

No.

12,

Sept

Term, 188

3

Public Road

versus

Declar & Boggs
Inc

Contents:

Part Rep. Re. No 72

July 3

To the Judges of the Court of
Common Pleas of the County of Cleaveland
composing a Court of Quarter Sessions
of the Peace for said County -

The Petition of the subscribers
respectfully sheweth that they
labor under great inconvenience
for the want of a Public Road
to lead from point near
Jacob McLaurens on Morgan Run
Township Road in direction South
to intersect Public Road leading
from mouth of Smalls Run to
intersect the old Township ^{road} by David Meares
in Boggs Township.

They therefore pray the Court
to appoint proper persons duly
qualified to view the ground
proposed for said Road and
to lay out the same according to
law

James McLauren
Abram L. Goss
Daniel Goss
The Trustees of
Boggs Township

J. C. Goss
Ben Smeat
A. E. Goss
J. G. Shugert
H. G. Shugert
W. S. Ammanman

James McLauren,

W. Moore
W. H. Peters
John Coulter

James Goss
Frank Waring
Abraham Goss
Thomas Waring
Jonathan Ripley

G. Goss
J. G. Ripley
S. B. Ripley
Jacob Walker
John Ripley

Edmund Fisher
Harvey Holmes
J. G. Ripley
J. G. Ripley
J. G. Ripley
George Small

No 12 Sept Decr 1883

Petition of the inhabitants
of Decatur and Georgia
Domestic Clearfield Co.
Regarding the appointment
of receivers to view and
lay out a Road for Public
use to lead from a point
on the Morgan Run road
at or near Sweet Meadows
in Decatur Co. to intersect
public road leading from
point of Decatur Run at
or near the old Meadows
in Georgia towards

And now February 1884
Appearing to the Court
that the Decatur applicants
by the Court of D.C. & R. by
Decr 1883 having failed to
Report as directed by
the order then made,
their persons are hereby
ordered to March Decatur
1884 - John D. Butcher
Jr.

And now 28th Sept 1883 the
court petition decr and Decatur
et and the Court hereby appoints
Richard Douglas Bond and
John W. Loper,

Decatur to view lay out and
Report as within foregoing
By the Court
John D. Butcher Jr.

Wm. A. Kenna

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 28 day of Sept, A. D. 1883, before Judges of said Court, upon a petition of sundry inhabitants of the township of Decatur Co Boggs, in said county, setting forth that they labor under great inconvenience for want of a public road to lead from a point near Jacob McClarnus on Morgan Run in Decatur Township to intersect public road leading from mouth of Smicks Run to the old township road near by David Meas's in Boggs township

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 S. D. McCloskey Richard Hughes & Jacob Mock 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 Kern

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 enseatling 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 by order of the petitioner having said road.
 Also.— Viewers will carefully note the number of days employed and set the amount out at the foot of their return.
 Reviewers cannot but refer to the location may be changed by the viewers.
 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.

<i>J. M. Melony</i>	Days 2	\$ 8.00
	Miles 2.0	2.00
<i>Field Douglas</i>	Days 1	2.00
	Miles 1.0	1.00
<i>Geo. M. Mear</i>	Days 1	2.00
	Miles .5	.50
<i>Chas. Hughes</i>	Days 1	1.50
	Miles	
<i>Samuel Chamm</i>	Days 1	1.50
	Miles	
<i>J. McGowan</i>	Days 1	1.50
	Miles	

No. *12 Sept. Session, 1883*

ORDER

To view and lay out a Road

For *Public* use in the township of *Leakey & Boggs* Glenfield county.

15th March 1884, bounded
also, road to the ground 33
feet wide, side to here including
the ground 1/2 acre to the 1/2 acre
by the Board
19th May 1884
by the Board
19th May 1884
by the Board
19th May 1884
by the Board

Filed *13 March* 1884

Fees \$1, paid by *J. M. Melony*

J. B. Mearns

North Five and a half degrees East. Seventy two and three tenths perches to a Post. Thence South Seventy five and a quarter degrees, East Thirty four and four tenths perches to a Post. Thence Through Land of the said Daniel Smeal, and Land of William Harper. North Four degrees East. One Hundred and twenty five and three tenths perches to a Post. Thence North Seventy four degrees East twelve perches to a Maple. East eight perches to a Post. North Seventy nine degrees East. Six perches to a White oak. South Seventy five degrees East. Six perches to a Post. South Eighty six degrees East. Nine perches to a Chestnut Oak. North Seventy six degrees East. Six and eight tenths perches to a Pitch Pine. North Fifty one and a half degrees East. Eight perches to Pitch Pine. North forty seven degrees East. Seven perches to a Maple. North Thirty three degrees East. nine perches to a Post on the line Between William Harper and Henry Boss. Thence Between them North four degrees East. Twenty seven and six tenths perches. To a White oak. Corner of Harper. Henry Boss. & David Meas. in the Township Road. leading from mouth of Smeal's Run, to old Township Road near David Meas.

A Plot or draft of which is herewith attached.

Which said Road as aforesaid laid out,
we are of opinion is necessary for Public
Use.

And as the said road is mostly laid on
a Road now in actual use. No person
through whose Land said road is laid
out Claims any damage. And we are
of opinion that no one is entitled to
any.

Witness our Hands this
Eleventh day of March A.D. 1884.

March 11th 1884.

E. J. McCarty
Richard Hughes } Viewers
Jacob Mack }

daniel

Smeal

Post

Samuel

McClarren

Post

Post

Samuel

McClarren

Post

Jacob

McClarren

dp Road to Morgan Run
Maries

DAVID MEASE

To Road to Smeat Run.

William Harper

Henry Goss

Post

maize

P. P.

279

125

William Harper

Mr. Harbo

Daniel

Smeal

BARN

House

Post:

S. $75\frac{1}{4}^{\circ}$ E
34.4

Post:

To the Hon. Judges of Court.

We, the undersigned persons appointed by the annexed Order to view and lay out the road therein mentioned Respectfully report:

That having given notice at 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 point in the Morgan Run Road, by a marked white oak near the Residence of Jacob McClarnen, in Decatur Township. Thence through his Land, north thirty six degrees East, twenty two perches to a Post. Thence north twenty two and a half degrees East: thirteen perches to a Post, in the line of Jacob and Samuel McClarnen. Thence through Land of Samuel McClarnen north seven and a half degrees East, ninety five perches to a Post. North twenty three degrees East, twenty perches to a Post. North two degrees East, twenty eight perches to a Post in the line of Land of Samuel McClarnen and Daniel Smeal. Thence through Land of