

No. 1

Jan'y

Term, 1882

Public Road

VERSUS

Boggs Township

Contents:

Part 2 - 17681

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Part 2 - 17681

County of Chester ss }  
State of Pennsylvania }

To The Honorable the Judges  
of the Court of Quarter Sessions  
of the Peace of the County aforesaid  
The Petition of the Subscribers  
Respectfully Sheweth, That they  
Labor under great Inconvenience  
for the want of a Public Road  
or Highway, to lead from a  
Point at or near Francis Smeal's in  
Boggs Township in said County to  
Township Road at or near  
Jas H Waples in Morris Township, said  
County. They therefore pray the Court to  
appoint Persons to View the ground  
Proposed for said road &c and will  
Ever Pray &c M.B. Smeal

D J Smeal  
Philip Richner  
William S. Ross  
Wm K Smeal  
George Kanouff  
F G Flegal  
J K Ripon  
Wm J Mooney  
H B Smeal  
Levi Goss  
S Munk  
W Smeal  
W L Goss  
in witness whereof  
Geo T Lumsden  
A H Flegal

J S Beals  
A J Flegal  
B Goss  
J H Waples  
J Chaves  
Alex Flegal  
W T S Peters  
Jedde Smeal  
E J Flegal  
A G Armbruster  
A S Armbruster  
A S Flegal  
J C Hopkirk  
D J Siford

J. S. Gearhart

And now 21<sup>st</sup> March 1882 order enlarged to James Stephen, next  
And now 21 Mar. 1882 the above enlargement  
and continuance stricken off the court  
J. S. Gearhart  
J. S. Gearhart  
J. S. Gearhart

In the County of Duwamish  
Washington  
No 1 January 28, 1882

Petition for appointment  
of receivers in the public  
road from a point at  
or near Thomas Street  
in Duwamish Township to  
a point at or near  
James McFarlane in Mori-  
no Township

Filed 10<sup>th</sup> Jan 1882  
Jas. S. Gearhart

And now Jan 11<sup>th</sup> 1882  
J. S. Gearhart

South Duwamish

Geo. W. McFarlane

one appointed receiver

to survey and within

mentioned road to

make report of their

proceedings to next

term of Duwamish Superior

Court  
J. S. Gearhart

Fee's 1.25 Paid by J. S. Gearhart

Witchell

To the Honorable Judges within named. We the undersigned Viewers appointed by the foregoing Order of Court to view the road therein described - do Report: that in pursuance of said appointment and Order of Court after first having given due Notice of the time & place of meeting by Advertisements put up according to Law. We all met and being duly affirmed proceeded to view the ground for said proposed road and believing there is occasion for said road we have viewed laid out & return for Public use the following. road. Viz Beginning at a point on the Public road near Francis Smuels in Boggs township Thence S. 87.° E. Sixty two perches to line of Vincent Smell & Jesse Smell thence same course Fifty Perches to line of Boggs & Morris townships Thence N. 73½.° E. thirty four perches to a beech tree. N. 57½.° E. thirty eight perches to Post - N. 67½.° E. fifteen perches to Chest Spruce N. 80.° E. thirty perches to Post - S. 57½.° E. forty eight perches to N<sup>o</sup> 1 Hemlock - Thence S. 76½.° E. twenty four perches to a Post - Thence N. 30.° E. thirty two perches to Hem Stumps Thence S. 73.° E. Ten perches to a Hem Stump. Thence S. 47.° E. Eight Perches to a W Pine Stump Thence S. 63.° E. Four perches to a Post. Thence N. 87.° E. fifty two perches to a Chest Spruce. Thence N. 78½.° E. thirty four perches to the old State road near James Staples in Morris township. A plat or draft of which we herewith annex -

Witness our hands this 20<sup>th</sup> day of March -

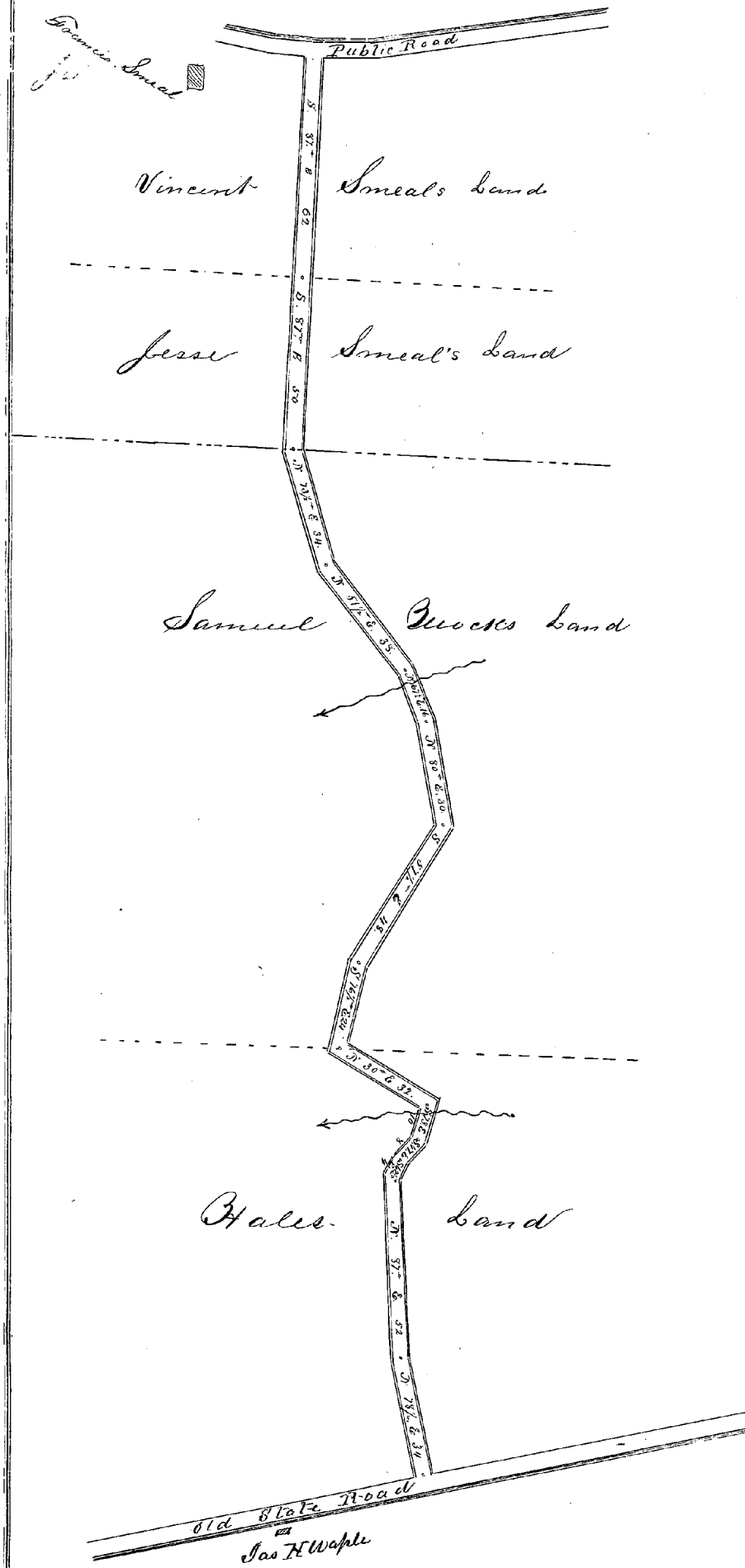
AD-1882

viewers

Geo. W. Moon

Geo. W. Shumaker

John Richner



**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 11<sup>th</sup> day of January A. D. 1882, before Judges of said Court, upon a petition of sundry inhabitants of the Township of Boggs & Morris

in said county, setting forth that they labor under inconvenience for want of a public road to lead from a point at or near Francis Smalls in Boggs Township to Township road at or near Jas H Naples in Morris Township

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, & make report to the Court, whereupon the Court, upon due consideration had of the premises, do order and appoint J. M. Moore Jacob Ridener & Geo W Shimel 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 en 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 .

*No Damages claimed by any one*



## 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.

Dees -  
jewers { Thos. W. Moore 2 Days  
Geo. W. Shimmul 20 miles  
Jacob Richner 1. Day

Chain Carriers

H. E. Smeal - 1. Day  
Jesse Smeal - 1 do



No. 1 *January* Session, 1882

ORDER

To view and lay out a Road

For *Public* Use in the township

Of *Rogers* *Marion* Clearfield county.

*That now 29<sup>th</sup> March 1882*  
*confirmed & vic to be opened 33*  
*feet wide except where digging*  
*bridging is required. Also 18*  
*to 16 feet in width.*  
*to be laid in by the Board*  
*as & with 1882*

*May 22<sup>nd</sup> 1882*

*Confirmed & approved*  
*By the Board*  
*22<sup>nd</sup> May 1882*

Filed *21* *Mar* 1882

FEES \$1, Paid by *Mitchell*

REPUBLICAN PRINT.

*Mitchell*