

# ROAD PETITION,

FOR AN Alteration ROAD IN Smith & Richland 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 \_\_\_\_\_ of a \_\_\_\_\_ road on the line hereinafter described; and pray that your body will institute and order the proper proceedings in the premises to \_\_\_\_\_ such road, to-wit: Beginning at \_\_\_\_\_

Your petitioners undersigned freeholders of the vicinity of the alteration hereinafter described, respectfully represent to your honorable body that the public utility and interest demand the alteration of a County road leading up Mc Mahon's creek bottom from the village of Glenoe in said County to Warrick's station in said County on the following line to-wit: beginning in said old road at the south end of Belmont street in Carle's addition to the village of Glenoe aforesaid, thence north along said Belmont street and through the lands of Robert Carle to a stake.

See page 420

Dated this \_\_\_\_\_ A. D. 18\_\_\_\_

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
Geo T. Fulton	A. D. McMahon	E. Phillips	W. W. Pifer
Walker Fulton	Henry Wiley	Z. Pifer	M. J. Ogilbee
J. W. Mellett	Elmer E. Ault	W. C. Hutchison	A. J. Fulton and
S. A. Bower	James Wiley	J. W. Vanhorn	46 others

## Know all Men by these Presents,

That we, Geo T. Fulton James A. Wiley and Wm Fulton 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 9<sup>th</sup> day of March 1892

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:

leading up McMahon's creek bottom from the Village of Glenoe in said County to Warrick's station in said County

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.

Geo T. Fulton Seal.

James A. Wiley Seal.

William Fulton Seal.



St. Clairsville, O.,

Mar 9

1892

The Commissioners met in regular session at Auditor's 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 alteration of said county road, and that the proper notices have been given according to law, bond filed, approved and accepted, thereupon the Board appointed A. B. Boyd, James A. Shepherd & Hiram Mantle

three disinterested freeholders of the county viewers, and John Bond surveyor of said proposed road, to meet at office of Peter M. Sutton, Glenoe, O. Apl 19 '92

for the purpose of discharging their official duties relative to the object prayed for in the foregoing petition. and auditor is authorized to give notice to non-resident land-owners

ATTEST.

County Auditor.

Commissioners.

## SURVEYOR'S REPORT.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated Apr 19 1892, proceeded, on the 19th day of Apr to survey and mark the said road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:

Plat and description of a survey for the alteration of a County road leading up the Mahon's Creek bottom from the village of Glenoe, Belmont County O to Harrocks Station in said County, on the following line to wit: Beginning in said old road at a railroad bar located at the south end of Belmont Street in Carliles Addition to the village of Glenoe aforesaid: thence north along said Belmont Street to stake marked A.

Sta	Seq	min	Poles	Remarks	Sta	Seq	min	Poles	Remarks
1	29	28	5136	along Belmont St through lands of Robt Carlisle to Stake A	23	82	48	2108	Through lands of Jas Wiley
2	53	55	2	Through lands of Robt Carlisle	24	169	33	25	" " " " "
3	78	22	2424	" " " " "	25	231	30	14	" " " " "
4	47	22	1858	" to township line	26	24	10	1144	" " " " "
5	25	10	2	Through lands of Frank Caldwell	27	232	38	2008	" " " " "
6	23	57	1984	Through lands of Frank Caldwell	28	239	5	1696	" " " " "
7	5	19	744	" " " " "	29	248	42	1792	" " " " "
8	29	50	242	" " " Robt Carlisle	30	231	7	2128	" " " " "
9	30	22	2732	" " " " "	31	245	15	1124	" " " " "
10	11	54	1468	" " " " "	32	287	7	1468	" " " " "
11	8	34	1938	" " " " "	33	273	57	1142	" " " " "
12	32	15	2016	" " " " "	34	282	37	1144	" " " " "
13	21		1040	" " " Henry Wiley's	35	266	45	796	" " " " "
14	23	44	1976	" " " " "	36	287		1184	" " " " "
15	29	36	1822	" " " " "	37	261	20	144	" " " " "
16	70	9	348	" " " " "	38	245	45	1084	" " " " "
17	46	20	298	" " " " "	39	254		264	" " " " "
18	28	57	1836	" " " " "	40	261	10	639	" " " " "
19	27	10	692	" " " " "	41	267	5	1672	" " " " "
20	26	14	1516	" " " " "	42	257	25	1344	" " " " "
21	26	11	296	" " " " "	43	29	25	324	" " " " "
22	20	57	2244	" " " " "	44	217	25	2260	" " " " "

I CERTIFY that the above is a correct plat and return of the survey of the said road named above

See p 599

John A. Bond

Surveyor of said road



## REPORT OF VIEWERS.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your McK session, A. D. 1897, we the undersigned, Viewers appointed under said order, met with Jno A Bond Surveyor, at Glenora on apl 19 and were severally sworn to discharge, faithfully and impartially the duties required of us in said order.

M. J. Coffey and M. Mantle and A. J. Fulton were selected by us as chain carriers, and Omer Sells 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:

For further description of route see Surveyors plat annexed hereto and also his report filed herewith and for this purpose made a part hereof. We also report that in our judgment, the old road is rendered unnecessary except that part leading from the lands of J. F. Caldwell to the point of beginning at the north end of Belmont St. Glenora, O., and also from the residence of James Warrick to the terminus of said alteration.

We would respectfully report that the said Alteration ought to be established for the following reasons: That it will be a great benefit to the public in changing the road away from the creek.

We have also determined that the public convenience requires that such Alteration shall be established 33 feet in width.

All of which is respectfully submitted.)

18.

R. B. Boyd  
Airam Mantle  
Jas A. Shepherd

Viewers.

## FEES

<u>H. Mantle</u> Viewer, 6 days, \$ <u>9.00</u>	<u>M. J. Coffey</u> Chainman, 1 day, \$ <u>1.00</u>	<u>McK</u> Pd 788
<u>R. B. Boyd</u> " 6 days, \$ <u>9.00</u>	<u>M. Mantle</u> " 3 " \$ <u>3.00</u>	<u>Ad 801</u>
<u>Jas A. Shepherd</u> " 6 days, \$ <u>9.00</u>	<u>A. J. Fulton</u> " 4 " \$ <u>4.00</u>	<u>Ad 534</u>
<u>J. A. Bond</u> Surveyor, Six days, \$ <u>30.00</u>	<u>Omer Sells</u> Marker, 4 " \$ <u>4.00</u>	<u>Ad 601</u>
		<u>Ad 563</u>



# Separate Report of Viewers.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, Viewers of the Alteration petitioned for by Geo F Fulton 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: Pa

To <u>Robt Carlile</u>	<u>#112<sup>00</sup> Pa 288</u>	<u>Thos Powell</u>	<u>Hrs #15 #187</u>	dollars;
To <u>J. Caldwell</u>	<u>#14<sup>00</sup> Pa 607</u>	<u>Geo F Fulton</u>	<u>#60</u>	dollars;
To <u>H Miley</u>	<u>Hrs #57<sup>00</sup> Pa 603</u>	<u>J. M. Warnock</u>	<u>#115</u>	dollars;
To <u>Jas Miley</u>	<u>" #50 Pa 443</u>	<u>J. M. &amp; B. Warnock</u>	<u>#64</u>	dollars;
To <u>Mm Senham</u>	<u>#50 Pa 441</u>			dollars;
To <u>Mrs Sawyers</u>	<u>Hrs #40 Pa 323</u>			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>R. Carlile</u>	<u>Pa 288 #240<sup>00</sup></u>	<u>Mrs Sawyers</u>	<u>Hrs #100<sup>00</sup> Pa 323</u>	dollars;
To <u>J. Caldwell</u>	<u>Pa 607 #16<sup>00</sup></u>	<u>Thos Powell</u>	<u>" #40<sup>00</sup> Pa #187</u>	dollars;
To <u>H Miley</u>	<u>Hrs Pa 603 #92<sup>00</sup></u>	<u>Geo F Fulton</u>	<u>#96<sup>00</sup></u>	dollars;
To <u>J Miley</u>	<u>" Pa 443 #112<sup>00</sup></u>	<u>J. M. Warnock</u>	<u>#255<sup>00</sup></u>	dollars;
To <u>Mm Senham</u>	<u>Pa 441 #160<sup>00</sup></u>	<u>J. M. &amp; B. Warnock</u>	<u>#153<sup>00</sup></u>	dollars;

Q B Boyd  
Hiram Mantle  
Jas A. Shepherd

Viewers and Jurors to  
award Damages.

May 9

1892

St. Clairsville, O., June 6 1892

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.

County Auditor.

Miles R Hart  
W. S. Mechem  
Silas Bailey

Commissioners.

St. Clairsville, O., June 7 1892

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.

Miles R Hart  
W. S. Mechem  
Silas Bailey

Commissioners.

St. Clairsville, O., June 8 1892

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 location of said road through their several premises, which report was also publicly read; and the board being of opinion that the compensation and damages



awarded by said viewers to the several claimants,  
to wit:

To Robt Carlile	\$112 <sup>00</sup> Pd 288	Compensation and	\$240 <sup>00</sup> Pd 288	Damages
" J. H. Caldwell	\$14 <sup>00</sup> Pd 607	"	\$16 <sup>00</sup> Pd 607	"
" H. Wiley Mrs	\$57 <sup>00</sup> Pd 603	"	\$92 <sup>00</sup> Pd 603	"
" Jos Wiley	\$50 <sup>00</sup>	"	\$112 <sup>00</sup>	"
" Wm Denton	\$50 <sup>00</sup> Pd 41	"	\$160 <sup>00</sup> Pd 41	"
" Jno Sawyer Mrs	\$40 <sup>00</sup> Pd 323	"	\$100 <sup>00</sup> Pd 323	"
" Thos Powell	\$15 <sup>00</sup>	"	\$40 <sup>00</sup>	"
" Geo T Fulton	\$60 <sup>00</sup>	"	\$96 <sup>00</sup>	"
" Jr J M Warnock	\$105 <sup>00</sup>	"	\$255 <sup>00</sup>	"
" J M & D B Warnock	\$64 <sup>00</sup>	"	\$133 <sup>00</sup>	"

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 being filed, it is ordered that the County Auditor draw his order upon the County Treasurer, in favor of said claimants for the amount of compensation and damages so awarded to them, respectively, when the trustees of the proper Township, together with the road supervisor, certify that work has been commenced to open said road on any one of said claimants premises: that the several reports of the viewers, with the survey and plat of said road be recorded, and that said road be established a public highway 33 feet in width. The Auditor is ordered to issue orders for cost of view and survey. And it is further ordered, that the County Auditor issue, in the name of the board, an order to the trustees of Smith and Richland townships, directing them to cause said road to be opened according to law.

Attest:

Auditor

Miles R Hart }  
Wm S Frechem } Commissioners  
Silas Bailey } of  
Belmont Co

In the matter of the }  
Alteration of County Road } As to filing appeal bond.  
petitioned for by Geo T Fulton et al } Jno S. Caldwell, appeals from an  
order of the County Commissioners of Belmont Co. O. }  
made at the June Session 1892, establishing said altera- }  
tion of County Road and has this day, June 23<sup>rd</sup> 1892, filed his appeal }  
bond in the sum of One Hundred Dollars, which bond }  
is approved by the Auditor of said County,

J. A. Henderson  
Auditor

(over)



Be it remembered That heretofore, to-wit: on the 5th day of July 1892, the following proceedings were had in the Probate Court of Belmont County, Ohio and entered upon the journal thereof, in the words and figures following to-wit:

George T. Fulton et al } July 5 1892

vs } Appeal from order of County  
John F. Caldwell et al } Commissioners, relating  
to establishment of an al-  
teration of County Road.

This day came the Auditor of Belmont County and caused to be filed herein the original papers and certified transcript of all proceedings and orders had by the County Commissioners touching the establishment of an alteration of a County road petitioned for by George T. Fulton and others. It is therefore by the Court ordered that the day for hearing said appeal be fixed for Thursday the 14th day of July 1892 at 9 o'clock A.M.

James F. Tallman, Probate Judge  
And afterwards to-wit: on the 14th day of July 1892, the following proceedings were had in said Court and entered upon the journal thereof in the words and figures following, to-wit:

George T. Fulton et al } July 14, 1892. Appeal from order of  
vs } County Commissioners establishing an  
John F. Caldwell et al } alteration of a County road.

This day came the petitioners with their attorney: the appellants failing to appear and the cause came on to be heard upon the appeal of John F. Caldwell from the final order of the County Commissioners, establishing the alteration of a County road petitioned for by George T. Fulton and others, and the Court having examined the record of said proceedings, and being fully advised in the premises, do find that the proceedings by and before the said County Commissioners, previous to the appeal, are substantially regular and legal, and the same are hereby affirmed with costs. It is therefore considered that the State of Ohio recover of the said John F. Caldwell, James Warnock, and J. T. Carlisle all costs created by said appeal, taxed at \$8.87

James F. Tallman, Probate Judge.

The State of Ohio, Belmont County ss

I James F. Tallman, Probate Judge in and for said County do hereby certify the foregoing to be a true and correct transcript of the proceedings had in this Court in the foregoing cause.

In witness whereof I have hereunto set my hand and seal of the Probate Court this 14th day of July 1892.

Seal

James F. Tallman, Probate Judge.

Oct 20-1896- Auditor directed to issue order for Compensation & damages to Jno McNeil (J.F. Caldwell) & H. Wiley Harris.

Order issued to Trustees of Beth & Smith Cooper Road. J. H. Henderson and



ROAD PETITION,  
FOR AN Alteration of ROAD IN Colerain 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 the ~~of a road on the line hereinafter described, and pray that your body will institute and order the proper proceedings in the premises to~~ such road, to wit: Beginning at ~~that the County road leading~~ South from the Harrison & Belmont County line and Harrisville, O., to Maynard, in said County, should be altered between the following points, to-wit: Commencing for the same on the lands owned by Parson V. Hall, in the N.W. quarter of Sec. 33 in Tp 7 of R. 3, in said County, at the S.E. corner of said Hall's orchard, at a stake, about 20 rods north from the forks of said road; thence N., about 30 rods to a stake in said orchard; thence a north easterly direction about 25 rods to said old road, the same being all on said Hall's lands. That so much of the old road made useless by reason of said change, be vacated. Said petitioners therefore ask that the necessary proceedings may be had to establish said alteration etc., according to law

Dated this April 30 A. D. 1892

PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.	PETITIONERS' NAMES.
Parson V Hall	James W Edwards	Henry Rogers	
Wm J Hess	B F Coyle	J H Morgan	
J C Johnson	Joseph Waleott	Thos McCabe	
Wm Scott	B W Harrold	John Scott	

Know all Men by these Presents,

That we, \_\_\_\_\_ and \_\_\_\_\_ are held and firmly bound unto the State of Ohio, for the use of Belmont County, in the penal sum of \_\_\_\_\_ 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 \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_

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 \_\_\_\_\_ of a \_\_\_\_\_ road on the following line, to-wit:

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.

Seal

Seal

Seal

St. Clairsville, O.,

June 8

1892

The Commissioners met in regular session at Auditor's 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 alteration of said county road, and that the proper notices have been given according to law, bond filed, approved and accepted, thereupon the Board appointed Geo. Mitchell, J. S. Lyle, Arch Rusk three disinterested freeholders of the county viewers, and Geo. A. Bond surveyor of said proposed road, to meet at Paxon V. Hall's at 10 a.m. June 30, 1892 for the purpose of discharging their official duties relative to the object prayed for in the foregoing petition.

ATTEST.

County Auditor.

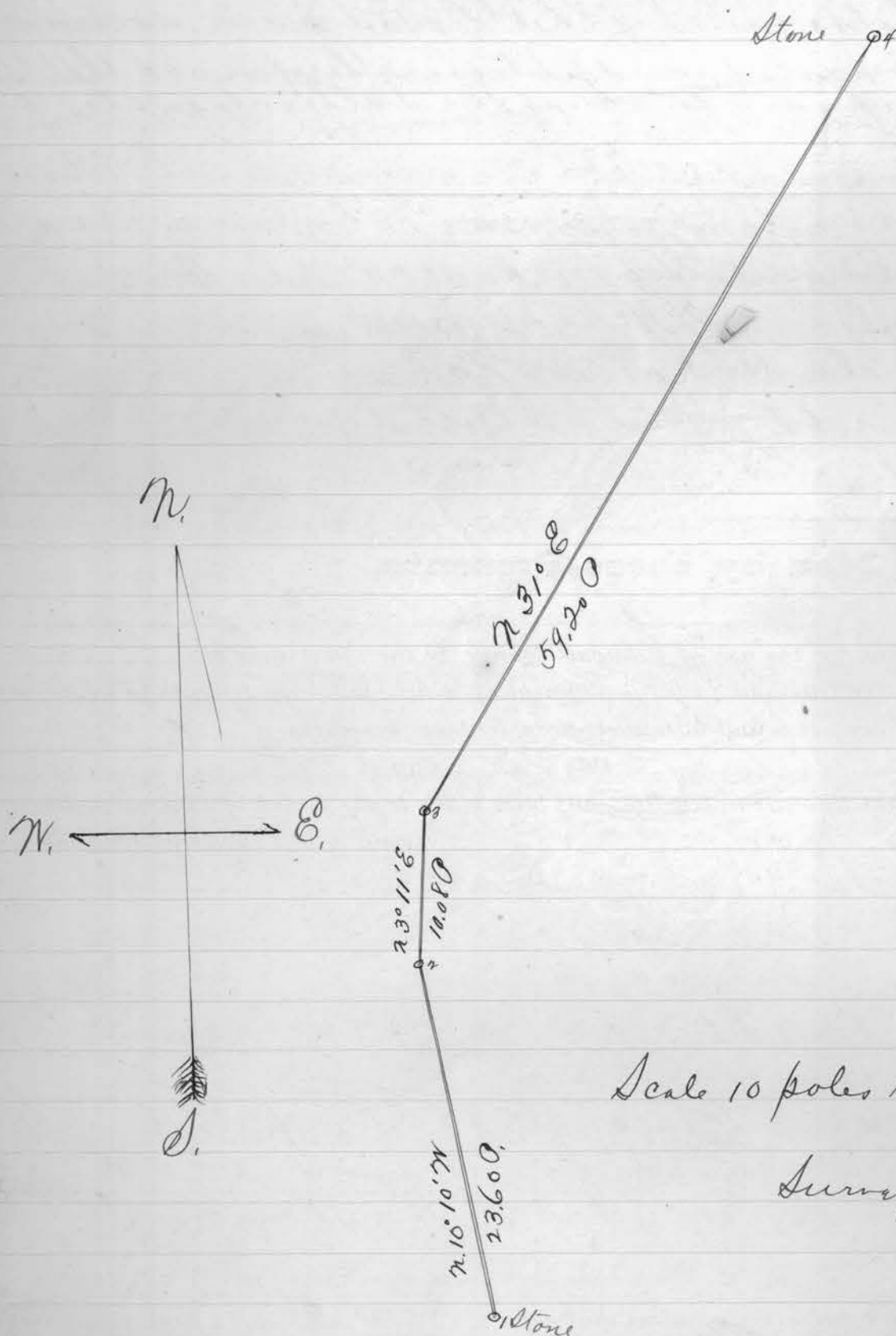
Miles R. Hart  
W. S. Michelson  
Silas B. Bailey

Commissioners.

## SURVEYOR'S REPORT.

To the Board of Commissioners of Belmont County, Ohio:

The undersigned, in obedience to your order, dated 1892, proceeded, on the 30th day of June to survey and mark the alteration of Road described in said order, under the direction of the Viewers therein named, and respectfully submits the following return of said survey:



Scale 10 poles to 1 inch

Surveyed June 30, 1892.

I CERTIFY that the above is a correct plat and return of the survey of the Alteration of road named above.

Geo A Bond

Surveyor of said road



## REPORT OF VIEWERS.

To the Board of Commissioners of Belmont County, Ohio:

In obedience to your order, issued at your May session, A. D. 1892, we the undersigned, Viewers appointed under said order, met with John A Bond Surveyor, at Paxon V. Halls on June 30 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.

John M. Cline and Edward Cline were selected by us as chain carriers, and James B. Cotton as a marker, who were also duly sworn. by surveyor

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 alteration of said road as follows:

Beginning the survey for the alteration of said road at a stone planted 6.16 poles north of the center of the terminus of road leading from Maynard, via Henderson mill to the intersection of road leading from the Belmont and Harrison line to Kidds Station: thence N 10° 16' W 23.60 p to a stake at south side of orchard (Sta. 2) thence N 3° 11' East 10.09 p to a stake in orchard to (Sta. 3) thence N 31° E 59.20 p to a stone planted in the center of road leading from the Belmont and Harrison County line to Kidds Station. Length of road 92.88 poles

We would respectfully report that the said Alteration ought to be

for the following reasons:

Said Alteration will be a benefit to the public because it is on better ground for a good road:  
2nd It is a better grade and on higher and drier ground.

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.)

July 23 1892

J. D. Lyle  
Arch Rusk  
G. W. Mitchell

Viewers.

## FEES.

<u>J. D. Lyle</u> Viewer, <u>3</u> days, \$ <u>4.50</u>	Chainman, _____ days, \$ _____
<u>Arch Rusk</u> " <u>3</u> " \$ <u>4.50</u>	" " " \$ _____
<u>G. W. Mitchell</u> " <u>3</u> " \$ <u>4.50</u>	Marker, _____ " \$ _____
<u>John A Bond</u> Surveyor, <u>3</u> days, \$ <u>15.00</u> <u>pd 8.05</u>	