

No. 16, Sept Term, 1886

Vaate  
Public road,

~~versus~~ in  
Lawrence & P

Contents:

no. 16 Sept. 9, 1886  
Petition

Request that part of  
Buffalo River below  
Water Dam or river road  
Known as "Buffalo  
River C"

Filed 27 Sept 1886

29th Sept 1886. - Petition  
of Mr. Thompson, E. C. Reid  
D. R. Moore and David  
Burge, are appointed new  
to view report to the  
Court at the next term

By Mr. Conah  
D. R. Webb

Replies

E. W. Graham  
James Mitchell  
P. J. Powell  
Newton Shaw  
Ashley Thom.  
D. R. Fullerton  
H. F. Wallace  
Robt Mitchell

To the Honourable the Judges of the  
Court of Quarter Sessions of Clearfield Co

The petition of the undersigned  
respectfully represents: That a road  
has long since been laid out from  
Clearfield, to Penfield <sup>Branch</sup> in Hunter's Gp.  
a part of which road, beginning at  
the Dam or reservoir of the Clearfield  
Water Co. and extending up along  
the bank of More Creek, extends to  
where the new road made by the said  
Water Co. intersects the same, is now  
wides, inconvenient and burdensome, and  
they pray the Court that that part of said  
road above described may be vacated, and  
the new road made by the Clearfield Water  
Co. between the same points may be adopted  
and confirmed in its place. And they  
will ever pray etc.

James L. Leavy	J. C. Stewart
J. G. Schryver	R. E. Shaw
S. H. Irvin	J. M. Gardon
A. A. Nichols	Jona Ogden
J. J. Hare	"
Robert Wrigley	J. A. McBride
R. H. Shaw	J. C. Morrill

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.  
Petitioners 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.

## No. 168th Sessions, 1886

Order  
Tract or Supply  
Amount.

W. Miller } Days 1 Miles  $2\frac{1}{2}$

J. D. Chapman } Days 1 Miles  $2\frac{1}{2}$

W. H. Head } Days  $1\frac{1}{2}$  Miles  $2\frac{1}{2}$

W. H. Head } Days  $1\frac{1}{2}$  Miles  $2\frac{1}{2}$

ORDER  
To view and lay out a Road  
For Public use in the township  
of Lawrence Clearfield Co.

Now see before 1887 Read

Confirmed No 51, and road  
ordered to be opened where laid  
out 33 feet wide & kept where  
ditch cutting or breaking, not  
for the 16½ feet wide.

By the Court

July 1887. Confirmed  
absolutely By the Court

Filed  $20$  Nov., 1887  
Fees \$1, paid by

## 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, release 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 .



## 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 .

Clearfield County, ss: 000

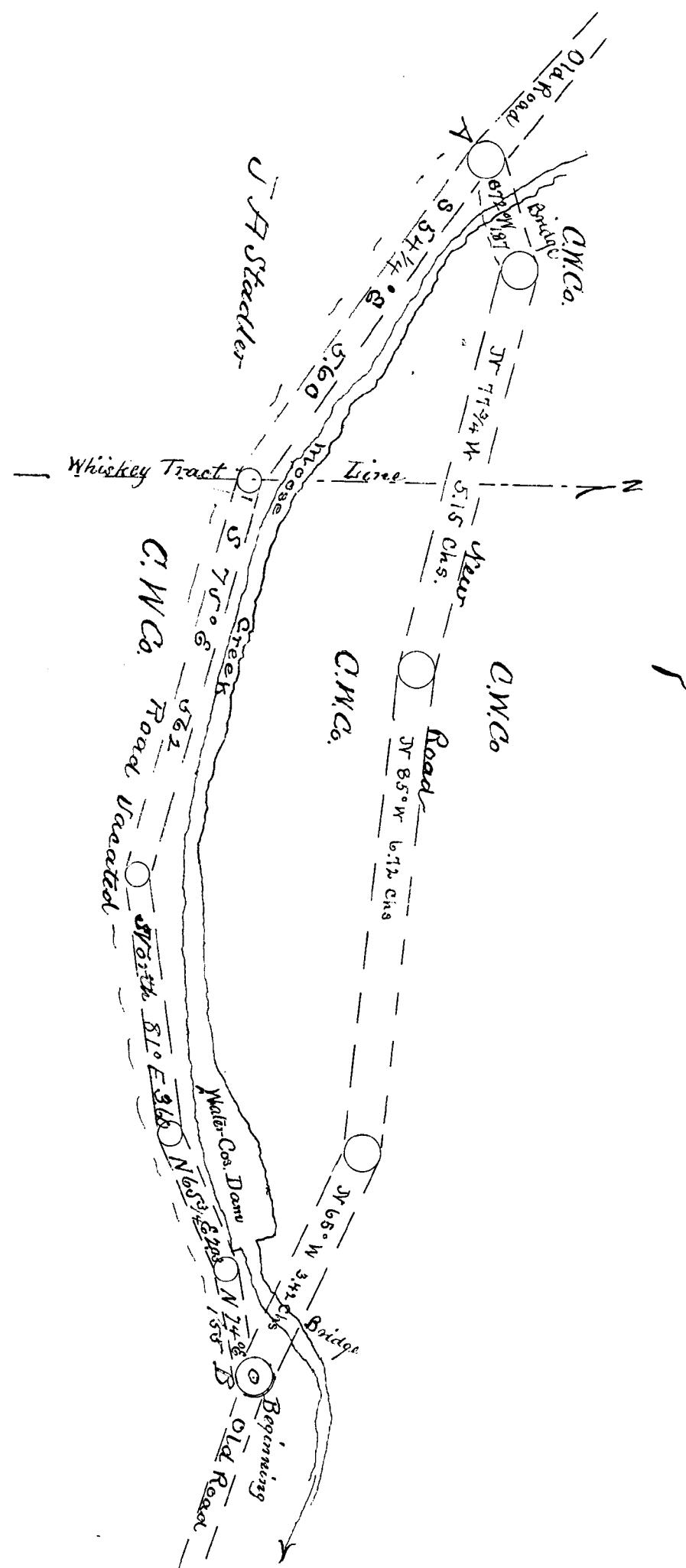
At a Court of Quarter Sessions of the Peace of the county of Clearfield, Pennsylvania, held at Clearfield, in and for said county, on the 27th day of Seph., A. D. 1886, before Judges of said Court, upon a petition of sundry inhabitants of the township of Lawrence, in said county, setting forth that a road has long since been laid out from Clearfield Bon. to Penfield in Huston Tp. a part of which road - beginning at the Water dam - or reservoir of the Clearfield Water Co. - and extending up along the Bank of Moore Creek - reaches to where the New road made by the said Water Co. intersects the same is more useless inconvenient and burdensome - and pray the Court that part of said road above described may be vacated - and the New road made by the Clearfield Water Co. between the same points may be adopted and confirmed in its place

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, ~~See Report to next term~~ whereupon the Court, upon due consideration had of the premises, do order and appoint E. B. Read & W. Moore and J. D. Benge 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 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.

Alfred Kean

Clerk.



To the Honorable, the Judges of the Court of  
Quarter Sessions of Clearfield County, Pa.

We the undersigned viewers appointed by your  
Honors to view the road named in the aforesaid  
order of Court would respectfully report that  
they after giving good and sufficient notice of  
the time & place of meeting for the purposes of dischar-  
 ging the duties of their appointment, did meet in pur-  
suance of said notice and after having first been  
severally ~~sworn~~ affirmed according to law they  
viewed the premises within mentioned and ~~and~~ find that  
a Public Road is necessary between the points named in  
said order and they have laid out and do return for  
public use the new road as opened and made by  
said Water Co. upon the following conditions viz.

1<sup>st</sup> That the said new road be put in as good condition  
by the first day of May A.D. 1887 as the old road is  
at the present time

2<sup>nd</sup> That that the lower bridge across the Creek be raised  
and that good substantial guard rails be put  
up on both bridges, as the viewers are of the opin-  
ion that the lower bridge is not high enough to be  
out of danger from high waters, and that both  
bridges would be dangerous after night without  
Guard rails, —

The said road as opened & made by said water  
Co. Beginning at a point on the old road below

the Water Dam thence North  $65^{\circ}$  West Crossing Moose  
Creek  $3\frac{24}{100}$  Chs. thence North  $85$  West.  $6\frac{72}{100}$  North  $77\frac{3}{4}$   
West  $5\frac{10}{100}$  Chs. thence South  $72^{\circ}$  West crossing Moose  
Creek.  $1\frac{87}{100}$  Chs to point on the old Road, which said road  
when the foregoing conditions are complied with the  
viewers are of the opinion will be necessary for public  
use. And the viewers are of the opinion that the old  
road or that portion of it beginning at the point last  
mentioned above thence South  $54\frac{4}{100}$  E.  $5\frac{60}{100}$  Chams then  
South  $75^{\circ}$  East.  $5\frac{62}{100}$  then North  $81^{\circ}$  East.  $2\frac{60}{100}$  Chs.  
then North  $65\frac{3}{4}$  East  $2\frac{03}{100}$  Chs to point at beginning of  
the new Road. will become useless inconvenient  
and burdensome & ought to be vacated.

A Plot or Draft of said roads being hereto annexed

Witness our hands this 19<sup>th</sup> day of April AD 1886

E. Read

D. W. Moore

S. J. Burgess