



Conclusion of Report of Viewers. See page 538

In making our report we have allowed Jns. Mansfield on tract No 1 damaged as follows: For land occupied by road and fencing on both sides of same. Mr. Bustanau what we considered value of road bed and land detached by same. Jns Mansfield, tract No 2 allowing that road vacated on said tract about equalizes the amount taken for the new. We allow for fencing one side of same ^{and} forty dollars for moving fence to the other side. Jacob W Acton for land occupied by road and fence only on one side as the other is already fenced. James Deal for land occupied by road ^{and} fence on one side until it reaches McKeever's land From McKeever's land to bridge in front of house for land ^{and} fencing both sides of same and damages as already stated. We consider that James Deal the only party that sustains any damage by the establishment of said road. The other parties on the other hand are greatly benefited. Mansfield land in our opinion will be enhanced at least \$500 and Acton's at least \$1000

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 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 establish such road, to-wit: Beginning at for the same at or near the mouth of Trofts Run and on the lands of Matthew Wallace thence through the lands of Stephen Kipkins, the lands of Jno Robinson, the lands of Geo O Robinson, the lands of Owen Riley Sr, the lands of Stephen Stack, the lands of Levi Givens, lands of J W Milligan, the lands the heirs of Robt. Darrah deceased the lands of Joseph Wood to a point in the county road near the residence of said Joseph Wood

Dated this Aug 5 A. D. 1886

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
Jno A Robinson	A J Neff	Sam Shiehl	Owen Mehan
Stephen Kipkins	Henry Kratz	J J King	Alex Neff
E S Brown	Fred Witzky	Geo O Robinson	J F Anderson
Jno W Neff	A L Baron	Wm Neume	J A Dunfee and two others

Know all Men by these Presents,

That we, A L Baron and Jno Hall 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 Charlesville this 7th day of Sept 1886

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 description of route see 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.

J. A. Henderson
Deputy Clerk

A L Baron
Jno Hall



The Board being satisfied that the foregoing petition was signed by at least twelve
 freeholders residents of the County and of the vicinity of the proposed location of a County
 road and that the proper notices had been given according to law. Bond filed and accepted
 St. Clairsville, O., Sept 18 1866
 The Commissioners met in regular session at Auditor's Office, and appointed
 J. Stewart, Jno. I. Steel and W. V. Wallace
 Viewers, and J. H. Boston, Surveyor, of said proposed road. to meet at mouth of Troft
 run Wednesday Oct 11th at 10 o'clock A. M.

ATTEST:

County Auditor.

discharge their
 official duties as
 prayed for in the
 foregoing petition

Commissioners.

Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

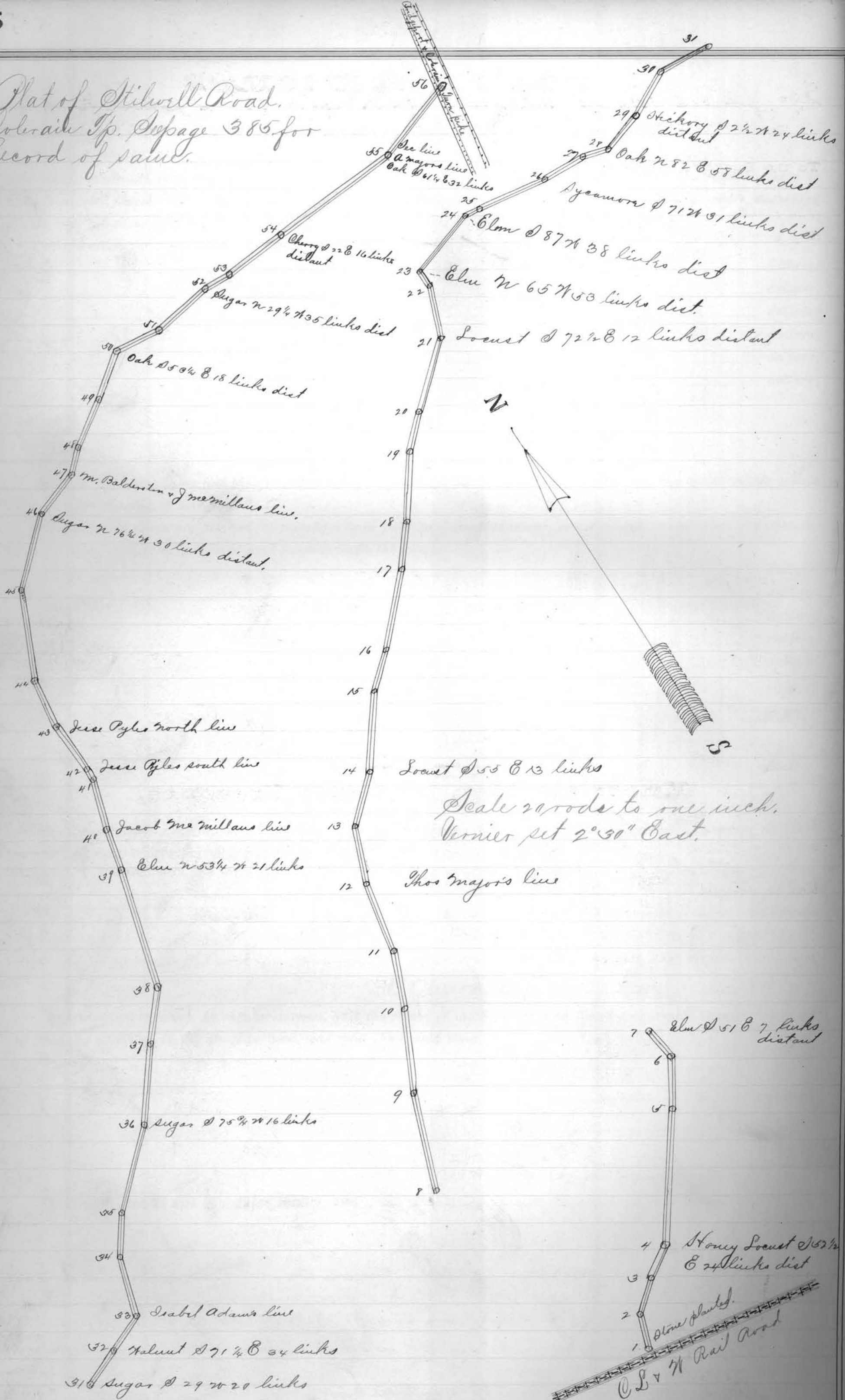
The undersigned, in obedience to your order, dated _____ 18____, proceeded, on the _____
 day of _____ to survey and mark the _____ described in said
 order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

See page 1 Road Record No. 3,
 for above road

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

Surveyor of said _____

Plat of Stillwell Road.
Colerain Tp. Page 385 for
Record of same.



Noo printed leaves taken out for copy of Road Record No 3

Compensation and damages to said plaintiff by reason of the establishment of said road and it is ordered by the Court that the said appeal be perfected and docketed and that a Jury of twelve men be selected and returned to this Court by the Sheriff and Clerk of this County on or before the 10th day of July 1880. and that a venire issue upon the return of the same commanding said jurors to appear before this Court on the 22nd day of July 1880 at 10 o'clock A.M. to serve as jurors upon the trial of the claims of the plaintiff herein. It is further ordered that a summons issue to said plaintiff and to the obligors in the bond of said petitioners. appear before this Court on the said 22nd day of July 1880. at 10 o'clock A.M.

Thomas Cochran
Probate Judge

And afterwards to wit. on the 10th day of July 1880. the following list of jurors was filed herein in words and figures following to wit. The State of Ohio Belmont County S. D. Court of Common Pleas To the Honorable Probate Judge of said County. Greeting:

Pursuant to your notice of July 8th 1880 I have with the Sheriff of said County on this 10th day of July 1880. drawn according to law the following named persons to serve as jurors in said Probate Court
 1. Erasmus Moore Wayne Township W. D. Ayers Puttney Township
 3. J. H. Gray Pease Do 4. Jacob Reid Warren Do
 5. Josephus Lucas Smith Do 6. William Perkins Kirkwood Do
 7. J. J. Mansfield Kirkwood Do 8. C. S. Aster Smith Do
 9. W. A. Dalbergh Jr Warren Do 10. Jacob Hestington Puttney Do
 11. Geo. A. Atkinson Union Do 12. Thomas Johnson Richland Do
 Witness my signature and the seal of the Common Pleas Court of said County. at St. Clairsville O. this 10th day of July A. D. 1880
 A. C. D. Clerk

And afterwards to wit on the 22nd day of July 1880. the following summons with the Sheriff's return thereon endorsed was filed herein in words and figures following to wit:

The State of Ohio Belmont County S. D.
 To Samuel Hillis Sheriff of Belmont County Greeting
 We command that you summon R. B. Boyd agent of R. Boyce & Sons to appear before the Judge of the Probate Court. at the Court House in St. Clairsville in said County. on the 22nd day of July at 10 o'clock A.M. to attend the hearing of the appeal of said Agent from the Commissioners of said County in the matter of compensation and damages in the case of R. B. Boyd Agent vs. J. P. Neolin Et Al in this Court pending and this you shall in no wise omit under the penalty of One Thousand and Dollars and pay them and there this writ. In witness whereof I Thomas Cochran Judge of said Court have hereunto set my hand and affixed the seal of said Court. at St. Clairsville this 22nd day of July A. D. 1880
 Thomas Cochran Probate Judge

Endorsed

Received this writ July 3rd 1880 at 5th o'clock P.M. and on July 6th

1880 I made personal service of this writ by delivering to R. B. Boyd a true copy of the same

Sheriffs fees \$1.75

Samuel Hillis Sheriff

And also on the same day the following summons with the sheriffs return thereon endorsed was filed herein in words and figures following to wit:

The State of Ohio Belmont County, S. S.:

To Samuel Hillis Sheriff of Belmont County Greeting: We command that you summon J. P. Newlin and Jno. Patterson to appear before the Judge of the Probate Court at the Court House in St. Clairsville in said County on the 22nd day of July at 10 O'Clock A.M. to answer to the claim for damages of R. B. Boyd Agent of the Heirs of Robert Boyd deceased in the matter of the petition for a County Road by J. P. Newlin Et Al. to the County Commissioners of said County appealed to this Court by said agent. And this you shall give notice under the penalty of One Thousand Dollars and here then and there this writ.

In witness whereof I, Thomas Cochran Judge of said Court have hereunto set my hand and affixed the seal of said Court at St. Clairsville this 13th day of July A. D. 1880.

Thomas Cochran Probate Judge

Received this writ on the 3rd day of July 1880 at 5 O'Clock P.M. and on 16th day of July 1880 I made service of the same by leaving at the usual place of residence of J. P. Newlin and Jno. C. Patterson each a true copy of this writ.

Sheriffs fees \$1.75

Samuel Hillis Sheriff

And also on the same day the following venire with the sheriffs return thereon endorsed was filed herein in words and figures following to wit:

The State of Ohio Belmont County, S. S.:

To the Sheriff of said County Greeting:

We command that you summon without delay, Crastus Moore of Wayne Township, W. D. Ayers of Putney Township, J. W. Gray " " " Do Jacob Reed W. Torrey Do Josephus Lucas " Smith Do William Perkins Kirkwood Do J. J. Mansfield " Kirkwood Do C. A. Foster Smith Do J. A. Talburh Jr " Warren Do Jacob Heathington Putney Do Jno. A. Alkinson " Union Do Thomas Johnson Richland Do

To be and appear before the Court of Probate within and for said County of Belmont at the Court House in St. Clairsville in said County on Tuesday the 22nd day of July A. D. 1880 at 10 O'Clock in the forenoon and so from day to day until discharged, then and there to serve as jurors and you shall execute this writ make appear to our said Court on the same day of July, and here you then and there this writ.

In witness my signature as Judge and ex officio Clerk of said Probate Court at St. Clairsville this 17th day of July A. D. 1880

Thomas Cochran Probate Judge and ex officio Clerk

Endorsed

The State of Ohio Belmont County S. S.

Sheriffs Office July 17th 1880

On the 12th day of July 1880 I received this venire and served the same on the several persons therein named at the times and in the manner placed opposite their names endorsed thereon.

Sheriffs fee \$5.00

Names	When served	How served	Names	When served	How served
Erastus Moore	July 16 th	Left	W. J. Ayers	July 16 th	Left
Jas W Gray	" "	Personal	Jacob Heed	" 15 th	Personal
Josephus Lucas	" "	Left	William Perkins	" 15 th	Left
J. Mansfield	" "	"	O. A. Foster	" 16 th	Personal
W. A. Talbot Jr	" 15 th	Personal	Jacob Heathington	" "	"
Jas A. Atkinson	" 16 th	"	Thomas Johnson	" "	"

Samuel Hillis Sheriff

And afterwards to wit on the 26th day of August 1880 the following proceedings were had in this Court and entered on the Journal thereof in words and figures following to wit

R. B. Boyd Agent of the Heirs
 of Robert Boyd Deceased Plff }
 Vs } August 26th 1880
 James O. Newlin Et Al. Defdts }
 Jury empanelled and sworn second day

The venire facias heretofore issued for jurors returnable on the 26th day of July 1880, was on that day returned by the Sheriff of this County, and upon calling the same upon that day the following persons appeared in answer thereto namely Erastus Moore, Jas. A. Atkinson, W. J. Ayers, J. W. Gray, Jacob Heed, Josephus Lucas, William Perkins, J. D. Mansfield, O. A. Foster and W. A. Talbot Jr and this cause was then heard as journalled to this day, and said jurors, ordered to appear, and in pursuance of said order, said jurors being now present, and for good cause shown the Court prorogued Jas. A. Atkinson, and the panel being incomplete, the Sheriff summoned William Sprunger, Alex Soder Williams and H. C. Wilday, to make up the deficiency and complete the panel, and said jurors were duly empanelled and sworn as good and lawful jurors, and upon motion of the Plaintiff it was ordered by the Court, that the Jury be conducted in a body in charge of the Sheriff to view the premises in controversy herein, and that the same be shown to them by James P. Charlesworth, Counsel for the Plaintiffs and O. J. Swauger, Counsel for the Defendants, and that they examine the road as established or ordered on the property of the several claimants taken therefor or alleged to be injured thereby, and after making such examination, that they return to the Probate Court, and this cause was continued until 8 O'clock tomorrow morning

Thomas Cochran Probate Judge

And afterwards to wit on the 27th day of August 1880 the following proceedings were had in this Court and entered on

the Journal thereof in words and figures following to wit.

R. D. Boyd Agent of the Heirs of Robert Boyd Deceased Plaintiff } August 27th 1880
Vs } Cause progressed Third Day
James P. Newlin Et Al. Defendants }

This day came the parties and their attorneys and this Cause came on to be heard upon the petition and evidence on the inquiry of Damages for the Plaintiff as heretofore ordered by the Court and thereupon came the jury who were heretofore duly impaneled and sworn according to law and the jury having heard the testimony adduced in proof said Cause was continued and the jury discharged until tomorrow morning at 8 o'clock A.M.
Thomas Cochran
Probate Judge

And afterwards to wit: on the 30th day of August 1880 the following proceedings were had in this Court and entered of the Journal thereof in words and figures following to wit.

R. D. Boyd agent of the heirs of Robert Boyd Deceased Pltff } Aug. 30th 1880 Cause progressed
Vs } Fifth Day
James P. Newlin Et Al. Defendants }

This day again came the parties and their attorneys and also came the jury heretofore impaneled and sworn and the trial proceeded and the jury having heard the remaining testimony the arguments of Counsel and the charge of the Court retired to their room in charge of the Sheriff for deliberation and the hour of adjournment having arrived the Court discharged said jury and continued this Cause until tomorrow morning at 8 o'clock A.M.
Thomas Cochran
Probate Judge

And afterwards on the 31st day of August 1880 the following proceedings were had in this Court and entered on the Journal thereof in words and figures following to wit.

R. D. Boyd Agent of the Heirs } August 31st 1880 Cause progressed Sixth Day
of Robert Boyd Deceased } Verdict Given
Vs }
James P. Newlin Et Al. }

This day again came the said parties and their attorneys and also came the jury heretofore impaneled and sworn herein and retired to their room in charge of the Sheriff for further consideration and afterwards on the same day came said jury into Court with their verdict in writing signed by their foreman which is in words and figures following to wit:

The State of Ohio, Summit County, S. S. Probate Court of said County
R. D. Boyd Agent of the Heirs Plaintiff } Civil action for
of Robert Boyd Deceased } Compensation and Damages
Vs }
James P. Newlin Et Al. Defendants } We the jury being duly impaneled and sworn find the issue in this case in favor of the Plaintiff

and do assess the amount of Compensation for land for the use of said road at the sum of \$19.33. and do assess the amount of damages by reason of said appropriation of said lands at the sum of \$90.67. August 30th 1880.

Jacob Reed Foreman

And afterwards on the 11th day of September 1880 the following proceedings were had in this Court and entered on the Journal thereof in words and figures following to wit:

A. D. Boyd Agent of the Heirs of Robert Boyd Deceased Plaintiff vs James P. Newlin Et Al. Defts. September 11th 1880. Judgement on Verdict The Jury in this action having on a former day of this Court upon an inquiry of compensation and damages for the Plaintiff assessed the same against the defendants at \$110. It is therefore considered by the Court that the State of Ohio recover from the defendants James P. Newlin and Jas Patterson the said sum of 110. together with the costs of this proceeding taxed herein at 116.57. and execution is awarded therefor.

Thomas Cochran Probate Judge

And also heretofore to wit on the 22nd day of July 1880 the following summons with the Sheriffs return thereon endorsed was filed herein in words and figures following to wit:

The State of Ohio Belmont County S. S. Do Samuel Hillis Sheriff of Belmont County Greeting; We command that you summon W. S. George to appear before the Judge of the Probate Court at the Court House in St Clairsville in said County on the 22nd day of July at 10 O'clock A.M. to attend the hearing of the appeal of said W. S. George from the Commissioners of said County in the matter of compensation and damages in the case of W. S. George vs. J. P. Newlin Et Al. in this Court pending and this you shall do no wise omit under the penalty of O.S. 1200 and 1201. and those you then and there this writ. In witness whereof I Thomas Cochran Judge of said Court have hereunto set my hand and affixed the seal of said Court at St Clairsville this 23rd day of July A.D. 1880.

Endorsed

Received this writ on the 3rd day of July 1880 at 5 O'clock P.M. and on the 16th day of July 1880. I made service of the same by delivering to W. S. George a true copy of this writ.

Sheriffs Des^{er} 119 Samuel Hillis Sheriff

And also on the same day the following summons with the Sheriffs return thereon endorsed was filed herein in words and figures following to wit:

State of Ohio Belmont County S. S. Do Samuel Hillis Sheriff of Belmont County Greeting; We command that you summon J. P. Newlin and Jas Patterson to appear before the Judge of the Probate Court at the Court House in St Clairsville in said County on the 22nd day of July at 10 O'clock A.M. to answer to the claim for damages of W. S. George in the matter of the petition for a County Road by J. P. Newlin Et Al to the County Commissioners of said County appealed to this Court.

by said W. S. George. and that you shall in no wise omit under the penalty of One thousand dollars, and here then and there this writ. In witness whereof I, Thomas Cochran Judge of said Court, have hereunto set my hand and affixed the seal of said Court at St. Charles St. Charlesville this 3rd day of July A. D. 1880.

Thomas Cochran Probate Judge

Endorsed

Received this writ on the 3rd day of July 1880 at 5 O'clock P.M. and on the 16th day of July 1880. I made service of the same by leaving at the usual place of residence of J. P. Newlin and J. W. Patterson each a true copy of this writ: Samuel Hillis, Sheriff
 Sheriffs Act #157. } and afterwards to wit on the 26th day of Aug. 1880 the following proceedings were had in this Court and entered on the Journal thereof in words and figures following to wit:

W. S. George Plaintiff }
 vs } Aug. 26th 1880. Jury empaneled
 J. P. Newlin et al. Defs } and sworn same day

This day this cause came on for trial having been adjourned over on the 22nd day of July, and the jury having been duly empaneled and sworn according to law in this case, upon motion of the plaintiff it was ordered by the Court that the jury be conducted in a body in charge of the Sheriff of this County to view the premises in controversy herein, and that the same be shown to them by James A. Charlesworth Counsel for the plaintiff, and O. J. Swandy Counsel for the defendants and that they examine the road as established or ordered, and the property of the claimants taken therefor or alleged to be injured thereby and after making such examination, that they return to the Probate Court, and this cause was continued until 8 O'clock tomorrow morning.

Thomas Cochran Probate Judge

And afterwards on the 27th day of August 1880 the following proceedings were had in this Court, and entered on the Journal thereof in words and figures following to wit:

W. S. George Plaintiff }
 vs } Aug. 27th 1880. Cause progressed third day

J. P. Newlin et al. Defs } This day came the parties, and their attorneys, and this cause came on to be heard upon the petition and evidence on the inquiry of damages for the plaintiff as heretofore ordered by the Court and thereupon came the jury who were heretofore duly empaneled and sworn according to law. And the jury having heard the testimony adduced in for said cause was continued. And the jury discharged until tomorrow morning at 8 O'clock A.M.

Thomas Cochran Probate Judge

And afterwards on the 28th day of August 1880. the following proceedings were had in this Court and entered on the Journal thereof in words and figures following to wit:

W. S. George Plaintiff }
 vs } August 28th 1880. Cause progressed fourth day

J. P. Newlin et al. Defs } This day again came the said parties

and their attorneys, and the jury heretofore impaneled, and sworn and the said jury having heard the testimony adduced in both said cause was continued and the jury discharged until tomorrow morning at 8 o'clock

Thomas Cochran Probate Judge and afterwards on the 30th day of August 1880, the following proceedings were had in this Court, and entered on the journal thereof in words and figures following to wit:

W. George Plaintiff } August 30th 1880, Cause Progressed, Fifth Day
vs } This day again came the said parties and their
J.P. Newlin Et Al. Defts } attorneys, and also came the jury heretofore impaneled and sworn and the trial proceeded, and the jury having heard the remaining testimony, the argument of Counsel, and the charge of the Court, retired to their room in charge of the Sheriff for deliberation, and the hour of adjournment having arrived, the Court discharged said jury, and continued this cause until tomorrow morning at 8 o'clock A.M.

Thomas Cochran Probate Judge and afterwards on the 31st day of August 1880, the following proceedings were had in this Court, and entered on the journal thereof in words and figures following to wit:

W. George Plaintiff } Aug 31st 1880, Cause progressed, Sixth Day
vs } Verdict Given
J.P. Newlin Et Al. Defts } This day came again the said parties and their attorneys, and also came the jury heretofore impaneled and sworn herein and retired to their room in charge of the Sheriff for further consultation, and afterwards on the same day, came said jury into Court, with their verdict in writing signed by their Foreman, which is in words and figures following to wit:

The State of Ohio Belmont County, Probate Court of said County,
W. George Plaintiff } Civil action for Compensation and Damages
vs } The jury being duly impaneled, and sworn
J.P. Newlin Et Al. Defts } find the issue in this case in favor of the Plaintiff, and do assess the amount of compensation for lands taken for the use of said road at the sum of \$61.00, and do assess the amount of damages by reason of said appropriation of said lands at the sum of \$317.00.

August 30th 1880 Jacob Hub Popeman and afterwards on the 1st day of September 1880, the following proceedings were had in this Court, and entered on the journal thereof in words and figures following to wit:

W. George Plaintiff } Sept 1st 1880, Judgment on verdict
vs } The jury having on a former day of this Court
J.P. Newlin Et Al. Defts } upon an inquiry of compensation and damages for the plaintiff assessed the same against the defendants at \$378. It is therefore considered by the Court that the State of Ohio recover from the said defendants James P. Newlin and Geo. C. Patterson, the said sum of \$378, together with the costs of this proceeding taxed herein at \$76.48, and execution is awarded