

DOCKET No.
Number 89 Term Sep Year 87

Vacate & Supply
Public Road

Versus in

Bill Turp

Rd #3 - Page 2234

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 on which the amount due at the foot of their return.
 Reviewers can only receive the damages assessed by the original viewers, except so far as the location may be changed by the reviewers.
 N. B.—If the viewers before the parties are not entitled to damages, they must consider the advantages as well as the disadvantages of the road they will report to that effect.

Days	Amount
Miles	
Days	
Miles	
Days	
Miles	
Days	
Miles	
Days	
Miles	

No. 23 Sept Sessions, 1888

ORDER
vacated & supply
 To view and lay out a Road
 For Public use in the township
 of *Dell* Clearfield Co.

Filed _____, 188
 Fees \$1.²⁵ paid by *S. F. Moberkey*

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, release and forever quit-cluim 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:

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 4th day of

Oct, A. D. 1886, before Judges
of said Court, upon a petition of sundry inhabitants
of the township of Dell, in

said county, setting forth that they labor
under great inconvenience for want of a road
leading Mahaffey to Newburg Borough, on
account of Railroad Crossings being in too dan-
gerous ~~plains~~ condition to travel on

and therefore praying the Court to appoint proper persons to view and lay out
the same according to law, & report at next term
whereupon the Court, upon due consideration had of the premises, do order and
appoint S F McLosky, James Flynn & H F Bigler
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.

James Kerr



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 *Walter Stund* the sum of *twenty dollars*
To the sum of
To the sum of

Witness our hands this *22^d* day of *July* the sum of

A. D. 1887.

W. J. M. Clouty

James Brimling

John Haley

Clearfield County, ss: ss:

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 ~~24th~~ **24th** day of
March, A. D. 188**7**, before Judges
of said Court, upon a petition of sundry inhabitants
of the township of — **Deer** —

said county, setting forth that they labor
great inconvenience for want of a
leading from Mahaffys to Fishing Borough
account of Railroad crossing being in the dan-
gerous condition to travel on

and therefore praying the Court to appoint proper persons to view, and lay out

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 is respectively paid by the _____ at and before _____ sealing 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 .



J. H. Wacker

George Kauffman

John G. Odell

J. A. Mearns M. D.

James R. Lee

R. G. Wacker

W. B. Ellis

Samuel Sunderland

G. E. Davis

J. M. Kapp

J. W. Johnston

W. B. Ellis

W. Beale

710, 23 Sept 58 1886

Petition

for appointment of

revenue to view roads

and supply a road

leading from Motokoff

to Newburg Barr in

Ball Township -

Filed 4 Oct 1886

Ans over Oct 4" 1886

The within petition pre-
sented read and con-
sidered and I the

Clerk, James H. Hym

the J. Bigler appoint

ed revenue to road

at Newburg Barr

By the Court

Ans over Dec 11" 1886 the

time fixed for the answer to

Report enlarged to Dec 1887,
By the Court
Ans over Dec 12" 1886

Ans over 8th March

S. J. McLeney, ~~John Bigler~~

Deot Minkley and applicants

Reuben, H. Bigler and

James Hym having taken

and taken and taken

order to view & awarded

By the Court

at Newburg

To The Hon. David I. Krebs, Pres Judge
and his Associates Judges of the
court of common Pleas of the county
of Clearfield. The petitions of the
inhabitants of the Twp. of Bell
in in said County.

Respectfully sheweth that your
petitioners labor under great in-
convenience for want of a road
leading from Mahaffey to Newburg
Borough on account of railroad
crossings, being in to danger-
ous a condition to travel on.
We therefore petition your honor,
to appoint suitable persons to
review, locate and supply said Road
And they will ever pray

Names

Elmer De Haven
W. H. McEwen
W. H. Muckley
J. W. Campbell
E. H. Sutter
Emory Mahaffey
James Forey

Names

G. W. L. Oster,
W. B. Mahaffey
Frank. Sunderlin.
J. W. Dyer
E. N. R. King
H. B. Bell

have assessed the sum of twenty
dollars (\$20.00)

Witness Our Hands, the
22^d day of July A.D. 1887.

S. J. McClosky
Jacob Simeling } Viewers
John Staley.

-Ship Road. Thence along the Old Road South thirty four degrees East, sixty seven perches. South forty two degrees East, sixteen, and seven tenths perches. South sixty two and a half degrees East, eighteen perches. South seventy one degrees East, eighteen perches. South sixty six and a quarter degrees East, twenty and nine tenths perches to a Hemlock by the Road, and on the South Bank of a Small Run. Thence leaving the Old Road, and still through land of Robert Mahaffey. South thirty six and three quarter degrees East, three and two tenths perches to a Hemlock. South fifty six degrees East, fourteen and seven tenths perches to a Post; South, sixty six degrees East, seven, and eight tenths perches to a Post. South fifty five degrees East, eleven perches to a Post. South sixty five degrees East, six perches to a Post. Thence South, fifty six degrees East, five and two tenths perches to a Post. South fifty nine degrees East, seven perches to a Post. South fifty six and a half degrees East, fourteen and four tenths perches to a Post. South fifty four degrees East, eight and three tenths perches, to a Post. Thence South fifty eight, and three quarter degrees East, twenty eight perches to a Post. South sixty two and a half degrees East, thirteen perches to a Post. Thence South sixty seven degrees East, thirty seven and eight tenths perches to a Post. South seventy three de-

-degrees East. Thirty five and five tenths perches to
a white pine, ^{stump} Thence through land belonging to
Jacob Snyder South forty five degrees East. Thirty
perches to a white Oak. Thence South Thirty five
degrees East. Seventeen and three tenths perches
to a Post. Thence South twenty nine degrees East. Eight
perches to a Post. Thence South nine and a half de-
-grees East. Ten and one tenth perches to a Post.
South Thirty six degrees East. five and seven
tenths perches to a Post. Thence South fifty six
degrees East fifteen and three tenths perches to
a Post. South sixty five degrees East. Eight per-
-ches. South seventy six degrees East. four
perches. South sixty seven degrees East. Seven
and four tenths perches to a Post. Thence South
Seventy degrees East fifteen perches to a Post.
Thence South seventy three and a half degrees
East. Eight, and six tenths perches to a Post.
Thence South seventy four, and three quarter de-
-grees. East. Twenty eight perches to a hem-
-lock. Thence South sixty seven and a half
degrees East. Ten perches to a Hemlock.
Thence South. fifty six degrees East. ^{and five tenths} fifteen per-
ches to a Birch. Thence South twenty nine
degrees East. fourteen, and one tenth perches
to a Post. by a Hemlock. Thence South eight-
teen degrees East. nine, and seven tenths per-
ches to a Post. Thence South five degrees West.

five and seven tenths perches to a Post: Thence South fifteen degrees East: twenty and four tenths perches to a Hemlock: South Twenty one and a half degrees East: Eighteen and four tenths perches to a Post: Thence South eight East: nine and two tenths perches to a Post: Thence South five degrees West: Sixteen and seven tenths perches to a Hemlock: Thence South Eleven East: Twelve perches to a Post: Thence South six degrees West: twenty one and six tenths perches to a Post; in the line between the said Jacob Snyder, and land belonging to L. J. Durd, Thence through land of the said L. J. Durd, South six degrees West: Forty four, and five tenths perches to a Quaking Asp, Thence South seven degrees East: Sixty three and four tenths perches to a Post: Thence still through land of the said L. J. Durd, South One and a quarter degrees West: Seventeen and six tenths perches to a Post: Thence South eighteen degrees East: twelve perches: South twenty eight degrees East: eighteen perches to a Post: South thirty one and a half degrees East: Twenty, and three tenths perches to a Post: Thence South fifty degrees East: ten and three tenths perches to a Hemlock: Thence South sixty and a half degrees East: Twenty One, and seven tenths perches to a Hemlock: Thence South sixty eight degrees,

East fifty five, and three tenths perches, to a Post. Thence South forty seven, and a half degrees East nine and six tenths perches to a Post. Thence South twenty, and a half degrees East thirty three perches to the Old Road, at the Rail Road Crossing. Thence along the Old Township Road through land of Sturd, and lands belonging to George W. Gose. South thirty degrees East. Fifty two perches; South thirty-four, and a half degrees East. Thirty six and seven tenths perches. Thence South forty-three degrees East. Fourteen and seven tenths perches. Thence still by the same; South twenty degrees East. Eight perches to the Township Road leading from Newburg to Curwenskill. in the Borough of Newburg, and near the Town of Newburg.

Which said Road, as aforesaid laid out, we are of opinion, is necessary, for public use.

A Plot, or Draft whereof is hereunto. Annexed.

And we are of opinion further, that no person, or persons, through whose land the aforesaid laid out road, passes, are entitled to any Damages, whatever.

Excepting Walker Sturd to whom we

(Road as Located)

To the Hon. David S. Krebs, Judge of
the Court of Quarter Sessions of Clearfield
County.

We the undersigned Viewers; appointed
by the within Order of Court, to view, vacate,
and supply 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 Road proposed to be reviewed
Vacated, and supplied, and being all sworn
or Affirmed, in pursuance of the said Order,
of Court. We have reviewed, vacated, and
supplied the same as follows, Viz.

Beginning at a Point in the Old Township
Road, leading from Mahaffey, to Newburg, on
the line between, land belonging to the Jamney
Company. And, land of George Kauffman. and
running along a Street in East Mahaffey, through
land of George Kauffman, and land of Robert
Mahaffey. South forty four degrees East; One
hundred, and fifty three, and two tenths perches.
to a Post; Thence through land of Robert Ma-
haffey. South Thirty One degrees East. Thirty
and five tenths Perches, to a Post; Thence through
land of the same. South Thirty four degrees East.
Twenty two Perches to a Point in the Old Town-

(Old Road as Vacated)

To The Hon D L Krebs. Judge of the
Court of Quarter Sessions of Clearfield
County.

We the undersigned Viewers; Appoin-
-ted by the within Order of Court, To View.
Vacate, and Supply, the Road therein men-
-tioned, Respectfully report: That having gi-
-ven notice of the time, and place of meeting,
According to the act of Assembly, and being
all present at the view of the said Road.
and being all sworn or affirmed, in jurai-
-ance of the said Order, we have attended
to the duties of our appointments first by
laying out the Road mentioned in the with-
in Order, as shown by the annexed ~~map~~
and described by the Report hereunto attach-
-ed. And second we proceeded to vacate
the Old Road, or that part of it not adop-
-ted by the Survey for the new Road as fol-
-lows. To wit: Beginning: four perches
South of the point where we began to locate
the new Road, and ran along the Old Road,
through land of George Kauffman, and land of
Robert Mahaffey, South twenty five degrees East
Fifty Seven and three tenths perches, Thence
South Thirty Degrees East. Twenty Seven and
six tenths perches. South forty eight degrees
East. Thirty perches. South forty nine

and a half East, Twenty one and three tenths
perches, Thence South forty six and a half
degrees East eight perches, South seventy
and a half degrees East, six and five tenths
perches, South fifty one degrees East, Forty-
three perches, South fifty six and a quarter
degrees East, Twelve perches to a Post in the
Road. Where the new Road comes into the
Old one. Then Beginning at a Point where
the Old Road crosses Snyder Run, near William
Mahaffey's House and running along
the old road through land of Robert Mahaffey,
Jacob Snyder, Lewis J. Hurd, South twenty
degrees East, ten and six tenths perches.
South fifty four and a half degrees East, forty,
and eight tenths perches. South thirty-
four degrees East, nine perches. South fifty three
and a half degrees East, thirty six and six
tenths perches. Thence South sixty one
degrees East, twenty two perches, Thence
South seventy degrees East, twenty six and
five tenths perches, South sixty four and a half
degrees East, nineteen and five tenths perches.
South forty eight and a half degrees East, seventy-
five perches. South fifty six degrees East, twenty-
two, and six tenths perches. South fifty-
five degrees East, seven and two tenths perches.
South twenty seven degrees East, Seventeen

And two tenths perches. South Thirteen and
three quarters Degrees, East. Twenty five and
six tenths perches, South nineteen and a
half, Degrees East. Twenty seven and six tenth
perches, South five and a half Degrees West. Ele-
ven and six perches, South nineteen Degrees
East. Thirty and two tenths perches. South
fifty three and a half Degrees East, Seventeen,
and eight tenths perches, South Twenty seven de-
grees East. Eleven and eight tenths perches, South
Thirty eight and a half Degrees East. Sixteen
and eight tenths perches, South nine Degrees
East. Ten perches and four tenths of a perch to
the line Between Jacob Snyder and L. J. Durd
Thence through land of L. J. Durd South eight
Degrees West. Eleven, and four tenths perches, South
eleven Degrees East, fourteen and four tenths per-
ches, South Twenty three Degrees East, fifteen and
two tenths perches, South Twenty one West Eighteen
and eight tenths perches, South nineteen and
a half Degrees East. Twenty seven, and seven tenths
perches, South Twenty and a half Degrees East. Twen-
ty three and two tenths perches. South Seventeen,
Degrees East. Twenty four perches, South forty one
and a half Degrees East, eighteen and seven tenths
perches, South four Degrees East. Eleven and four
tenths perches, South forty three Degrees East. Twenty
nine perches, South sixty two and a half Degrees.

East Forty Seven, and four tenths perches. South
Eighty five and a half degrees East. Twenty perches
South Seventy two degrees East Sixteen and four
tenths perches, South fifty six degrees East, ten
perches, South seventy one degrees East. Twenty seven
and three tenths perches. South Fifty one degrees
East. Seventeen and three tenths perches. Thence
South Thirty degrees East Twenty perches to a
Point where our new road comes into the old
road again.

Which said Old Road, as above described, or
parts of said old Road as above described, lies
close along the Rail Road. Crossing, and recrossing
said Rail Road, making it very dangerous for
the traveling Public, and we declare it here-
by vacated. A plat or draft is herewith annexed.

Witness our Hands the 22nd day of
July 1887.

S. J. McGlosky }
Jacob Dimeling } Viewers
John Staley }