

Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, ^{Trustees} Viewers of the Pullney Township in ^{alteration of County road} petitioned for by A. O. Kilgore 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>Mary J. Geminius & others by</u>	_____	dollars;
For	<u>James Kelsey Agent</u>	<u>\$ 350.00</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>Mary J. Geminius & other</u>	_____	dollars;
For	<u>by James Kelsey Agent</u>	<u>\$ 750.00</u>	dollars;
To	_____	_____	dollars;
To	_____	_____	dollars;
To	_____	_____	dollars;

George Stern
Maurice Davis
Nellis McAllister

} Township Trustees
Viewers and Jurors to
award Damages.

18

St. Clairsville, O., June 4th 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. N. Coffland }
 County Auditor.

Morris Lope
J. Taylor
O. Mehan

} Commissioners.

St. Clairsville, O., June 5th 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. N. Coffland }

Morris Lope
O. Mehan

} Commissioners.

St. Clairsville, O., June 6th 1883

The Commissioners met in regular session, and the report of the 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 the location of said road, through their several premises, as follows.

To Mary J. Geminius & others by James Kelsey, Agent, three hundred and fifty (\$350.00) dollars compensation, and seven hundred and fifty (750.00) dollars damages. said report was

also publicly read and further consideration of same continued for
future action.

Attest

Morris Lope

O. Merhan

} Commissioners
of
Belmont County

ROAD PETITION.

For a Alteration of a County Road in Colerain 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 Alteration ~~alteration~~ of the County road called the Marlin's Ferry & St Clairsville road on the line hereinafter described; and pray that your body will institute and order the proper proceedings in the premises to establish the proposed alteration of such road, to-wit: Beginning at the iron bridge over Wheeling Creek on said road on the lands of John O Barton in Section 24 Township 6 Range 3 in which Jesse Barton and Jane Barton his wife have an interest. thence through said lands nearly East about fifteen rods; thence nearly North about fifty rods, to a point near the upper end of the turn in the present road, thence with said road nearly South East about fourteen rods to the lands of Thomas A. Mitchell, thence through his lands, and leaving the old road to the left, nearly South East about forty rods to the top of the Creek Hill, and thence nearly North East about ten rods to the present road - the end of the proposed alteration

Dated this 26th day of April A. D. 1883

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
L. D. Mitchell	A. J. Frazer	Isaac Ross	T. A. Mitchell
Calvin W. Paxson	J. A. Wiler	Erastus Colvin	John W. Wiley
Thos. Malin	Malin Keaton	Wm. Colvin	Wilson Lemmon
Jacob Maule	William Devault	C. J. Dungan	D. N. Hardwick
John Devault	James M. Comas	Alvin Barton	Job Hughes and 13 others

Know all Men by these Presents,

That we, Levi D. Mitchell and Thos. A. Mitchell 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 4th day of June 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 Alteration of a County road on the following line, to-wit:

For a full and complete description of the route of the foregoing described alteration of a County road, reference is made herein 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.

R. A. Barnett

Levi D. Mitchell SEAL
Thomas A. Mitchell SEAL
 SEAL

*The Board being satisfied that the foregoing petition was signed by at least twelve freeholders that the proper notices as required by law had been given. bond filed approved and accepted thereupon the Board

St. Clairsville, O., June 5th 1883

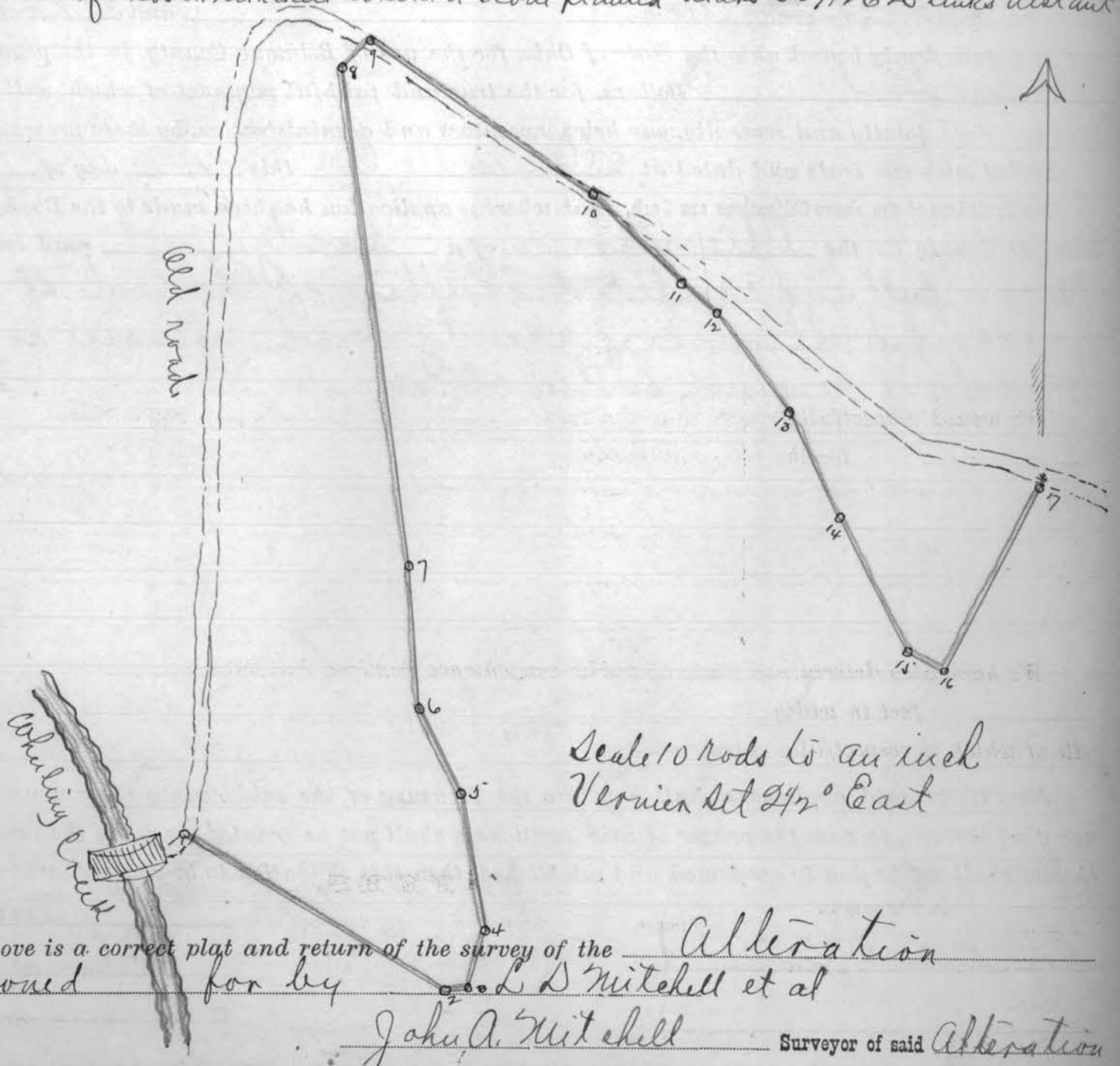
The Commissioners met in regular session at Auditor's Office, and appointed Joseph J Taggart, John J Smith and Josiah Bundy three disinterested freeholders residents of the County Viewers, and John A. Mitchell Surveyor, of said proposed road. to meet a Board of Station on Wednesday June 27th 1883 at 10 o'clock A.M. for the purpose of discharging their official duties relative to the object prayed for in the foregoing petition. Monis Wain, O. Muehan, H Taylor Commissioners. W D Coffland and Daps County Auditor.

Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated June 5th 1883, proceeded, on the 27th day of June to survey and mark the Alteration of a County Road 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 near the east end of the Iron bridge over Wheeling Creek on the Martins Ferry & St. Clairsville road on the lands of Jno P Barton in Sec 24 T 6 R 3 in which Jesse Barton & Jane Barton his wife have an interest from which a stone planted bears N 68 1/4 W 24 links distant, and a Box elder S 3. E 106 links. Thence through said lands S 61 1/4 E 21.24 rods to Sta 2; Thence N 79 3/4 E 1.60 rods to Sta. 3. Thence N 12 1/2 E 4.42 rods to Sta 4; thence N 12 W 9.84 rods to Sta 5. Thence N 28 3/4 W 6.52 rods to Sta 6 when a Lime tree bears S 57 W 53 links distant. Thence N 5 1/4 W 10 rods to Sta 7; thence N 9 3/4 W 35 rods to Sta. 8; when a walnut tree bears N 55 1/2 W 22 links distant; thence N 42 1/2 E 2.52 rods to Sta 9 the old road, thence S 57 1/2 E 18.88 rods to Sta 10; near Mitchell & Barton line; thence S 46 1/4 E 9 rods to Sta 11 when a red oak tree bears S 32 1/4 W 15 links distant; thence S 52 1/4 E 3.24 rods to Sta 12; when an ash tree bears N 72 E 23 links distant; thence S 38 3/4 E 8.64 rods to Sta 13; thence S 26 1/2 E 8.40 rods to Sta 14; thence S 29 1/2 E 10.40 rods to Sta 15; thence S 64 1/2 E 3 rods to Sta 16 thence N 26 E 14.56 rods to Sta 17 the end of said alteration and intersecting the present road on the lands of Thos A. Mitchell when a stone planted bears S 57 1/2 E 25 links distant



I Certify that the above is a correct plat and return of the survey of the Alteration named above as petitioned for by J. S. Mitchell et al John A. Mitchell 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. 1883, we the undersigned, Viewers appointed under said order, met with John A. Mitchell Surveyor, at Bartons Station on June 27th 1883 and were severally sworn to discharge, faithfully and impartially the duties required of us in said order.

N. S. Taggart and John Harris were selected by us as chain carriers, and L. A. Babb, 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 establishment of said road as follows:

Beginning at a Stake near the east end of the Iron bridge over Wheeling Creek on the lands of Jas P Barton in Sec 24 2^d 6 R 3 in which Jesse Barton & Jane Barton his wife have an interest, from which a Stone planted bears N 68 1/4 W 24 links distant, and a Box Elder S 3 E 106 links, thence the following courses and distances as shown by Surveyor report (For description of same see Surveyors report)

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

That a much better grade can be obtained

We have also determined that the public convenience requires that such Road shall be established 35 feet in width.

All of which is respectfully submitted. }
July 3^d 1883

Josiah Bundy
Joseph J Taggart
J. F. Smith } Viewers.

Od 587 FEES.

<u>Josiah Bundy</u> Viewer, 2 days, \$3.00	<u>N. S. Taggart</u> Chainman, 1 days, \$1.00
<u>Jos. J. Taggart</u> " 2 " \$3.00	<u>John Harris</u> " 1 " \$1.00
<u>Jos. F. Smith</u> " 2 " \$3.00	<u>L. A. Babb</u> Marker, 1 " \$1.00
<u>John A. Mitchell</u> Surveyor, 3 days, \$15.00	

Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the Alteration petitioned for by L D Mitchell 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 John P Barton One hundred fifty (\$150⁰⁰) 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 John P Barton One hundred fifty (\$150⁰⁰) dollars;
- To dollars;
- To dollars;
- To dollars;
- To dollars;

Josiah Bundy
Joseph J Taggart
J F Smith

} Viewers and Jurors to award Damages.

July 3^d

1883

St. Clairsville, O., Sept 3^d 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 P Coffland }
 County Auditor.

Wm Wope
W Taylor

} Commissioners.

St. Clairsville, O., Sept 4["] 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 P Coffland }

Wm Wope
W Taylor

} Commissioners.

St. Clairsville, O., Sept 5["] 1883

The Commissioners met in regular session, and the report of the 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 premises, said report was also publicly read. And now comes John P Barton et al by their Attorney, and filed a remonstrance against the establishment of said road, whereupon L D Mitchell et al

by J M Riley Esq their Atty. made a motion to quash said remonstrance
 An account of informality; after hearing arguments of Counsel for
 and against said motion Board over rule same to which ruling
 L D Mitchell et al by their Atty take exceptions. Board then proceeded
 to hear evidence as to the Public utility of said road, whereupon
 L D Mitchell et al by their Atty objected. After hearing arguments
 of Counsel for and against said objections Board over rule same
 to which ruling L D Mitchell et al by their Atty. take exceptions.
 L D Mitchell et al by J M Riley their Atty. then made a motion to
 strike out the Compensation and damages allowed by the viewers
 to Jas P Barton on account of improper application. After
 hearing evidence and arguments of Counsel for and against
 said motion Board over rule same to which ruling L D Mitchell
 et al by their Attorney take exceptions. Board then heard the
 evidence for and against the establishment of said road.
 and the Board being of opinion that the Compensation and damages
 awarded to the several claimants to wit: under no 539
 to John P Barton \$150.00 Compensation and \$150.00 damages is reasonable
 and just but that said road is not of sufficient importance to
 the public to warrant the payment of said Compensation and
 damages out of the County Treasury, it is ordered that the
 petitioners pay or tender to lay the claimant forthwith one
 half of the Compensation and damages so assessed to him
 and that no further proceedings be had in the premises
 until such payment or tender shall have been made.

Attest
 W. Coffland

Morris Cape }
 W Taylor } Commissioners
 O. Merhan } of Belmont Co.

Commissioners Office Belmont County Ohio
 W. C. Cursvill. Dec. 5. 1883.

The commissioners met in regular session and it appearing that the
 petitioners have tendered to John P Barton (and upon his refusing
 to accept, have deposited in the County Treasury, subject to his demand)
 \$150.00 one-half of the amount of compensation and damages awarded
 to him by said viewers; and the Board being of opinion that said
 road will be of public utility, and no petition for review being filed
 it is ordered that the several reports of the viewers, with the survey and
 plat of said road be recorded, and that said road be established as
 public highway thirty five feet in width. It is further ordered, that
 the County Auditor issue, in the name of the Board, an order to the
 Trustees of Colerain Township, directing them to cause said road to
 be opened, according to law.

Attest
 W. V. Borrett
 Auditor

W Taylor }
 O. Merhan } Commissioners
 Morris Cape } of Belmont County

Auditors Office, Belmont County,
Mt. Vernon, O., July 22 1884

An order was this day issued to the Board of Trustees of Colerain Township, Belmont County, Ohio, in care of Mahlon Horton, member of said board, to open and keep in repair consistent with Statutes in such cases made and provided, the foregoing described Alteration of a County road petitioned for by S. D. Mitchell et al.

R. R. Barrett
Auditor.

ROAD PETITION.

For an alteration of a State Road in Colerain

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 State road on the line hereinafter described; and ^{ask} ~~pray~~ that your body will institute and order the proper proceedings in the premises to Alter

such road, to-wit: ~~Beginning at~~ Being a part of the State Road leading from Mt Pleasant in Jefferson County to Joshua Maules in Belmont County, Beginning for said alteration at a point in the old road a few rods east of David Bundy's Cider Mill and on the lands of John Starbuck in Sec 13 Twp 7 Range 3, Thence in a southealy direction from seven to ten rods; through the lands of the John Starbuck; Thence in a westerly direction about thirty rods through the lands of the said John Starbuck to intersect the old road at or near David Bundy's Carpenter Shop

Dated this: _____ A. D. 18__

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
L M Bracken	John Lemmon	W G Giffin	Gas G Theaker
John Starbuck	O S Rigus	O N Bundy	Josiah Bundy
Israel Steen	D B Lublon	E Bundy	Charles Bundy
Jacob Mauls	Wm Bundy	Salomon Purdy	Wm Kinsey
E Bailey	L B Steen	Isaac Loyd	Alfd Arnolds et al

Know all Men by these Presents,

That we, L M Bracken and Josiah Bundy 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 5 day of June 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 Alteration of a State road on the following line, to-wit:

For a full and complete description of the route of the foregoing described alteration 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.

A R Barnett

L M Bracken SEAL
Josiah Bundy SEAL
 SEAL