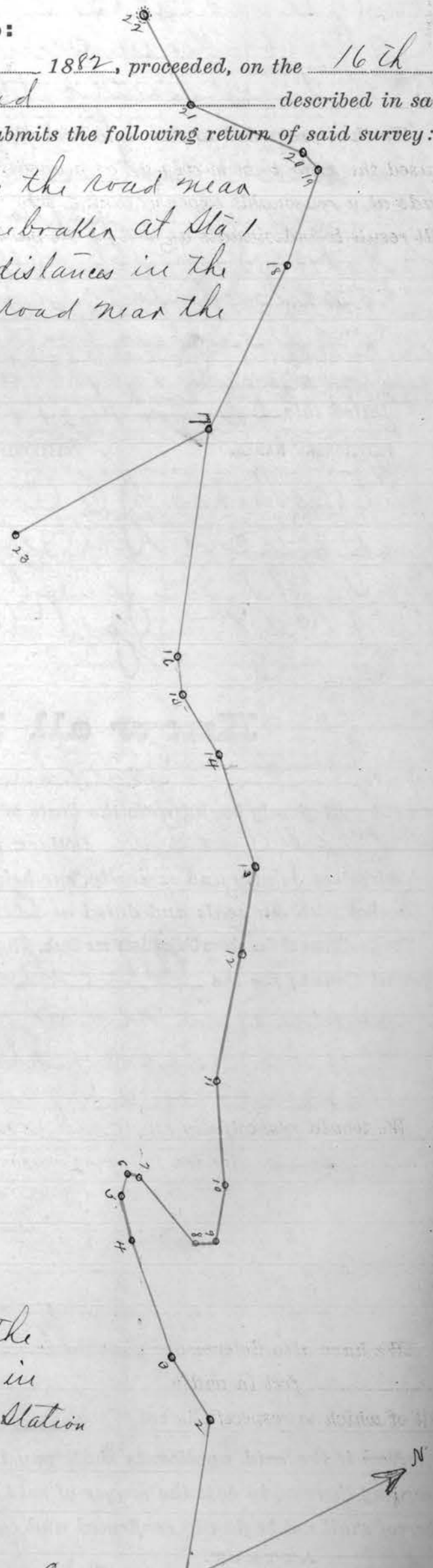
### Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated Dec 4<sup>th</sup> 1882, proceeded, on the 16<sup>th</sup> day of January to survey and mark the County road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Beginning for the same at a stone planted in the road near the corner of the lands of E. H. Lucas and J. W. Stonebraker at Sta 1 in Smith Township; thence by the courses and distances in the tabular below to Sta 22 a stone in the County road near the lands of John D. Lucas

Sta	Bearings	Distances
1	N 55 1/4 W	25.56 Rods
2	" 86 3/4 "	11.80
3	" 82 3/4 "	19.40
4	" 76 "	7.44
5	" 47 1/2 "	3.08
6	" 48 1/2 E	2.00
7	" 57 3/4 "	14.28
8	" 22 1/4 "	3.08
9	" 52 1/2 N	9.24
10	" 66 3/4 "	16.84
11	" 57 3/4 "	20.68
12	" 52 "	13.72
13	" 80 "	19.04
14	" 85 3/4 "	11.38
15	" 76 8 "	6.52
16	" 53 3/4 "	36.40
17	" 39 "	29.12
18	" 44 "	16.08
19	" 81 3/4 "	3.64
20	" 57 1/4 "	17.96
21	" 89 3/4 "	16.00
22	Stone in road	



Also beginning for the extension of the road on the West line of William Dixons land at Station 23 in said road and running N 3/4 W 35.40 rods to Station No 17 on the above plat

I Certify that the above is a correct plat and return of the survey of the County Road named above and the extension intersecting the same.  
 John A. Mitchell  
 Surveyor of said County Roads

# REPORT OF VIEWERS.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your Dec. session, A. D. 1882, we the undersigned, Viewers appointed under said order, met with John A. Mitchell Surveyor, at Jess. Wilkisons Residence on the 16<sup>th</sup> January 1883 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.

Matthew Gordon and Alexander Porterfield were selected by us as chain carriers, and J N Vaughn as a marker, who were also duly sworn.

We then proceeded to view said proposed County roads 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 establishment of said roads as follows:

Beginning at a stone flanted in the road near the corner of E N Lucas and J N Stonebraker thence  $N 55^{\circ} W$  25.56 rods to Sta. 2; thence  $S 86^{\circ} \frac{3}{4} W$  11.80 rods to Sta. 3; thence  $N 82^{\circ} \frac{3}{4} W$  19.40 rods to Sta. 4; thence  $N 76^{\circ} W$  7.44 rods to Sta. 5; thence  $N 47^{\circ} \frac{1}{4} W$  3.08 rods to Sta. 6; thence  $N 48^{\circ} \frac{1}{4} E$  2 rods to Sta. 7; thence  $N 77^{\circ} \frac{1}{4} E$  14.28 rods to Sta. 8; thence  $N 22^{\circ} \frac{1}{4} E$  3.08 rods to Sta. 9; thence  $N 52^{\circ} \frac{1}{2} W$  9.24 rods to Sta. 10; thence  $N 66^{\circ} \frac{3}{4} W$  16.84 rods to Sta. 11; thence  $N 51^{\circ} \frac{3}{4} W$  20.68 rods to Sta. 12; thence  $N 52^{\circ} W$  13.72 rods to Sta. 13; thence  $N 80^{\circ} W$  19.04 rods to Sta. 14; thence  $S 85^{\circ} \frac{3}{4} W$  11.38 rods to Sta. 15; thence  $N 68^{\circ} W$  6.52 rods to Sta. 16; thence  $N 53^{\circ} \frac{3}{4} W$  36.40 rods to Sta. 17; thence  $N 39^{\circ} W$  29.12 rods to Sta. 18; thence  $N 44^{\circ} W$  14.28 rods to Sta. 19; thence  $S 81^{\circ} \frac{3}{4} W$  3.64 rods to Sta. 20; thence  $S 57^{\circ} \frac{1}{4} W$  17.96 rods to Sta. 21; thence  $N 89^{\circ} \frac{3}{4} W$  17.14 rods to Sta. 22. A stone flanted in the County road near the line of the land of John D Lucas, also beginning for the extension of the road on the west line of Wm. Dixons land at Sta 23 and in said road: thence  $N 3^{\circ} \frac{1}{4} W$  35.40 rods to Sta No 17 in the above described road.

We would respectfully report that the said County road ought to be established

for the following reasons: That it is of public utility, placing the road on better ground and making an easier grade than the old road.

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

All of which is respectfully submitted, }  
Feb. 3<sup>d</sup> 1883 }

John White  
Jonas Perkins  
James Kinney } Viewers.

### FEES

<u>Jonas Perkins</u> Viewer, 2 days, \$3.00	<u>Matthew Gordon</u> Chainman, 1 day, \$1.00
<u>Gas. Kinney</u> " 2 " \$3.00	<u>Alex Porterfield</u> " 1 " \$1.00
<u>John White</u> " 2 " \$3.00	<u>J N Vaughn</u> Marker, 1 " \$1.00
<u>John A. Mitchell</u> Surveyor, 3 days, \$15.00	

E N Lucas 1 " 1.00. Fees for services qualified  
viewer, chainmen, marker & surveyor, in foregoing described road

### 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., March 5 1883

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:  
 \_\_\_\_\_ }  
 County Auditor.

\_\_\_\_\_  
 \_\_\_\_\_ } Commissioners.  
 \_\_\_\_\_ }

St. Clairsville, O., March 6 1883

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:  
 \_\_\_\_\_ }  
 \_\_\_\_\_ }

\_\_\_\_\_  
 \_\_\_\_\_ } Commissioners.  
 \_\_\_\_\_ }

St. Clairsville, O., March 7 1883

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. (being the third reading of the same) and now comes Jas. D. Lucas et al. demonstrators against the establishment of said road by J. H. Shannon. Their attorney and filed a motion to dismiss petition. in the words and figures following to wit.

In the matter of the application for an alteration of a road called a County road, as petitioned for by Lucas et al. now pending before the Commissioners of Belmont County Ohio.

Now comes Jno. D. Lucas one of the landowners, through whose land said alterations proposed to be made, on his own behalf and others, and represents to your Board that the proceedings had before your Board, and the action and proceedings of the reviewers appointed herein are unlawful, irregular and void, for the following reasons to wit.

- 1<sup>st</sup> No beginning stated in petition, such as the law requires
- 2<sup>nd</sup> The description in the petition is indefinite and uncertain
- 3<sup>rd</sup> Indefinite as to termination
- 4<sup>th</sup> Notices insufficient
- 5<sup>th</sup> No proof of publication
- 6<sup>th</sup> Surveyors report indefinite and contrary to law
- 7<sup>th</sup> Report of viewers indefinite

The said Jno. D. Lucas for the above reasons ask the said petition to be dismissed and all subsequent proceedings thereon.  
J. N. Shannon Atty  
for J. D. Lucas et al.

Which motion is overruled by the Board  
And now comes J. D. Lucas et al. reconstrators against the establishment of said road, by J. N. Shannon, their Attorney, and filed reconstrances against the establishment of said road.

During the arguments of counsel A. M. Eaton Esq. representing the petitioners and J. N. Shannon Esq. representing the reconstrators, and examination of witnesses, for and against the petition, for, and reconstrances against the establishment of said road. Cause J. D. Lucas et al. reconstrators against the establishment of said road, by J. N. Shannon, their Atty and filed a motion to dismiss said petition in the words and figures following to wit  
In the matter of the application <sup>of an appeal</sup> of an alteration of a County road now pending before the Board of Commissioners of Belmont County Ohio.

Now comes Jno. D. Lucas and others, and move the Board of Commissioners to set aside the proceedings, and report of the viewers for the following reasons.

- 1<sup>st</sup> That no lawful viewers were appointed to review said alteration
- 2<sup>nd</sup> That but three freeholders were appointed, when five should have been appointed.
- 3<sup>rd</sup> No legal report has been returned by the viewers.

J. N. Shannon Atty  
for Jno. D. Lucas et al

Which motion is sustained by the Board.  
It is therefore ordered that said petition be dismissed without further <sup>proceedings</sup> and that the petitioners pay the costs and expenses that have been caused by their aforesaid application.

Attest  
Morris Cope } Commissioners  
H. Taylor } of Belmont County  
O. Merham }

# ROAD PETITION.

For an establishment of a <sup>County</sup> Road in Washington Twp

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 Establishment 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 Establish such road, to-wit: Beginning at a point at or near the north west corner of the lands of Armstead Sidles, located in R. No 4, Tp. No 5, and sec. No 36, in the County Road leading up Bend fork creek, thence in a southeasterly direction through the lands of the said Armstead Sidles intersecting the lands of the heirs of Dennis Kemp, deceased in said R. No. 4, Tp. and sec. Thence in a southeasterly direction through the lands of the said heirs of Dennis Kemp, deceased, intersecting the County Road leading from Belmont to Armstrongs mills on the lands of Henry Lambert in said R. No. 4, Tp. and sec. of Belmont County, Ohio.

Dated this October 25<sup>th</sup> A. D. 1882

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
Elihu Perkins	Jos. A. Stonebraker	J. L. Lindsey	Philip Jarnett
Thos. Quincy	Janus Groves	Samon Perkins	Jas. E. Rush
Saul Stonebraker	Joshua A. Millott	W. W. Groves	Benj. N. Kemp
Joshua Stonebraker	W. Kemp	Jonas Groves	Jas. W. Wilson
			and eleven others

## Know all Men by these Presents,

That we, Elihu Perkins and Josephus Lucas 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 Chairsville this 4<sup>th</sup> day of December 1882

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:

Reference is made herein to record of original Petition above for description of route of the foregoing described alteration of a County Road

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.

R. R. Jarnett

Elihu Perkins  
Josephus Lucas



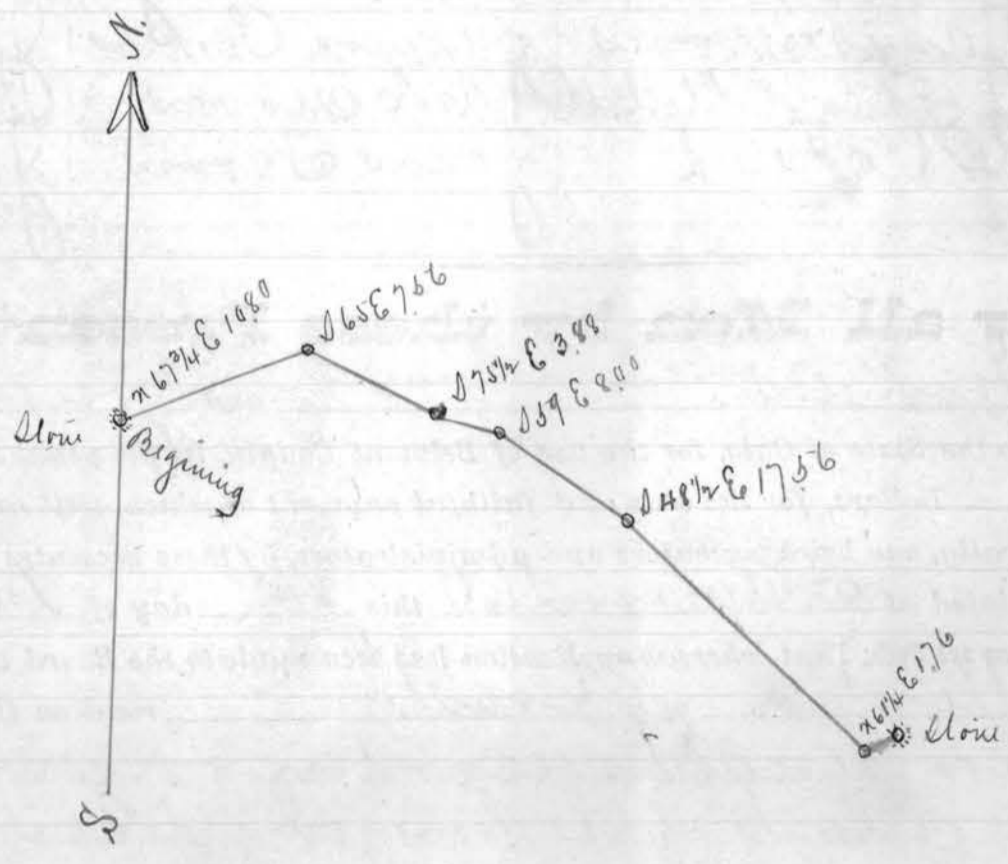
being satisfied that the foregoing petition was signed by at least twenty freeholders residents of the County and in the vicinity of the proposed St. Clairsville, O. Dec 4<sup>th</sup> 1882  
 establishing of a County Road, and that the proper application had been made to the Auditor's Office, and appointed William Bancroft  
 The Commissioners met in regular session at Auditor's Office, and appointed Wm. Bancroft  
Wm. Evans and Geo. Garrison disinterested freeholders residents of the County  
 for the purpose of viewing their official duties relative to the object traced for in the foregoing petition  
 Viewers, and Geo. A. Mitchell Surveyor, of said proposed road, to meet at the residence  
 of Wm. Evans on Wednesday Jan 17<sup>th</sup> 1883  
 ATTEST:  
W. J. Coffland }  
 County Auditor. }  
Wm. B. Hope  
Geo. A. Mitchell  
O. M. Mump }  
 Commissioners.

### Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated Dec. 4<sup>th</sup> 1882, proceeded, on the 17<sup>th</sup>  
 day of January to survey and mark the County Road described in said  
 order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

beginning for said road at a stone in the road near the North West Corner  
 of the lands of Armstead Sidles located in Range # 20p 5 and Sec 236  
 In the County road leading up Bend Fork Creek: thence by the Courses and  
 distances in the plat below. to a stone planted in the County road leading  
 from Belmont to Armstrongs Mills on the lands of Henry Lambert in  
 said Rg. 2p and Sec of Belmont Co. Ohio



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

John A. Mitchell Surveyor of said County Road

# REPORT OF VIEWERS.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your Dec session, A. D. 1883, we the undersigned, Viewers appointed under said order, met with John A. Mitchell Surveyor, at Mrs. Kinney's on Jan 17 1883 and were severally sworn to discharge, faithfully and impartially the duties required of us in said order.

If any viewer is unable to attend, there shall be some other person whom the vacancy was filled.

Mathew Gordon and J. C. Kinney were selected by us as chain carriers, and Mrs. Kinney as a marker, who were also duly sworn.

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

Beginning at a stone near the North West Corner of the land of Armstrongs Sides in Rg 4 Twp 5 and Sec 20.36 in the County road leading up Bend Fork Creek Thence N 67 3/4 E 10.80 rods; thence S 65 E 7.52 rods; thence S 75 1/2 E 3.88 rods; thence S 59 E 8.00 rods; thence S 48 1/2 E 17.56 rods; thence N 61 1/4 E 1.76 rods to a stone planted in the County road leading from Belmont to Armstrongs Mills.

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

That it saves crossing the creek a number of times and shortens the distance.

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

All of which is respectfully submitted. }  
January 17th 1883

Wm. F. Pancoast  
Lee Evans  
John Harris } Viewers.

### FEEES.

<u>Wm. F. Pancoast</u> Viewer, 1 days, \$1.50	<u>Mathew Gordon</u> Chainman, 1 days, \$1.00
<u>Lee Evans</u> " 1 " \$1.50	<u>J. C. Kinney</u> " 1 " \$1.00
<u>John Harris</u> " 1 " \$1.50	<u>Mrs. Kinney</u> Marker, 1 " \$1.00
<u>John A. Mitchell</u> Surveyor, 2 days, \$10.00	