

No. 10, Sept Term, 1885

*View & Vacate
Public Road*

~~versus~~ *in*
Burnside Twp.

Contents:

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
1st day of Oct —, A. D. 1885,

before Judges of said Court, upon a petition of sundry inhab-
itants of the township of Chest & Burnside, in
said county, setting forth that at the Sept. Term

of Court 1880, a road leading from Chest Creek in Chest Twp. beginning
on land of Wm Westover, to Grant Ind. Co., was confirmed *in se*,
the absolute of Nov. 3, 1881, that said road was opened in part and
so much of it as seemed necessary for the Public use, that about
One Hundred & thirty rods, running through lands of Jno. A. Sylvie
was never opened & from petitions, that so much of said road
as before mentioned may be vacated & annulled, the same
if now opened would be a useless expenditure of the
Public Money as there is no necessity whatever

and therefore praying the Court to appoint proper persons to view and lay out the same
according to law, *and make report to next term*
whereupon the Court, upon due consideration had of the premises, do order and appoint
Hiram Hewitt, Fred Zimmerman & Robt Mahoffy
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 C. Kern
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 en sealing 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 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 on at the foot of their return.
Viewers 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 the court.

Admiral
Stekun Days 1 Amount 5.12
Miles 2

Stekun Days 1
Miles 9 1.54

Stekun Days 1
Miles 14 \$1.84

Days
Miles

No. 10 Sept. Session, 1885

ORDER

To view and lay out a Road
For *Quilt* use in the township
of *Sumner* Clearfield county.

Now see *Sept 1885*

Report made *Sept 1885*

No. *10*, By *the Court*

By *Ward* 1886 confirmed
absolute By *the Court*




Filed _____, 188

Fees \$1.²⁵, paid by *McQuinn*

To the honorable judges within
named.

We, the subscribers, appeared
by the within order of court, to view
the road within therein mentioned,
having first been duly sworn ac-
cording to law, do Report, That,
in pursuance of the said order, we
have viewed the said road, and that
the same is, in our opinion,
useless and burdensome to the tax-
payer.

Witness our hands the 31st
day of Oct. A.D. 1885.

Robert Maffey 
Fred Zimmerman 
H. O. Hewitt. 

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To the Honorable the Judges of the Court
of Quarter Sessions of the Peace of
the County of Clearfield,

The Petition of the Undersigned
Respectfully Represents,

That at the Sept. term of Court 1880
a road leading from Chest Creek
in Chest Township beginning on land
of H^m Norton to Grant Lickhane &
was confirmed N. & S. and
Confirmed absolutely at Nov.
term 1881 that said road
was opened in part, and as
much of it as seemed necessary
for the public use, that about
one hundred and thirty rods
beginning through land of John
A. Lyles was never opened and
your petitioners representing to the
Court that they are a majority
of the Original Petitioners for
said road resident in the
County of Clearfield, pray the
Court that so much of said road
as before mentioned, may be
located and annulled as there
has been a great change of circumstances
and by lapse of time and the

same if now opened would be
 @ unless expenditure of the public
 money as there is no necessity
 whatever for the opening of public
 road.

And they will ever pay etc.

- | | Signature | Signature |
|----|---------------------|-----------|
| 1 | Henry Hewitt | 11 |
| 2 | Ellet Scott | 12 |
| 3 | William Roland | 13 |
| 4 | Sacramento & Roland | 14 |
| 5 | C. T. Moore | 15 |
| 6 | Joseph Westover | 16 |
| 7 | John C. Westover | 17 |
| 8 | Jacob Roland | 18 |
| 9 | James C. Moore | 19 |
| 10 | Alfred King | 20 |

Refers to vacate
 Public road not
 laid out in Sumner
 township

John C. Westover
 Blair Emmerville
 George C. King
 James C. Moore
 Robert Hewitt
 Nathan King

William Scott
 George C. Wilson
 W. B. Rutkey
 D. B. Roddy
 Emanuel M. Allen

Ms 10. 54. 2 vms 85

Petition of Mary
of Original Petition
to make to part of
to get out of the
~~land~~ in the
country of Dunmire

And now Oct 1/1885
Petition Neil and
Cousin and

^{My} Honors Sir,
I am very much obliged to you for the
information of the above

and appointed to
him & make
the same and
make up to my
own

By the Court

For the Court

Dec 1885

Dec 1885

McGinnis