

No. 3 *January* Term, 1881

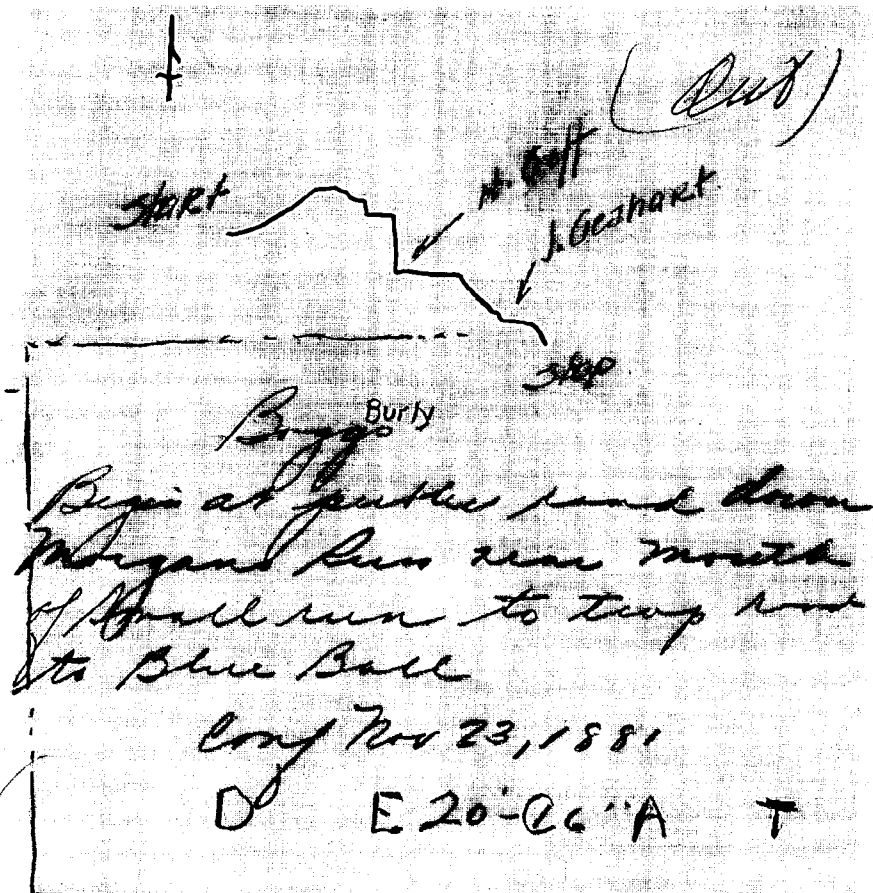
*Public Road*

**versus**

*Boggs & Wife*

**Contents:**

*Vacated*



John C. Clark & Son,  
211 State St.,  
Pittsburgh, Pa.

To the Honorable the Judges of the Court of Quarter Sessions of the County of Clearfield  
now holding a Session at June Term A.D. 1881,...

The undersigned viewers duly appointed by your Honor by virtue of the Order of Court hereto annexed, to view and lay out a road from the mouth of Smeals Run, at the public road leading down Morgans Run to the Blue Ball road near John Shearharts all in Boggs Township in said county,

Respectfully Report:

That having given due timely & legal notice of the time and place of the meeting of the viewers, for more than five days before the making of the view, they all met upon the ground proposed for said road, and being first duly affirmed according to law proceeded to examine the ground, and after a full examination proceeded to lay out a road by the following courses and distances, Beginning at the public road leading down Morgans Run, near the mouth of Smeals Run, thence North  $72^{\circ}$  East at  $\frac{1}{4}$  per run to right in all 28 perches, North  $78^{\circ}$  East at  $\frac{1}{4}$  per run right 54 perches,  $S 67^{\circ} E$  16 perches  $S 57^{\circ} E$  58 perches,  $S 55^{\circ} E$  18 perches,  $S 57^{\circ} E$  16 perches,  $S 80^{\circ} E$  18 perches East 18 perches, South  $55^{\circ}$  East 40 perches to field of Benjamin Smeal, and thence through said field  $S 87^{\circ} E$  30 perches to lane, thence by lane  $S 7^{\circ} W$  27 perches South  $87^{\circ}$  East on tract line between Benj Smeal on north & Wm Harper on South 60 perches to corner of B. Smeal & S Mease on north & Henry Goff on South, same course between S Mease & Henry Goff 108 perches to Township Road to Escocla,  $S 122^{\circ}$  per to corner of S Mease, Lane Goff & Henry Goff, & J W Smith then same course ( $S 87^{\circ} E$ ) between S Mease & Harrisburg Fire Brick Company and Lane Goff & J W Smith 129 perches to a Hickory cor on line of land of Clearfield Fire Brick Company & corner of Harrisburg F. B. Co on north & J W Smith on South, thence  $S 25^{\circ} E$  26 perches,  $S 41^{\circ} E$  26 perches to Sham Road, & alongside Sham Road  $S 49^{\circ} E$  62 perches,  $S 61^{\circ} E$  16 perches,  $S 27^{\circ} E$  26 perches,  $S 87^{\circ} E$  between lands of Clearfield Fire Brick Company and John S. Shearhart tract line 26 perches to P. corner,  $S 79^{\circ} E$  28 perches,  $S 60^{\circ} E$  20 perches  $S 45^{\circ}$  East 22 perches, South  $24^{\circ} E$  8 perches, South  $35^{\circ} E$  20 perches, to Township road to Blue Ball, and we return the line of said road from the line of B. Smeal's field marked \* to the township road to Escocla also marked \* as a public road and return the same for public use as it is necessary, the rest of the view we return as being unnecessary, and would be burdensome to the township,

Distances to  
20  
54  
16  
58 no road  
18  
16  
18  
18  
40  
258 Smeal's field  
30  
27 Public road  
60  
108  
225 Township  
14  
129  
26  
26  
62  
16  
26  
26 no road  
28  
20  
22  
8  
20  
423 -  
225  
258  
228 00

No Damages assessed on the draft The double dotted lines show the road as located & to be opened

James Simelring  
Moses (Smeals)  
John S. Gutter

Nov 2<sup>nd</sup> June 1881 Report  
 confirmed in Si Road to  
 be opened 20 feet wide  
 excepting where grading  
 or bridging then in such  
 places to be 16 ft wide  
*By the County*

John A. Buttle 3 days - 14 miles  
 Road building 1 " 8 Cent  
 Road house 1 " 5 Cent  
 Frank J. Buttle 1 " }  
 Road house 1 " }  
 John Coffey - 1 person

Nov 23<sup>rd</sup> Nov 1881  
 confirmed Absolutely  
 By the County

W. S.

No. 3 Jan'y Session, 1881

ORDER

To view and lay out a Road

For Public Use in the township

Of *Dodge* Clearfield county.

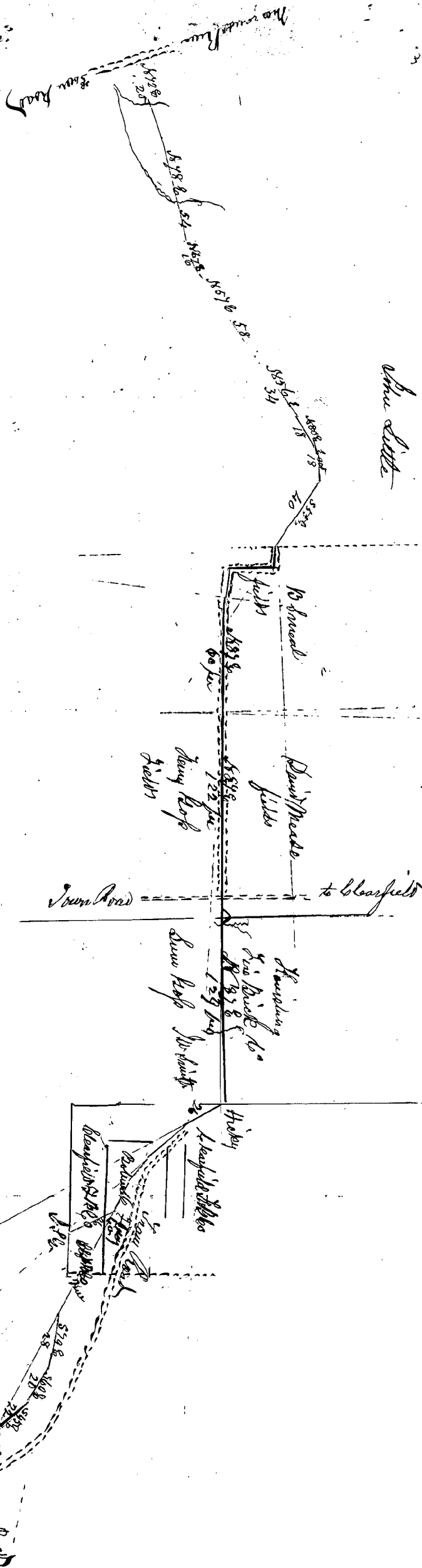
March 22<sup>nd</sup> order  
 enlarged the front  
 and John A. Buttle appointed  
 a view in place of W. S.

*By the County*  
 J. H. C.

Filed 22<sup>nd</sup> Mar 1881  
 July 2 June 1881

FEES \$1<sup>25</sup> Paid by *John A. Buttle*  
*Geo. H. W. Bennett*

REPUBLICAN PRINT.



**Clearfield County, Pa.**

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the 13<sup>th</sup> day of January A. D. 1881, before Judges of said Court, upon a petition of sundry inhabitants of the Township of Doggs in said county, setting forth that they labor under great inconvenience for want of a Public road to lead from the mouth of Smeals Run as public road in Doggs Twp to intersect the Blue Ball road near John S. Gearhart in said County

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, And make report to the Court whereupon the Court, upon due consideration had of the premises, do order and appoint W. D. Bigler, Jacob Dimeling & Moses Owens 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 14<sup>th</sup> rule of Court.

BY THE COURT,

James Kerr  
Clerk.  
per auct

## 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 .



## 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 .

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.

Petition for a Public Road  
To the Judges of the Court of Common  
Pleas of the County of Ulsterfield  
Composing a Court of Sessions of  
the County for said County

The Petition of the subscribers respectfully  
sheweth That they take under great  
inconvenience for the want of a public road  
to lead from <sup>the mouth of</sup> Small <sup>at Public Road</sup> Run the Kings Township  
to intersect the Blue Bell Road near <sup>the mouth of</sup>  
in said County they therefore pray the Court  
to appoint a person duly qualified to view the  
ground proposed for said road and to lay  
out the same according to law

John Little  
John Smeel  
Francis Bush  
James Gallahue  
James Farver  
Colman Smeel  
John Sagar  
John H. Peters  
W. H. Peters  
J. H. Peters  
J. H. Peters  
J. H. Peters  
N. C. Garhaast  
McCormick & Co  
John Smeel  
W. G. Goss  
Be. Smeel



Copy Sep. 1881

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Petition for a Road to  
lead from mouth of  
Smalls Run on public  
road to intersect the Blue  
Ball road near John S.  
Bauhaarts farm in Wagon  
Township

Feb. 9. 1881 Petition

read

W. D. Byler

Jacob Brubaker

Moses Owen

appointed viewers

By the Court

J. M. B.

Dec 13 Jan 1881

Filed  
Ct. 11

1881  
Butler