

No. 12 Sept **Term, 1881**

Public Road

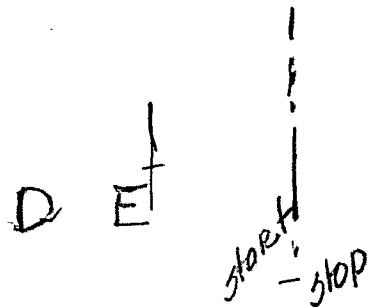
VERSUS

Burnside Jds

Contents:

P. d. E. 2 - Page 52, 3

Short Kodak & Supply - Probably 17317
not used, not used



Clfd. Co. Burnside Twp.
Conf. Sept. 29, 1882.
.3 ft. - 16 ft.

Begin on line bf Samuel Brickley &
Howard And Company on road from Har-
mony Church to Kitchen's Mill - to
the Burnside and Chest Twp. Line.

A

To the Honourable the Judges of the
Court of Quarter Sessions of the
Peace for Cleaveland County

The Petition of the undersigned
Citizens of Burnsides Township
in said County.

Respectfully Represent.

That all that part
of the Publick Road in said
Township leading from Harmony
Church to Kitchens Mill,
between the residence of
Martha Brickle on said
road, and the Burnsides and
Chest Township lines, is out
of repair, burdensome to keep
up, and does great damage
to private property. That it
will be greatly to the advantage
to the inhabitants of said town-
ship to vacate and supply that
portion of the said road between
said points. You will therefore
therefore be caused to appoint
suitable persons to view the
ground for said purposes, and
report to the Court, and they

will ever pray for

James Shalley }
Samuel Ladd }
Josephus Wagener }
Henry Bentico }
Harrison Wagener }
Daniel Kitchen }
Samuel Young }
Samuel W. Ganech }
Homer S. Allen }
Stephen Daymeier }
John Owens }

San Luis Obispo

California

March 1979

No 12 Sept 22 1881

January 1882

or December

or March or

By Oct 1st
or earlier

P.L.

March 1, 1882 (annexed)

to June 1st
By the First
or before

Return of Alleged
Plainside Paper
Men to create a
supplementary
Publication in
and promptly

Oct. 1, 1881

Sum's Price.
Owes nothing &

Shamefully owing
amounts to him or

By the tenth
March next

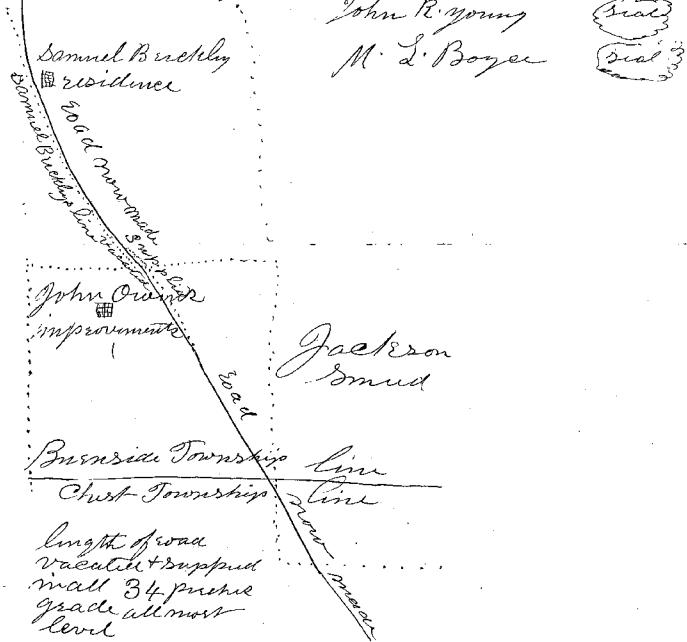
P.L.

July 8th Oct 1, 1881

Highly
Respectfully

To the Honorable the Judge within named
 for the persons appointed by annexed
 order of Court to view Vacate & supply
 Road therein mentioned do report that
 in pursuance thereof after giving due
 and public notice according to law
 having been duly sworn and affirmed
 all the viewers appointed by said order
 having viewed the ground proposed for
 the within mentioned Road and the
 undersigned viewers do agree there is occasion
 for to vacate & supply a part of the road as
 desired by the petitioners and that the same
 is necessary for a public Road and having
 had respect to the shortest distance and
 best ground for such road we have vacated
 & supplied in such a manner as would do
 the injury to private property and as far as
 practicable agreeably to the desire of the
 petitioners and do return for public use
 the following described Road as vacated
 and supplied commencing at a Stake
 on road now made and with in four tenths of a
 rod of the line of Samuel Bickley and Howard & Co.
 thence through the arable lands of said Bickley
 North & twenty three & a half degrees East - Eight
 Poles and five tenths to line of Samuel Bickley
 and John Owen thence through the improvements
 of John Owen the the same course
 as mentioned twenty five poles and five
 tenths to Road as now made a plot or a half acre
 unto annexed which said Road so as aforesaid vacated
 and supplied we are of the opinion in necessary for a
 public Road & in case the damages are to Samuel Bickley
 by such supply to be one Dollar witness on hand & seal this
 25 day of May 1882

David Fulton Seal
 John R. Young Seal
 M. L. Boyer Seal



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 8 day of October, A. D. 1881, before Judges of said Court, upon a petition of sundry inhabitants of the township of Burnside, in said county, setting forth that they labor under much inconvenience for want of a Public Road to vacate & supply a certain Public Road leading from Harmony Church to Kitchens mill, all that part of same between the residence of Martin Brackley on said road and the Burnside Chest Township line being out of repair & burdensome.

and therefore praying the Court to appoint proper persons to view and lay out the same ^{vacate & supply} according to law, and make Report the same upon the Court, upon due consideration had of the premises, do order and appoint Lewis Boice David Fulton and John R. Young 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 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 _____

LL S.

LL S.

LL S.

LL S.

ASSESSMENT OF DAMAGES.

The following 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 Samuel Brickley the sum of one Dollar

To _____ the sum of _____

To _____ the sum of _____

Witness our hands this 20th day of May A. D. 1882.

David Fulton

John R. Young

M. L. Boyce

NOTE.—In case of a Private Road, the receiver must be entitled to a portion of the net income for said road.

As to—
Viewers will carefully note the number of days employed and the amount out of the total of their return. Viewers cannot infer that damages are necessarily to be recovered by the viewer if he does not pay out as his portion of the net income. N.B.—If the viewers believe the parties are not entitled to damages, they may decline to consider the action and sue well as the disadvantages of the road, they will report to that effect.

No. 12, *Sept* Sessions, 1881

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Days 1 May 2⁰⁰
Miles 2 20

Days	1	2 ⁰⁰
Miles	3	30

M. J. Boyce { Days 4.00
Miles 5.50

Days 1
Miles 4.50

{ Days
Miles
.....
.....

00.61

Had work 24 to 27th May 1882 for me to
wash, sand & to be glazed 33 ft wide
eight panels digging & bricking in
a general & fine hollow of stone
By the Count of castle of
29th May 82 to my mind
absolutely - By Hartman
I & daughter

To view and lay out a Road
for Puttle use in the township

Filed 22 May, 1882
Fees \$1²⁵ paid by John Quenau