

# ROAD PETITION.

For a County Road in Whiting 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 location & 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 locate and establish such road, to-wit: Beginning at or near a sugar tree in the County road leading up Whiting creek on the lands of Archibald Rusk continuing thence in a southerly direction through the lands of the said Archibald Rusk along his private road to and over the C. & N. R. R. crossing thence in a westerly direction through said lands to or near the dividing line between the lands of Archibald Rusk and Wm L. Patton thence following said dividing line in the same direction to or near a wild cherry tree on the lands of Wm L. Patton thence in the same direction through the lands of the said Wm L. Patton to his private road leading to the Cadiz Pike thence in the same direction along said private road through the lands of Wm L. Patton and David Graham to intersect the Cadiz Pike at or near a blacksmith shop on the lands of Isaiah Ellerick all of said establishment being located in Whiting Township Belmont County Ohio.

Dated this \_\_\_\_\_ A. D. 18\_\_

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
A. P. Blair	J. C. Blair	Allanson Lewis	W. L. Patton
R. V. Duff	W. R. McCann	W. M. Summers	W. H. Jackson Jr
Wm E. Sycart	Clark Summers	A. Rusk	Saul Gittinger
Jas. Anderson	J. Ellerick	Jos. M. Graham	Clark Nichol
Jos. H. Harris	J. L. Campbell	Philip Morgan	Jas. H. Rusk et al

## Know all Men by these Presents,

That we, A. P. Blair and A. R. Barnett 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 Blairsville this 9<sup>th</sup> day of Mar. 1883

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 Establishment of a County road on the following line, to-wit: For a full and complete description of the foregoing establishment of a County Road, reference is herein made to copy of original petition above.

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. S. Coffland }

A. P. Blair  
A. R. Barnett

SEAL  
SEAL  
SEAL



being satisfied that the foregoing petition was signed by at least ten free holders residents of the County and of the County of the proposed alterations of St. Clairsville, O. road. And that the proper notice had been given according to law. The Board filed approved and accepted for doing the Commissioners met in regular session at Auditor's Office, and appointed Robert Pollock, Cyrus Campbell and J. Henderson three disinterested free holders residents of the County viewers, and James M. Miller Surveyor, of said proposed road. To meet at Fairpoint on Wednesday April 11<sup>th</sup> 1883 for the purpose of describing their official duties relative to the object prayed for in the foregoing petition.

M. Cope  
H. Taylor  
O. Mehan } Commissioners.

County Auditor.

Mar 9<sup>th</sup> 1883

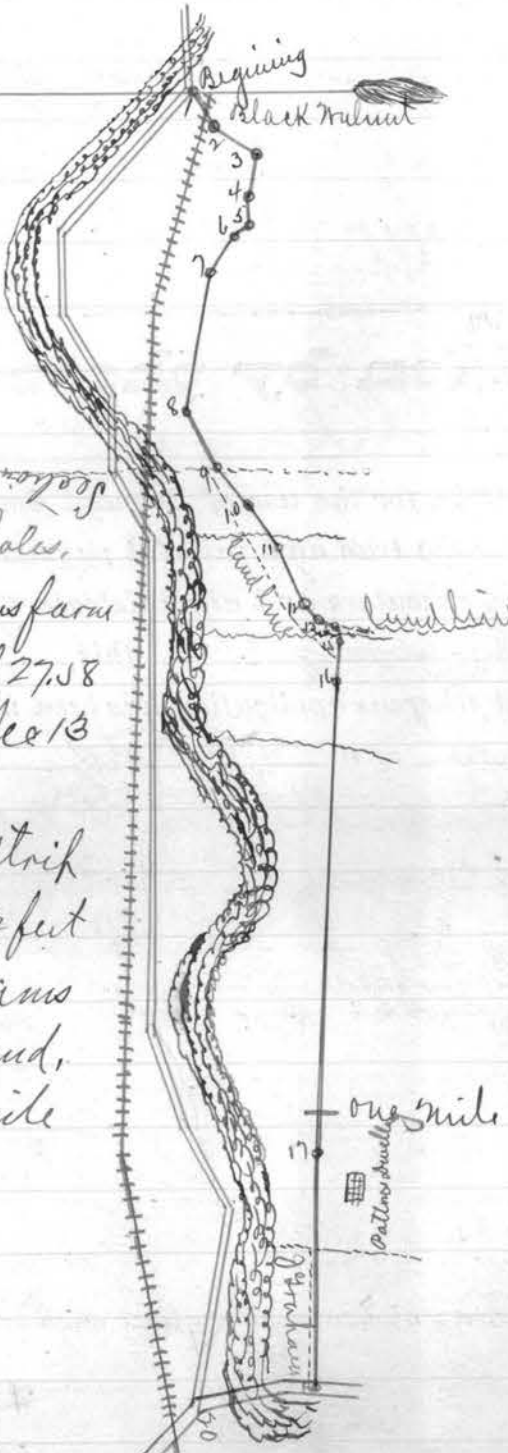
### Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated March 9<sup>th</sup> 1883, proceeded, on the 11<sup>th</sup> day of April to survey and mark the Road on or near the line described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Beginning at a Stake in the old road, and on the South side of Wheeling Creek, and on the lands of Archibald Rusk as directed by said Viewers From this initial Stake a Black Walnut ten inches in diameter bears S 35 1/2° W 107 links distant. Running thence from

Sta	Bearings	Distances	Remarks
1	S 57 1/2° W	9.20	to a Bar post S of RR
2	" 30 "	9.33	" " Stake by Red fence
3	N 74 1/2° "	8.78	" " "
4	S 85 "	5.70	" " " E of Ravine
5	N 41 "	7.70	" " " W " "
6	" 50 "	8.24	" " "
7	" 79 "	31.30	" " "
8	S 57 "	12.20	" " " on section line
9	" 53 1/2 "	10.00	" " "
10	" 52 1/2 "	10.18	" " Large W Oak
11	" 64 "	12.25	" " Patton's line
12	" 43 "	3.58	" " A Stake
13	" 20 1/2 "	3.20	" " " E of Ravine
14	" 69 1/4 "	3.34	" " " W " "
15	N 81 1/4° W	7.75	" " " by a W cherry
16	" 86 1/4 "	99.28	" " " off Cor of yard
17	S 89 1/4 "	47.58	" " " to the middle of the St. Clairsville and New Athens pike nearly opposite a Black Smith Shop and to a point in pike
18	N 3 E	6.00	to a point in pike to
19	N 11° W	19.58	the middle of the old Road on the north of
20			Creek at Station 20



From the place of beginning to the line between Sections Nos 7 & 13 the distance is 87.58 poles. The whole distance through Archibald Rusk's land is 119.96 poles. The distance through Mrs S Patton's farm is 137.15 poles with an addition of 27.58 poles through the SW quarter of Sec 13 as road way to the pike. The road will also occupy a strip of land 27.58 Rods long and 12 feet wide along the edge of Tralans Lot making 19.56 acres of land. Whole length of Road One side + 524.69 Rods

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

James R. Miller 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. 1883, we the undersigned, Viewers appointed under said order, met with James R. Miller Surveyor, at Fairpoint on 17th of April 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.

John Harris and Robert W. Cracken were selected by us as chain carriers, and A. Y. Rusk 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 stake, on the South side of Whelting Creek, in the old County road, leading up said Creek on the lands of Archibald Rusk. From said stake, a black Walnut ten inches in diameter bears S 35 1/2° W 107 links. Running thence from said stake across the Railroad S 35 1/2° W 92.20 poles to a bar post on the Railroad embankment. Thence S 30° W 9.33 poles to a stake by a board fence. Thence N 74 1/2° W 8.78 poles to a stake. Thence S 85° W 5.70 poles to a stake on the east edge of a ravine. Thence N 41° W 2.70 poles to a stake on the west edge of a ravine. Thence N 50° W 8.24 poles to a stake. Thence N 79° W 31.30 poles to a stake. Thence S 57° W 12.20 poles to a stake on the line between Sections 7 & 13. Thence S 53 1/2° W 10 poles to a stake. Thence S 54 1/2° W 10.18 poles to a large white oak. Thence S 64° W 12.25 poles to a stake on the land line between Rusk & Patton. Thence S 43° W 3.58 poles to a stake. Thence S 20 3/4° W 3.20 poles to east edge of a ravine. Thence S 69 1/4° W 3.34 poles to the west edge of a ravine. Thence N 81 3/4° W 7.75 poles to a stake near a wild cherry tree. Thence N 86 1/4° W 99.28 poles to a stake opposite the N E Cor of H. L. Patton's yard fence. Thence S 89 1/4° W 47.58 poles to the middle of the H. Clairville and Athens fike. (thence along the middle of said fike N 3° E 6.00 poles. Thence N 11° W 19.58 poles to the middle of the old road up Whelting Creek.

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

The old road runs along the banks of the creek or rather between the railroad & Creek. is hard to keep up and dangerous on account of railroad crossings &c. Also the Creek has to be crossed and is often impassible & dangerous all of which will be obviated by making the road petitioned for.

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

All of which is respectfully submitted. }  
April 23<sup>d</sup> 1883 }

R. J. Fallock  
C. Campbell  
A. J. Henderson } Viewers.

### FEES.

<u>Robert Fallock</u> Viewer, 2 days, \$ 3.00	<u>John Harris</u> Chainman, 1 days, \$ 1.00
<u>Cyrus Campbell</u> " 2 " \$ 3.00	<u>Robt W Cracken</u> " 1 " \$ 1.00
<u>A. J. Henderson</u> " 2 " \$ 3.00	<u>A. Y. Rusk</u> Marker, 1 " \$ 1.00
<u>James R. Miller</u> Surveyor, 2 days, \$ 10.00	

Order 201373



### Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the County Road petitioned for by A. P. Blair 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>David Graham</u>	<u>One hundred and twenty</u> (\$120.00)	dollars;
To <u>Arch Rusk</u>	<u>One hundred and sixty six</u> (166.00)	dollars;
To <u>N. L. Patton</u>	<u>Two hundred and ninety</u> (290.00)	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>N. L. Patton</u>	<u>For water cut off</u> <u>Fifty</u> (\$50.00)	dollars;
To _____		dollars;
To _____		dollars;
To _____		dollars;
To _____		dollars;

R. J. Fallock  
W. Campbell  
J. J. Henderson } Viewers and Jurors to award Damages.

April 23d 1883

St. Clairsville, O., June 4<sup>th</sup> 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: W. H. Coffland } County Auditor.  
Morris Cope  
H. Taylor  
O. Mehan } Commissioners.

St. Clairsville, O., June 5<sup>th</sup> 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: W. H. Coffland }  
Morris Cope  
O. Mehan } Commissioners.

St. Clairsville, O., June 6<sup>th</sup> 1883

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

To David Graham One hundred and twenty (\$120.00) dollars Compensation.



Do Arch Rusk. One hundred and sixty six. <sup>dollars</sup> \$166.00. Compensation  
 Do W. L. Patton Two hundred and ninety <sup>dollars</sup> (\$290.00) and fifty (\$50.00) damages. is reasonable and just, and further consideration of said petition postponed until September session. and on motion Commissioners Taylor and Cope. authorized to confer with the officials of the C. L. & N. Rail Road Company. and propose to said Company. that if said Company will pay one half of the Compensation. and damages claimed. on said road. as per agreements of A. J. Baggs. at time of building said Rail Road. and at different times subsequently. the Board will authorize the payment of the balance out of the County Treasury.

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

Commissioners Office Belmont County  
 St. Clairsville O. Sept 5<sup>th</sup> 1883

In the matter of the petition of A. O. Blain et al. } It appearing that the  
 for the establishment of a County road. } officials of the C. L. & N.  
 Rail road. have made satisfactory arrangements with the Board. }  
 in regard to paying their proportion of the Compensation and damages }  
 so awarded by the Viewers. and 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 to wit:

- Do David Graham \$120.00 <sup>Pd 149</sup> Compensation
- " Arch Rusk 166.00 <sup>Pd 130</sup> Do
- " W. L. Patton 290.00 <sup>Pd 201</sup> Do and \$50. <sup>Pd 201</sup> damages, that

the several reports of the Viewers with the survey and plat of said road be recorded. and that established a public highway thirty feet in width. It is further ordered that the County Auditor issue in the name of the Board an order to the trustees of Whiting Township directing them to cause said road to be opened according to law.

Attest  
 W. C. Coffland }  
 Morris Cope } Commissioners  
 W. Taylor } of Belmont County  
 O. Merham }

Order issued Oct 25 '83

Fairpoint Ohio

Wm Coffin Gardner

Please give J. C. Moore  
an order for one hundred and  
twenty dollars (<sup>\$120.00</sup>~~\$120.00~~) The compen-  
sation allowed me by the services  
of the road returned by A. P. Blevins  
and others

David C. Groton



# ROAD PETITION.

For a Vacation of a County Road in Whulung 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 Vacation 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 Vacate such road, to-wit: Beginning at

Being all of that part of the County Road leading up Whulung Creek, which is confined exclusively to the lands of Wm L. Patton, and all of said vacation being located in Whulung Township, Belmont County Ohio.

Dated this \_\_\_\_\_ A. D. 18\_\_

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
<u>W. E. Dysart</u>	<u>Clark Summers</u>	<u>A. Rusk</u>	<u>Samuel Gittinger</u>
<u>A. Y. Huff</u>	<u>D. Ellerick</u>	<u>Thos. M. Graham</u>	<u>Clark Nicholl</u>
<u>J. W. Harris</u>	<u>Jas. Anderson</u>	<u>Philip Morgan</u>	<u>Jas. Rusk</u>
<u>A. P. Blair</u>	<u>Williamson Lewis</u>	<u>W. L. Patton</u>	<u>Wm. Dysart</u>
<u>J. A. McCune</u>	<u>M. W. Summers</u>	<u>Wm. B. Jackson Jr</u>	<u>Johnas. Lovel et al</u>

## Know all Men by these Presents,

That we, A. P. Blair and R. B. Barnett 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 Blairsville this 9<sup>th</sup> day of March 1883

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

For a full and complete description of the foregoing vacation of a County road, reference is herein made to the copy of the original petition above

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. D. Coffland

J. P. Beair  
R. B. Barnett





The Court being satisfied that the foregoing petition was signed by at least twelve freeholders of said township, notice as required by law had been given, bond filed and accepted. Said petition was publicly read for the first time and returned until the next regular session of the Board.

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

Mar. 9<sup>th</sup> 1883

Surveyor of said proposed road.

Viewers and

ATTEST:

County Auditor.

Monis Pope

H Taylor

O. McKean

Commissioners.

### Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated \_\_\_\_\_ 18\_\_\_\_, proceeded, on the \_\_\_\_\_ day of \_\_\_\_\_ to survey and mark the \_\_\_\_\_ described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

I Certify that the above is a correct plat and return of the survey of the \_\_\_\_\_ named above.

Surveyor of said \_\_\_\_\_

# REPORT OF VIEWERS.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your \_\_\_\_\_ session, A. D. 18\_\_\_\_, we the undersigned, Viewers appointed under said order, met with \_\_\_\_\_ Surveyor, at \_\_\_\_\_ on \_\_\_\_\_ and were severally sworn to discharge, faithfully and impartially the duties required of us in said order.

If any viewer is unable to attend, the vacancy may be filled by another viewer.

\_\_\_\_\_ 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:

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, {  
\_\_\_\_\_ 18\_\_\_\_ } Viewers.

### F E E S .

Viewer, \_\_\_\_\_ days, \$ \_\_\_\_\_ | Chainman, \_\_\_\_\_ days, \$ \_\_\_\_\_  
" " " \$ \_\_\_\_\_ | " " " \$ \_\_\_\_\_  
" " " \$ \_\_\_\_\_ | Marker, " " \$ \_\_\_\_\_  
Surveyor, \_\_\_\_\_ days, \$ \_\_\_\_\_