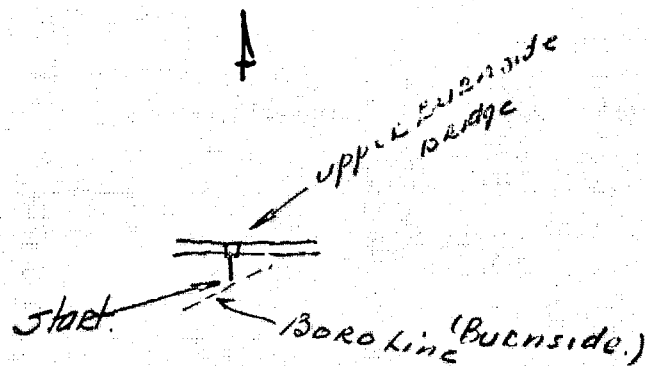


No. 11, Sept Term, 1884

Public Road
versus
Burnside Township

Contents.

Short Sect. of Act in Burnside
Not used

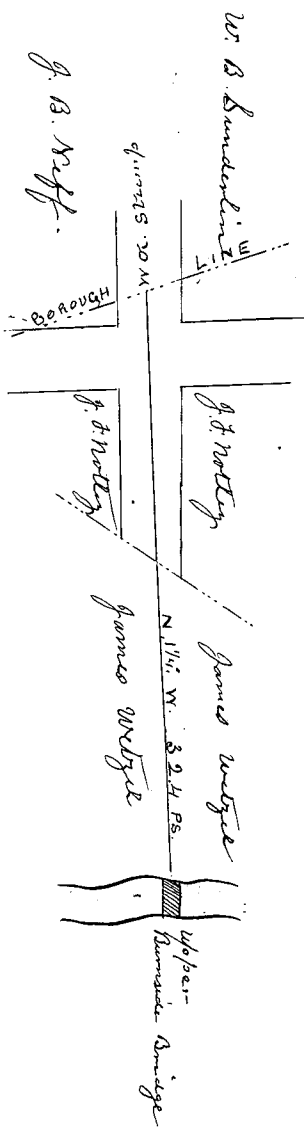


Burnside
 line at base between Boro
 & City of Burnside as a
 street and land of J. F. Notley
 & James Wetzel to end of
 upper bridge of Burnside

Conf. July 23, 1885

33-16

(Cont locate)



And further it is our opinion that no person through whose land the said road passes is entitled to any damage - except the said James Wetzel, who claims seventy 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 Kinn

W. J. Holmes

} Viewers

To The Honorable

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

We the undersigned, Viewers, appointed
by the within Order of Court. To view, and
lay out the Road therein mentioned, res-
pectfully 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 Lot belonging to W. Bigler Sunderland, and
J. B. Keff. To the Upper Burnside Bridge as follows
to wit: Beginning at a marked stump at the
line between Burnside Borough, and Burnside
Township, and thence along a Street in J. J.
Notley's land, and land of James Wetzell
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 herewith 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. 1884, 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 Nothys Water trough in Burnside twp

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. McGloney John Kimmel and W. J. 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

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 _____ the sum of _____

To _____ the sum of _____

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

NOTE.—In case of a private road, the parties must be employed in the repair of said road.
 Also.—Viewers with careful y note the number of days 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.

W. J. McElroy Days 3 Amount
 Miles 26

John Hunt Days 1
 Miles

W. J. Holmes Days 1
 Miles

Wm. Drumm Days 1
 Miles

W. J. Patrick Days 1
 Miles

Nov 23 July 1885, Confirmed absolute having been continued to the same upon consideration had the same is confirmed absolute
By the Court
By the Court
By the Court

No. 11 Sept Session, 1884

ORDER

To view and lay out a Road
 For Public use in the township

of *Sumner* Clearfield county.

Good note Dec. 12th 1884
 Notice of viewers enlarged
 and when combined with
 will then by the Court
of the County

13 July 1885. *Sumner*
Clearfield

By the Court
By the Court

28 July 1885. *the order*
 that its report shall not be
 marked confirmed to do with
 a view of damages to file

Filed *By the Court*
 188

Fees \$1 paid by

Nov 14, Jan 1885 confirmed
By the Court

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 Nollers 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

J. H. Davis
V. H. Holmes
James Green
John J. Henderson
J. L. Lovelace
Samuel Weaver
D. C. McCardell
C. R. Patrick
H. Patrick
J. L. Niff
L. H. Hamer
E. S. Hansons
Matt Drinn
H. B. Dyer

John G. Connor
J. H. Mitchell
Thos. O'Leary
Robert Connor
Dionis P. O'Brien
E. Patrick
J. C. McCreary
J. H. Prothero
W. B. Prothero
C. B. Patrick
Geo. W. Grotack
J. D. Hapburn
J. H. O'Brien
And - Werringer

A. H. Schaffer

G. W. Davis

A. M. Smith

Shap. Knight

A. M. Knight

Thos. J. Smith

J. M. Conner

John Tanager

Wm. Conner

G. H. Quor

Wm. B. Conner

J. D. Jeff

Kingley Smith

A. R. Lewis

A. B. McReel

D. D. Smith

Elias Ruffin

Wesley White

Geo. Gardner

Jack Conner

John R. Fulton

E. H. White

J. H. Smith

W. H. Smith

C. Sunderland

Harry Conner

Edw. Fulton

Chas. A. Harris

D. F. Beattie

No 11 Sept. Decemr 1884

Decision for public road
in Barnstable Township from
the upper bridge in Barnstable
borough to include the road
from Barnstable borough to Edgartown
borough in said township
at a point near Nettle Meadow
through in Barnstable Township

Thurs Sept 1884

Nov 8th Sept 1884 Action
re Thompson v. Thompson
John King and W. J. H. King
re appointed assessors to assess
the property of the town of the
mortgage. By the Court
O. L. Smith

1884

W. J. H. King

Thurs Sept 1884