

No. 11, Sept Term, 188

Public Road
versus
Perriside Township

Contents

short set of object in decision above
not used

UPPER BURNSIDE
BRIDGE

Start. Boro Line (Burnside.)

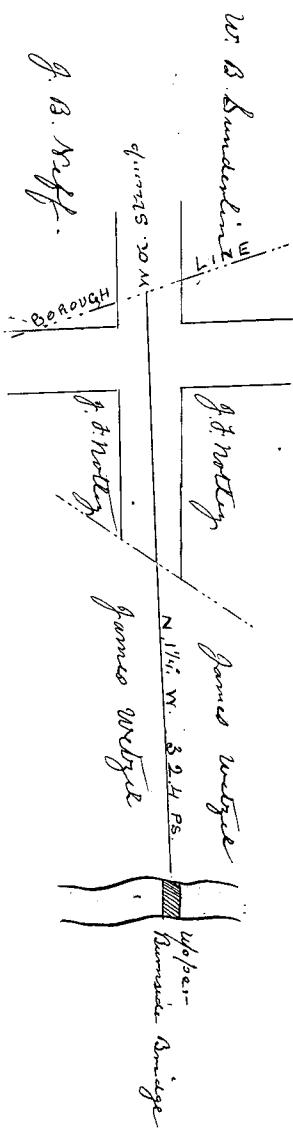
BURNSIDE

From above between Boro
of Burnsides and a
street and land of J. F. Notley
+ James Wetzel to end of
upper bridge of Burnsides

Conf. 6:16:23, 1885

0 33-16

(Can't locate)



And further it is our opinion that no person through whose land the sand road passes is entitled to any damage except the said James Wetzel, who claims twenty five dollars but we are of opinion that fifty dollars is a fair compensation for damages sustained.

Which said road, as aforesaid laid out, is necessary for public use.

Witness our hands.

The 18th day of February 1885

S. J. McCloskey
John Kline } Viewers
W. F. Holmes }

To The Honorable

The Judges of the Court of
Quarter Sessions of Clearfield County.

We the undersigned, Viewers, appointed
by the within Order of Court to view, and
lay out the Road therein Mentioned, re-
spectfully, report-

That having given notice of 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
the ground proposed for the said road, and
we are of opinion, that the said road is not
necessary for a public, or private Road, for the
reasons, that a road laid out on the proposed
route would be expensive to make, as it is too
steep, and the ground very rocky, and would
not be an improvement on the Old Road now
in use. Except that part of said route
from lots belonging to W. Biglen Sunderland, and
J. B. Neff to the Upper Burnside Bridge as follows
to wit. Beginning at a marked stump on the
line between Burnside Borough, and Burnside
Township, and thence along a street, in J. F.
Notleys land, and land of James Wetzel
north one and a quarter degrees west ($81\frac{1}{4}^{\circ}$ W)
thirty two, and four tenths perches to the end
of the Upper Burnside Bridge, a plot, or
Draft whereof is herunto annexed.

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 8th day of Sept, A. D. 1844 before Judges of said Court, upon a petition of sundry inhabitants of the township of Burnside, in said county, setting forth that they labor under inconvenience for want of a public road leading from the upper Bridge in Burnside Borough to intersect the public Road leading from Burnside Boro. to Cherry tree Borough in Indiana County at a point near Mottys Water trough in Burnside town

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, Make report whereupon the Court, upon due consideration had of the premises, do order and appoint S. F. McLooley, John Kinne and W. Holmes 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



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 .

LL S.

LL S.

LL S.

LL 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 voterse must be
exacted in favor of the collector for said road.
Also—Viewers will count and note the number of days
employed and set the amount out of the cost of their return.
Viewers cannot interfere with damages assessed by
the original viewers, except so far as the location may be
changed by the new viewers.
N.B.—If the viewers believe the parties are not entitled
to damages, taking into consideration the amount assessed
as well as the disadvantages of the road, they will report to
that effect.

D. J. McElroy Days 5 Amount.
John Keim Days 1
(Miles)

W. J. Holmes Days 1
(Miles)

Math. Loring Days 1
(Miles)

G. B. Pritchett Days 1
(Miles)

No. 11 Sept. Sessions, 1882

① ORDER

To view and lay out a Road

For Public use in the township
of Burnside, Chesterfield county,
and now Dec. 12th 1884
from the river enlarged
and now continued, bounded
westward by the course
of the ^{old} Wolcott river

13 July 1885. Resolved
That a road be taken
by the Wolcott river

28 July 1885. Resolved,
that the Wolcott river be
marked so as to be cut
a place of damage before
filled. By W. H. Conant
1885

28 July 1885. Resolved
that the Wolcott river be
marked so as to be cut
a place of damage before
filled. By W. H. Conant
1885

Now May, 1885 contained

W. H. Conant, Pres. Comm.

To the Honorable the Judge of the Court of Quarter of Clearfield County:

The petition of the undersigned citizens of Burnside township and Burnside borough respectfully represents:

That they labor under inconvenience for want of a public road leading from the upper bridge in Burnside borough to intersect the public road leading from Burnside borough to Cherrytree borough in Indiana County at a point near Nolley's watering trough in Burnside township. The petitioners therefore pray the Court to appoint three persons qualified according to law, to view the ground proposed for such road, and if they see occasion, lay out the same and make report of their proceedings to the next term of this Court. And they will ever pray &c

D. W. Davis
V. R. Holman
James ^{Greg}
John G. Anderson
J. L. Lovelace
Simon Weaver
D. C. McCardell
C. R. Patrick
H. Sather
J. S. Neff
L. H. Harvey
E. S. Klemmons
Matt Bois
H. S. Dean

John G. Commer
Samuel Mitchell
Thos Clegg
Robert Commer
Diantha ^{Mc}Gillis
E. Patchin
J. P. C. Heavey
J. H. Prothero
W. B. Dyer
C. B. Patchin
Jas. H. Gerlach
J. D. Hopper
W. Patchin
And. Bieringer

A. H. Schaffers
G. W. Davis
Sam. C. Smith
S. W. Wright
A. McElroy
John J. Smith
F. W. Conaway
John Taylor
John Gardner
J. H. Gruber
W. C. Connor
D. B. Neff
Kingsley & Smith
A. R. Lewis
J. B. Morello
D. D. Smith
Elias Raynor
Walter White
Geo. Gardner

Jack. Connor
John R. Gault
E. B. White
J. H. Smith
W. H. Smith
G. Sunderland
Harry Connor
E. G. Hallinan
Philip A. Kandy
D. F. McElroy

No 11 Sept. Session 1884

Resolution for public road
in Bensenville Township from
the upper bridge in Bensenville
Borough to midiseed "Herschel
from Bensenville Borough to Elmhurst
Borough in Indiana County
at a point near North Watering
Bridge in Bensenville Township

Allee 8 Sept 1884

Now 8th Sept 1884 Resolved
that resolution of B. McLeary
John Mine and M. M. M. M.
unopposed drivers to the
Borough on the same to the
next term, B. M. T. Court
O. L. Smith

18

Allee