

ROAD PETITION.

For Alteration Road in Flushing

To the Board of Commissioners of Belmont County, Ohio:

The undersigned petitioners, resident freeholders of said County, residing in the vicinity of the proposed improvement hereinafter described, respectfully represent that the public convenience requires the altering of a County Road on the line hereinafter described; and pray that your body will institute and order proper proceedings in the premises to alter such road, to-wit:

In Flushing Township, beginning in the road leading from Pig-Stillwater Creek, up Six-Mile Run, and at the line between the lands of John C Huff and R D Campbell; thence with said line in a southerly course about 37 rods to land of W E Murphy; thence in a southeasterly course about 37 rods on the easiest and best grade, through said W E Murphy's land to the Ridge Road, known as Murphy's Ridge.

Dated this A. D. 1894.

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
J M McEivain	H J Murphy	W J Leisure	Job Reynolds
J K Murphy	A J Murphy	J E Bonifant	John Piper
Nathan Reynolds	J A Groves	L C Smith	Isaac Bethel
R Reynolds	W J Murphy	J E Davis	A W Russell
Mc Murphy	John W Cripe	C H Wildman	J W Haines Jr
R Patrick	J C Waddell	A W Collins	Amos Bonifant
Geo Vanfossen	Samuel Russell	P S Williamson	Chas D Murphy

Know all Men by these Presents:

That we, James M. McElwain, J. K. Murphy and W. E. Murphy
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 _____ this fourth day of November 1894

The Conditions of the above obligations are such, That whereas application has been made to the Board of Commis-
sioners of said Belmont County for the altering of a county road on the following line, to-wit:

See page 243 for description.

Now if the said applicants shall pay into the Treasury of the said County the amount of all costs and ex-
penses 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. M. McElwain SEAL.
J. K. Murphy SEAL.
W. E. Murphy SEAL.

St. Clairsville, O., Nov. 7th 1894.

The Commissioners met in regular session at their office, and the Board being satisfied that the fore-
going petition was signed by at least twelve freeholders of the County, residing in the vicinity of the alteration
of said county road, and that the proper notices had been given according to law, bond filed, approved and accepted,
thereupon the Board appointed Herb. Bethel, D. R. Humphrey and Joseph Wilcox
three disinterested freeholders of the County, viewers, and John A. Bond surveyor
of said proposed road, to meet at the home of W. E. Murphy, on the 29th day of Nov
for the purpose of discharging their official duties relative to the object prayed for in the foregoing petition. And
the Auditor is authorized to notify all non-resident land owners by publication, as required by law.

ATTEST:

W. Bralley
County Auditor.

C. J. 8 = p. 367 } Robt McMillen
J. W. Martin
A. G. Holloway }

Commissioners.

Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your November session, A. D. 1894, we the undersigned, Viewers appointed under said order, met with John A. Pond Surveyor, at home of W. E. Murphy, on Nov. 29th, 1904 and were severally sworn to discharge, faithfully and impartially, the duties required of us in said order.

David Humphrey being absent we appointed J. H. Dunn to fill the vacancy.

Walton Ralston and W. E. Murphy were selected by us as chain carriers, and R. D. Campbell 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 alteration of said road as follows:

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

That it will be a public benefit

We have also determined that the public convenience requires that such road shall be established 30 feet in width.

All of which is respectfully submitted, }
Dec 3rd 1894 } Jos P Wilcox
Gerard Bethel } Viewers.
J. H. Dunn }

Jos P Wilcox Viewer, Pd 04-12-19 3 days, \$4.50 FEES
J. H. Dunn " Pd 04-12-19 2 days, \$3.00
Gerard Bethel " Pd 04-12-19 2 days, \$3.00
Walton Ralston Chainman, 1 days, \$1.00
W. E. Murphy " 1 days, \$1.00
R. D. Campbell Marker, 1 days, \$1.00
Surveyor, _____ days, \$_____

If any Viewer is unable to attend here state by whom the vacancy was filled.

Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the road petitioned for by J. McElwain 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>J. C. Huff</u>	<u>Twenty</u>	Dollars;
To	<u>R. D. Campbell</u>	<u>Twenty</u>	Dollars;
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	<u>J. C. Huff</u>	<u>Thirty</u>	Dollars;
To	<u>R. D. Campbell</u>	<u>Thirty</u>	Dollars;
To	<u>W. E. Murphy</u>	<u>Forty-five</u>	Dollars;
To			Dollars;
To			Dollars;
To			Dollars;
To			Dollars;
To			Dollars;

<u>Jos. P. Wilcox</u>	} Viewers and Jurors to award damages.
<u>Ferd. Bethel</u>	
<u>J. H. Dunn</u>	

Dec. 3rd 1894

St. Clairsville, O., Dec 5th 1894

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:	} <u>C. J. 8 = p. 379</u>	<u>Robt Mc Millen</u>	} Commissioners.
<u>W. Pratty</u>		<u>J. W. Martin</u>	
County Auditor.		<u>A. G. Holloway</u>	

St. Clairsville, O., Dec 6th 1894

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:	} <u>C. J. 8 = p. 381</u>	<u>Robt Mc Millen</u>	} Commissioners.
<u>W. Pratty</u>		<u>J. W. Martin</u>	
		<u>A. G. Holloway</u>	

St. Clairsville, O., Dec 7th 1894

The Commissioners met in regular session, and the report of the viewers in favor of the alteration of said road was this day publicly read for the third time, 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 alteration of said road through their several premises, which 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:

J. L. Huff	Compensation	\$ 20.00	Damages	\$ 30.00
R. D. Campbell	"	20.00	"	30.00
W. E. Murphy			"	45.00

are reasonable and just; 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 having been filed, it is ordered that the County Auditor draw his warrant on the County Treasurer in favor of said claimants for the amount of compensation and damages so awarded to them respectively; that the several reports of the viewers with the survey and plat of said road be recorded and that said alteration be established a public highway (30) thirty feet in width; that the County Auditor issue the necessary order to the Trustees of Flushing township to open said road according to law.

Sec. J. 8 = p. 384.

Attest: *M. Pratty* County Auditor. *Robt McMillen* }
J. W. Martin } Commissioners
A. G. Holloway } of Belmont County

Order given Justice December 29th 1904.

PST-40-50 # 33,
L.H.L.

Q, Pr 9 ✓

~~M.A. Pr 13 ✓~~

H.C. Pr # 3,

S, Pr. Q, # 2

M. C. Q, # 13,

M. Pr. Pr # 16

$$\begin{array}{r} 166 \frac{1}{2} = \frac{25}{300} \\ 83 \frac{24}{100} = \frac{72}{300} \\ \hline 82 \frac{53}{300} \end{array}$$

$$\begin{array}{r} 83.24 \\ 82.18 \\ \hline 5.42 \end{array}$$

$$\begin{array}{r} 5 \\ 27 \\ 53 \\ \hline 130 \\ 300 \end{array}$$

one 8 may be left

Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated Nov. 15th 1894, proceeded on the 29th day of November to survey and mark the proposed 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 stone planted in the middle of Six mile Run road from which a hickory tree 8 inches in diameter bears $S 71^{\circ} 56' W 80\frac{1}{2}$ links and a triple ash tree bears $S 26^{\circ} 30' E 102\frac{1}{4}$ links; thence along the line between John C Huff and R D Campbell $S 4^{\circ} 00' W 57.56$ poles to a stone on the southwest corner of John C Huffs $37\frac{1}{2}$ acre tract; and southeast corner of R D Campbells 20 acre tract; thence $S 33^{\circ} 05' W 8.29$ perches through lands of W E Murphy to station No 3 in timber on hillside; thence along hillside through said timber $S 7^{\circ} 54' E 1.76$ P. to Station No 4; thence $S 49^{\circ} 54' E 4.$ poles through timber to station No. 5; thence $S 60^{\circ} 39' E 6.48$ P to Station No 6 in timber; thence $S 53^{\circ} 59' E 9$ poles to Station No. 7 in timber; thence $S 73^{\circ} 47' E 12.56$ P to station No 8 in timber; thence $S 85^{\circ} 00' E 9.64$ P to station No 9 at edge of woods; thence $N 76^{\circ} 15' E 13.60$ poles to station No. 10 in a private road; thence along said private road $S 78^{\circ} 15' E 6.60$ poles to station No. 11 in said private road; thence $S 53^{\circ} 00' E 16.43$ poles along private road to station No. 12 in center of the Murphy Ridge Road from which a black walnut tree 6 inches in diameter bears $S 74^{\circ} 36' E 47$ links; and a black walnut tree 8 inches in diameter bears $S 0^{\circ} 30' E 15$ links.

I Certify, That the above is a correct plat and return of the survey of the alteration of road named above.....

John A Bond Surveyor of said road

Plat of **C**ounty Road.

J.M. McELWAIN

