

Return. - Received this writ January 24th 1881 at 7 1/2 O'Clock A.M.
 and on the same day. I made service of this writ by delivering a true
 copy of this writ to William Lee personally
 Sheriff's Rec^d Samuel H. Gilles Sheriff

And afterwards on the 5th day of February 1881 the following order and
 plat of surveyor herein appointed, and their oaths, as such was filed
 herein in words and figures following to wit:

Office of Probate Judge of Belmont County Ohio.
 William Clark Sr. Robert M. Keloy. William Lee Jr. Viewers and
 James Crossgrove Justices of the Peace of Belmont County Ohio. you are appointed by the Probate
 Court of Belmont County Ohio. to view and lay out a proposed
 County road on the following route as petitioned for by William
 David Ramsay to Drury's Mill in said County near a gate
 on the hill on lands of William Taylor in the Township of
 Mead in sec 31. R. 3 in said County. running thence in a south
 easterly direction through the lands of said William Taylor and
 Abraham Ramsay Sr. thence in a south easterly direction through
 the lands of Thomas H. Ramsay to intersect the County Road
 aforesaid at or near the house of said Thomas H. Ramsay
 thence along the line of said road to a lane on the lands of
 Thomas H. Ramsay. thence along said lane to the top of the hill.
 thence in an easterly direction through lands of Thomas H. Ramsay
 and lands of William Ramsay near the barn of said William
 Ramsay's land. thence in a south easterly direction through lands
 of said William Ramsay and W. H. Warren intersecting the County
 Road leading from Pipe Oak to Pleasant Hill near the house of said
 W. H. Warren in said Township and sec. 30. R. 3 in said County
 you will meet on the line of said proposed road at the place des-
 ignated as the beginning of said road. and after taking an oath
 or affirmation. faithfully and impartially to discharge the duties
 of your appointment respectively. you shall take to your assist-
 ance two suitable persons as chain carriers and one marker
 and proceed to view survey and lay out said road or al-
 teration as prayed for in the above petition. or as near
 the same. as in your opinion a good road can be made
 at a reasonable expense. taking into consideration the utility
 convenience and incovenience and expense which will result
 to individuals. as well as to the Public. and said viewers
 shall in addition to their duties as viewers. also at the same
 time. assess and determine the compensation to be made to the
 owners of the land across which the road is to be located. and
 the damages sustained by any person or persons through
 whose premises. the road is proposed to be established.
 and the said viewers shall make and sign a report in writing stating
 their opinion in favor of or against the establishment or alteration of
 said road on any part thereof. and set forth the reasons of the same
 which report together with the plan and survey of said road shall be
 delivered to the said Court by one of the viewers on or before the fifth
 day of February 1881. Said viewers shall also determine the width

of said road, which cannot be more than sixty feet wide. And further it shall be the duty of the viewors aforesaid, at the same time at which they are required to make their report of the view, to make a separate report in writing, stating the amount of compensation and to be made to the owners of the land across which the road is to be located, and the damages (if any) and to whom, which by them have been assessed, and be further governed in their proceedings under this order by the provisions of the Statute in such cases made and provided.

In witness whereof I have hereunto subscribed my name officially and affixed the seal of my office this 24th day of January 1881

Thomas Cochran
Probate Judge

The State of Ohio Belmont County S.S.

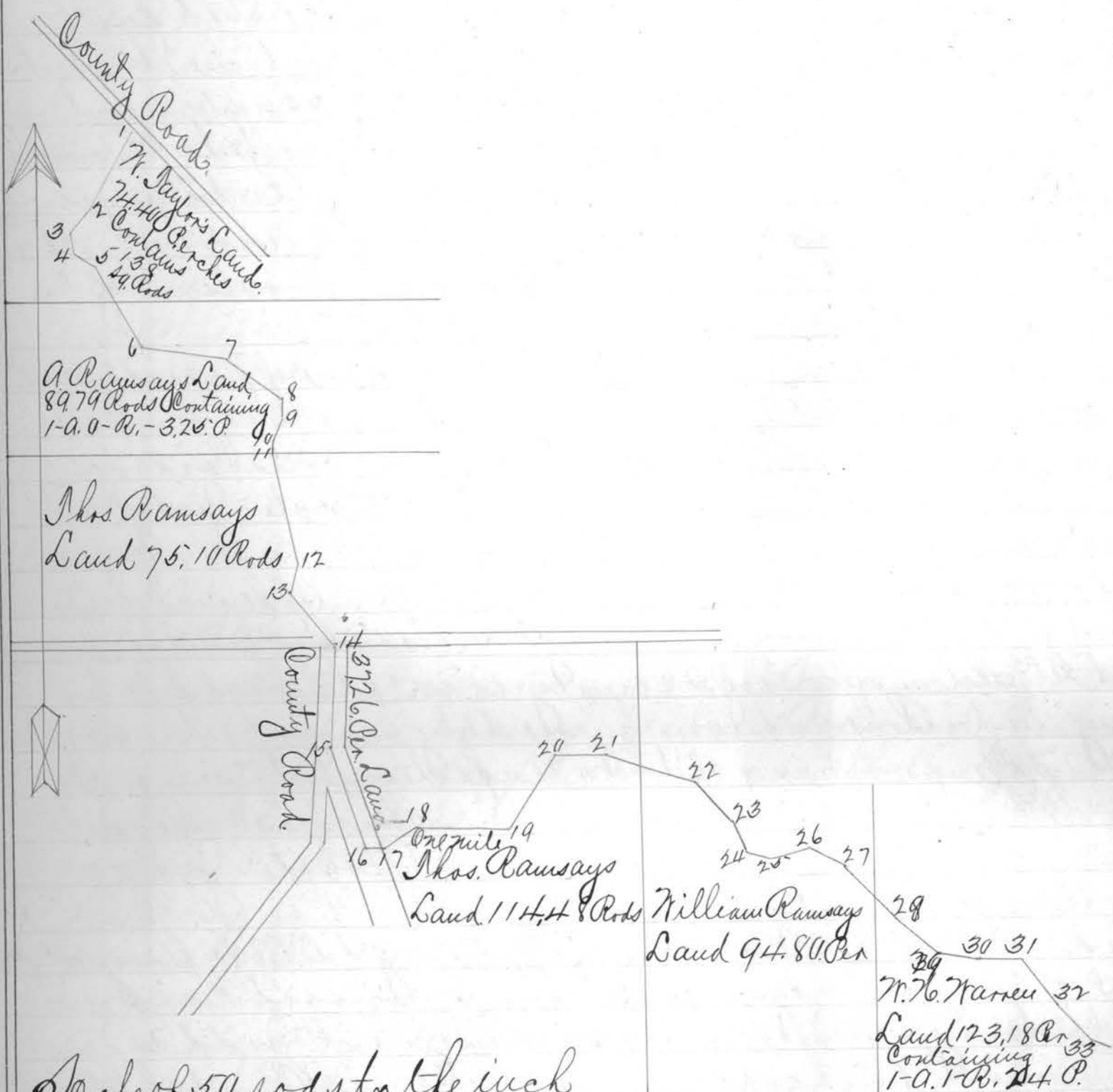
Be it remembered that on this 24th day of January A.D. 1881 appeared before me the Probate Judge in and for said County William Lee Jr William Clark and Robert M Kellogg viewors of a County road petitioned for by William Ramsay and others and were by me duly sworn to the faithful and impartial performance of their respective duties

Thomas Cochran
Probate Judge

The State of Ohio Belmont County S.S.

Be it remembered that on this 24th day of January A.D. 1881 personally appeared before me James Crossgrove a Surveyor of said road in and for said County James Judd and Willard Judd Chain Carriers and James Douglas Master of a County Road petitioned for by William Ramsay and others and were by me duly sworn to the faithful and impartial performance of their respective duties

James Crossgrove Surveyor
The undersigned in obedience to your order dated January 17th 1881 proceeded on the 24th day of January to survey and mark the route of a County road described in said order under the direction of the viewors therein named, and respectfully submits the following return of said survey beginning at a white oak tree in the County road leading from David Ramsays to Dorseys Mill near a gate on the lands of William Taylor Thence S 29 1/2 W 32 7/2 per thence S 40 W 8 9/8 per thence S 6 3/4 E 20 per thence S 6 1/2 E 8 5/8 per thence S 32 E 33 7/5 per thence S 80 E 30 3/7 per thence S 53 E 25 1/6 thence S 1 1/2 W 5 6 8 per thence S 25 W 7 6 8 per thence S 1 W 5 20 per thence S 13 E 39 60 thence S 12 1/2 W 12 00 per thence S 39 1/2 E 23 50 per thence S 7 W 37 26 per thence S 20 1/8 E 36 68 per thence S 85 1/2 E 3 80 per thence N 6 1/4 E 12 64 per thence S 88 E 32 92 per thence N 30 1/4 E 31 36 per thence S 89 E 19 24 per thence S 73 E 34 00 per thence S 42 E 19 88 per thence S 7 1/2 E 10 56 per thence S 72 E 7 6 8 per thence N 76 3/4 E 13 24 per thence S 6 2/3 E 14 76 per thence S 47 2/3 E 28 68 per thence S 63 E 19 36 per thence S 80 1/2 E 14 00 per thence S 89 1/2 E 16 10 per thence S 39 1/2 E 21 36 per thence S 49 1/2 E 18 88 per thence S 79 - 14 00 per to a stake in the County road leading from Pipe Creek to Dorseys Mill where a locust 15 inches in diameter bears N 56 1/2 E. Distance 132 links and there to terminate



Scale of 50 rods to the inch

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

James Crossgrove Surveyor of said road

Report of viewers. - To the Probate Court of Belmont County Ohio.

In obedience to your order issued the 24th day of January A. D. 1881 We the undersigned viewers, appointed under said order met with James Crossgrove Surveyor at St. Clairsville Ohio, on the 24th day of January 1881, and were severally sworn to discharge faithfully and impartially the duties required of us in said order. James Judd and Willard Judd were selected by us as choir carriers and James Douglass as a marker who was also duly sworn. We then proceeded to view said proposed route of a County road on the line described in your order, and caused the same to be surveyed as traced 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 - Description of Route Contingent - For description of route of said road reference is here made to the surveyors report which is hereto attached and made a part of this report.

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

- 1st Public convenience requires the same.
 - 2nd It will be of the greatest Public utility.
- We have also determined that the Public convenience requires that such

such road shall be established 30 feetⁱⁿ width. all of which is respectfully submitted 27th January 1881

William Lee Jr. Robert M Keloy William Clark - Viewers
 Fees. William Lee Viewor 3 days \$4.50 William Clark Viewor 3 days \$4.50
 Robert M Keloy " 3 " 4.50 Jas. Crossgrove Surveyor 4 " 20.00
 Jas. Judd Chairman 1 " 1.00 William Judd Chairman 1 " 1.00
 Jas. Douglass Marker 1 " 1.00 J. P. Dow Conveyance for viewors \$7.50

Separate Report of Viewors. - To the Probate Judge of Belmont County Ohio
 The undersigned viewors of the County Road, petitioned for by William Rausay 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 application 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 William Taylor Forty dollars To Abraham Rausay Forty dollars To W. H. Warren Sixty four dollars. Each of the above sums has been assessed with out 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 William Taylor One hundred & Forty dollars. To Abraham Rausay One hundred & forty dollars To W. H. Warren Four hundred & forty one dollars

William Lee Jr. Robt M Keloy William Clark - Viewors and Jurors to award damages. 27th January 1881.

We the undersigned hereby agree that the foregoing shall be received and taken as a substantial copy of the report of the viewors appointed by said Court in the proceedings aforesaid

Almon Hallman & Carroll Attys for W. H. Warren
 Chambers Cowan & Shannon Attys for William Rausay

And also on the same day the following exceptions were filed herein in words and figures following to wit.

The State of Ohio Belmont County - In Probate Court
 Thomas Rausay & 3 Appeal from the decision of the County
 William H. Warren & 3 Commissioners.

vs
 3 Touching compensation and damages on
 William Rausay et al 3 account of the establishment of a County
 road. - William H. Warren one of the claimants in the above named
 proceedings now comes and exhibits to the amount of compensation and
 damages awarded him by the viewors appointed by said Court in
 said proceeding. William H. Warren by Almon Hallman his Attys
 And also on the same day the following proceedings were had in
 this Court and entered on the journal thereof in words and figures
 following to wit.

William Rausay et al. 3 February 5th, 1881. Cause continued
 vs 3 This day this cause came on to be heard and
 Thomas Rausay et al 3 was argued by counsel and is continued to
 February 7th, 1881

Thomas Cochran
 Probate Judge

Thomas Ramsay et al. 3 February 5th 1881. — Cause Continued
 vs
 William H. Ramsay et al 3 This day this cause came on to be heard
 the same was argued by counsel and is continued to Feb. 7th 1881.

Thomas Cochran
 Probate Judge

And also on the 7th day of Feb. 1881. the following proceedings were had in this Court and entered on the journal thereof in words and figures following to wit

William Ramsay et al 3 February 7th 1881. Report of viewers confirmed
 Against 3 The viewers appointed in this cause having
 Thomas H. Ramsay et al 3 reported in favor of the establishment of
 said road, and it appearing upon examination that said report varies materially from the order appealed from in this case, but is within the scope of the petition, and is substantially legal, said report, and the proceedings of said viewers pertaining to the establishment of said road, is approved and confirmed, and it is further considered and adjudged by the Court, that the costs heretofore taxed and adjudged against the petitioners in this case are just and equitable. The same is therefore confirmed, and it is further considered, ordered and adjudged by the Court, that the State of Ohio recover against the said Thomas H. Ramsay and William H. Warren the sum of \$70.91 being a just and equitable portion of the costs in this case, created by their appeal.

Thomas Cochran
 Probate Judge

And also on the same day, the following proceedings were had in this Court and entered on the journal thereof in words and figures following to wit.

Thomas H. Ramsay et al. 3 February 7th 1881
 Against 3 Exceptions to compensation and damages
 William Ramsay et al. 3 The viewers appointed in this case having made their report of their proceedings in relation to the establishment of said road and assessment of compensation and damages made in behalf of land owners, and said report so far as the same pertains to the establishment of said road having been confirmed and William H. Warren one of the said landowners, having filed his exceptions herein in writing to the amount of compensation and damages awarded him by said viewers before the said report was so confirmed, it is ordered that a reassessment of his compensation and damages be made by a jury, and the Clerk and Sheriff of this County, be required and notified to proceed according to law to draw a jury of 12 men, to serve in this case and certify the names of jurors drawn by them to this Court, by the 17th day of February 1881.

Thomas Cochran
 Probate Judge

And afterwards on the 14th day of February 1881. the following certificate was filed herein in words and figures following to wit:
 The State of Ohio Belmont County. — Court of Common Pleas.

To the Hon. Probate Judge of said County. Greeting.
Pursuant to your order of February 17th 1881. I do with the Sheriff of said County on the 14th day of February 1881 draw according to law the following named persons to serve as jurors in said Probate Court.

Peter Yost Pease Township Andrew Keinkl Richland Township
Samuel Berry Wayne " Benjamin Bailey Warren Township William Farnock Smith Township
William Alexander Pease " Jas. C. Aimey Pease " J. I. Scofield Warren "
Peter Kemp Goshen " Jos. M. Mitchell Richland " Oscar C. Parker Pease "
J. S. Blaney Pullney " Witness my signature and the seal of the Court
of Common Pleas of said County at St. Clairsville Ohio this 14th day of February
A. D. 1881. Fees \$2.50 A. C. Darrah Clerk

And afterwards on the 17th day of February 1881 the following proceedings was had in this Court and entered on the journal thereof in words and figures following to wit:

Wm. H. Ramsay et al vs Wm. H. Warren
at 3rd February 17th 1881 cause continued
at 3rd This day came the counsel for Wm. H. Warren
one of the plaintiffs and counsel for the de-
fendants and agreed in open Court to continue this case which is ac-
cordingly done

Thomas Cochran
Probate Judge

And afterwards on the 14th day of April 1881 the following return was returned herein with the Sheriff's endorsement thereon in words and figures following to wit:

The State of Ohio Belmont County S. S. - To the Sheriff of said County. Greeting
I command you that without delay you summon

Peter Yost Pease Township Andrew Keinkl Richland Township Samuel Berry Wayne The
Benj. Bailey Warren " William Farnock Smith " Wm. Alexander Pease "
Jas. C. Aimey Pease " J. I. Scofield Warren " Peter Kemp Goshen "
Jos. M. Mitchell Richland " O. C. Parker Pease " J. S. Blaney Pullney "

to be appear and before this Court of Probate within and for said County
of Belmont at the Court House in St. Clairsville in said County on Tues-
day the 5th day of April 1881 at 10 O'clock in the forenoon and so
from day to day until discharged then and there to serve as jurors
and show you shall execute this writ make appear
to our said Court on the 4th day of April 1881 and have you then
and there this writ:

Witness my signature as Judge and pro officio Clerk of our
said Probate Court at St. Clairsville this 19th day of March A. D. 1881

Thomas Cochran
Probate Judge

The State of Ohio Belmont County S. S. Sheriff's Office March 1881
On the 19th day of March 1881 I received this writ and served the
same on the several persons therein named at the time and
in the manner placed opposite their names endorsed thereon

Names	When served	How	Miles
Peter Yost	March 26 th	Personal	9
Andrew Keinkl	" 29 th	Left	4
Samuel Berry	" 24 th	"	38
Benjamin Bailey	" 24 th	Personal	30

William Warrick	March 30 th	Left	6
William Alexander	" 26 th	Personal	10
J. C. Finney	" 26 th	"	13
J. I. Scofield	" 24 th	"	32
Peter Kemp	Apr. 1 st	Left	20
Joseph Mitchell	March 25 th	Personal	1
J. C. Parker	" 26 th	"	12
J. S. Blaney	" 26 th	"	12

Used afterwards on the 5th day of April 1881 the following were had in this Court and entered on the journal thereof in words and figures following to wit.

Thomas H. Ramsay et al ^{vs} 3 Samuel Hillis - Sheriff
 April 5th 1881 - Cause Continued
 The jury in this case heretofore ordered having been duly drawn, certified and summoned as heretofore ordered. This day appeared. The counsel for William Warrick one of the Plaintiffs, and the counsel for the Defendants, and agreed in open Court to continue this Cause to April 25th 1881 whereupon it is ordered by the Court that this Cause be continued to said date and that the jurors heretofore summoned appear in this Court at 10 O'clock in the forenoon of said day and that the witnesses in this case be subpoenaed to appear herein on the 27th day of April 1881 at 10 O'clock.

Thomas Cochrane
Probate Judge

And afterwards on the 25th day of April 1881 the following proceedings were had in this Court and entered on the journal thereof in words and figures following to wit.

Thomas H. Ramsay et al ^{vs} 3 April 25th 1881 - Jury unempanelled - This day the cause came on to be heard upon the exceptions of William Warrick filed herein to the compensation and damages awarded him by the Commissioners heretofore appointed herein by this Court, and upon calling the jury heretofore served and returned to this Court by the Sheriff of this County, the following persons appeared in answer thereto namely: Peter Yost, Andrew Kemp, Samuel Berry, Benjamin Bailey, J. I. Scofield, Peter Kemp, Jos. W. Mitchell and J. S. Blaney, and the Court excuses Peter Yost, and the jury being incomplete by reason of the failure of the attendance of the other jurors named in said venire and the excusing of said Peter Yost, James B. Ryan, and Alexander Anderson by slanders were called, and answered to their names as jurors, and on application of the Plaintiff William Warrick, it was ordered that a special venire facias issue herein commanding the Sheriff to summon Barclay, Coxe, Jesse B. Meyer, Jas. Allen, Geo. Moll, Thos. E. Clark, Jas. Magier, Robert Thompson, and John Springer to appear forthwith as jurors in this case and said venire having been duly served, and returned, Jesse B. Meyer being called answered to his name, and the jury being still incomplete by reason of the failure to find some of said persons named therein, and of the excusing of others of said persons, on application of said Plaintiff

William H. Warren. it was ordered that a special venire be issued herein commanding the Sheriff to summon Shepherd Davis, Hiram Boroff, Jno. L. Fried, Benjamin M. Bredt, Benj. R. Johnston and Isaac Neiswanger as Jurors in this case, and the said venire having been duly served and returned Shepherd Davis and Jno. L. Fried being called, answered to their names and the jury being called, answered to their names, and the jury being now complete the other persons named in said venire were excused, and the jury were duly empanelled, and sworn according to law, and upon motion of said Plaintiff William H. Warren, it was ordered that the jury be conducted in a body in charge of the Sheriff to view the premises of the said William H. Warren described in said petition, and the plot of the surveyor who was heretofore appointed herein, and upon motion it is ordered that Martin Monroe upon part of William H. Warren and Harrison Massie upon part of the defendant, show said jury the said premises, and they are hereby for that purpose and it is ordered that said Sheriff return said jury to this Court on the 27th day of April 1881. at 10 o'clock A.M.

Thomas Cochran
Probate Judge

And also on the same the following venires with the Sheriff's return thereon indorsed were 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 you that without delay you summon Shepherd Davis, Hiram Boroff, Jno. L. Fried, Benjamin M. Bredt, B. R. Johnston and Isaac Neiswanger to be and appear before the Court of Probate within and for said County forthwith, and so from day to day until discharged, then and there to serve as jurors and how you shall execute this writ may appear to our said Court on this 25th day of April 1881, and know you then and there this writ. Witness my signature as Judge and officio Clerk of said Court at Blairsville this 25th day of April A. D. 1881.

Thomas Cochran
Probate Judge

The State of Ohio Belmont County, S. S.
Sheriff's Office April 25th 1881 I received this venire and served the same on the several persons therein named, at the times and in the manner specified opposite their names, indorsed thereon.

Names	When served	How served	Names	When served	How served
Shepherd Davis	April 25th	" "	Isaac Neiswanger	April 25th	" "
Hiram Boroff	" "	" "	Jno. L. Fried	" "	" "
Benj. M. Bredt	" "	" "	Served as indicated.		
B. R. Johnston	" "	" "	Sheriff's A. U. S. #394		

Samuel Willes Sheriff

The State of Ohio Belmont County, S. S. To the Sheriff of said County, Greeting We command you that without delay you summon Barclay W. G. Just, B. Meyer, Jno. Perren, Jamesrazier, Marshall Thompson, Jno. D. M. Thos. E. York, Robert Thompson and John Springer to be and appear before the Court of Probate within and for said County of Belmont at the Court House in Blairsville, in said County forthwith and so from day to day until discharged then and there to serve as jurors, and

how you shall execute this writ. make appear to our said Court on the 25th day of April. and how you then and there this writ. Witness my signature as Judge and Official's Clerk of our said Court at Hillsville this 25th day of April A.D. 1881

Thomas Cochran
Probate Judge

The State of Ohio Belmont County S. S. Sheriff's Office April 25th 1881
On the 25th day of April A.D. 1881. I received this writ. and served the same on the several persons therein named. at the times and in the manner placed opposite their names endorsed thereon

Names	When served	How served	Names	When served	How served
Bazley Koge	Personal	Personal	Jas. Aggier	Personal	Personal
J. B. Meyer	"	"	Robt. Thompson	Not found	Not found
John Berren	"	"	Marshall Thompson		Personal
Geo. T. Hoff	Not found	Not found	John Spruiger		"
Thos. C. Clark	"	"	Sheriff's fees \$3.60		

Samuel Willis Sheriff

And also on the same day the following order with the Sheriff's 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 Belmont County Ohio
You are hereby commanded to conduct the below jurors named in the panel to this writ agreed to view the property or premises sought to be appropriated by William Ramsay et al. and owned by William W. Warren and view the premises or property aforesaid in the presence of Harrison Massion the party of William Ramsay et al. and Martin W. Monroe on the part of William W. Warren and you shall make return of the manner you have executed this writ to this Court on the 27th day of April A.D. 1881.
Given under my hand official seal and signature this 25th day of April 1881

Thomas Cochran
Probate Judge

Return - Received this writ on the 25th day of April 1881 at 20 O'clock P.M. and on the 26th day of April as commanded by this writ I caused the premises herein described to be viewed by the jury hereto attached.

Jurors. Names	Jurors. Names	
Andrew Winkle Regular	James B. Ryan Called	
Samuel Berry "	Jesse B. Meyer "	
Benjamin Badley "	Alexander Anderson "	
J. J. Seafeld "	Geo. L. A. Smith "	
Peter Kemp "	Shepherd Davis "	
Jos. W. Mitchell " 3	The costs and expenses of said view are as follows. and due.	
J. J. Blaney " 3	J. D. Shour. Boarding & Lodging \$17.00	
J. C. Lowry Conveying Jury \$8.00	Samuel Willis Sheriff \$3.60	
Sheriff Willis. Fees \$4.00	J. D. Shour. Boarding & Lodging \$17.00	

And afterwards on the 27th day of January April 1881 the following proceedings were had in this Court: and entered on the journal thereof in words and figures following to wit:

Thos. W. Ramsay et al. 3 April 27th 1881. - Cause progressed. - Third day
 vs
 William Ramsay et al. 3
 This day came the jury heretofore impaneled and sworn in custody of the Sheriff and the parties with their attorneys. being in court this cause came on to be heard and the said jury having heard the testimony adduced in last said cause was continued until tomorrow morning at 8 O'clock.

Thomas Cochran
 Probate Judge

And afterwards on the 28th day of April 1881 the following proceedings were had in this Court and entered on the journal thereof in words and figures following to wit:

Thos. W. Ramsay et al. 3 April 28th 1881. - Cause progressed. - Fourth day.
 vs
 William Ramsay et al. 3
 This day again came the parties with their attorneys and also came the jury heretofore impaneled and sworn and the trial proceeded and the said jury having heard the testimony adduced and this day said cause was continued until tomorrow morning at 8 O'clock.

Thomas Cochran
 Probate Judge.

And afterwards on the 29th day of April 1881 the following proceedings were had in this Court and entered on the journal thereof in words and figures following to wit:

Thos. W. Ramsay et al. 3 April 29th 1881. Cause progressed. - Fifth day.
 vs
 William Ramsay et al. 3
 This day again came the parties with their attorneys and also came the jury heretofore impaneled and sworn and the trial proceeded and the said jury having heard the testimony adduced on this day said cause was continued until tomorrow morning at 8 O'clock.

Thomas Cochran
 Probate Judge.

And afterwards on the 30th day of April 1881 the following proceedings were had in this Court and entered on the journal thereof in words and figures following to wit:

Thos. W. Ramsay et al. 3 April 30th 1881. Cause progressed. Sixth day.
 vs
 William Ramsay et al. 3
 This day again came the said parties with their attorneys and also came the jury heretofore impaneled and sworn and the trial proceeded and the said jury having heard all of the testimony adduced the arguments of counsel and the charge of the Court retired to their room in charge of the Sheriff for deliberations and after having deliberated the said jury came again into open court with their verdict in writing signed by their foreman and say.

That the jury impaneled and sworn in this cause do assess the compensation for appropriated at the sum of \$80⁰⁰ and do assess the damages resulting to said plaintiff by reason of such appropriation at the sum of \$370⁰⁰ Three hundred and seventy dollars.

J. M. Mitchell Foreman.

And upon motion of counsel for the defendants this cause is continued and reserved for future arguments and consideration as to costs.