

Dyer Road - from Gantz Road to Jackson Pike

ROAD RECORD NO. 8

ROW = 30'

ROAD RECORD NO. 8

PAGE NO. 174

JOHN BROWN'S ROAD. -

Be it remembered that heretofore to wit: at the September Session of the Commissioners of Franklin County, Ohio, in the year A.D. One thousand Eight hundred and fifty four, among other proceedings then and there had were the following, to wit:- (Pas. Presented)

"John Brown presented a petition in behalf of himself and others for a new County road in Jackson Township, beginning in the east line of Z. Marshes land, north of David Holton's Improvement. Thence in an Easterly direction through D. Holton's, John and Samuel Brown's land, so as to pass between John Brown and Hannah Brown's house and orchard to Adam F. Millers west line, or west line of survey No. 9264. Thence through said survey in an easterly direction to the Franklin and Jackson Pike South of Adam F. Miller's house and gave Bond According to law." And which said Petition was in the words and figures following, to wit: COPY OF PETITION

"TO THE COMMISSIONERS OF FRANKLIN COUNTY, OHIO:

We the undersigned, citizens of Jackson Township, Franklin County, Ohio, would respectfully represent to your Honorable body that we are in very much need of a road, Beginning in the east line of Z. Marche's land, north of David Holton's improvements, Thence in an Easterly direction through David Holton's, John and Samuel Brown's land so as to pass between John Brown's and Hannah Brown's House and Orchard, to Adam F. Miller's west line, or west line of Survey No. 9264. Thence through said Survey in an easterly direction to the Franklin and Jackson Pike south of Adam F. Miller's house and for which we will ever pray.

Signed, JOHN BROWN,
SAMUEL BROWN
AUGUST GOLDPART
WILLIAM PALZER
JACOB HARSH

GEORGE HOOVER
CALEB MEEKER
JACOB BRUKE
ADAM GANTS
D.S. HOLTON
O.P. HINES."
G.W. HOOVER
Z. MARSH
WM. P. WHITE
A.W. ALKIRE
DAVID STRANAHAN

NOTICE

Accompanying which said petition was a copy of NOTICE in the words following, to wit: "NOTICE- There will be a petition presented to the Commissioners of Franklin County, Ohio, at the September - Session for a County road, beginning on the east line of Z. Marche's lands, north of David Holton's improvement. Thence in an Easterly direction through David Holton, John Brown and Samuel Brown lands, so as to pass between John and Hannah Brown's house and Orchards, to the west line of Adam F. Miller land, or west line of Survey No. 9264. Thence through said survey in an Easterly direction to the Franklin and Jackson Pike, South of Adam F. Miller's House- July 27 A.D. 1854.

The said Bond was in the words following, to-wit:

BOND

"Know all men by these presents that we, John Brown and Samuel Brown are held and firmly bound unto the State of Ohio for the use of Franklin County in the just and full sum of One hundred dollars the payment of which, well and truly to be made, we bind ourselves, our heirs, &C, jointly and severally, firmly by these presents. Witness our hands and seals, the Fourth day of September in the year 1854. The condition of the above obligation is such, That whereas the above bound John Brown has this day presented a petition for a new County road in Jackson Tp., Franklin County. Now if the said John Brown succeeds in the petition, then this obligation to be void and of no effect, otherwise to remain in full force in law.

Signed, JOHN BROWN (SEAL)
SAMUEL BROWN (SEAL)

VIEWERS

Thereupon the Commissioners appointed John Helpman, A. Hathaway and E.B. Decker three disinterested Freeholders of said County as Viewers and John Cox, Surveyor, on said road, and ordered that they be duly notified of said appointment.

ORDER FOR VIEW

Thereupon there was issued from the Office of the Auditor said County the following Order, to wit

"COUNTY AUDITOR'S OFFICE,
FRANKLIN COUNTY, OHIO,
COLUMBUS, SEPTEMBER 16th, 1854.

John Helpman, A. Hathaway & E. B. Decker, -Viewers,
and John Cox, Surveyor, GENTLEMEN:

You have been appointed by the Commissioners of Franklin County to view and Survey a route for a new County road, Beginning in the East line of Z. Marche's land - north of David Holton's, John and Samuel Brown's land so as to pass between John Brown and Hannah Brown's Orchard, so Adam F. Miller's west line of Survey No. 9264. Thence through said Survey in an Easterly direction to the Franklin and Jackson pike, South of Adam F. Miller's House. You will therefore to survey said route and make due return thereof to this Office. You will meet at John Brown on the 1th day of November 1854.

YOURS RESPECTFULLY,
JOHN M. PUGH,
Clerk to Commissioners."

REPORT

And afterwards to wit: on the second day of November A.D. 1854 came said Viewers together with the Surveyor and made their report in the words following, to wit: To the Honorable Board of Commissioners of Franklin County, Ohio, we the undersigned viewers met at John Brown's on the 1st day of November as set forth in the Order, and after being first duly sworn proceeded with John Cox who was duly appointed, surveyor on said Road we proceeded to view said route as described in said Order, and we are of the opinion that a good road can be made on said survey, and think that it would add much to the convenience of the neighborhood and public generally, and we are Opinion a thirty feet road will be sufficient in width, as the ground is very suitable for a road. Signed,

JOHN H. UPMAN
A. HATHAWAY
and E. B. DECKER, Viewers.

VIEWERS SWORN

THE STATE OF OHIO, FRANKLIN COUNTY, before me, H. Nichodemus, Justice of the Peace in for said County, personally appeared the within named John Helpman, an A. Hathaway ad duly sworn as Viewers according to Law, this 31th day of October 1854.

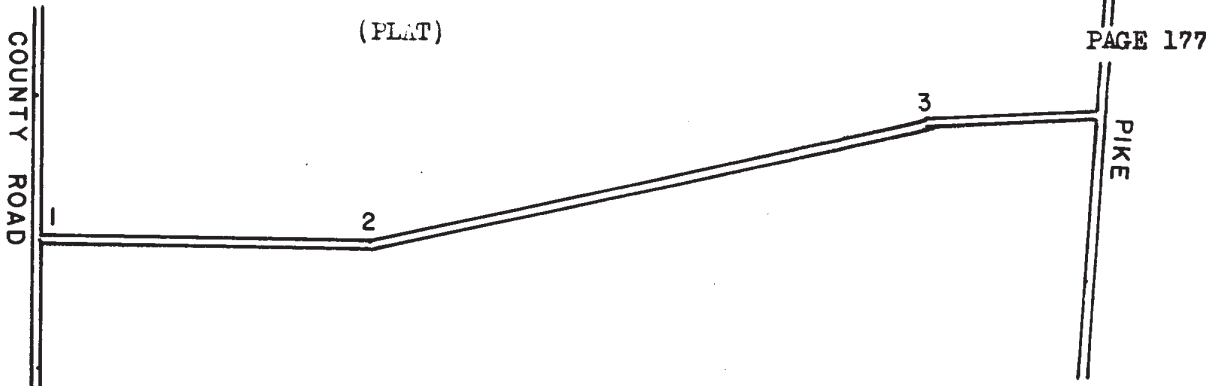
(Signed) H. NICHODEMUS, J.P.
(Fees- 25 Cents.)"

THE STATE OF OHIO, FRANKLIN COUNTY, before me, John Helpman, one of the Viewers of said Order, appeared the within named E. B. Decker, Viewers, and John Cox, Surveyor, sworn according to Law, This 1st day of November 1854.

JOHN HELPMAN, Viewers."

SURVEY

The following is the Report of the Survey to wit: "Notes of the Survey of a County road viewed by John Helpman, A. Hathaway- and E. B. Decker, Nov. 1st, 1854 as follows. Commencing at a post in a County road on the East line of Z. March's Lands north of David Holton improvements in Jackson Township, Thence N. 78-1/2°-E. 252 poles to a post, on or near the west line of Survey No. 9264. Thence N. 86-1/2°-E. 76 poles to a post in the Franklin and Jackson Turnpike road whole length One Mile and 154 poles.



I hereby certify the foregoing Plat together with the notes to be correct. --Nov. 1st, 1854.

JOHN COX, Surveyor.

(Feb. 4) Chainmen were Joseph Morris, William Doling, & Marker, H. D. King, accompanying said Report is an application of A. F. Miller, Guardian & C for damage, to-wit.

PETITION FOR DAMAGES

November 1st, 1854. To the Honorable Viewers of this road petition for by J. Brown and others that damage will be claimed on account of cutting off about 20 acres of land off of the south side of Millers farm which decreases the value of the land and farm which the 20 Acres belong to and causes the expense of fences, and cuts me off from living water on this 20 Acres which is valued highly on our farms.

(Signed)

ADAM F. MILLER- Ex."

"also" In the matter of the County road petitioned for by John Brown and other before Franklin County Commissioners at their September Session 1854 Adam F. Miller, Guardian & C objects to granting the road prayed for because 1st the petition does not specify the place of beginning near the place of Termination of said road 2nd the viewers have not assessed and determined the compensation to be paid in money for the property sought to be appropriated- 3rd, The Viewers have not assessed and determined how much less valuable the land from which appropriation is taken will be rendered by the opening and construction of said road- 4th, There is no proof of Notice as required by Statute, 5th, other reasons.

(Signed) Galloway and Mathews,

Attys for Miller Guardian.

Upon which said Application said Viewers made the following Report, to-wit: "We the undersigned Viewers on the road petitioned for by John Brown and others in Jackson Township do assess the damages to the Miller farm as laid in by Adam F. Miller to be Forty-two dollars and fifty Cents, Nov. 1854, (Signed,) John Helpman, A. Hathaway, E. B. Decker, Viewers.

1st Reading. And afterwards to wit on the first day of December Session of the Commissioners of said County A.D. 1854 said Report was taken up and read the first time, -and afterwards to wit; (2nd reading) on the second day of said session said Report was taken up and read the second time.

ROAD RECORD NO. 8

ROAD RECORD NO. 8

(John Brown's Road-Continued)

PAGE NO. 177
(Continued)--

3rd Reading. And afterwards to wit on the third day of said session of said Commissioners said Road was taken up and read the third time and appearing that said John Brown had duly paid into County Treasure for the use of said A.F. Miller, Guardian & C. the sum of forty dollars and fifty cents, the amount so assessed as aforesaid, said Road established as a public highway.

