

No.

5
6

Dec

Term, 188

5

Vacate & Supply
of Public Road

versus

in
Chest Township

Contents:

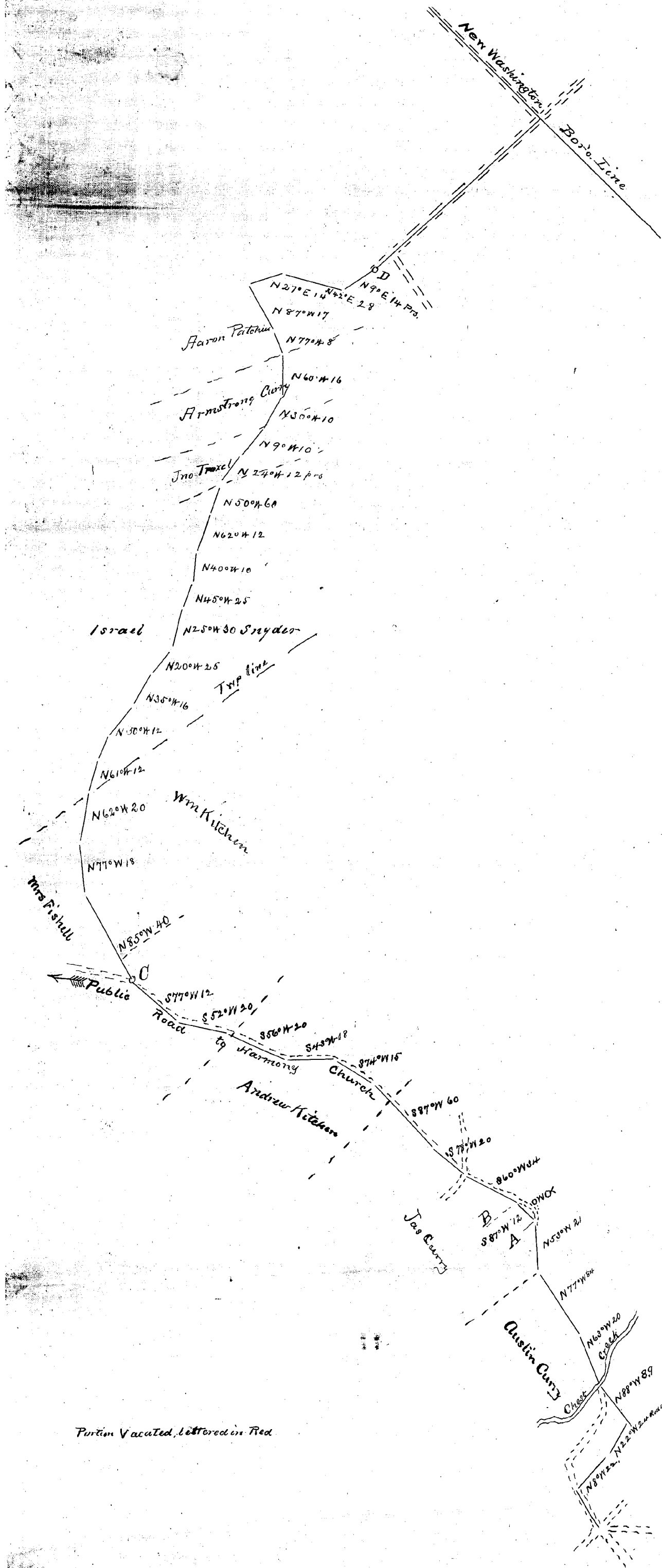
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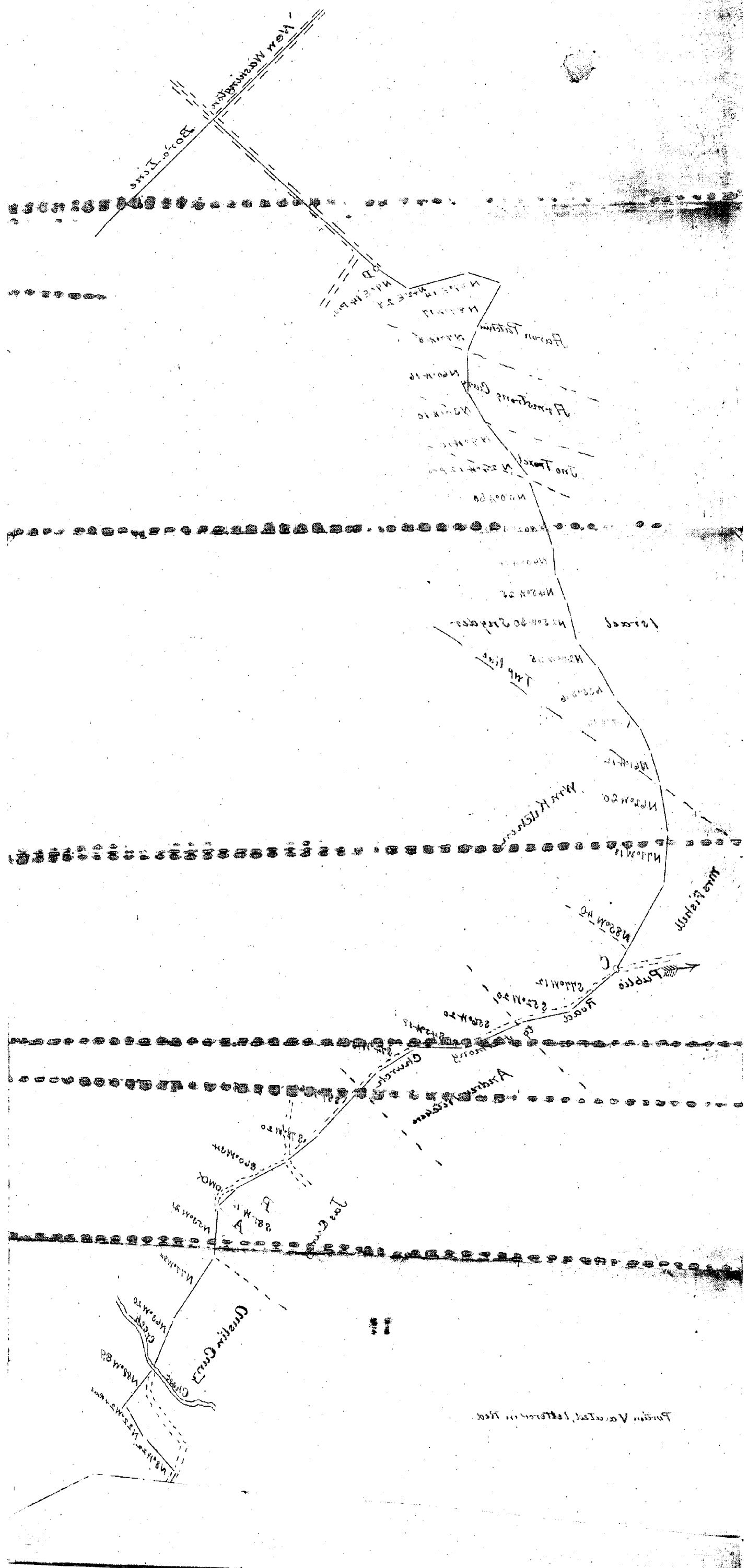
To the Honorable the Judges of the Court of
Quarter Sessions of Chesterfield Co Pa.

We the undersigned various appointed by
your Honorable Court to view and vacate the
road named in the annexed order of said
Court respectfully report that in pursuance
of said order we gave notice of the time & place
of meeting for said view, according to law and
we met in pursuance of said notice, all of
us being present and all being first severally
sworn or affirmed according to law we have
viewed the line of road as laid out and return-
ed in pursuance of Order of Court No 3 Jan.
Sessions 1884 and we are of the opinion that
a road if made upon said line would be
expensive inconvenient & burdensome and would
not suit the convenience of the traveling pub-
lic ~~and we~~ thereby rendering said road entirely
useless & we have vacated the same as
follows to wit: Beginning at a point on the old
road and thence through improved land of James
Curry South 87° 12' 12" to Old Road. Said
points being designated on annexed Dft. by the letters
A & B respectively Thence begin again on old road
at the intersection of the line of Mrs. Fisher & Andrew
Kitchen with said road & thence along said line N
85° 16' 16" to Cor. of Andrew Kitchen & Wm. Kitchen
and then continue on same course along line of

Mrs Fickel aforesaid & Wm Kitchen the additional dis-
tance of 24 p^{rs} then thru through land of Wm
Kitchen N 77° W. 18 p^{rs} then North 62° W. 20 p^{rs}
to the line of Chest & Burnside Dicks. then North
61° West. through land of Isaac Snygar 12 p^{rs}
thence North 50° West. 8 p^{rs} thence North 35° W. 16
p^{rs} then North 20° West. 20 p^{rs} thence North 25°
West. 30 p^{rs} thence North 45° West. 25 p^{rs} then
North 40° West. 10 p^{rs} then North 62° W. 12 p^{rs} then
North 50° W. 60 p^{rs} then through land of Jas Popel
North 24° West 12 p^{rs} then North 9° West. 10 p^{rs}
thence through land of Armstrong Curry North
30° West. 10 p^{rs} thence North 60° West. 16 p^{rs} then
North 77° West ^{through land of Wm Kitchen} 8 p^{rs} North 87° West 17 p^{rs} then
North 24° East 14 p^{rs} then North 42° East. 28 p^{rs}
then North 9° East. 14 p^{rs} to a point on some
along lands of D Byers. which last described
portion of said road or line of road is desig-
nated by the letters A & D respectively on the
annexed draft. the remainder of said road as
laid out under the aforesaid order of Court
being either upon public road that we are of
the opinion is necessary and should not be
vacated or upon the line adopted & returned
by us under order of Court No 6 Dec Term
1886. A Plot or draft being hereto annexed
Hence our Hands this day of Dec
A D 1886

Oliver C Read
James M. Kitchen
John L. Straw





Porto Alegre, 1880

Commonwealth of Pennsylvania,
County of Clearfield, } SS.

At a court of Quarter Sessions of the Peace of the County of Clearfield
held at Clearfield in the said County, on the 16th day of
June A. D. 1884, before the Honorable the Judges of the same
court: Upon the petition of divers inhabitants of the township of Chest
in the said county, setting forth that they labor under inconvenience for want of a
Public road or highway, to lead from
the Borough of New Washington to the Cross
roads at the house of Isaac W. Rainey in
Chest Sp.

and therefore praying the court to appoint proper persons to locate & supply
view and lay out the
same according to law. The Court upon due consideration had of the premises, do
order and appoint, E. L. Reed SURVEYOR,
and James McKeehan and John J. Straw

— VIEWERS, to view the ground proposed for said
road, and if they view the same, and shall agree that there is occasion for such
road, they shall proceed to lay out the same, having respect to the shortest distance
and the best ground for a road, and in such manner as shall do the least injury to
private property, and also be, as far as practicable, agreeable to the desire of the
petitioners, and that they make a report of their proceedings to the next Court
of Quarter Sessions to be held for said county, stating particularly whether they
judge the same necessary for a public or private road, together with a plot or draft
thereof, and the courses and distances, and references to the improvements through
which it may pass.

BY THE COURT.

Attest:

James Kerr

Clerk.

Josiah McWhorter Esq
Cent # 207 208 miles
Jno W Shaw Esq
Cent # 208 6 miles
E C Shaw 4 days
Cent # 209 26 miles

Exhibit No. 5
Ree Seco, 1885

Waco's Supply
Order to view a road in
Chicot Township for
Public Use

July 26 1887 Road and
conformable, N. S.
By J. H. Court

My dearest information
is hereby signed
J. H. Court

Seco # 1, 25 by E. C. Ree Seco
Seco 21 Dec 1886

NOTE.—"It shall be the duty of all persons appointed in the several counties of this Commonwealth to view and review any public or private road or bridge, if they shall decide in favor of locating said road or bridge, to endeavor to procure from the persons over whose land such location may be made releases from all claims for damages said road or bridge, to endeavor to procure from the persons over whose such bridge, and in every case where said viewers shall fail to procure such releases, and it shall appear to them that any damages will be sustained, it shall be their duty to assess the damages and make report thereof signed by a majority of their number, and return the same, together with all releases obtained, to the Court of Quarter Sessions, and the damages so assessed shall be conclusive, or may be subject to appeal, review or modification, as may be provided by existing laws in the different counties of this Commonwealth."

"The persons appointed as aforesaid shall view such ground, and if they shall agree that there is occasion for a road, they shall proceed to lay out the same, having respect to the shortest distance, and the best ground for a road, and in such manner as shall do the least injury to private property, and also be, as far as practicable, agreeable to the desire of the petitioners."

"The viewers, as aforesaid, shall make report, at the next term of said Court, and in the said report shall state particularly: first, who of them were present at the view; second, whether they were severally sworn or affirmed; third, whether the road desired be necessary for a public or private road; they shall also annex and return to the Court a plot or draft thereof, stating the courses and distances, and noting briefly the improvements, through which it may pass; and whenever practicable, the viewers shall lay out the said roads at an elevation not exceeding five degrees, (except at the crossing of ravines and streams) where, by moderate filling and bridging, the declination of the road may be preserved within that limit."

In the matter of the view of } To
Public Road to lead from
New Washington Boro
to Four Points in Clark Co. }

And now upon suggestion and
agreement of Council S. T. Brookbank for
Petitioners and J. H. Kelly for Remonstran-
tors, on this 21st day of Dec 1885 Emory
C Reed James Mc Gheehan and John
J. Mrawn are appointed viewers to view
the different routes in controversy and
make report to the Court at the next
term said report to be final and
conclusive.

By the Court
D. L. Kirby
CJ

No 546 Dec 1885

Approved - J

Resolutions of
Agencies of Public

Public Road from
New York City and

is

the first in the State

Dec 16 Jan 1886

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 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 by the reviewers.
 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>Geo Shaw</i>	{ Days 4	Amount
<i>Cent 204</i>	{ Miles 6 Miles	<i>Cent 204</i>
<i>Joe McWilliam</i>	{ Days 4	
	{ Miles 8	<i>Cent 206</i>
<i>W. H. Clark</i>	{ Days 4	
	{ Miles 26	<i>Cent 205</i>
<i>Thomas Foster</i>	{ Days 1	<i>Cent 11</i>
	{ Miles 2	<i>Cent 212</i>
<i>Wm. H. Curry</i>	{ Days 1	<i>Cent 213</i>
<i>Andrew Curry</i>	{ Days 1	<i>Cent 212</i>
<i>Thomas Curry</i>	{ Days 1	<i>Cent 212</i>

No. 6 See Session, 1883

ORDER

Wm. H. Curry Lay out a Road

For *Public* use in the township of *Chick* Clearfield county.

May 26 1887 Confirmed to be
 the order that the
 laid out be opened 33 feet
 each side there is a distance of
 by opening needs be 16 1/2 feet
 wide. *By the Court*

May 26 1887 Confirmed
 then absolute release
By the Court

Filed *210000*, 1886
Rees \$1, paid by E. H. Reed

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 .

Rory E Kitchen
Wm W Kitchen [L. S.]

Saml Henry Curry [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 <i>D Michallo & E A Irwin</i>	the sum of	<i>No Damages</i>
To <i>James Curry</i>	the sum of	<i>Twenty five Dollars</i>
To <i>Wm Kitchen</i>	the sum of	<i>Eighty</i>
To <i>Andrew Kitchen</i>	the sum of	<i>Eighty</i>
To <i>Israel Snyder</i>	the sum of	<i>Twenty five</i>

Witness our hands this _____ day of _____ A. D. 188 6

Emory C Read
James M. Keen
John F. Straw

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

21 day of Dec, A. D. 1885,

before Judges of said Court, upon a petition of sundry inhab-
itants of the township of Chest, in

said county, setting forth that a petition was

presented to Court at Aug 28, praying the Court to
appoint proper persons to view Vacate & Supply
a road leading from New Washington Boro. in said
County to five points in Chest Tp. in said County
which was accordingly done and said Viewers did
view Vacate & Supply & return said road for Public use, that
said road not having been opened & it appearing to your petitioners
useless & if opened would become burdensome

and therefore praying the Court to appoint proper persons to view and lay out the same
according to law, And report to next term

whereupon the Court, upon due consideration had of the premises, do order and appoint

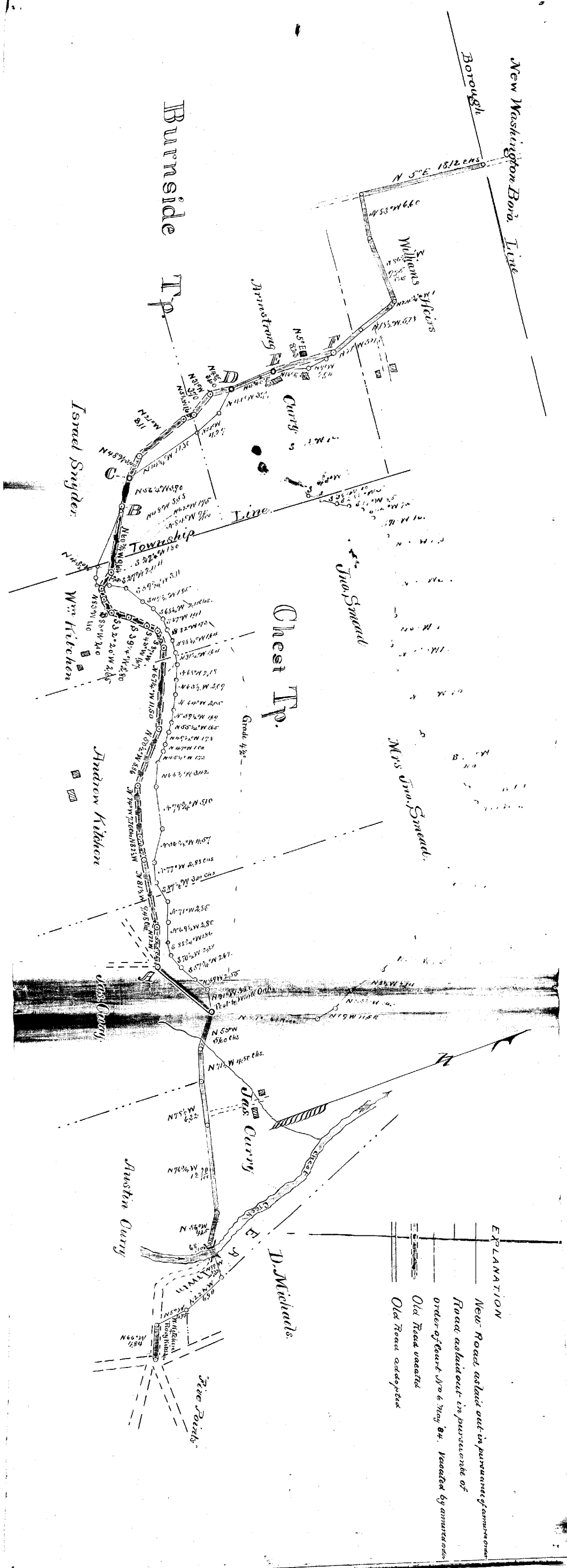
Elb Reed, James McKeehan, John J. Shaw

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.

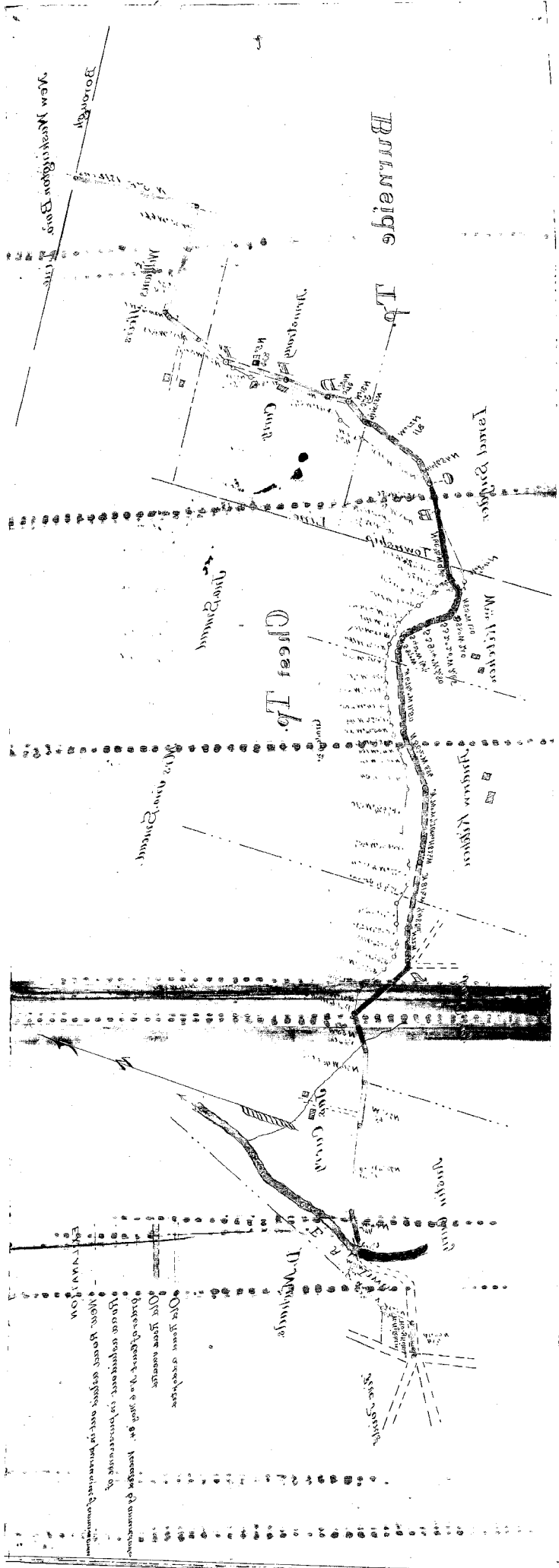
James Reed

CLERK.



EXPLANATION

- New Road as laid out in permanent form
- Road as laid out in pursuance of order of Court 17th & 18th May 84. Vacated by amendment
- Old Road vacated
- Old Road adopted



To the Honorable the Judges of the Court of
Quarter Sessions of Cleaveland Co

We the undersigned viewers appointed by the annexed order
of Court to view vacate and supply the road therein
mentioned, would respectfully report that after giving
good and sufficient notice of the time and place of
meeting as required by law. we met in pursuance of
said notice and all being present and all being first
severally sworn or affirmed according to law we went
upon the ground and viewed the same and find
that a Public road between the points within named
is necessary but the road laid out in pursuance
of Order of Court No. Term 188 if made would
be very expensive to make burdensome to keep in repair
and inconvenient and useless and we have therefore
vacated the same Beginning at a White oak at the Public
road on lands of James Curry, thence through said lands
as follows viz North $2\frac{1}{4}^{\circ}$ East 61 p^{ers} to a white Pine North 90° West 11.5 p^{ers}
to a Sugar, North $23\frac{1}{2}^{\circ}$ West 14.4 p^{ers} to a Buck North $8\frac{1}{2}^{\circ}$ West
21.4 p^{ers} to a Hemlock North $2\frac{1}{4}^{\circ}$ West. 25 p^{ers} to a Hemlock
thence North 37° West 3 p^{ers} to line of Mrs John Simard thence
Continuing same course through said land the additional
distance of 75 p^{ers} to a post. and thence continuing through
same land as follows viz North $7\frac{1}{4}^{\circ}$ West. 8.7 p^{ers} to a Buck
thence South 82° West 10 p^{ers} to a Hemlock. South 72° West
40 p^{ers} to a post thence North $88\frac{1}{2}^{\circ}$ West 40 p^{ers} to a
post thence North $80\frac{1}{2}^{\circ}$ West 14 p^{ers} to a Pine thence

as follows viz

North 56° West 17 pms to a Black Oak thence North
 65° West 32 pms to a Chest. Sapling thence North 84°
 West 14.5 pms to a Post thence ~~North~~ South 71° West
 13 pms to a pine then South 54° West 7.5 pms to a
 post. thence South 17° West 85 pms to a ~~post~~ Chest. &
 28½° West 5 pms to a R.O. Sapling. South 39° West
 10 pms to a Hickory South 43° West 2.5 pms to ~~the~~
 line between Curuside & Chest Drops. being also the line
 between said ~~Said~~ ^{and} lands belonging to Armstrong Curry thence continuing
 on same course through said Curry's land the additional
 distance of 8 pms to a post. thence South 89½° W.
 through same land 73 pms to a point on Public
 road (leading from New Washington to Five Points)
 at a point near the Barn of Armstrong Curry.
 being a total distance of 504.8 pms and all of which
 if said road were to be opened would be new road. We
 have also vacated portions of the old road as it
 is now used by the public. As follows to wit
 Beginning at a point on same at intersection with road
 leading to Mount Joy Church ^{and designating a point off by the letter "A"} thence North 72° West 56.5
 Chains North 81½° West 9.48 Chs. S 82½° W. 3.47 Chs. N
 74° W. 7.70 Chs. S 50½° W. 8.86 Chs. N 67¼° W. 11.50 Chs. S 87
 W. 2.52 Chs. thence South 43° W. 16.7 Chs. S 39¼° W.
 2.80 Chs. S ~~73° W.~~ South 32° 20' W. 26.5 Chs.
 N 83° West 1.10 Chs. N 47° W. 1.16 Chs. N 43½° W. 2.50 Chs. S 60¼
 W. 9.64 Chs to point on said road where the same is
 adopted for new road which will hereinafter appear. Said
 point being designated ^{on annexed plot or draft} by the letter "B" Then Beginning

at a point on said old road ~~designated~~ by the
letter "C." on said plot or draft. Thence along said road
North 48° West 3.40 Chs then North 21° West 8.11 Chs ^{At 5 1/2 feet 1.65 Chs} then North 31°
West 3.70 Chs then North 4° East 3.60 Chs to a point intersected
by line for new road and Designated on annexed draft
by letter "D," then beginning at a point on the old road
near the barn of Armstrong Curry and Designated
by the letter "E" thence along said road North 5° East 8.23
Chs to a point on same intersected by the line for
new road and designated on draft by the letter "F."
We have also examined said road along land of Mrs Williams
and a portion of the same being very steep, the grade
of which exceeds the limit allowed by law. But we
are of the opinion that by expending the same amt.
of money in grading that would be required to
pay damages done to private property, caused by
the opening of a new road together with the cost of
opening the same that the old road can be made
better than any new road could be made at said
point, which is designated on annexed plot by the
letter "G."

We further report that we have laid out and do
now return for public use the following road to
wit Beginning at a point on the Public Road at
Five Points in Chest Twp. thence North 66° West 4.84
Chs along public road to Corner of Hyatt Kitchins Lot
thence along the line between said lot & land of E. A. Davis
North 5° West 4.85 Chs to Cor of S. Michaels land.

Eastern

thence along the line between said land & land of E.A. Davis
aforesaid North $22\frac{1}{2}^{\circ}$ West 6.90 Chs to a post thence through
improved land of E.A. Davis N. 89° W. 3.32 Chs to the
abutment of the "Five Points" Bridge across Chest Creek
thence last above mentioned and described portion of
the within mentioned road being the same as that surveyed
and returned in pursuance of Order No 3 Jan'y 1884
we therefore adopt said line and vacate that portion of
the public road which it is intended to supply viz. from
the point of beginning above mentioned to the Chest
Creek Bridge. We are of the Opinion that the present
road as laid out and now used is as good and
as well located as is possible from the western abut-
ment of said "Five Points" Bridge across Chest Creek
by the following courses and distances viz. N 89°
West 6.90 Chs to Stake N 56° W. 4.35 Chs. N $76\frac{1}{4}^{\circ}$ West
12.20 Chs N $78\frac{1}{2}^{\circ}$ W. 6.32 Chs. N $71\frac{1}{2}^{\circ}$ W. 4.50 Chs. North 53°
West. 5.60 Chs to a post by a White Oak on land of Jas
Curry. Thence leaving said road and passing through
improved lands of James Curry on a grade of $4\frac{1}{2}^{\circ}$ or
 $7\frac{88}{100}$ feet per hundred which said grade we retain, neither
going under or over, as follows viz. North ~~$46\frac{3}{4}^{\circ}$ East 5.30 Chs~~
~~North 20° East~~ North 81° W. 3.20 Chs. South 59° W. 2.55 Chs
S $57\frac{3}{4}^{\circ}$ W. 2.62 Chs. S $70\frac{1}{2}^{\circ}$ W. 2.38 Chs. to a post by a H.O. South
 $88\frac{3}{4}^{\circ}$ W. 1.86 Chs to post. N $69\frac{1}{2}^{\circ}$ W. 2.80 Chs to post N 71° W. 2.85
Chs to post. South $87\frac{1}{2}^{\circ}$ W. 1.10 Chs to line between James Curry
and Andrew Kitchen thence containing same course through
said Kitchen's land (Improved) the additional distances

of 1.90 Chs. to a post then N 77° W 2.88 Chs. thence
N. 56° 4' W. 4.57 Chs then North 79° 3/4' W. 5.70 Chs to post. then N
65° 1/2' W. 3.42 Chs to post. then through unimproved land of
Andrew Kitchen N. 45° 4' W. 1.73 Chs. to a post then N. 47° W
1 Ch. to post. then N 49° 1/2' W. 1.78 Chs to post. N. 55° 1/2' W 1.65 Chs
to a post. N 59° 1/2' W 1.69 Chs to post. then N 64° W. 2.05 Chs to po.
then N 63° 1/2' W. 2.09 Chs to Mt. X stump then N. 68° W. 2.18 Chs to
post. then N. 81° 1/2' W. 1.25 Chs to line between Andrew & the
Kitchen then continuing same course through land of the
Kitchen ^{the additional distance of} 39/100 Chs to post. (in unimproved land) then N
88° 4' W. 1.64 Chs to a post in unimproved land of the Kitchen
then South. 82° W. 1.73 Chs to post then South. 87° W. 1.41 Chs
to post. then South 68° 4' W. 2.11 Chs to ~~post~~ stump then
South ~~49° 1/2'~~ 49° 1/2' W. 1.85 Chs to a post then S 59° 3/4' W. 3.11
Chs. to post. then South 27° W. 2.14 Chs to a post. S 23° 1/2' W
1 Ch to center of Old Road. then continuing same course
through impd. land of said the Kitchen the additional
distance of 8/100 Chs. to a post then North 84° W. 7.05
Chs. to a Chest stump then North 62° W. 1.75 Chs to
a post on the Summit of what is known as the Kitchen
"Hill" being also on line between Burnside & Chest
Trops. then through unimproved land of Israel Bryder
North 48° West. being in Burnside Twp. 3.18 Chs. then con-
tinuing same course through improved land of said
Bryder the additional distance of 5.740 Chs to a Mt.
then N. 56° 4' W. 1 Chain to old road then continuing same course
along said old Road the additional distance of 4.90 Chs to
a post. then leaving said road & passing through improved

land of Israel Snyder aforesaid N. $14^{\circ}4'$ W. 11.80 chs
 to a Hickory on line between Said Snyder & Armstrong
 Curry thence through said Currys improved land N 21°
 West. 4.29 chs to a post thence N 41° W. 3.77 chs to a post at
 the side of the aforesaid old road, then along the same
 N $44^{\circ}40'$ E. 6.50 chs to a post ^{leaving said Road & passing} then through improved land of
 Said Curry N 16° E. 5.11 chs then N. 7° W. 2.94 chs to post then
 N 21° W. 1 ch. to Center of road aforesaid, & then continuing
 same course along said Road the additional distance
 of 4.43 chs to line between Armstrong Curry & Hiram
 Williams & then continuing along said road the addi-
 tional distance of 1.22 chs to post then continuing along said
 road as follows. viz. N $18^{\circ}12'$ W. 5.78 chs. N $24^{\circ}34'$ W. 1 ch. S
 $86^{\circ}34'$ W. $9^{\circ}34'$ chs. N 83° W. 6.60 chs. N. 5° E. 18.52 chs to
 the line of New Washington Road being a total distance
 of. Chs = miles of which. chs will
 be new Road and the remainder = chs of the old or
 present road already made

A Plot or Draft of the foregoing described
 roads and lines of bounds being hereto compared
 witness our hands this: day of
 December A.D. 1886.

Emory C. Read
 James McKeehen
 John L. Trew