No. 17 Sup. T

Public

versus

Burnside

Contents:

GAULIN
CLEARFIELD, PA

To the Honorable Judges of the Court of Common Pleas of Clearfield County. We the undersigned Viewers appointed by the foregoing Order of Court to View the road therein described. Do Report: that in pursuance of said first having given Notice of the time & place of said View by partly printed & partly written advertisements put up in the most Public places along the route of the proposed road and Notice being given to Owners of Lands through which said road was intended to pass of the same, We all met and being duly Sworn and Affirmed according to Law we proceeded to view the ground for said proposed road and are of Opinion. That. Whereas the present road or highway Connecting the Town of Westover with Cherry Tree Boro in Indiana County is very difficult to travel on account of the heavy Grades on the Hills (from Seven to Nine & one half Degrees). That there should be a road of Easier Grade Connecting those points and believing we have found a route of low grade (not exceeding from one & one half to four & one half degrees) We have therefore laid out and do return for Public use the following road

Beginning at a point on the Public road in Westover. thence along Public road S. 38° W 16 Perches. Thence S. 52°. W 30 perches. Thence S.. 50°. W 32 perches. Thence S. 65° W. 62. Perches Thence S. 48°. W. 17 Perches. to Bridge across Sawmill run. Thence up said run N 40° W 86 Perches to a post. Thence N 50° W

11. Perches to Post – N. 83½°. W. – 8 Perches to a Maple S. 86° W. 14 Perches to Hemlock – Thence. S. 77½ W. 9½ Perches to Hemlock – S. 63°. W. 10½ Perches to a Hemlc. S. 49° W – 20 Per to Dd to Hemlc – S 47° W – 66 Per to Post – S. 33½°. W – 24 Perches to a Hemlc S. 52°. W – 61 Per to Maple. S 66° W 54 Per to Po by Spring at old Cabin. Thence N 86½ W 36 pes to Hem – N. 77° W. 22 Pers. N 61° W 12 Perches to Post – N. 53° W. 31. to Post – N 73° W 9 Perches Stump N 81½° W – 15 Perches to Hemlc – West – 16 Perches to Hem S. 85° W. 24 Pers to Pine Stump. S. 76°. W 92 Perches to Post. S. 70°. W 36 Pers W.O. – S. 65°. W 18 Pers to Maple – S 86°. W 42 Perches – S 75° W – 28 pes – S 85½° W 50 Perches to Post – S 54° W. 30 Perches to line of D. Keirn & Mc L Boice Then by same & land of John Sylvis N 87° W 87 Perches to Ridge road. Thence N 46° W. 26. Perches N 54¼° W. 46 Perches – N 81° W 26 Perches – N. 77½° W. 7. Perches – N 67° W. 42 perches Thence S 77½ W. – 92 Perches. to Post – West 24.5 Pers to line of John H Myers & William Prestown, at 25.5 Perches Post – Thence S 18½° W. 25 Pers to line of William Prestown & William Summerville, Thence by said line N 87° W 198 Perches to a Hemlock – N 77° W 16 Pers to Maple – N. 54½° W. 18 Pers. N 63½° W. 8 Perches N 80° W – 24 Per to Hemlc. N. 70°. W. 20.5 Perches to Post N 87° W. 30 Perches to line of Adam Beck & William Brothers. East Then by same S. 3°. W 30. Perches. Thence S. 50°. W. 50 Perches. Then S. 8°. W 29.5 Perches to Post at intersection of road from Summerville & Coaltown

to Westover. Thence N. 88° W. 76 Perches - S 65° W - 10.5 Perches. S 83½ W 7 Perches - N 60° W 11.5 Perc N. 85° W. 7 Perches. N 60° W - 8 Pers. N 44½ W. 8. Per N 50° W. 28 Per to Wor N. 58° W 19 Per to River N 67½ W. 21.5 Per to a Wor - N. 63° W 10 Per to Wor Thence N 52½° W 11 Perches to Wor -. N 46° W 20 Per. Thence S. 79½° W - 91 Perches to Wor - N 30° W 15 Perches. N 56½ W. 14.5 Per S 71° W. 42 Perches - S. 77½ W 128 perches N. 85° W. 20. Per - N. 73° W - 38 Perches to River road at John Mahaffys. Thence by said road. S 76° E. W. 8. Perches - S 38½° W. 24 Perches. S. 47½° W. 22. Pers S. 40° W 25. Perches - S. 58° W 28 Pers - S. 76° W. 20 Pers S 55° W. 25. Pers. S 36½° W. 22 Pers. S. 25° W 110 Perches to East line of Cherry Tree Borough - a plot or Draft of which we hereto annex No Damages being claimed by any one Witness our hands this 20th day of May AD 1881

Rob W Moore
John C. Mitchell
James Somerville

Viewers Time on above road
Rob W Moore Sur - 6 Days 26 Miles
John C. Mitchell. 5 days & 5 Miles
James Somerville 4 " 2 "
J. C. Myers 2 "
G. Myers 2 "

Chairmen

up Chest Creek

WESTOVER

Ex. Burnside

CHEST TOWNSHIP

NORTH Township line

BURNSIDE TOWNSHIP

D. Keiser

Ridge Road

to J. Sylvis

J. H. Myers

Distance from Nealtown to Colony five Block by Lane and Road 8 Miles & 26 Rods

¾ Miles

to Cambria Co

Distance 4 ¼ Miles

J. Boynton's

T. H.

Beaver Run

T. M. Thompson

J. Mahaffy's

up the Susquehanna River

Cherry Tree Road

Cherry Tree

Boro

and now to wit the 2nd June 1881 the within Report confirmed Min. Road to be opened 33ft wide excepting where bridging or filling is necessary then to be 16 feet wide

By the Court

Nov. 23, 1881

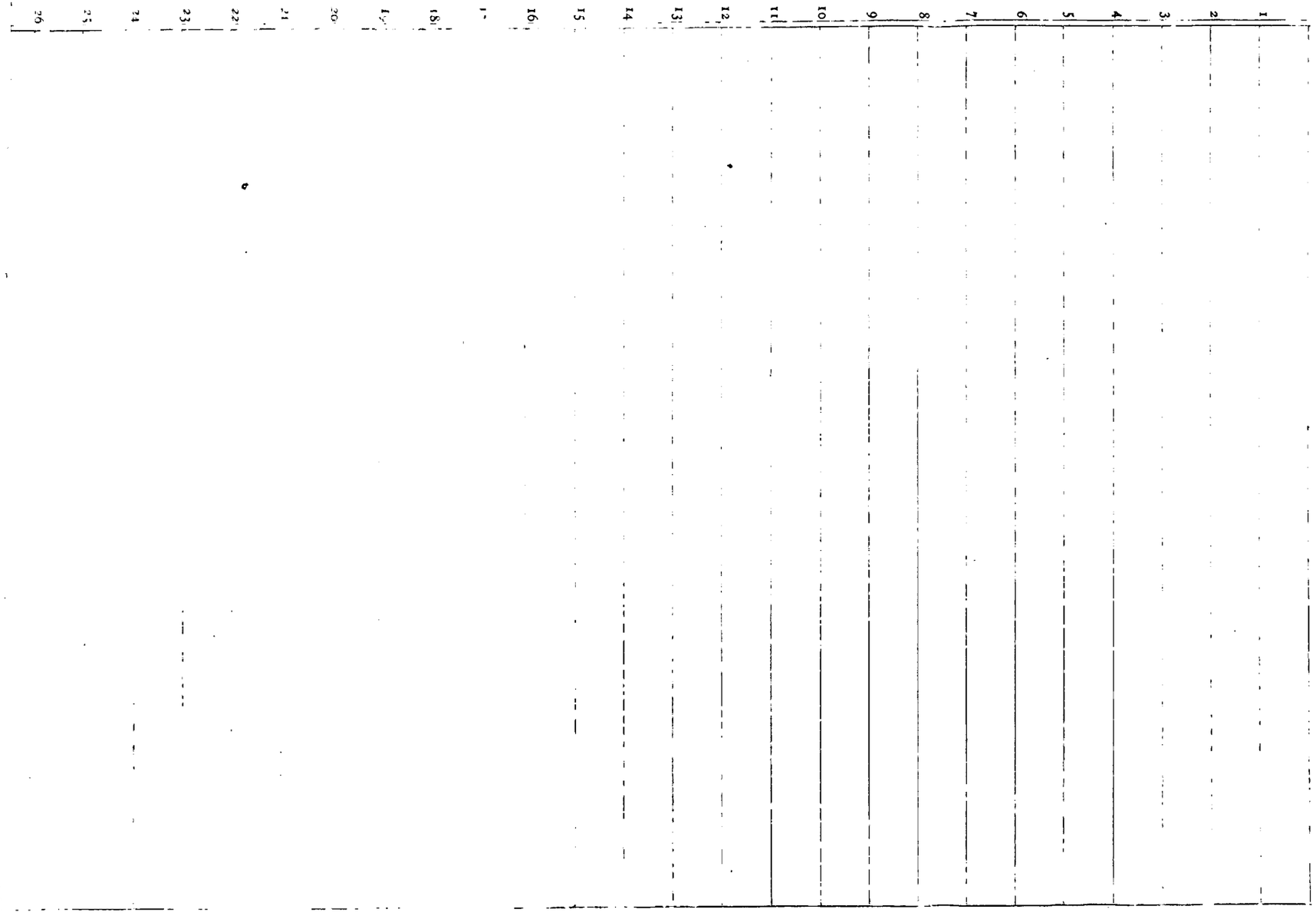
Confirmed Absolutely

By the Court

J. Mc O

Opening order given to D. G. Harris 28 Nov 1881

Jas Kerr Clk



No 17 Sept Session, 1880

ORDER

To view and Lay out a Road

For Public Use in the township

Of Lawrence Clearfield county.

And now Jany 15/1881 the report of the viewers named viewers is continued until March Sessions

By the Court

J. M. O

And now Mar. 24 Report continued until June Sessions. By the Court

J. M. O.

Filed 2 June 1881

FEES $1, Paid by T. W. Moore

REPUBLICAN PRINT.

Harris

RELEASE OF DAMAGES.

KNOW ALL MEN BY THESE PRESENTS: That we, the undersigned, owners of the lands through which the road located by the viewers, under the annexed order, passes, for and in consideration of the sum of One Dollar to us respectively paid by the ..... at and before the ensealing and delivery hereof, have remised, released and forever quit-claimed and do hereby remise, lease and forever quit-claim to the said ..... all damages that may arise to us respectively by reason of the location and opening of the said Road; so that neither we, nor any of us, nor any person claiming under us, can or may hereafter ask, sue for, demand, have or receive any damages for injuries arising or growing out of the location and opening of the road aforesaid.

Witness our hands and seals, this ..... day of .....
A. D. 188 .

..... SEAL

..... SEAL

..... SEAL

..... SEAL

No Damages Claimed by any one

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the 2nd *day of* October *A. D. 1880, before Judges of said Court, upon a petition of sundry inhabitants of the Township of* Burnside *in said county, setting forth that* the Inhabitants of Burnside asking Viewers to View and lay out a Public grade road from Westover in Chest Township Clearfield Co to Grant in Indiana County

and therefore praying the Court to appoint proper persons to view and lay out the same according to law,

whereupon the Court, upon due consideration had of the premises do order and

ASSESSMENT OF DAMAGES.

The following named persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned, viewers, under oath in pursuance of our duty, under the Act of Assembly do assess their damages and make report thereof, as follows :

To ..... *the sum of* .....

To ..... *the sum of* .....

To ..... *the sum of* .....

Witness *our hands this* ..... *day of* ..... *A. D. 188* .

.....

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NOTE.—In case of a Private Road, the release must be executed in favor of the petitioner for said road.

Also— Viewers will carefully note the number of days employed and set the amount out at the foot of their return.

Reviewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the reviewers.

N. B.—If the viewers believe the parties are not entitled to damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

appoint Thos. W Moore Jas. Cummings & Jno. C. McClure who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to view the grounds proposed for said road, and if they view the same and any two of the actual viewers agree that there is occasion for such road, they shall proceed to lay out the same agreeable to the desire of the petitioners, as may be, having respect to the best ground for a road and the shortest distance, and in such manner as to do least injury to private property, and state particularly whether they judge the same necessary for a public or private road, together with a plot or draft of the same, with the courses and distances and reference to the improvements through which it passes, and shall also procure releases of damages from persons through whose lands said road may pass, or failing to procure such releases, shall assess the same, if any sustained, and shall make report thereof to the next Court of Quarter Sessions to be held for the said county, in which report they shall state that they have been sworn and affirmed according to law. Notice is directed to be given to the owners or occupants of seated lands through which the within road is intended to pass, of the time of the view, according to the 147th rule of Court.

BY THE COURT,

Eli Gloom

Clerk.