

No. 3, Sept Term, 1883

Public Road

versus

Declarator Grop

Contents:

X

To the Honorable C. A. Mayor, President, and his  
Associate Judges of the Court of Common Pleas,  
of the county of Clearfield, now composing a court  
of General Quarter Sessions of the Peace, in and for  
the said county at September sessions 1883:

The petition of divers inhabitants of the township  
Decatur, and parts adjacent, in the said county  
respectfully sheweth: That your petitioners labour  
under great inconveniences for want of a road,  
beginning at Michael Walker's lands in the town-  
ship of Decatur, to intersect the public road  
leading from Osceola to Routzdale at Taylor's  
siding. And your petitioners, as in duty bound  
will ever pray, &c.

Names

Nathan Kephart  
Henry Lirright  
Thomas Daughman  
Jm. McElsen  
S. W. McElsen  
Adam Kephart  
James Kephart  
John Thompson  
J. R. Hughes  
G. G. Foxworth  
D. B. Hughes  
Fred Gerard  
Thos. P. Shown  
Adam Custard

Names

Rubin Thompson  
Cos. 420. 12.  
Thos. J. Derritt  
James Lugin  
Emmanuel Hale  
Patrick Dugan  
L. C. Burkett  
Wm P Fitzgerald  
Wm Duggan  
William Hix  
Burr Esley  
Jm. L. Lulaver  
Harry Matton  
J. P. Colman

Mr A Keams

Lewis Richards

Miles Mease

Geo E Gearhart

Peter Donahue

W J Madigan

John Mallin

Thos Gallagher

Ballaghan

John Williams

Thomas Mays

Henry Myers

A E Garman

Don. B. Cronin

J. C. Motherbaugh

George B. ...

L. M. Rogers

John B. ...

John De Martin

G. Fulton

Wm W. ...

John Turner

NOV 28 APR. Sess. 1883

### Petition for Pulsee

road from Middle  
Trentons to larger  
publ. road from  
Osteoda to Haildale,  
at Saylors siding in  
Decatur Twp.

whereas <sup>3d</sup> Act 1883 relating  
and considered by the Court of said

Geo. Miller

Thomas H. Butler

of the town of Saylors

persons who are known the ground  
preparing for said road to make report  
at Saylors, 1884

By the Court  
W. H. Smith, Jr.

2084

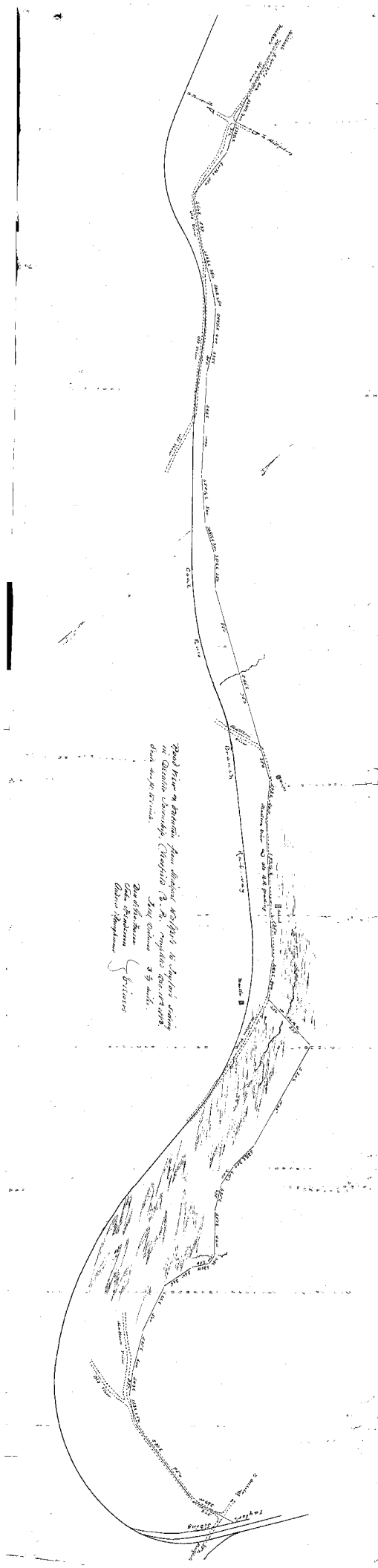
To the Hon. Judges within named.

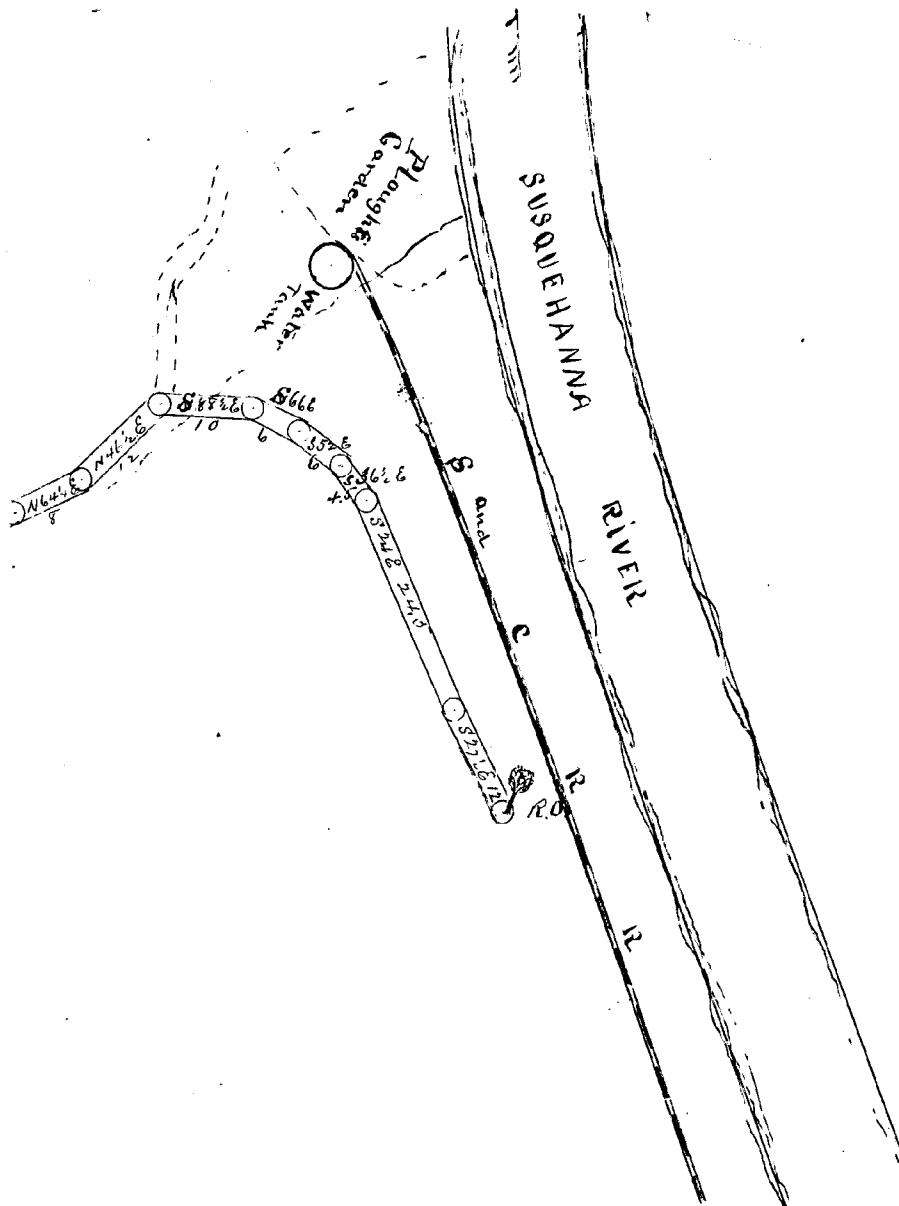
We the undersigned persons appointed Viewers by the within order of Court to view & vacate the roads within boundaries, respectfully report, that having been present at the Re-viewing and vacating of said Ground, proposed for said road, and having all views given & generally shown or affirmed, in pursuance of said order, we have vacated such portions of old view as have become inconvenient & useless, by means of Railroads track, marshy land &c. and have created and laid out for public use the following road, to wit: Beginning at a corner property of William B. Walker in Decatur Township, thence S. 28 1/2 E. 620 ft.; then S 24 E 300 ft. to Township road leading to Phillipsburg & Chilesville, then S 31 1/2 E 312 ft.; then S 44 E 650 ft.; then S 60 E. 537 ft.; then S 66 E. 350 ft.; then S 60 E. 250 ft.; then S 44 1/2 E. 400 ft.; then S 35 E. 350 ft.; then S 46 E. 1000 ft.; then S 54 1/2 E. 500 ft.; then S 49 1/2 E 500 ft.; then S 51 1/2 E 350 ft.; then S 66 E. 1950 ft.; then S 47 E. 400 ft.; then S 52 1/2 E 1350; then S 42 E. 400 ft.; then S 64 1/2 E. 625 ft.; then S 20 E. 1125 ft.; then S 34 E. 300 ft.; then S 15 E. 200 ft.; then S 35 E. 275 ft.; then S 51 E. 420 ft.; then S 13 E. 100 ft.; then S 30 W. 200 ft.; then S 61 E. 325 ft.; then S 22 E. 500 ft.; then S 35 E. 400 ft.; then S 43 E. 250 ft.; then S 63 E. 250 ft.; then S 87 E. 950 ft.; then S 69 E. 325 ft.; being a total distance of 3 1/2 miles to Saylors siding on road leading from Odesda to Hartsville, a fall or drop whereof is hereunto annexed, which road so as aforesaid laid out we are of opinion is necessary for a public road, and to which no damages are assessed, by reason of location of said road.

Witness our hands this Eighteenth day of Dec. A.D. 1883.

Wm. A. Lee. Foreman.

J. R. Henderson } 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 Fourth day of October, A. D. 1883, before Judges of said Court, upon a petition of sundry inhabitants of the township of Decatur, in said county, setting forth that a road was

formerly laid out by order of Court from Michael Walkers to Taylors siding in said Township which has now become useless inconvenient and burdensome

and vacate  
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 <sup>Don J. H. Brown</sup> ~~Geo. Muller~~, <sup>John H. Henderson</sup> ~~Thos. Henderson~~ and <sup>Andrew Baughman</sup> ~~Geo. Baughman~~ 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 <sup>Vacation</sup> ~~road~~, they shall proceed to <sup>Vacate</sup> ~~lay out~~ the same agreeable to the desire of the petitioners, <sup>as may be</sup> ~~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 14th 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 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 .

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[L. S.]  
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[L. S.]  
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[L. S.]  
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[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 .

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NOTE.—In case of a private road, the receipt must be  
 signed by the owner of the petitioner for said road.  
 Also, the viewers will carefully note the number of days  
 employed and set the amount on the foot of their return.  
 Reviewers cannot interfere with the petitioners in the  
 mode of doing the work, so far as the location may be  
 concerned, but the viewers may, if they see fit, as the location may be  
 N. B.—If the viewers believe the parties are not entitled  
 to damages, taking into consideration the advantage as  
 well as the disadvantages of the road, they will report to  
 that effect.

{ Days	Amount
{ Miles	
{ Days	
{ Miles	
{ Days	
{ Miles	
{ Days	
{ Miles	

No. 6 Sept Session, 1883

**ORDER**  
 To view and ~~locate~~ <sup>superior</sup> Road

For use in the township

of Locust Clearfield county.

Filed \_\_\_\_\_, 188

Fees \$1 paid by Murray Stodd

29 Oct 1883

*mgs*

And now 5th Dec 1883, Geo Miller not being able to enter as surveyor on account of absence  
 and Thomas Henderson disabled by disease John Henderson is appointed in his place. John W. George (Hager)  
 is appointed surveyor in place of Geo. Miller  
 John C. Smith Clk.

## CLEARFIELD COUNTY, SS:3

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the Third day of October, A. D. 1883, before Judges of said Court, upon a petition of sundry inhabitants of the township of Decatur, in

said county, setting forth that they labor under great inconvenience for want of a public road beginning at Michael Walkers lands in the Township of Decatur to intersect the Public road leading from Oscoda to Houtzdale at Taylor Siding

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 John H. Lynde, Thomas H. Henderson and Andrew Baughman 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 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.]  
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[L. S.]  
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[L. S.]  
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[L. S.]  
+++++

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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 expected in favor of the petitioner, for no money is expended in the improvement of the road, and 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 referees. The referees must deliver 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.

Geo. Johnson	Days 4 1/2	Amount 22.50
Engineer Geo. Johnson	Miles 2.5	
Geo. Johnson	Days 4 1/2	12.75
Geo. Johnson	Days 3 1/2	7.50
Geo. Johnson	Miles 2.0	1.20
Geo. Johnson	Days 3 1/2	7.00
Geo. Johnson	Miles 2.0	1.20
Geo. Johnson	Days 1	1.50
Geo. Johnson	Miles 4	1.75
Geo. Johnson	Days 3	3.00
Geo. Johnson	Miles 4	5.00

No. 5 Sep. Sessions, 1883

ORDER

To view and lay out a Road

For Public use in the township of Alcatraz Clearfield county.

1/2 January, 1884, confirmed.

View, Road to be opened 33 ft wide, except where digging and building on or around such then to be left with

By the Court

20th, March 1884

Confirmed above

By the Court

23 March the Road to be opened

Filed 17 January, 1884

Rees \$ Paid by Murray Gordon

29 Oct 1883

And now 3rd December 1883 the Miller not being able to serve on within order as directed by order of above.

And Thomas Henderson directed by order of above to appear in place of Geo. Miller

to appoint surveyors in place of Geo. Miller

And now 3rd December 1883 the Miller not being able to serve on within order as directed by order of above.

And Thomas Henderson directed by order of above to appear in place of Geo. Miller

to appoint surveyors in place of Geo. Miller