

No. 18, Sept Term, 1883

Private Road

versus

Morris Jap

Contents:

X

To the Honorable Judges of the Court
of Common Pleas of Chester Co Pa
We the undersigned citizens of
Morris Township respectfully represent
that we are laboring under great inconvenience
for the want of a private road from
a point immediately above what is known
as Pleasant Hill School House on road
leading to Skyhooking to the Jacob Potters
a distance of about a half mile. There
is no convenient outlet for said Jacob
Potters and we pray the Court to grant
him a private road and we will
ever pray &c.

George Ardrey
Henry Weaver
J. Ellis
Jacob Meyer
Chas Ardrey
Wm J. Sutter
H. A. Kissel

Jacob Beam
E. B. Williams
Jacob Potters

1016 Sept 1883

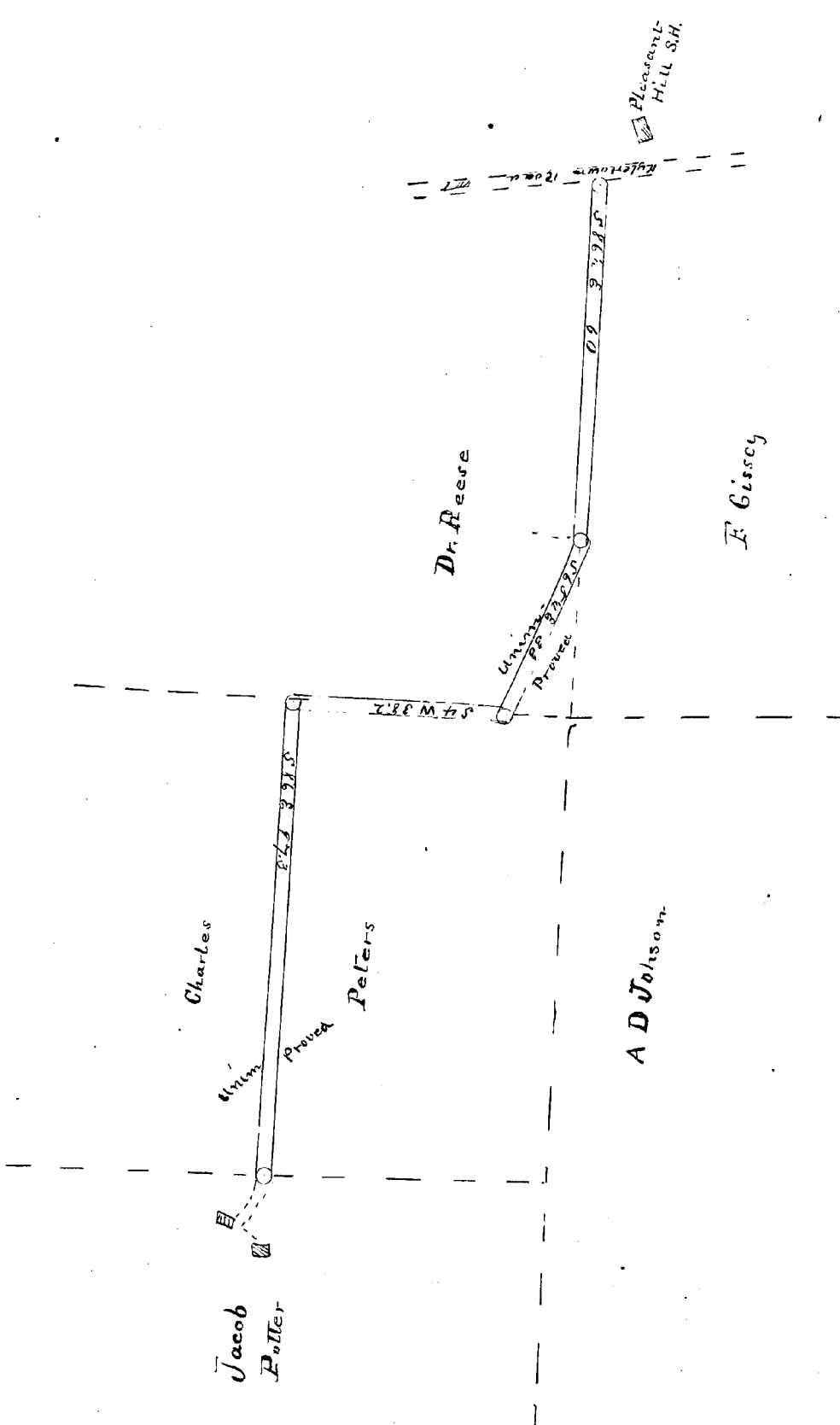
Private Road from
a Point near Summit
Hill on By Antonio Road,
to Sarah Potters in
McCombs Co -

7 Oct 1883

And in a letter to Sept 1883
Petition road & considered
out C. G. Read

Law of Jones
Jacob Beaman
are appointed assessors to make
Report to January 1884
By the Court
C. G. Read
J. J.

20



Charles

Jacob
Potter

Proved

Peters

Dr. Reere

Proved
Proved

A D Johnson

F. Gissay

Pleasant
Hill S.H.

280 M 4 S

09 3 29 15

09 3 29 15

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 24th day of September, A. D. 1883, before Judges of said Court, upon a petition of sundry inhabitants of the township of Morris, in said county, setting forth that *They are laboring*

under great inconvenience for the want of a Private Road from a point immediately above what is known as Pleasant Hill School House on Road leading to Kylertown) to Jacob Potter, a distance of about a half mile. There is no convenient outlet for said Jacob Potter and we pray the court to grant him a private road and we will ever pray

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, *And make report to Court at next Term* whereupon the Court, upon due consideration had of the premises, do order and appoint *E. C. Reed, Saml. Hoover & Jacob Beam* 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, passed for and in consideration of the sum of ONE DOLLAR to us respectively paid by the Jacob Potter 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 Jacob Potter 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 21st day of November A. D. 1888

O. P. Reese [L. S.]
E. A. Zing [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 Chas. Peters the sum of One Dollar
To _____ the sum of _____
To _____ the sum of _____

Witness our hands this 20th day of November A. D. 1888

E. B. Bean
Samuel Hoover
Jacob ^{his} Bean
mark

Witness to Jacob Beans
Regnam
Jacob Potter

To the Honorable The Judges of the Court of Quarter Sessions
of the Peace in and for The County of Clearfield.

We the subscribers appointed by your Honors, to view a
Private Road in pursuance of the within order, ^{Respectfully report that} after giving
due & sufficient notice met at the Pleas and Subst. Court
House and after being severally sworn & affirmed, accord-
ing to law went upon the ground and laid out the follow-
ing road to wit: Starting at the Top Road leading to K. Linton
thence along the line between Hesse & Ruse's lands S 86 E 60 P
to post thence through unimproved lands of O. P. Ruse S 65 1/2 E
33 perches to post in line between lands of Sam. Ruse & Ches.
Peters thence along said line S 41 1/2 E 38.2 Perches to post. thence
through land of ~~John~~ Peters S 86 E 87.3 Perches to Jacob Potter
land near the Dwelling of said Potter. We find in our opin-
ion that the said Potter is in great need of a road &
that if the above described road is made it will be a great
benefit to him the said Potter. We have hereto annexed a
draft of the road as laid out and recommend that
the same be confirmed.

Witness our Hands this 20th day of November 1883.

E. C. Road,
Samuel Hoover
his
Jacob A. Deaw
mark

Witness to Signature of
Jacob Deaw
Jacob Potter

NOTE.—In case of a Private Road, the release must be executed in favor of the petitioner for said road.
 Also.—Viewers will carefully note the number of days allowed and set the date for the same, and the number of the original views, except so far as the location may be changed by the reviewers.
 N. B.—If the viewers believe the purchase was not entitled to, well as the "specialties" of the road, they will report to that effect.

Spec. Balm	Days	Amount
	Miles 3	2.30
David M. ...	Days 1	
	Miles 3	2.30
Car #38 sq. ...	Days 2	
	Miles 20	10.00

Days
Miles
Miles

Nov 8th Sept 1884, the report in his care having been obtained upon technical reasons with upon the merit of the report. His presence could have been secured in Hampton instead of at Milers Road. Es. D. News General Store, applicants Rivers, September 1884, R. 2, 102 Cash of

No. 18 Sept Session, 1883

ORDER

To view and lay out a Road for Private use in the township of Morris, Clearfield county.

1st January 1884, by James ...
 View: Road to be shown by plat made by the board ...

Execution

13th March 1884
 In session sustained
 Report as aforesaid
 By the Court

Filed 9th October, 1883
 Fees \$1.50 paid by E. G. Reed

Just

two rows July 8th 1884. Viewers Bona base exceptions to the within report, and say that the same is not correct in point of law.

1st That James Brown one of the viewers is entitled to be one of the viewers to petition for said road.

2nd That James Brown another of the viewers is nearly related to the petitioner James Allen, being brother in law to the same.

Whereas Brown also for a petition
 and now 22nd Sept 1884 the within applicant viewers in view of James Brown, By the Court
 27th July

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