

No. 5 March Term, 1882

Public Road

versus

Decatur Township

Contents:

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vacated

stop

start

Meatier
Brown jacket sand
red - evidence of
new coal mine of W. Va.

last Conf Sept 29, 1882

33-11

(Can't find)

To the Honorable the Judges of the Court
of Quarter Sessions of the Peace in and for the
County of Clearfield.

The petition of the undersigned, inhabitants
of the Township of Decatur, in the said
County, respectfully sheweth: That your petition-
ers labor under great inconveniences for want
of a public road or highway, to lead from
a point on the public road leading from
Philipsburgh, along or up Moshannon Creek, to Osceola
near the house of Elias Walk, to a point
on the other public road leading from
said Philipsburgh via Fishtown to said Osceola
near the house of Elijah Reese.

Your petitioners therefore pray the Court
to appoint proper persons to view and lay
out the same, according to law; and they
will ever pray, &c.

Names

E. Walk
M. S. Adams
J. H. Benford
C. H. Gearhart
Thomas Laws
Ben Laws
Wm M. Gates
Jacob Kline
Thomas Kinney

Names

Edwin Butterworth
James Mc Tillop
James Ashman
Geo. E. Greenhant
Robt. S. Hughes
John Hughes
J. S. Hughes
J. F. L. /
Edward E. Tiler

James

P. Hughes
John, R. Hughes

James

Wm. H. Hughes
D C Burkett

Nov 5th 1882

5

Petition
of
Citizens of Decatur
Township for a
Public Road

Attest
John W. Smith March 1882
Witness affiant
Wm. G. Brown
Jacob D. Young
S. H. Webster

Filed 20 March 1882
Quinton
Clerk

W. H. Young

To the Honorable Judges of the Court of
Clearfield County

We, the Undersigned Persons, Appointed
by the within Order of Court, to view, and lay out the
Road therein mentioned Respectfully report.

That having given notice of the time, and
place of meeting, according to the Act of Assembly,
and being all present at the view of the ground
proposed for the said Road. And being all
sworn, or, Affirmed in pursuance of the said Order,
we have viewed, and laid out; and do return, the
following Road. Viz - Beginning at a Post in the
Public Road near the Residence of Elias Walk, in
Decatur Township. Thence through his land, and
land of D. W. Holt, South eighty three degrees West
thirty perches to a Post, South seventy six and a quarter
degrees West, six perches to a Post, South eighty degrees
West, fifteen perches, to a Post, South eighty nine deg-
rees West, nineteen and six tenths perches to a dead
white pine, North Seventy seven degrees West, twelve
perches to a Post, North Fifty seven degrees West, eight
perches to a Post, North Forty six and a half degrees
West, ten perches to a Post, North Forty One and a half
degrees West, Twenty six perches to a Post, thence to the
Thirty three and a half degrees West, fifteen perches
to a Post, near the Coal mines of D. W. Holt and others,
Whiche said Road as aforesaid laid out, we are
of opinion is necessary for Public use, (a Post or

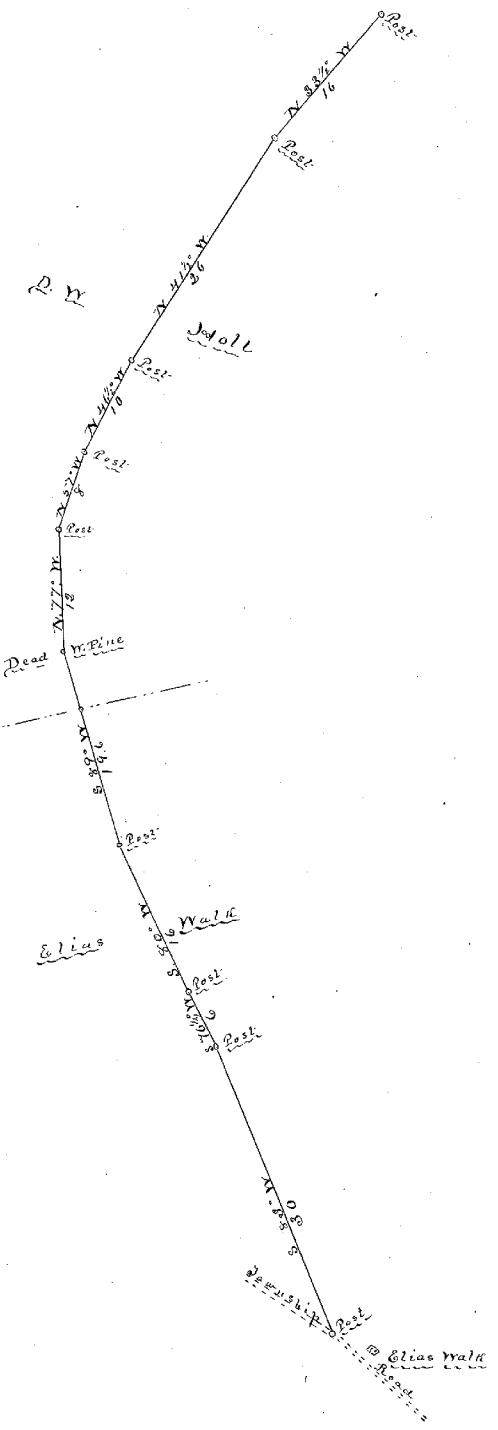
Draft whereof is hereto annexed) and further than this we are of opinion the Road is not necessary, as the ground is bad, and expensive to make, and no one seeming to want it any further, but all parties present seemed to think it not necessary.

As to damages no person present claimed any and we are of opinion no one is entitled to receive any.

Witness Ours Ostands this

15th day of May 1882.

Moses Owens
Jacob Dimeling
S. J. McClosky } Viewers



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 Twenty-first day of March, A. D. 1882, before Judges of said Court, upon a petition of sundry inhabitants of the township of Decatur, in said county, setting forth that The labour under great inconvenience for want of road leading from or near the Residence of Elias Wall on the Philipsburg and Osceola Road to the Residence of Elijah Reese on the other Public Road from Philipsburg to Osceola

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 appoint Moses Owens, Jacob Remeling, Ed. & F. Closky 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

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L. S. I
++

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 _____ the sum of _____

To _____ the sum of _____

To _____ the sum of _____

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

And now May 23rd 1882. I confirm the road to be opened 33 feet wide except where digging & bridging are required and then to be 16 feet wide.
 Pay the Court. A. L. Battell, *Sup. Ct. of N. Y.*

Sept. 29th 1882 confirmed absolutely
By the Court of Law

NOTE.—In case of a Private Road, the revenue must be collected in favor of the petitioner for said road, and the collectors will accordingly take the same number of days to collect the same, and set the amount out of the damages assessed by the commissioners, except so far as the occasion may be required by the reviewees.

Days	Miles
Miles	
Days	
Miles	
Miles	

No. 3 Three Sessions, 1882

ERDE

To view and lay out a Road
For Public use in the township
of Pleasant Clearfield county
about one mile long, beginning
at the point
marked by the point
L.S. [initials]

Mc Gregor
Filed 28 May 1881
Fees \$1 paid by Agreement
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