

No. 8, mar Term, 1883

Public Road

versus

Decatur Twp

Contents:

no 8. near \$5 1883  
Feltton & river and  
lay out a road leading  
from Chetkile to the  
Campakie 18700 One mile  
and interest of outside  
road leading from Elmer  
Wade to Elgar River

And now 28th March 1883

Richard Thompson  
Hastan Highbank  
- H H Harrison  
one opposite arrived to report of  
some square with  
by the house

W. D. Butler  
of the

dead 20 near 1883

To The Honorable, the president and associate  
 Judges of the court of Common Pleas of Chesterfield  
 County. The petition of ~~the~~ The undersigned inhab-  
 itants of wecatin Twp. in said County respectfully  
 sheweth That your petitioners Labor under  
 great inconveniences for want of a ~~public~~ road  
 beginning at a public road leading from the village  
 of Chesterville in said Twp. to Campbell Bros Coal Mines  
~~on~~ on land of David Gearhart near Lancashire Coal  
 Mines. Thence by direct route until it intersects a <sup>new</sup> public  
 road leading from Elias Walks to near Elijah Rees, on the  
 line between lands of D. W. Holt and lands of J. Hall Weller  
 in said Twp. Your petitioners therefore respectfully  
 pray your honors to appoint proper ~~persons~~ persons  
 to view and lay out the same according to law  
 And they will ever pray &c.

Geo. B. Gearhart  
 George H. Dawson  
 Edwin Sufferwest  
 James Cochran  
 Thomas Atkinson  
 Geo. W. Hunter  
 R. C. Hunter  
 C. Gearhart  
 H. K. Hunt  
 J. Blake, Gearhart  
 John Burres

D. Craft  
 E. Gearhart  
 A. Gearhart  
 L. E. Gearhart  
 C. Gearhart

W. Entwistle  
 William R. Rapp  
 William Evans  
 George L. Lave

To the Hon. the Judges within named.

We the undersigned,  
persons appointed by the within order of  
Court, to view and lay out the Road  
therein mentioned, respectfully report:

That having been present at the  
view of the ground proposed for such  
road, and having all been first severally  
sworn or affirmed, we have, in  
pursuance of the said order, viewed  
the ground proposed for such road,  
and are of the opinion that there is  
no occasion for such a road, and that  
the same is not necessary for a  
public road.

Witness our hands, This 21<sup>st</sup> day of  
September A.D. 1883

H. H. Hartman  
Nathan Kephart

## 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  
20<sup>th</sup> day of March, A. D. 1883

before Judges of said Court, upon a petition of sundry inhab-  
itants of the township of Locatur, in

said county, setting forth that they labor under

great inconvenience for want of a Public Road  
leading from the Village of Chesterville in said  
Twp to Kaufbell Bros Coal mines on land of  
David Gearhart near Lancashire Coal mines. Hence  
by direct Route until it intersects a new Public Road  
leading from Clay Walks to near Clysah Acres on  
the line between lands of D. W. Holt and lands of  
Dall Musser in said Twp

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

Richard Hughes Nathan Kephart & H. H. Hartman

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 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 ensealing 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 .

NOTE.—In case of a Private Road, the release must be executed in favor of the petitioner for said road, and the petitioner must be 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. 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.

H. H. Hartman Days 2 1/2 Out # 426

Miles 5

Nathan Kephart Days 1 2 Out # 387

Miles 5 0.50 2.50

R. Hughes Days 1 2.00 Out 4.16

Miles

Days

Miles

Days

Miles

No. 8 March Session, 1883

# ORDER

To view and Lay out a Road

For Public Use in the township

of Decatur Clearfield county.

19 January 1884

Confirmed & Vied By the County

Ordained 1884

Confirmed & Vied By the County

ceals

K. H. Hartman \$14.00

Richard L. Hughes 2.50

Nathan Kephart 2.00

Filed 24 Nov 1883

25

Fees \$1, paid by J. McCullough