

No. 9 Sept Term, 1882

Public Road

~~versus~~
in

Penn Twp

Contents:

Plaint - Defendants

□

Att. 17485

To the Honorable the Judge of the
Court of Quarter Sessions of the
Peace in and for Clearfield Co. Pa

The petition of the undersigned,
inhabitants of the Township of
Penn Laird County, & State, do
respectfully sheweth: That said inhabi-
tants suffer and labor under
great inconveniences, for want of
a public road or highway to
lead from a point at or near S. C.
Hepburn (on Township road
leading to Cream Hill Turnpike
Road) to residence of W. G. Derrick,
Join petitioners. Therefore pray the
Court to appoint proper
persons to view and lay out the
same according to law, & they
will ever pray &c

Names

John C. Clegg, Jr. for himself

200 Pines 25' 1872
Public Road
in Custer County
from at (at 2000)
South of Custer
to
W. F. Merrick
Nov. 25th 1872
Dark in color and
Cone-shaped mass
of Amorphous
dark-colored
dust and
a few small
fragments
of Calcareous
fossils
" "
Leaven 25th 1872

Spouse

Exceptions filed by J. W. & E. C. Sharp, January 22nd 1882

1. The report does not show that person or no-
tice was given to owners of unclaimed land as re-
quired by law and by rule of court, and in
fact remonstrants had no notice whatever
of the time and place of view.

2. The road laid out passes for its whole length
through remonstrants farm, and no damages
whatever were awarded them, and there
is no report whatever on the subject of
damages.

3. The road as laid out does not start
at the point named in the petition to wit
at or near S. C. Hepburn in Penn Township
does start at a distance of over thirty yards
from said point.

4. The road as laid out is not necessary
for public use.

Murray G. Cochran

Atty's for Remonstrants

Clearfield Co. 57

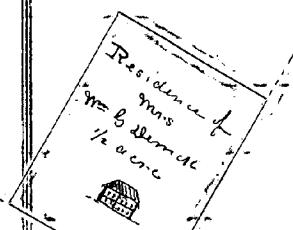
I. W. Sharp one of the
above named remonstrants being duly affi-
davit and deposing to the facts set forth
in foregoing petition, under oath and
as he truly believes

affirmed & Subscribed
before me this 22nd day of January 1883

Jas. K. Kerr

J. W. Sharp

Samuel Odeburn land



land of D. T. Sharp & Sons

29 perches

land of Allen McDonald

8

8

8

hill. Turnpike
post stumps

D. T. Sharp & Sons
land

Isaiah Walls land

(Pennsboro Grove)

R. & T. Corcoran

To the honorable Judges of the Court of
Quarter Sessions of Clearfield County -

We the undersigned Viewers appointed
by the foregoing Order of Court to view
in pursuance of said appointment
the road therein described. Do Report that
after first having given due notice of the time
and place of said view by advertisements put
up according to law we all met and being
duly sworn and affirmed have viewed
out and do return for public use the fol-
lowing road. Beginning at a stone corner
of W^o G. Derrick's land thence on line between D.
T. Sharp & Sons and land of Allen, McDonald
South Sixty one degrees East (Present Bearing) twenty
nine perches to a W Pine stump on road leading from Penn
ville to the Laramie Hill Turnpike -

A plan or draft of which we hereunto annex
Witness our hands this Eleventh day of
December AD 1882

David Moore
Isaac Baldwin
M. M. Flynn
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 25th day of September, A. D. 1882, before Judges of said Court, upon a petition of sundry inhabitants of the township of Penn, in said county, setting forth that they labor under great inconvenience for want of a Public Road or highway to lead from a point at or near J. G. Hepburns in Penn Twp. (on Township road leading from to Cream Hill Turnpike road) to residence of J. G. Derrick

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 J. H. Moore, Isaac Caldwell and M. M. Flynn 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. I.

LL. S. I.

LL. S. I.

LL. 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 D. T. Sharp & Sons the sum of \$15.00 bovt no 332

To Allen J. Daniel the sum of \$15.00

To the sum of

Witness our hands this 11th day of December A. D. 1882

Geo. W. L. L. L.

James C. Ballou
111. 677. 841, 2

NOTE.—In case of a private road, the route must be
exerted in favor of the petitioners for said road.
Also—Viewers will carefully note the cost of their return
employed and set the amount out of the cost of their return
Revenues earned interfere with damages assessed by
the original viewers, except so far as the location may be
changed by the new viewers.
Also—In the event of a dispute, the parties are not entitled
to damages, but is to consider the advantages as
well as the disadvantages of the road, they will report to
that effect.

S. W. Moroz	Days 2	Amount.
{ Miles 4.5	8.50	
Isaac Baldwin	Days 1	
{ Miles 6	2.60	
Mr. M. Flynn	Days 1	
{ Miles 2	2.00	

No. 9 of Sept Sessions, 1882

ROAD BILL

To view and lay out a Road
for public use in the township
of Penn Clearfield county

11th January 1883 Certified Name
and ordered to be placed 25 feet wide
By the Court
Isaac Baldwin

4 April 1883. Comt. audit
and approved / By the Comt
a. G. Foster

1st April 1883. Right of way original
and now confirmed absolutely
and now confirmed absolutely
, Baldwin.

Filed / January 1883

Fees \$1 paid by H. G. Dennis

Isaac Baldwin

John M. Flynn

Arnold

Sept 1st 1883
as follows
a contract was made
between the commissioners
and the town of Penn