

No. 10 : May 3<sup>rd</sup> Term, 1889

Macalister  
Public Road

versus

Boys Township

Contents:

X

To the Honourable S. G. Rocks Esq  
Law Judge of the Court of Common Pleas of the  
County of Clearfield now composing a Court of  
of General Quarter Sessions of the Peace in & for  
Fair County at December Sessions 1888 The  
Petition of divers inhabitants of the Township of  
Boggs in said County

Respectfully Sheweth

That a Road has been long since laid out  
from the Erie Turnpike from the old  
Clearfield Bridge to the Farm of Alexander  
Dixons in said Township which Road your  
Petitioner's Concern is now become useless,  
inconvenient & burdensome to the inhabitants  
thereabout your Petitioner therefore respectfully  
pray your Honour that the said Road may  
be vacated according to the Act of Assembly  
in such Case made & Provided

And they will pray the

Names

James G. Hale  
A. Root  
Thomas Peers  
John S. Great  
John K. Clegg  
John Clegg  
John Summerville  
George Hess  
Henry H. Miller  
John Roberts  
Joseph Shultz

Names

James Dixons  
William Galbreath  
John G. Clegg  
Isaac Breslin  
John Thomas Johnson  
David Clegg  
John F. Peers  
G. Hammadie  
P. J. Coffey  
C. A. Peters

R. F. T. S.

George Clegg  
A. Rambertis  
Jacob Dimeling  
Mark T. S.  
John J. Peers  
Alexander Miller

Non-Main-Signed

John

W. Vacate Road  
from Cleopatra  
Bridge to Farm  
of A. T. in  
Opposite Townsite

Non-Main-9188  
Hampshire, 5th more and  
Daniel Stewart

are called without  
any work been within  
area and in front  
of Settlement 2000  
next. By 1st Court  
of

Feb 29 may 1888  
John Beeson Jr.

Minidell

## 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:

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 12<sup>th</sup> day of June, A. D. 1880, before Judges of said Court, upon a petition of sundry inhabitants of the township of Boys, in

said county, setting forth that road has  
been long since laid out from the Erie Turnpike  
at the said Clearfield Bridge to the farm of Alexander  
Dixon in said township which road your petitioners  
desire is road become level and unobstructed and  
burdenous

and therefore praying the Court to appoint proper persons to view, <sup>and, by</sup> ~~buy~~ <sup>vacate</sup> the same according to law, Harry Byers, D. W. Jones and Daniel Stewart whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Byers, D. W. Jones and Daniel Stewart 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.

Am. Bloom

Clerk.

To the honorable David S. Krebs judge of the Court of Quarter Sessions of Clearfield County, we the undersigned, persons appointed by the within order of court to view the road therein mentioned respectfully report: that having had notices posted in lawful time and meeting as per notices on the thirty first day of July A.D. 1878 all the viewers having been present and having been first severally sworn or affirmed in pursuance of the said order we have viewed the said road leading from Old Luther'sburg turnpike at Clearfield Bridge to the public road at the farm of Alexander Dixon, a plat or draft of which is hereto annexed showing with the courses and distance and improvements and that we are of the opinion that said road has become useless, inconvenient, and burdensome, and ought therefore to be vacated.

Witness our hands this thirty first day of July

A.D. 1878.

Harry Byers.  
Viewers Daniel Stewart  
D. K. Moore

NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road. Also—Viewers will certainly note the number of days employed and set the same out at two foot of their return. Reviewers can not interfere with damages assessed by the original viewers, except so far as the location may be changed by the viewers. 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. 10, May Sessions, 1888

### ORDER

Days 2 Amount.  
(Cooper's) Miles 3 \$5.00  
Daniel Stewart Days 1  
(Cutoff 26) Miles 5 2.50

W. More Days 1  
(Cutoff) Miles 5 2.50

Days Miles

Miles Days

Sept 1888 Confined  
to the Mountain  
Rec'd 1888 Confined  
absolute. By the court

Filed , 188

Fees \$1.25 paid by Clearfield