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Probate Court, Union County.

January 16th 1884

Watt Watkins, R. R. Watkins and T. P. Watkins et al Plaintiffs
vs
Nathan Howard, Luther Liggett and Uriah Cahill Commissioners of Union County Ohio and C. H. Cromer George Retterer and Samuel Mehaffey Commissioners of Marion County Ohio et al Defendants.

Appeal from Order of the joint Board of the County Commissioners of Union and Marion Counties in the Laying out Establishing and Assessment of damages in the matter of Patten Run and Landon Run Ditch

This day came the plaintiffs, Watt Watkins, R. R. Watkins and T. P. Watkins, and filed herein their Bond, together with transcripts of the doings of the Board of Commissioners of Union and Marion Counties respectively with original papers in the matter of the joint Boards of said Commissioners in the Patten Run and Landon Run Ditch proceedings on petition of Thomas Baldwin and Others Laying out and Establishing said Ditch, for the purpose of appeal to this Court from the action and decision of said Commissioners in the Award and assessment of damages to the said Watt Watkins, R. R. Watkins and T. P. Watkins, Thereupon it is by the Court ordered that a hearing on all preliminary motions and Examination of the papers in said matter be had before this Court on the 21st day of January A.D. 1884 at one o'clock P. M.

John B. Coats
Probate Judge

Union County Probate Court January 21st 1884.

Watt Watkins, R. R. Watkins, and T. P. Watkins et al Plaintiffs
vs.
Nathan Howard, Luther Liggett and Uriah Cahill Commissioners of Union County Ohio and C. H. Cromer George Retterer and Samuel Mehaffey Commissioners of Marion Counties Ohio Et al, Defendants.

Appeal from Order of the joint Board of the County Commissioners of Union and Marion Counties in the laying out Establishing and assessment of Damages in the matter of Patten Run and Landon Run Ditch

This day came the parties by their attorneys respectively in behalf of said plaintiffs and defendants and thereupon on motion and by consent of said parties, plaintiffs and defendants the matter of the hearing on preliminary motions and the Examinations of the papers filed in this case, and all matters

Probate Court, Union County.

And Things relating Thereto are Continued for hearing on the 28th day of January A.D. 1884. at One O'clock P.M.

Union County Probate Court. January 28th 1884.

Watt Watkins, R.N. Watkins, and T.P. Watkins et al Plaintiffs.
vs.
Nathan Howard, Luther Liggett, and Uriah Cahill Commissioners of Union County Ohio, and C.H. Cromer, George Retterer and Samuel Mehaffey Commissioners of Marion County Ohio et al Defendants.

Appeal from Order of the joint Board of the County Commissioners of Union and Marion Counties in laying out Establishing and Assessment of damages in the Matter of Patton Run and Loudon Run Ditch.

This day Came the parties by their Attorneys in behalf of said Plaintiffs and Defendants, and thereupon on motion, and by Consent of said parties, Plaintiffs and defendants the Matter of the preliminary motions and the Examination of the papers filed in this case, and all matters and things relating thereto are continued for hearing on the 3rd day of March A.D. 1884 at 2 o'clock P.M.

Union County Probate Court. March 3rd 1884.

Watt Watkins, R.N. Watkins and T.P. Watkins et al Plaintiffs.
vs.
Nathan Howard, Luther Liggett, and Uriah Cahill Commissioners of Union County Ohio, and C.H. Cromer, George Retterer and Samuel Mehaffey Commissioners of Marion County Ohio et al Defendants.

Appeal from Order of the joint Board of the County Commissioners of Union and Madison Counties in the laying out Establishing and Assessment of Damages in the Matter of Patton Run and Loudon Run Ditch.

This day Came the parties by their Attorneys in behalf of the Plaintiffs and defendants, and thereupon on motion and Consent of said parties Plaintiffs and defendants the Matter of preliminary motions and the

Probate Court, Union County.

Examination of the papers filed in this case and all matters and things relating thereto are continued for hearing on the 2nd day of April 1884 at Two O'clock P.M.

Union County Probate Court — April 2nd 1884

Watt Watkins, R. V. Watkins and T. P. Watkins, Et al Defendants.
vs.
Nathan Howard, Luther Leggett, and Noah Cahill Commissioners of Union County Ohio and C. A. Conner George Retter and Samuel McHaffey Commissioners of Marion County Ohio Et al Defendants.

Appeal from Order of the Joint Board of the Commissioners of Union and Marion Counties in the laying out Establishing and Assessment of Damages in the Matter of Pattew Run and Landon Run Ditch.

This day this Cause came on to be heard in pursuance of the continuance heretofore ordered and had by consent of parties on preliminary questions and Examination of the papers filed herein on appeal from the order and decission of the Joint Board of County Commissioners of the counties of Union and Marion Counties Ohio in laying out Establishing and the award of damages in the matter of Pattew Run and Landon Run Ditch and no Exceptions to said appeal having been filed by Either party and the Court having carefully Examined the papers in the case and the bond herein filed by the Plaintiffs do find that the appeal has been legally taken in the case, It is thereupon Ordered that a Jury be drawn and Summoned in pursuance of the Statute in such case made and provided to appear before the Probate Court at the Office of said Court on the 9th Day of April 1884 at Eight o'clock A. M. and thereupon issued an Order to the Clerk of the Court of Common Pleas of Union County Ohio to draw and return to this Court a Jury of Sixteen good and lawful Men in the manner and time prescribed by law. Whereupon said Clerk of said Court, on said 2nd day of April 1884 duly returned to the court the names of the following persons drawn in pursuance of said Order To Wit: George W. Court, Calvin Helkmer, Samuel McAllister, D. M. Cox, N. K. Burnham, C. B. Holycross, A. E. Knox, D. H. Henderson, Robert McMillen Jr. Lemuel James, J. E. McCune, G. J. Smith, James Cunningham, A. C. Osgood and J. E. Newhouse, Whereupon on the same day issued a Venire for said persons to be and appear before said Court on said Ninth day of April 1884 then and there to serve as Jurors and deliver the same to John Holtzsack Sheriff of said County.

Wm. Bleats
Probate Judge

Probate Court, Union County. April 4th 1884

Watt Watkins, R. A. Watkins, T. P. Watkins et al Plaintiffs. vs. Nathan Howard Luther Leggett Uriah Cahill Commissioners of Union County Ohio and C. H. Cromer, George Retterer and Samuel Mehaffey Commissioners of Marion County Ohio Defendants.

Appeal from Order of the joint Board of the County Commissioners of Union and Marion Counties in the Laying out Establishing and assessment of damages in the matter of Patten Run and Landon Run Ditch.

This day Came the Sheriff of Union County Ohio, and made return to this Court of the Venire for the Jury heretofore issued to him Endorsed as follows, In Obedience to the Command of this Writ I Summoned the within named Jurors. as follows: By notice prescribed by law Served personaly upon all of the within named Jurors Except D. M. Coe not found in my County, and Each is Entitled to the Mileage Set opposite their names.

John Holbrook Sheriff U. C. O.

Union County Probate Court April 7th 1884

Watt Watkins, R. A. Watkins, T. P. Watkins et al Plaintiffs. vs. Nathan Howard Luther Liggett Uriah Cahill Commissioners of Union County Ohio And C. H. Cromer George Retterer And Samuel Mehaffey Commissioners of Marion County Ohio Etal Defendants.

Appeal from Order of the joint Board of County Commissioners of Union and Marion Counties in the Laying out Establishing and assessment of damages in the matter of Patten Run and Landon Run Ditch

This day Came the parties and by their Attorneys And thereupon this Cause Came on to be heard, and the Jurors heretofore Summoned by the Sheriff by Virtue of the Venire heretofore issued out of this Court being Called in the order in which their names appeared on the list of Jurymen heretofore drawn and returned to this Court by the Clerk of the Court of Common Pleas of this County, being Called, the following named persons answered to their names To Wit: George V. Court, Calvin Fellmer,

Probate Court, Union County.

Samuel McAllister. N. H. Burnham. C. B. Holycross,
A. E. Knox. D. A. Henderson. Robert McMillen Jr.
Lemuel James. J. E. McCune. G. J. Smith. and James Cunningham
D. M. Cox the 14 named on the list not having been found in
the County did not appear and answer the panel being full
thereupon Each Juryman was severally required to answer as
to his qualifications as a Juror. When George H. Court on his
own motion and for legal cause by him shown, was Excused
and the name of J. M. Sunder the next name on said list was
next called who answered to his name, and being required to
answer as to his qualifications was found duly qualified and
the panel being full and all of said panel having been
found duly qualified and no Challenge Either Peremptory, or for Cause
being made, the said Jurors To Wit Calvin Felkner Samuel McAllister N. H. Burnham C. B. Holycross A. E. Knox
D. A. Henderson, Robert McMillen Jr Lemuel James
J. E. McCune, G. J. Smith, James Cunningham and J. M. Sunder
being duly accepted by the parties were duly Empanneled
and Sworn to faithfully impartially, and to the best of their
ability - and from actual view of the premises along the
whole route of the improvement to Examine and determine
the particular matters appealed from and to render a true
Verdict according to the facts appearing to them from
actual View of the premises and the Evidence under the
Charge of the Court. Thereupon the Jury after being duly
Cautioned by the Court retired to make Such View of the
premises and route of said Ditch improvement under the
Charge of the Sheriff of this County Who with the Engineer
or Surveyor who had Surveyed Levied apportioned and platted
the improvement to point out its route, as required by
law. Under the Charge of the Court that no other person
Should be permitted to interfere in any way with the said
Jurors in the discharge of their duties, and the Jurors
were also Charged to to permit no Such interferance on the
part of any Person or Persons and to have no Conversation
with any persons, or permit Such Conversation to be had
in their presence touching or relating to the case
and to refrain from discussing the matter or making
up their Verdict in the case until all the Evidence Should
be heard and the charge of the court received, and
they had retired to deliberate thereon and thereupon
the further proceedings in the matter was adjourned
to the 11th day of April 1884 at 90 clock A. M.

Probate Court, Union County.

When the Jury by Consent of parties was reqquired to return to hear the Evidence in the further trial of the Case.

Union County Probate Court. April 11th 1884

Watt Watkins. L. A. Watkins. and
T. P. Watkins. &c. Plaintiffs
vs.
Nathan Howard. Luther Liggett and
Josiah Cahill Commissioners of
Union County Ohio and C. H.
Comer George Retterer and Samuel
Mehaffey Commissioners of
Marion County Et al
Defendants.

Appeal from Order of the joint Board of the County Commissioners of Union and Marion Counties in the laying out Establishing and assessment of damages in the matter of Patten Run and Landon Run Ditch

This day at 9 o'clock A. M.
The Jury returned from the View of Said improvment and on being Called Severally answerd to their Names and Thereupon this Cause Came on to be further heard Whereupon the defendants Submitted to the Court a Motion in the words and figures following To Wit;
"In the matter of the Appeal in the Landon Run and Patten Run Ditch In the Probate Court of Union County Ohio. And now come the Commissioners the Said defendants the Commissioners of Union County Ohio and the Commissioners of Marion County Ohio and now Move the Court to dismiss the Said appeal of Said plaintiffs, Watt Watkins, Et al and for Cause thereof Say that this Court has no Jurisdiction of Said Appeal

S. A. Court
W. B. Davis.
R. Woodburn.
J. M. Boodrick
Attorneys For Defendants

Said Motion Was Argued by Counsel and the Court being fully advised in the premises, on consideration whereof overules Said Motion to which Judgement and ruling the defendants accept. Thereupon the trial of the case proceeded, and the plaintiffs and defendants having produced all testimony they Each Severally

Probate Court, Union County.

Desired to offer in the case thereupon the further hearing of said case was adjourned till to morrow morning at half past Eight O'clock.

Union County Probate Court April 12th 1884

Watt Watkins, R. R. Watkins
T. P. Watkins Et al Plaintiffs.
Vs.
Nathan Howard Luther Liggett and
Ezriah Cahill Commissioners of
Union County Ohio and Et al
Comr. George Retterer and Samuel
McCaffry Commissioners of
Marion County Et al
Defendants,

and

Appeal from Order of the joint Board of the County Commissioners of Union and Marion Counties in the laying out Establishing and Assessment of Damages in the Matter of Rattlesnake and Sandow Run Ditch.

This day came the Parties and their respective Attorneys and thereupon came the Jury and the trial proceeded and the arguments of Counsel having been concluded the Court proceeded to Charge the Jury When they retired to deliberate on their Verdict Under the Charge of the Sheriff, and after Some time Spent therein returned into Court with their Verdict. Which by agreement and Consent of parties as to the first three Causes or propositions to be for the defendants and to be found upon the Evidence and View of the premises Under the charge of the court as to the fourth and last Cause of proposition only Said Verdict as found and returned as aforesaid by Said Jury into Court, as aforesaid is in the words and figures following To Wit:

Verdict.

In the matter of the appeal in the Sandow Run and Rattlesnake Run Ditch Improvement.

Watt Watkins Et al
Plaintiffs
against.
The County Commissioners of Union County Ohio
and the County Commissioners of Marion county
Ohio Et al
Defendants.

In the Probate Court of Union County Ohio

Verdict.

Probate Court, Union County.

We the jury in the above entitled case being duly impaneled and Sworn According to law, do find and Say that we do find as follows:

1st " That Said Ditch will be conducive to the public health, convenience and welfaire

2nd " That the route thereof is practable.

3rd " That Nair is due the Said appellants Watt Watkins, and L. B. Watkins no compensation for Said appropriated.

That Their is due the Said appellants Watt Watkins, R. L. Watkins and T. P. Watkins no compensation for land appropriated.

4th " That there is due the Said appellants Watt Watkins, and L. B. Watkins No damages for property affected by Said improvement

That there is due the appellants Watt Watkins R. L. Watkins and T. P. Watkins, for property affected by Said improvement No Damages

A. E. Knox. (Foreman)
C. A. Henderson.
J. M. Burnham.
John M. Gunder.
Calvin Telkner.
Lemuel James.
Lemuel McAllister.
G. J. Smith.
C. B. Holycross.
Geo. Cunningham.
P. G. McMillen.
J. E. McClure.

Probate Court, Union County.

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Probate Court, Union County.

August 31st 1886

In the matter of the Collins Improved Road — Order to Notify owner of Road Material &c

This day came the County Commissioners of Union County Ohio, and applied in writing to this Court for the appointment of appraisers to appraise the value of from 1700 to 3000. yards of gravel owned by Daniel Longbrake located in a gravel bank, now open on the farm of said Daniel Longbrake, situate in U. M. Survey No 3353. Paris Township, Union County Ohio. Said Commissioners representing that said material is necessary for the construction of the Collins Gravel Road Improvement, and that they, said Commissioners and said owner cannot agree on the price thereof. It is therefore ordered that further proceedings as to said application will be had on the 10th day of September 1886. at 2 O'clock P. M. and that said Commissioners serve notice in writing on said application and of the time for further proceedings thereon.

Probate Court, Union County.

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To The Honorable
The Judge of the Probate Court
in and for Union County Ohio } The undersigned County Commissioners of Union County Ohio represent that from 1700 to 3000 yards of gravel owned by Daniel Longbrake, located in a gravel bank now open on the farm of said Longbrake in U. T. Survey 3353 Paris Township, Union County Ohio, is necessary for the construction of the Collins Gradel Road duly established in Union County Ohio, and that said Commissioners have endeavored to purchase said material from said owner for said purpose, but that said Commissioners and owner cannot agree on a price therefor deemed reasonable and fair

Said Commissioners, therefore apply to said Judge to appoint appraisers according to law to assess the value of said materials and assess damages for the use of a road from said pit to the Marysville and Pharisburg Gravel road by way of the bridge built across Mill Creek, for the purpose of hauling gravel to said Marysville & Pharisburg Gravel Road.

Nathan Howard
Uriah Cahill