

No. 5 March Term, 1881

*View Vacated
Public Road*

versus

Goshen Township

Contents:

340000

hi li

To the Honorable the Judges of the Court of
Quarter Sessions of Clearfield County Penna
~~the~~ the

undersigned citizens of Goshen Township do
hereby respectfully remonstrate against the con-
firmation of a public road leading from a
point at Shawsville to a point at or near
Jacob Shick's field, the same having been return-
ed for public use at June sessions 1881, for the
following reason:-

That, the said Report also
contains a vacation of that part of the present
public Road as now laid out & used, between
the point where it leaves the Clearfield & Kart
haus Road on Shawsville hill to the foot of
the said Shick's. The effect of which would be
to deprive the public who now ~~leave~~ along
the river ^{at Bradford Turn} side, & who use the present
road of that outlet and compel them to
go a long distance around, to reach Shaws-
ville. Will Church ~~school~~.

That the report as now
presented is intended for the convenience of
about three families, whereas the vacation
report will inure to the great injury of

members of families.

That the confirmation of the report would entail a needless expense on the township, there being no public necessity for the road as reported, these with other reasons are respectfully laid before and submitted to your Honorable Court

Names

A. J. Shurt

J. D. Flegal

Geo E Meader

Thomas S Taylor

Lewis J Swin

Ellis Swin

Joseph (Wilkinson)

W. Stanley McQuinn

Wm Banner

James S. McGree

A. B. Washburn

Wm. A. Smith

Ira G. Kramer

Peter A. Sivergood

J. Snow

John H. Ogden

Lyndal Eyer

Names

R. E. Flegal

E. H. Wood

S. L. Linsley

Joseph Linsley

Robert Linsley

Mr. Herald

William B. K.

John A. Murray

George W. D.

Daniel B. Cunningham

...

Ab. G. Flegal

Emma E. Eason

H. E. Kyles

J. D. Bauer

...

Peter B. Hurler

Thompson

John Selbridge

E. A. Shaw

J. A. L. Flegal

James & Graham

S. B. Taylor

Joseph B. Gardner

W. M. A. Dison

...

Thompson Reed

...

R. G. Shaw

E. A. Morrison

J. A. Flegal

...

No 5 March 2nd 1881

Remembrance

Will be Oct 1881
J. W. D. M.

W. H.

Goshen Township

Feb. 16, 1881.

To the Honorable the Judges of the Court of
Common Pleas of Clearfield County, now
composing a Court of Quarter Session in
and for said County.

The petition of divers inhabitants of the
Township of Goshen in said County, humbly
sheweth that your petitioners labor under great
inconveniences for want of a road or highway
to lead from near Shick's clearing, on the road
leading from Shawsville to John Murray's, and
intersect with the Trout Run Road near Thomas's
Mill. Your petitioners, therefore, humbly pray
the Court to appoint proper persons to view
and lay out the same according to Law.

Furthermore we do pray that the said viewers
shall examine and vacate the old road that
leaves the Clearfield road on Shawsville hill to
said Shick's clearing, as it is inconvenient
for the inhabitants.

Mordica Swergood.

John Swergood.

Wm. H. H. H.

J. B. Geddes

Y. B. L. B.

George Rytter

Wm. Condon

Thomas Murray

John Murray

J. P. Robinson

George H. Banner

Stewart, Shick

Jas. L. Stewart

W. H. H.

John W. Wilson
Thompson Graham

J. E. Graham
John C. Smith

John F. Wilson

R. F. Wilson

Wm. J. Wilson

Wm. Cunningham

J. H. Wilson

Wm. DeFrige

A. C. Stacey

Petition to create and
supply a Public Road
in Jackson Township

And now March 23 1881
Jas A. Cutler, Robert
Glenard & Isaac Glavin
are appointed viewers
By the Court

J. M. D

To the Honorable

Warden,

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 23rd day of March A. D.

1881, before Judges of said Court, upon a petition of sundry inhabitants of the Township of Gosheon *Sp* in said county, setting forth that *your petitioners*

labor under great inconvenience for want of a Public Road or highway to lead from Shicks Clearing, on the road leading from Shawsville to John Murrays, and intersect with the Trout Run Road near Morris Mill Furthermore that the said viewers shall examine and locate the old road that leaves the Clearfield road on Shawsville hill to said Shicks Clearing as it is inconvenient for the inhabitants

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, *John S. Cuttle Robert S.*

whereupon the Court, upon due consideration had of the premises, do order and appoint *John S. Cuttle Robert Stewart and Isaac Gaines*

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,

James Kerr

Clerk.

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 sealing 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.

To the Honorable the Judges of the Court of Quarter Sessions of the County of Clearfield
at June Sessions A.D. 1881.

The undersigned viewers duly appointed by virtue of the order
of Court hereto annexed, to view and lay out a road from Shicks clearing on the
road leading from Shawsville to John Murrays, and intersect with the Trout Run
road near Morris Mill, and further to examine and vacate the old road that leaves
the Clearfield road on Shawsville hill to said Shicks clearing

Respectfully Report;

That having given due timely & legal
notice of the time and place of the meeting of the viewers, posted in public places in
said township for more than five days previous to making the view, two of the viewers
namely John L. Brittle and Isaac Gaines met, Robert Stewart the other viewer being
absent down the river, said viewers being first duly sworn, proceeded to examine the ground
proposed for said road and have laid out a road by the following courses and distances
Beginning at a Post opposite the corner of Shicks field thence South 39° West 22 perches to a
White oak, ~~22~~ South 35° West 20 perches to Rock Oak. South 20° West 30 per to White Oak. South
 26° West 36 perches to Pine, South 84° West 11 perches to Pine. South 74° West 10 perches to Pine
South 76° West 20° to White Oak South 74° W. 12 perches to Hemlock. $S 72^{\circ} W$ 12 to Hemk, South
 85° West 14 perches to Hemk. South $87^{\circ} W$ 16 perches to Hemk. South 73° West 16 per to Hemk.
South 84° West 24 per to big Hemlock. South 88° West 16 perches. South 84° West 12 perches to a
Hemk. South 44° West 16 perches to White Oak, South 17° West 14 perches to White Oak stub, South
 20° West 16 perches to White Pine. South 33° West 12 perches to Hemk. South 31° West ~~24~~ perches
to Hemk. South 35° West 12 perches to Hemk. South 16° West 12 perches to Hemk. South 9°
West 12 perches to Hemk. $S 32^{\circ}$ West 26 to Hemk and old path. South 21° West 22 perches
by an old road to run. $S 21^{\circ}$ West by old road 22 perches, South 39° West by old road, thence
South 73° West to Public road down Trout Run a few perches above Hays Morris Saw mill.
which we consider necessary, and do hereby return the same for Public use, No Damages
were assessed as the whole line of the road is laid on unimproved land. And we further
report that after his return home the said Robert Stewart in company with Isaac Gaines
traversed the new road as laid out, and consented to the several courses & distances, as being the
best the ground would allow. And we further say that all the viewers were duly sworn or af-
firmed.

And we also examined the old road known as the "hill road" beginning at the fork
on the road east of Shawsville, by the following courses and distances, $N 41^{\circ} E$ 42 per. $N 63^{\circ} W$ 36
per. $N 24^{\circ} E$ 50 per. $N 35^{\circ} E$ 30 perches, $N 10^{\circ} W$. 8 perches. $N 17^{\circ} E$ 48 per $N 7^{\circ} E$ 100 perches, East 46 per
(passing J. Livingoods house and barn) South 63° East 15 perches. South 62° East 70 perches. $N 33^{\circ} E$ 22 per
 $N 23^{\circ} E$ 54 perches, $N 16^{\circ} E$ 22 per, $N 10^{\circ} E$, 48 per, $N 6^{\circ} W$. 20 perches to Liberty field, the said road is laid on
the side of a steep hill and the grade is very heavy, whilst the new road is of easy grade & will be a great conve-

service to the public at large. And we return the new road for Public use - and no
change of the old road. All which is respectfully submitted.
A plot or draft is hereto annexed

John L. Britton
R. S. Stewart

To June 1881

Report of owners on Road laid out from
Schick's field to Court House road near
Mason's Saw Mill.



Now 16 Jan'y 1882 Exceptions filed to the within report for the following reasons - viz:

1st That the viewers were not all present at the viewing of the same. & there is no evidence that R. J. Stewart was sworn before going over any ground -

2nd Because the viewers do not report upon the propriety of vacating the old road, as prayed for in the petition.

3 Because only one of the viewers who was at the view sworn as viewer signs the report.

4th Because the petition prays for an order to view and also to vacate, whilst the order issued only directs a view to be made.

5th Because the draft does not show the roads as connecting with the roads called for in the petition.

No. 5 Jan Session, 1881	
ORDER ^{vacate} To view and lay out a Road	
For Public Use in the township	
Of Gosham Clearfield county.	
10/11/1881 L. Battle	Sec. 34th Dist.
11/11/1881 R. Stewart	viewers 1st 4 th Dist.
12/11/1881 Isaac Laines	2 nd 4 th Dist.
13/11/1881 Wm. Gordon	1 day 2 nd 4 th Dist.
14/11/1881 Geo. Hydon	" 4 th Dist.
Filed 30 th Sept 1881	
FEES \$1. Paid by <u>Kramer</u>	
REPUBLICAN PRINT.	

Kramer

Jan'y. 16th 1882
 Exceptions filed -
 not reported
 viewers not
 side
 By the Court
 Cram
 re 2. 1881 - P
 view of viewers
 inquire to Dept.
 By the Court
 Cram
 P
 And now 7th Oct 1881
 Report read & confirmed
 W. S. Road to be opened
 30 feet wide except where
 cutting & bridging is necessary
 then to be 16 feet wide
 By the Court