

No. 18, September Term, 1887

Petition to View and
Assess Damages

versus

Sandy Township

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To the Honourable D L Kress, President Judge
of the Court of Quarter Sessions of Clergy
County.

The petition of Miles DeLarm of
Sandy Township in said County respectfully
represents. That a public road was laid out
and opened through the premises of your
petitioner in the year 188 for a distance
of about one hundred rods. That said
road passes through an improved
part of said farm and does your
petitioner great damage.
That at the time said road was located no
damages were assessed by your petitioner
and he therefore prays that a review
of true competent men be appointed
to review and assess damages to your
petitioner caused by the opening of said
public road.

J M DeLarm

Nov 23 1887. Rutherford
Bell & Co. vs. Miles
DeFerson et al.
Plaintiffs assess
damages in ~~order~~
Sum in ~~order~~ ~~Sum~~

Nov 23 1887

Nov 23 1887. Rutherford
Bell & Co. vs. Miles
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Cost

Clearfield County, ss:to,

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 23rd day of

November, A. D. 1887, before Judges of said Court, upon a petition of sundry inhabitants of the township of — Daney, in said county, setting forth that

He is the owner of a tract of land in said township through which a public road leading from the Turnpike near in DeCaren to the Hollister road has been opened within the 3 years past. That by reason of said road passing through your petitioner's land he has sustained great damage by having to build fences and also for the loss of the land occupied which is taken out of one of the best fields on his farm.

and therefore praying the Court to appoint proper persons to view and ~~assess~~ ^{assess} the same according to law, said damages

whereupon the Court, upon due consideration had of the premises, do order and appoint Horras Wm. Wm. Henry Kerrs & Daniel Faub 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 petitioner, 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.



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 Judge of the Court of Quarter Sessions in and for Clearfield County

We the undersigned commissioners appointed by the foregoing Order of Court to view and assess the Damages resulting to Miles DeLaren from and by reason of the opening laying out and construction of said Road therein described Do Report That after having given notice of the same we all met and being duly sworn and affirmed we have carefully viewed the premises and having duly taken into consideration the advantages and disadvantages resulting to said Miles DeLaren and his land by reason of the opening of said road cutting off and dividing one portion of his land from the other in such manner as we think to materially depreciate the value of said property and the cost and expense of making & keeping in repair about one hundred and eighty rods of fence in our opinion the damage or cutting to said Miles DeLaren is Two Hundred & Seventy five Dollars.

Witness our hands this Fourteenth day of December AD 1887

Viewers { Thos Wm Moore
A. Berry
Daniel Faust

Nov. 1.—Case of a private road, the voiceless must be executed in favor of the public road, for said road.

Also.—Yours.

Reviews cannot interfere with the amount of time given to the general public, except so far as his location may be chosen 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 land, they will report to that effect.

No. 8 *St. Louis* Sessions, 1881

Amount	Days	Miles	Amount	Days	Miles
2.00	2	9.80	2.00	2	9.80
1.00	1	5.00	1.00	1	5.00
1.00	1	5.00	1.00	1	5.00
1.00	1	5.00	1.00	1	5.00

~~2000~~ ~~1999~~ ~~1998~~
~~Confidential~~ ~~Confidential~~ ~~Confidential~~

Filed 15th Oct, 1887
Fees \$1, paid by W. G. O'Gee