

## ROAD PETITION.

For Establishing Road in Wayne Tp

To the Board of Commissioners of Belmont County, Ohio:

The undersigned petitioners, resident freeholders of said County, respectfully represent, that the public convenience requires a change of the location of a county road along the following described route, to-wit:- To commence at a stake in the Barnesville and New Castle road, between a log cabin, on the lands of Mr & Mrs James Wallace, and the creek, and running Westerly across the lands of Mr & Mrs James Wallace to a stake near a tobacco house located on the east side of the farm belonging to the heirs of Archibald Cole, Sr; from thence westerly to a stake on the west side of the Cole's Mills and Somerton road near the foot of the hill on the lands of Archibald Cole, deceased; from thence North across the creek to a stake in the road near a dwelling house on the lands of Archibald Cole.

L.J. 8 = p. 369.

Dated this September 1st. A.D. 1804.

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
W F Neptune	G W Nicholson	Claude Frazier	F W Naylor
Jos Turner	D M Brown	L M Wharton	E P Brown
Jas A Harris	John Moler	N S Shry	M G Benson
Geo F Frazier	James McMillin	M D Frazier	John Phillips
A P Warfield	H E McFarling	N B Wharton	J W Danford
Lee A Donaway	John F Shry	F G Naylor	M J Davies
R W Nicholson	J F Wilcox	A P Naylor	

## Know all Men by these Presents:

That we, J F Wilcox, N E McFarling and A B Warfield  
 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 3<sup>rd</sup> day of November 1894.

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 change of a county road on the following line, to-wit:

Commencing at a stake in the Parnesville and New Castle road between a log cabin, on the lands of Mr & Mrs James Wallace, and the creek, and running in a westerly direction across the lands of Mr and Mrs James Wallace to a stake near a tobacco house located on the east side of the farm belonging to the heirs of Archibald Cole Sr, from thence westerly to a stake on the west side of the Cole's mill and Somerton road near the foot of the hill on the lands of Archibald Cole, deceased, from thence north across the creek to a stake in the road near a dwelling house on the lands of Archibald Cole.

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:

Orville Milhoan }  
S R Gibbins

J F Wilcox SEAL.  
N E McFarling SEAL.  
A B Warfield SEAL.

St. Clairsville, O., Nov. 15th 1894

The Commissioners met in special session at their office, and the Board being satisfied that the foregoing petition was signed by at least twelve freeholders of the County, residing in the vicinity of the establishment of said county road, and that the proper notices had been given according to law, bond filed, approved and accepted, thereupon the Board appointed John Penton, Simon Howell & D M Huntsman three disinterested freeholders of the County, viewers, and John A Bond surveyor of said proposed road, to meet at the home of Lebias Lewis on Jan. 3<sup>rd</sup>, 1905 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 Hattie  
 County Auditor.

6 J. 8 - p. 369.

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. Bond Surveyor, at the house of on Chas Lewis on Jan 7, 1895 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.

Allen Bond and Walton Palston were selected by us as chain carriers, and 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 of said road as follows:

For description see p. 254.

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

For the convenience of the petitioners and travelling public and the same can be made at a reasonable expense.

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

All of which is respectfully submitted,

Jan. 18, 1895 }

pd. 3-13-05

## FEES.

John Denton	Viewer,	4 days,	\$ .6
S A Howell	"	4 days,	\$ .6
D M Huntsman	"	4 days,	\$ .6

John A. Bond	Surveyor,	7 days,	\$ 5.00
	Plot & description		\$ 1.25

Walton Palston	Chainman,	1 days,	\$ 1.00
Allen Bond	"	1 days,	\$ 1.00
	Marker,	days,	\$ .-

John A. Bond	Surveyor,	7 days,	\$ 5.00
	Plot & description		\$ 1.25

Walton Palston	Chainman,	1 days,	\$ 1.00
Allen Bond	"	1 days,	\$ 1.00
	Marker,	days,	\$ .-

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	Plot & description		\$ 1.25

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	Plot & description		\$ 1.25

Walton Palston	Chainman,	1 days,	\$ 1.00
Allen Bond	"	1 days,	\$ 1.00
	Marker,	days,	\$ .-

John A. Bond	Surveyor,	7 days,	\$ 5.00
	Plot & description		\$ 1.25

## Separate Report of Viewers.

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**To the Board of Commissioners of Belmont County, Ohio:**

The undersigned, Viewers of the County Road petitioned for by J. F. Wilcox 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>James Wallace</u>	<u>Seven (7) Dollars;</u>
To <u>Heirs of Archibald Cole Sr</u>	<u>One Hundred (100) Dollars;</u>
To .....	<u>Dollars;</u>

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>James Wallace</u>	<u>Three (3) Dollars;</u>
To <u>Heirs of Archibald Cole Sr</u>	<u>One hundred &amp; sixty Dollars;</u>
To .....	<u>Dollars;</u>

John Benton  
Simon A Howell  
O M Huntsman

Viewers and Jurors to  
award damages.

Jan. 18 th 1895

St. Clairsville, O., Mar. 6 th 1895

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.

<u>A W Ratty</u> ATTEST: <small>County Auditor.</small>	{	6 J. 8 - 430	<u>Robt Mc Millen</u>	}
			<u>J W Martin</u>	
		<u>A G Holloway</u>		
				Commissioners.

St. Clairsville, O., May 7 th 1895

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.

<u>A W Ratty</u> ATTEST:	{	6 J. 8 - 432	<u>Robt Mc Millen</u>	}
			<u>J W Martin</u>	
		<u>A G Holloway</u>		
				Commissioners.

St. Clairsville, O., Mar 8th 1895.

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 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 land owners by reason of the establishment 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:

Compensation, heirs of Archibald Cole \$100.00, James Wallace, \$7.00; Damages, heirs of Archibald Cole \$160.00, James Wallace, \$3.00. are reasonable and just; that said road will be of public benefit 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 issue 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 established road be recorded and that said road be and the same is hereby established a public highway forty feet (40) in width, that the County Auditor issue the necessary order to the trustees of Wayne township to open said road according to law.

L.G. 8 = p. 446.

Alex. McBratty  
Auditor

Robert McMiclean Commissioner  
J.W. Martin } of  
Alb. Halloway Belmont County

Ordered to trustees &c etc

## Surveyor's Report.

**To the Board of Commissioners of Belmont County, Ohio:**

The undersigned, in obedience to your order, dated Nov. 15<sup>th</sup> 1894, proceeded on the 7<sup>th</sup> day of January 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:

Commenced at an iron pin driven in the center of the Barnesville and New Castle road near a log cabin Station one witnessed by a black walnut tree 5 inches in diameter bears N 3° 40' W 55 1/4 links distant and a sycamore 14 inches in diameter bears S 22° 28' W 51 3/4 links thence N 34° 15' W 49.12 poles to Sta. 2 on lands of the heirs of Archibald Cole Sr. thence N 39° 15' W 14.20 poles to Sta. 3 on same property, thence N 52° 22' W 12.00 poles to Sta. 4 near a ford at Captria creek, thence crossing said creek on lands above named land N 21° 27' W 18 poles to Sta. 5 in center of public road from which the SW cor of an old house above mill bears N 21° 35' E 126 links.

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

John A. Bond

Surveyor of said road

Plat of County Road.  
J. F. WILCOX.

