

No. 1, February Term, 1887

Pelee Road

versus

Wren Township

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1,29

To the Honorable D. L. Rees, Resident-Judge
of the Court of Quarter Sessions of the Peace
of Clearfield County Pa,

The undersigned citizens
of the Township of Union respectfully represent:
that your petitioners labor under great
inconvenience for want of a Public road
to lead from the Public road leading from
Culthusburg to Clearfield, at the house
of J. H. Bimbaker, in the village of Rockton
to intersect the public road leading from
David Dressler to John Bimbaker Senior,
at the "Index Post" near the house of John
Bimbaker Senior in said township,

Your petitioners, therefore, pray the Court Appoint
proper persons to view and lay out the
same according to Law, and they will ever
pray etc,

Not Taken of them 1887
In the Quarter Sessions of -
Clearfield County -
Number May Term, 1887,

Petition of Divers Citizens of
Union township for Public Road
to lead from house of J. A. Bru-
baker in Rockton to "Index
Board" near John Brubakers.

Filed 26 February 1887

And now, 17 February 1887 peti-
tion read and considered and ~~Geo C~~
~~John~~ ~~John~~ ~~John~~ ~~John~~ ~~John~~ ~~John~~
Kirk ~~John~~ ~~John~~ ~~John~~ ~~John~~ ~~John~~ ~~John~~
are hereby appointed to view &
lay out the same and make re-
port to the next term of Court

On ~~the~~ Court
D. Z. Kirby
pg

McQuown.

Petitioners

1	G. W. Laboard	30	P. W. Laboade
2	M. H. Dunlap	31	P. H. Dunlap
3	J. D. Peoples	32	W. B. Dunlap
4	J. W. Laboard	33	J. D. Gelnett
5	J. N. Booze	34	Henry Hammel
6	J. A. Brubaker	35	James J. Sch
7	P. B. Closser	36	J. D. Brubaker
8	David L. Wilson	37	S. Lee
9	J. W. Dunlap	38	R. C. Jordan
10	W. H. Closser	39	P. H. Kirk
11	R. W. Laboard	40	J. H. Beer
12	W. H. Brubaker		
13	S. W. Spencer		
14	E. E. Rupert		
15	P. E. Laboard		
16	C. C. Caldwell		
17	W. B. Slaff		
18	Saml. Maynard		
19	S. P. Hammel		
20	William Netty		
21	J. S. Wright		
22	J. S. Kirk		
23	J. W. Gardner		
24	J. B. Parish		
25	W. J. Henry		
26	J. B. Gelnett		
27	G. W. Dressler		
28	D. C. Brubaker		
29			

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 17th day of ~~July~~, A. D. 1887, before Judges of said Court, upon a petition of sundry inhabitants of the township of ~~Union~~, in said county, setting forth that they labor under great inconvenience for want of a public road or highway in the Township of ~~Union~~ to lead from a point from the house of J. H. Brubaker in Rockton to the Index board near John Brubaker

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, and make report to the Court whereupon the Court, upon due consideration had of the premises, do order and appoint ~~Geo C Kirk, J. H. Johnson, Hamilton, David~~ ^{Craser} 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.


A. M. Bloom
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 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 .

To the Honorable, the Judges within named; We the undersigned, appointed by the annexed order do report; That in pursuance thereof, after having been severally duly sworn according to law, all the viewers appointed by said order, viewed the ground proposed for the within mentioned road and we do agree that there is occasion for a road as desired by the petitioners and that the same is necessary for a public road. And having had respect to the shortest distance and the best ground for such road, we have laid out in such manner as shall, in our opinion, do the least injury to private property, and as far as practicable agreeably to the desire of the petitioners, and do return for public use the following described road, to wit: - Beginning at a post at Main Street, near J. H. Brubaker's House in the Village of Rockton; thence North, partly along North & South Street, and partly over improved lands of John Brubaker 94 perches to a post, thence N. 40° 30' E., 35 $\frac{1}{2}$ perches to a post in public road at index board near John Brubakers. We further report that no damages result to the said John Brubaker through whose land said road passes, from opening the same, and we annex a plot or draft of said road laid out, stating the courses and distances and noticing briefly the improvements through which the same passes.

(Witness our hands this sixth day of May, A.D. 1887.

Geo. C. Kirk
David Dresler
J. Hamilton }
Viewers

NOTE.—In case of a private road, the referee must be exerted in favor of the petition for the road.

Also—Viewers will carefully note the number of days employed and of the amount of the road to be taken.

Viewers cannot interfere with decisions as made by the original viewers, except so far as the location may be changed by the viewers.

S. B. If the viewers believe the parties are not entitled to damages, taking into consideration the services as well as the disbursements of the road, they will report to that effect.

No. 1 Kelly Sessions, 1887

ORDER

To view and lay out a road

For John in the township

of Union Clearfield Co.

May 16 1887 Pennsylvania

Div. 5. Road to stand

33 feet wide each where

there is sidehill cutting in

hollow or broken, the

to be 16 feet wide

13 1/2 feet wide

24 September 1887 Confirmed to

John Kelly by the County

of Union on the 16th day of September 1887

Filed May, 1887

Fees \$1, paid by John Kelly

