

No. 10, Sept Term, 1884

Public Road

versus

in

Cooper Township

Contents:

Tap. Rd. 177057

To the Honorable the Judges of the
Court of Quarter Sessions of Clear-
field Co. Pa.

The petition of the undersigned
inhabitants of the Township of Cooper
in said county.

Respectfully sheweth: -

That your petitioners labor under
great inconvenience for want of a public
road, to lead from a point in Town-
ship road on or near lands of O. P.
Reese ^{and} Danie Beams in Cooper Town-
ship to a point in road leading from
Reese ^{and} L. H. mines to Real on or near
lands of Anderson ^{and} Brown in said
township.

Your petitioners therefore pray
the Court to appoint proper persons
to view and lay out the same, accord-
ing to law.

And they will ever pray &c.

signed
Charles H. Stewart

Milton Stewart

George Heffler

Frederick Henry

James H. H. H.

B. J. Keyser

signed
Charles Peters

Wm. L. Merrill

Defton to view Aug

Lay out Public road
in Cooperburg, loop
from point in road
near Speer and
Adams to a point
in road leading from
Speer Adams for
Reese near corner of
Adams & Brown

The 19th Sept 1884 Petition road
and considered by

Willard Road

James Humphrey

James Thompson

who are to view and road and

make report to next term

by the board

(S. G. Butler)

W. B.

W. B.

Clearfield County, ss:

In the Matter
of Public Road
in ~~Hooper~~
Townships

Quartr Sess.
In the Court of ~~Common Pleas~~ of Clear-
field County, Pennsylvania.

No. 10 Sept. Sess. Term 1884.

And Now, to wit, the 10 day of Aug., in the year
of our Lord One Thousand Eight Hundred and Eighty-five
the Remunstrator enter a Rule to take the Depositions
of ancient, infirm and going witnesses, to be read in evi-
dence on the argument of this case.
Ex parte Rule of Remunstrator on 5 day's notice.

James Kerr
clerk

To Wallace Bros., Esqs:

You will please take notice that, in pursuance of the foregoing Rule, Depositions
will be taken before E. L. Branner, or some other person authorized to
administer an oath or affirmation in Pennsylvania, in and for the county of
Clearfield, at the office of E. L. Branner, J.P., in the
Townships of Hooper, in the county of Clear-
field, and State of Pennsylvania, on the 10 day of
August, A. D. 1885, between the hours of 8 o'clock A. M.,
and 9 o'clock P. M., when and where you may attend and cross-examine.

Clearfield, Pa., Aug. 10, 1885. Oscar Mitchell
att'y for
Remunstrator.

Service of this rule
by copy - Aug 10 1885
Wm. H. H. for Road

Depositions of witnesses produced, sworn
and examined at the office of E. L. Brewer
one of the Justices of the Peace of Clearfield
County Pa on the 18th day of August 1885
between the hours of 8 o'clock A M and
9 o'clock P M. of said day in obedien-
ce to the rule of Court and notice
hereto attached to be read in a cause
depending in said Court in the matter
of Public Road in Cooper Township vs
Plaintiff and Remonstrators Defendants,

James Thompson sworn.

I am a resident of
Cooper Township Clearfield Co Pa. I was a
viewer on the road laid out from the
Township road near the pleasant Hill
School House, to the point intersecting
the road leading from Grass Flat Mines
to Peale. This road intersects the above
named road on top of the hill above
Grass Flat Mines, this point is about a
quarter of a mile from Grass Flat mine.
I don't know whether the road leading
from Grass Flat Mines to the township
leading to Peale is a Public road or
not.

James Thompson

John Schreck affirmed

I have been a resident of Cooper Township for nine or ten years. I was on each end of this road in question or at least have been told it is the same road. The road starts in from Public road that leads from Kylerstown to German Settlement near Pleasant Hill School House. The other end comes out on the hill near Grass Flat Mines. I suppose the road that it intersects is a company road.

J. A. Schreck

Lafayette Horner sworn.

I am a resident of Cooper Township. I was on each end of the road in question or at least I have been told it was the same road. The road leaves the Public road that leads to German Settlement, near the Pleasant Hill School House. it comes out on what they call the company road near the Grass Flat mines.

Lafayette Horner

Joseph Patten. Sworn

I am a resident
of Cooper Township. The road in
question runs into what is called
the Company road that is what a
man told me that it was a Company
road. This road starts in from town-
ship - between Rees and Daniel Beams

Joseph Patten

I certify that the above witnesses
were duly qualified and examined
at the time and place stated in the
caption and subscribed their depositions
in my presence.

E. C. Brunner

Justice of the Peace

No 10 Sept 1884

Public Road

in

Cooperburg

Dep. of Reimbursement

Dec 19 Aug 1885

Kyleman Road

O.P. Reese
Jacob M. S. N.
Chas. Anderson

W. S. M. S. N.

Chas. Peters
Geo. Anderson

Jacob Peters

Anderson & Brown
Hedrick & Jones

stone corner of Geo. Ardery and Jacob
Potter thence on line of Geo. Ardery
and Jacob Potter north eighty five
and three-fourths degrees west ($N 85\frac{3}{4} W$)
one hundred and seventy-seven and
eight tenths perches (177.8) to foot corner
of Charles Peters and Geo. Ardery thence
on line of G. P. Reese and Geo. Ardery
south three degrees west ($S 3 W$) thirty nine
and four tenths perches to a foot cor-
ner of Charles Ardery and G. P. Reese
thence on line of G. P. Reese and
Charles Ardery north eighty five degrees
west ($N 85 W$) one hundred and twenty seven
127 perches to a foot in public road
to Rydertown.

Which said road is in our opin-
ion necessary for a public road -

Witness our hands this 28th day of
October 1884.

Willard G. Read.
James Thompson
James Hughes

To the Honorable the Judges of the
Court of Quarter Sessions of Char-
field County.

We the undersigned persons appointed
by the within order of Court to
view and lay out the road there
in mentioned respectfully report
That having given due notice of said
view by posters put up in the neigh-
borhood according to law, we all
met and after being sworn and
affirmed, viewed the ground pro-
posed for said road and have
laid out and do recommend
for public use the following
road: Beginning at a post in road
to Grass Flat Mine on lands of
Anderson & Brown thence across
said lands south fifty six and
three fourths degrees west (S 56 ³/₄ W) twenty-
eight and eight tenths (28.8) hereafter to

CLEARFIELD COUNTY, SS: 2

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the 12th day of Sept, A. D. 1884, before Judges of said Court, upon a petition of sundry inhabitants of the township of Cooper, in said county, setting forth that they labor under

great inconvenience for want of a Public Road to lead from a point in Twp. Road on or near lands of O.P. Reese and Daniel Beaus in Cooper Township to a point in Road leading from Grass Flat Mines to Peal or near lands of Audison & Brown in said Twp.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, & Report to Dec. 5th 1884

whereupon the Court, upon due consideration had of the premises, do order and appoint Willard Reed, James Hughes & Isaac Thompson 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.]
+++++

+++++
[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 *In Damages* the sum of _____

To _____ the sum of _____

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

NOTE—In case of a Private Road, the Review must be executed in favor of the petitioner, per said road.

Also—Viewers will generally note the number of days employed and set the amount out at damages assessed by the Reviewers cannot have more so far as the location may be claimed by the reviewers.

N. B.—If the reviewers deliver the parties are not entitled to damages, nothing into consideration the advantages as well as the disadvantages of the road, they will report to that effect. 5

	Days	Miles	Cost
James Thompson	7	2	2.70

James Keith { Days 1 24 2.20
Miles 2 467

Macdonnell } Days 1
Chirman } Miles
Cord #
1874

Atland Head { Days 2 ~~2 1/2~~ /
Miles 18 1000 9,80

Days
Miles

Book "Nov 1885" Con

and products

By Mrs. T. J. T. J. T.

Dear Mr. Kelly

[Handwritten signature]

No. 10 Sept Session, 1884

ORDER

To view and lay out a Road
For Public use in the township
of Cooper Clearfield county.

And now 18th December 1884
conferred My road to be
named W33 State street to
beginning at the
corner of the lot
owned by the
of the
of the

Remembrance their
to Aug 1885 same were
to Sep 1885 continued to
May Sep 1885 continued to
Sept 1885 Per Continued

Filed Nov 1st, 1884

Fees \$1, paid by Philand Rude

Excellent in the confirmation of the
report is filed by Coroner Mitchell City for
all cases of George. I am opposing the confirma-
tion of the report.

That said road as laid out the
terminus of same at the road "leading
from Lewis Great mine to Reed" is
a private road.

Coroner Mitchell,
City of Reno Nevada

To the Honorable Judges of the Court
of Quarter Sessions of Clefield Co Pa

We the undersigned citizens of Cooper
Township Clefield County Pa respect-
fully represent. That a road has been
viewed and confirmed by the Court
which road is detrimental to the
citizens of Cooper Township. The said
road, leaves the Township road (leading
from Hydentown to German Settlements)
at a point between the lands of
Daniel Beams and O.P. Rice, and
intersects road leading from Grass
Flat Mines to Peale. at or near the
corner of land of one Anderson.
The road has been viewed and laid
out through a Swamp and is run
to no particular point of interest
but intersects a by road. and also
runs parallel by road on each
side which is but half and
three quarters of a mile from
said road. and is of no benefit
whatever to the citizens of said
Township. Your petitioners there-
fore remonstrate against the ere-
ction of said road - and we will
ever pray

No. 18 Sept. 5. 1884.

Public Road
interoper Sup

Remittance.

Recd 22 Aug 1885

Mitchell

W. Fullerton.
Jacob May,
Daniel Barnes
Nathan Barnes
P. C. Jones

Rich. W. Pappin
Joseph Pappin
Joseph Pappin

Jos. W. Folsom
Jacob J. Pappin
David Wagon

H. C. Folsom
J. W. Folsom
Wm. M. Folsom

A. W. Keyman
M. J. Wagon
John Wagon

W. C. Folsom
William Folsom
Jacob Wagon

John Wagon
John Wagon
John Wagon

Francis Rouben
R. F. Wheeler
David Jones

James L. Jones
Wm. L. Jones
Philip Jones

Gerard R. Jones
Alex. Woods
Jackson Woods

George Woods
Edward Woods
John Woods

James Woods
John Woods
Joseph Woods

Jeffett Woods
John Woods
John Woods

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John Woods

Jacob Sawasat
H. C. Merrill
Elihu Thompson

P. H. Folsom
Robert Jones
Leonard Jones

P. H. Jones
P. H. Jones
P. H. Jones

P. H. Jones
P. H. Jones
P. H. Jones

P. H. Jones
P. H. Jones
P. H. Jones