

St. Clairsville, O., Dec. 3d 1877

The Commissioners met in regular session at Auditor's Office, and appointed

Thos. Lodge and James Price

Viewers, and

Wm. Carter

Surveyor, of said proposed road.

ATTEST:

to meet at residence of George Morrow, Thursday, Dec. 27, 1877 at 10 o'clock A.M.

M. H. Coffland  
County Auditor.

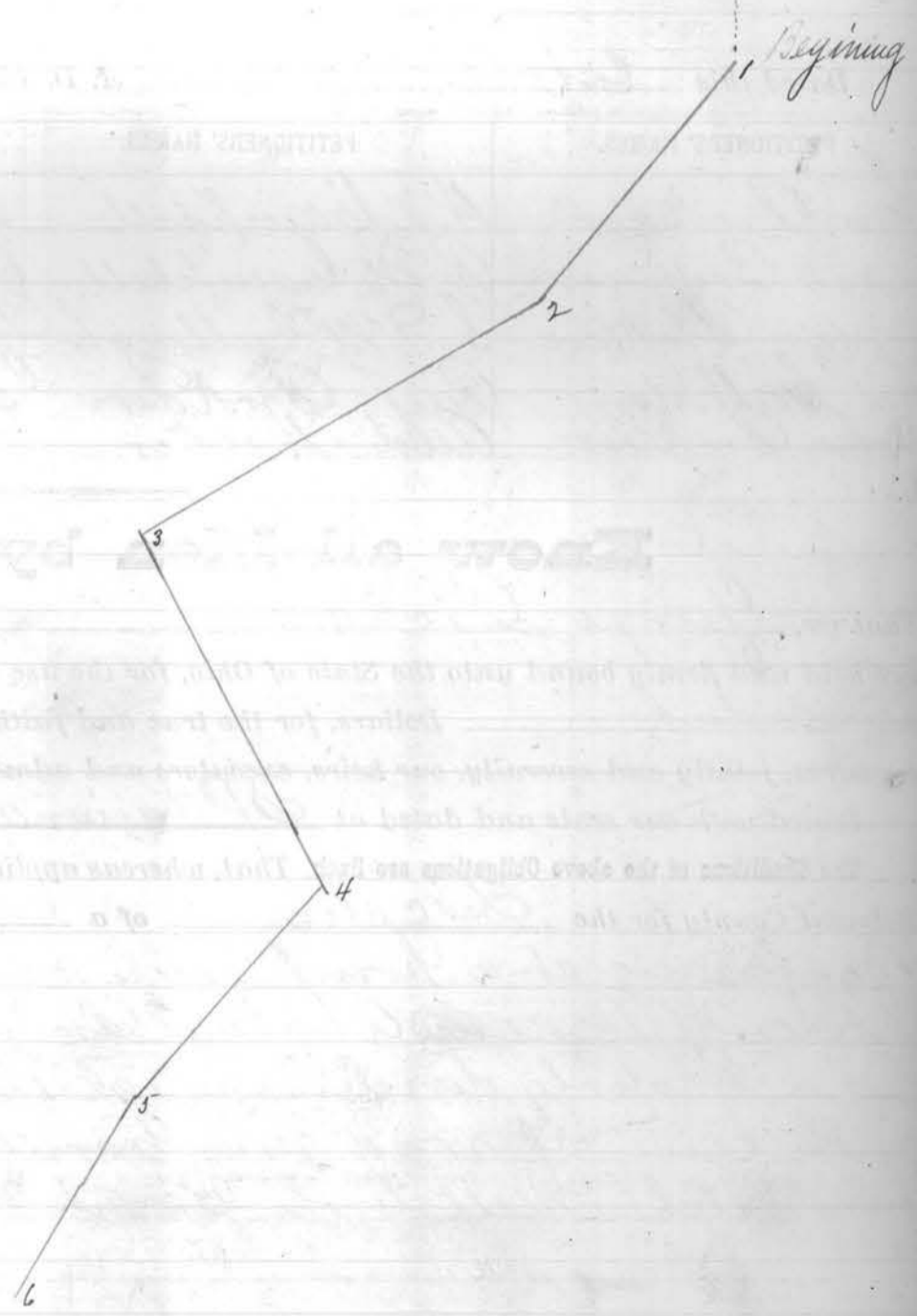
D. J. Ratts  
Thomas Young  
A. M. Anderson  
Commissioners.

### Surveyor's Report.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated December 3<sup>rd</sup> 1877, proceeded, on the 27<sup>th</sup> day of December to survey and mark the Road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Beginning in the middle of the old Road in Section 9 T<sup>9</sup>R<sup>5</sup> at a point witnessed by a white oak, bearing N 11<sup>3</sup>/<sub>4</sub> W 2.48 P. Thence S 38<sup>3</sup>/<sub>4</sub> W 17.36 P. Thence S 68<sup>3</sup>/<sub>4</sub> W 24.12 P. Thence S 24<sup>1</sup>/<sub>4</sub> E 18.24. Thence S 47 W 12.08 P. Thence S 31 W 10.84 P to the middle of an old Road



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

Marchal Thompson Surveyor of said Road

# REPORT OF VIEWERS.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your December session, A. D. 1877, we, the undersigned, Viewers appointed under said order, met with Marshal Thompson Surveyor, at George Brookaw's on the Twenty seventh and were severally sworn to discharge, faithfully and impartially the duties required of us in said order.

Abraham Brookaw and William McGrew were selected by us as chain carriers, and George Brookaw as a marker, who were also duly sworn.

We then proceeded to view said proposed 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 Establishment of said road as follows:

Along the line of the old road as prayed for in said petition, and we respectfully refer you to the Surveyors plot and report

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

That it is of great utility to the Public at large and has been used as such for Twenty five years

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

All of which is respectfully submitted, {  
December 27 1877 }

David Lysle  
Thomas Lodge  
James Price } Viewers.

### F E E S:

<u>David Lysle</u> Viewer, 1 days, \$1 <sup>00</sup>	<u>A Brookaw</u> Chainman, 1 days, \$1 <sup>00</sup>
<u>Thos Lodge</u> " 1 " \$1 <sup>50</sup>	<u>Wm McGrew</u> " 1 " \$1 <sup>00</sup>
<u>James Price</u> " 1 " \$1 <sup>50</sup>	<u>G Brookaw</u> Marker, 1 " \$1 <sup>00</sup>
<u>Marshal Thompson</u> Surveyor, 3 days, \$9 <sup>00</sup>	

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 \_\_\_\_\_ petitioned for by \_\_\_\_\_ 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 \_\_\_\_\_ 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 \_\_\_\_\_ dollars;
- To \_\_\_\_\_ dollars;
- To \_\_\_\_\_ dollars;
- To \_\_\_\_\_ dollars;
- To \_\_\_\_\_ dollars;

Viewers and Jurors to Award Damages.

18

St. Clairsville, O., March 4<sup>th</sup> 1878

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:

M. J. Coffland Dep  
County Auditor.

Henry Trusby  
M. Anderson  
E. J. Potts  
Commissioners.

St. Clairsville, O., March 5<sup>th</sup> 1878

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:

M. J. Coffland

E. J. Potts  
M. Anderson  
Henry Trusby  
Commissioners.

St. Clairsville, O., March 6<sup>th</sup> 1878

The Commissioners met in regular session, and the report of the viewers in relation to the establishment of said road, having been this day publicly read (being the third reading of the same), and no objection being made, nor damages claimed, nor petition for review filed, and the Board being of opinion that said road, as laid out and surveyed, will be of public utility, it is ordered that the reports of said viewers, with the survey and plat of said road, be recorded, and that said road be established a public highway.

thirty feet in width. It is further ordered, that the County Auditor issue an order, in the name of the Board, directing the Trustee of Whiting Township to cause said road to be opened, according to law.

Attest:  
W. N. Coffland  
Auditor

A. M. Anderson  
Henry Trask  
J. J. Potts

} Commissioners  
of  
Belmont County.

Order passed Apr. 17, 1878

# ROAD PETITION

For a County Road in Richland and Putney Tps.

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 Location 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 a point on the road passing the lands of William Grius near the mouth of "Far Run", and thence leading in a North Easterly direction, through the lands of James King Decd, William Nichol, Thos. M. Nichol, Thos. J. King, James McFarland, Thos. Manion, Michael Burns, Peter Neff, George Neff and James Dixon, and terminating at a point on the road leading up Little McMahon's Creek on the lands of James Dixon

Dated this December 3d A. D. 1877

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
William Nichol	Edward Grubb	Saul Alexander	Mary Neff
Geo. McFarland	Geo. Neff	Geo. F. Hutchinson	Kesley Meek
Thos. McVeece	J. B. Cophlan	Wm. Greenlee	Adm. Jones
Geo. McVeece	Geo. M. Steen	Thos. J. King	Saul Shields
	Geo. McHenry	Andrew King	

## Know all Men by these Presents,

That we, William Nichol and George McFarland are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of Two 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 3d day of December 1877

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 Location of a County road on the following line, to-wit:

Beginning at a point on the road passing through the lands of William Grius near the mouth of "Far Run" and thence leading in a North Easterly direction through the lands of James King Decd, William Nichol, Thos. M. Nichol, Thos. J. King, James McFarland, Thos. Manion, Michael Burns, Peter Neff, George Neff and James Dixon and terminating at a point on the road leading up Little McMahon's Creek on the lands of James Dixon

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:

\_\_\_\_\_ }  
\_\_\_\_\_ }  
\_\_\_\_\_ }

William Nichol   
Geo. McFarland   


St. Clairsville, O., December 1877

The Commissioners met in regular session at Auditor's Office, and appointed William Chambers

Archibald Giffin and Daniel Stearns Viewers, and to meet at their siding on Sunday January 6th 1878 at 10 o'clock a.m.

ATTEST: M. N. Coffland County Auditor.

Surveyor, of said proposed road. J. P. Potts, H. G. Finley, A. M. ... 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:

[Large blank area for the survey report content, with faint mirrored text visible from the reverse side of the page.]

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

Surveyor of said

# REPORT OF VIEWERS.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your December session, A. D. 1877, we, the undersigned, Viewers appointed under said order, met with Noble Carter Surveyor, at Hairsville on Jan'y 7<sup>th</sup> 1878 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.

Mr Archibald Biffen having given notice that he was not competent to serve as viewer (not being a freeholder) the vacancy was filled by the appointment of Joshua Worley a disinterested freeholder who was duly qualified to serve as viewer to fill said vacancy. J. Wesley Weckly and Robert Gray were selected by us as chain carriers, and Samuel Boyd 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 Establishment of said road as follows:

We fixed as the initial point of said road, a stake in the center of the County near the mouth of Sax Run, & on the lands of Mrs Grimes, where a beech tree 18 in in diameter bears N 22 1/4° E 111 links distant and a White Oak stump bears S 25 1/2° E 84. 6. distant thence through the lands of the parties named in your order and terminating in the County Road leading along little Mahous Creek on the lands of James Dixon at a stake where a Sycamore tree 48 in. in diameter bears N 28° E 32 links distant, for a detailed description of said survey see report and Plat of Surveyor hereto attached and made a part of this report. By reference to the Plat of Surveyor it will be seen that the line of road crosses the Creek once which was rendered necessary in order to comply with your order, on a good gravel bottom with very shallow water, we also cross the track of the Central Ohio Rail Road at grade at such a point that a clear view of the road is had for a distance of at least six hundred feet on either side of the crossing. About one half of the entire length of the line is now open and used for public travel, and the remainder of the road is laid upon such ground as that we believe a good and sufficient road can be made at a very reasonable expense and at a grade not exceeding five degrees with the horizon at any point on the line of Road

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

The public interests demand, and public convenience requires it, and a good road can be made along the line surveyed at very reasonable expenditure of money, or labor

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

All of which is respectfully submitted, March 1<sup>st</sup> 1878

Wm Chambers  
Daniel Steenrod  
Joshua Worley } Viewers.

<b>F E E S:</b>			
<u>Wm Chambers</u>	Viewer,	<u>6</u>	days, \$ <u>90<sup>00</sup></u>
<u>Daniel Steenrod</u>	"	<u>6</u>	" \$ <u>90<sup>00</sup></u>
<u>Joshua Worley</u>	"	<u>6</u>	" \$ <u>90<sup>00</sup></u>
<u>James Crossgrove</u>	Dept	<u>9</u>	days, \$ <u>27<sup>00</sup></u>
<u>J. H. Weckly</u>	Chainman,		days, \$
<u>Robert Gray</u>	"		" \$
<u>Saml Boyd</u>	Marker,		" \$

# Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the County Road petitioned for by William Nichol 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>Heirs of James King</u>	<u>Security from</u> ( <u>\$75<sup>00</sup></u> )	dollars;
To	<u>Joseph Beckett</u>	<u>Fifty</u> ( <u>50<sup>00</sup></u> )	dollars;
To	<u>Thos &amp; Mary Marion</u>	<u>10</u> ( <u>10<sup>00</sup></u> )	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>Heirs of James King</u>	<u>Fifty</u> ( <u>\$50<sup>00</sup></u> )	dollars;
To	<u>Jas Beckett</u>	<u>None</u>	dollars;
To	<u>Thos &amp; Mary Marion</u>	<u>None</u>	dollars;
To			dollars;
To			dollars;

Wm Chambers  
Daniel Stearns  
Joshua Worley } Viewers and Jurors to Award Damages.

18

St. Clairsville, O., March 4<sup>th</sup> 1878

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: M. J. Coffland }  
 County Auditor.

Henry Trask  
A. B. Anderson  
A. J. Potts } Commissioners.

St. Clairsville, O., March 5<sup>th</sup> 1878

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: M. J. Coffland }

A. J. Potts  
A. B. Anderson  
Henry Trask } Commissioners.

St. Clairsville, O., March 6<sup>th</sup> 1878

The Commissioners met in regular session, and the report of the Viewers and Surveyor was publicly read. Being the third reading of the same, and now under John Stewart by his attorney and files the following motion and asks the Board to dismiss said application for the following reasons: 1st it does not appear by the record and proceedings due and proper notice of the presentation of petition for said road was given as required by law. 2d that it does not appear that all the land owners through whose lands said



road has been located was embraced in the petition, and notified of the time and place of the meeting of viewers. 3d it does not appear that the Baltimore and Ohio R.R. Co. the owners of lands through which said road is located, was notified as required by law, of the time and place of meeting of the viewers and surveyor to locate and survey said road. 4th. It appears from the records, that due notice of the presentation of petition was not set up in three places in each of the Townships of Richland and Pullney as required by law.

John Stewart,

After hearing testimony and arguments of Counsel for and against said motion, Board find that proper notice has not been given land owners as required by law, and therefore dismiss said petition. It is further ordered that the Petitioners, pay the cost and expenses that have been caused by their aforesaid application.

Attest:

H. N. Coffland,  
Auditor.

A. Anderson  
Henry Franks  
J. J. Potts

} Commissioner  
of  
Belmont County.

In which ruling of the Board dismissing said petition William Nichol Principal Petitioner excepts.