

No. *January* Term, 188*2*

Vacate & supply
Public Road

VERSUS

Burnside Twp

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Viewers

S. C. Smith

J. W. Moore

J. J. Patterson

Part Rt. 17001

" Twp Rd. 17307

To the Hon. the judges of the Court of Quarter
Sessions of Clearfield County, Pa.

The petition of the undersigned citizens of Burnside
Township, Clearfield Co. Pa, respectfully represents:—

That a portion of
Public Road, being about one and a half miles in length,
partly opened in Burnside Township aforesaid from
the place where John H. Myers lives to the intersection
with the public road from Shepherd's School house to the
Cherry Tree, of the public road leading from Westover to
Cherry Tree, laid out under proceedings in your said
Court appearing as No. 17 September Sessions, 1880 is
not properly located for the interest and convenience
of the public, and of the people of said township;—and
that the continuance and completion and keeping
up of said road in said location between the points
named would be unnecessary, inconvenient, expensive
and burdensome to the inhabitants of said township,
they therefore pray that the above mentioned portion
of road, be vacated and changed and supplied;—and
that commissioners be appointed to proceed and report accord-
ing to law, with power to change, vacate and supply.

And so they will pray.

James T Scott
John Scott
William Summerville
Thomas Scott
Wm G Westover
Wm Bennett
Benny McVie
Peter Beck

John Albright
William Westover
John Brothers
Robert McKee
James H Lamer
William Brothers
Henry Youngling
John Youngling

Wilfred Porter

Alfred King

A. S. McCardell

John McCardell

Wm King

Wm A King

Olinus Bee

James C. Owens

G. W. Rowbarn

William Owens

Jacob Hickman

Henry Young

Daniel Frost

C. D. Hoff

J. H. Frost

James Chapman

Henry Sebring

Samuel Dodson

Jacob McKee

D. B. Ridgely

Alfred McCardell

Jacob Bee

Nathan Keizer

W. C. Sebring

James Sylvester

John Weaver

Janet Young

Thomas P. Young
James Woods

A. S. Woods
H. W. Patchin
John Shepherd
A. W. Fry
Kate Allison
Frank M. Young
Lizank Allison

A. Bates
Ben Jonkin
Thomas S. Shepherd
Fred Shepherd
Jacob Youngling
John D. McCauley
M. M. Youngling
Amos P. Good
David Good
Jos M. Wilson
J. W. Thompson
Arison E. Brickley
James E. Brickley

H. C. Bates

Adam Beck
Leonard Beck
David Adams
C. F. Westover

Nicholas Beck sr.

George Putnam
Jacob Huff

A. B. Spickman
Jacob Lee
Charles J. South
C. R. King
Nathaniel Ryan
Daniel King
Wm Rimmel

J. C. Lutz
McKeth
B. F. Shepherd
Elliot Scott
Nicholas Beck
W. J. Rottley
South

Geas C. Willard
Wm A. Elam
Philip Smyers
P. J. Stippler
Joy Borchert
A. B. Selving
William B. Ayres

William Ayres
Garry C. Learner
William Learner
Jonas Learner

Nov 11 Jan'y 1882

Petition to change, vacate and
discharge the part of the judicial
order in Wormsick township

Believe me yours H. W. Chapman

[illegible]

to report at Newark N. J.
By the County of Essex
at Quincy, Mass.

By the Court, J. M. Ab
v. & Co., 1878

Filed 18th January 1882

Bob Chen

Quinn 20 Illinois 1889^Q under
contract to buy ~~the right~~^{the} apartment
rooms in favor of A. S. White & Co.
who desire to have my apartment

Wm. W. W.

W. S. B. & W. S. B.

and Frederick Shepherd, the following courses and distances to wit: South Eighty five and a half degrees East ($S 85\frac{1}{2}^{\circ} E$) thirty two (32) Perches to a burnt Hemlock, South Seventy degrees East ($S 70^{\circ} E$) nineteen (19) perches to a Hemlock, South Seventy nine degrees East ($S 79^{\circ} E$) fifteen (15) perches to a dead Pine; South Seventy and a quarter degrees East ($S 70\frac{1}{4}^{\circ} E$) twenty eight and a half perches ($28\frac{1}{2}$ per) to a Dogwood Stump, South fifty five degrees East ($S 55^{\circ} E$) nineteen (19) perches to a Maple, down, South Seventy eight and a quarter degrees East ($S 78\frac{1}{4}^{\circ} E$) fifteen and two tenths ($15\frac{2}{10}$) perches to a stake, thence crossing road running from Peter Becks to Patchouille and along the Westover and Cherry Tree Road South Eighty seven degrees East ($S 87^{\circ} E$) One hundred and thirty four (134) ^{perches} ~~feet~~ to a stake, thence in the same course passing over part of the road already established and to be retained a distance of sixty four perches, thence North Seventeen degrees East ($N 17^{\circ} E$) twenty four (24) perches to a stake in established road through land of John H. Myers thus terminating the portion of line to be vacated.

The portion to be located and established as revised and surveyed as follows: Beginning at a point at or near John H. Myers, thence South ten and a half degrees West ($S 10\frac{1}{2}^{\circ} W$) twenty three (23) perches; South Eight and a half degrees West ($S 8\frac{1}{2}^{\circ} W$) three (3) perches to a point in centre of the Westover and Cherry Tree road and along said road already established and to be retained North Eighty seven (87°) degrees West sixty four (64) perches, thence through land of William Westover North thirty three degrees and twenty minutes West ($N 33^{\circ} 20' W$) One hundred and twenty nine and six tenths perches ($129\frac{6}{10}$) to centre of the Shepherd School.

To the Honorable the Judges within named:

We the undersigned viewers appointed as per annexed order of Court do report, that in pursuance thereof, after having given previous notice of the time and place of meeting, to wit: on the twelfth day of May 1882, by advertisements put up according to law, and after having been duly severally affirmed, all the viewers appointed by said order, viewed the ground proposed for the within mentioned road, and all do agree that there is occasion for a change of location of a portion of said road as desired by the Petitioners, inasmuch as the change asked for, and which the undersigned recommend, will place the road on level and perfect dry ground and add but about sixty three rods to the total distance from Westover to the Cherry Tree, and save about two hundred and eight rods of new road to be made a large part of which is located on wet marshy ground, a part through heavy timber, and another part at a heavy grade through the cleared land of the Widow Brothers, to its very serious damage, We have therefore changed those portions of said road as follows; (and which will more clearly appear by reference to the draft or plat hereto annexed) the red lines indicating the portions of the road vacated: Beginning at a stump in the Shepherd School House and Cherry Tree road, thence through land of the Widow Brothers North forty nine and a half degrees East ($N 49\frac{1}{2}^{\circ} E$) fifty (50) perches to a stake in line of division fence between said Widow Brothers and land of Adam Beck, and along said division line North four degrees East ($N 4^{\circ} E$) twenty nine and three tenths ($29\frac{3}{10}$) perches to a stake, thence along division line between Adam Beck

House and Cherry Tree road.

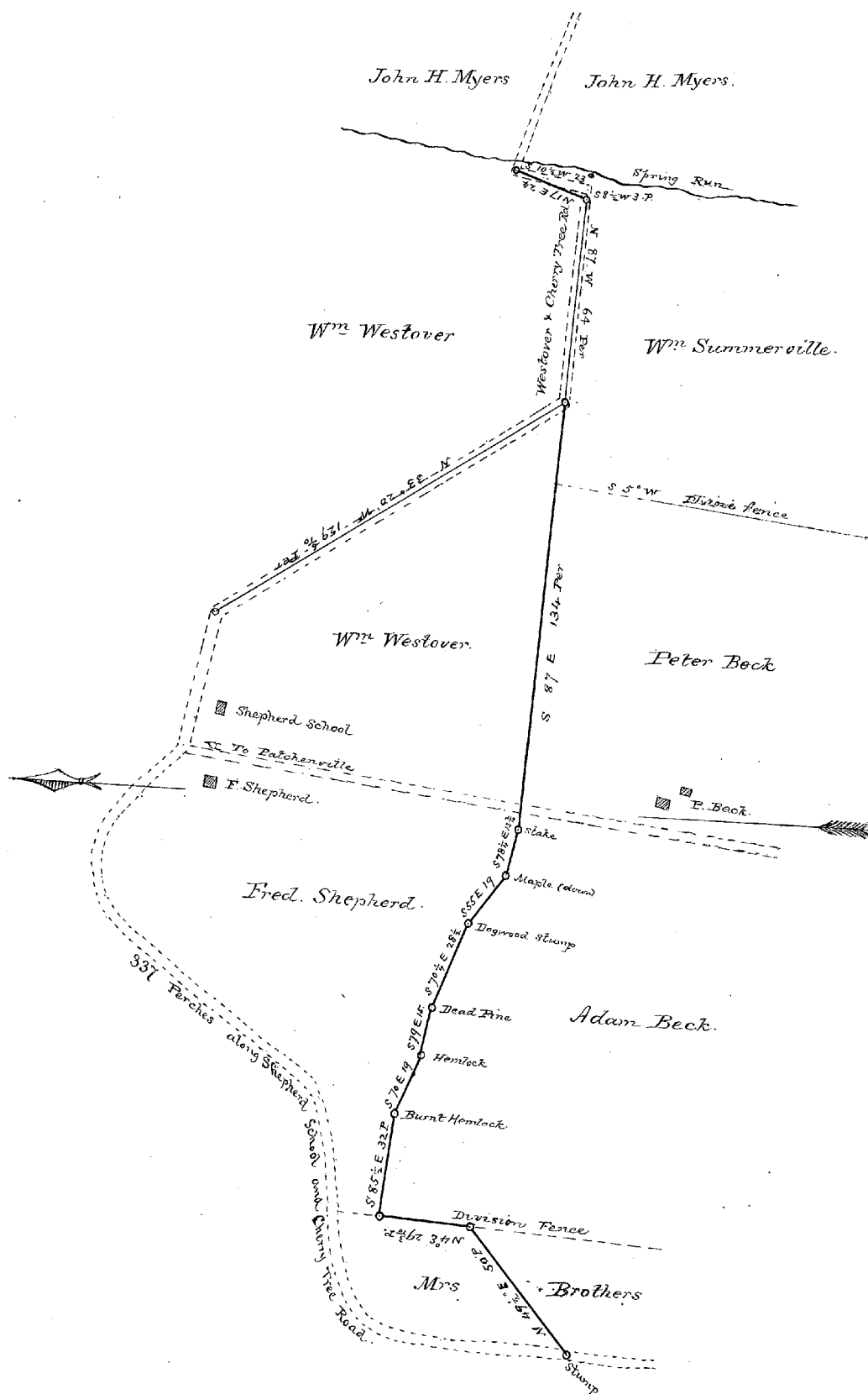
And further, we having inquired as to the damages resulting to any one by reason of said changes in the location of said road have ascertained that no damages result to any one and that none is claimed.

Witness the hands and seals of the undersigned venues
this twenty third day of May 1882.

J. C. Smith, 

D. N. Moore 

J. J. Patterson 



NOTE.—In case of a Private Road, the vehicle must be expected in favor of the pedestrian for said road.

Also— Viewers will carefully note the number of days employed and set the amount out of the pool of their return. Reviewers cannot interfere with the number of days, but the original Reviewer, except as far as the location may be concerned, will be held responsible for the number of days.

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.

J. C. Smith } Days 5 Amount .
 Miles 33 Decr No/17

J. W. Moore	{	Days	3	"	150
		Miles	33	"	2, 30

J. J. Patterson { Days 8 Left no 151
Miles 33 9.30

<i>J. J. Mackay</i>	Days..	Miles ..
		

Days	1	{	Days	1
			Miles	

No. 11 Jan'y Session, 1882

O'REILLY

To view and lay out a Road
For *Willie* use in the township
of *Winward* Clearfield county.

of about 24th May 1882. (continued)
 rain; passed to the ground 73 ft. in the
 street where digging & building
 is required & then to the 10 ft. shaft
 in the lower part of the shaft.

29th Sept 1882

beginning absolutely
by the sword

Filed 24 May, 1882

Fees \$1, paid by ²⁵ MGI Inc

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 ensembling 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 .

L. S.

L. S.

L. S.

L. 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 _____ the sum of _____

To _____ the sum of _____

To _____ the sum of _____

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

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 18th day of January, A. D. 1882, 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 great inconvenience for want of a Road from to lead from a point at or near John H. Myers to the intersection of the Shepherd School house & Cherrytree Road with the Westover and Cherrytree Road

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

Wm Moore J. I. Patterson T. S. Smith 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.