

No. 4, May Term, 1889

Public Road

versus

Cooper Township

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Petition for Laying out a Road

To The Honorable the Judges of the Court of
Quarter Sessions of the Peace in and for the
County of Clearfield Pa.

The Petition of the
Undersigned, inhabitants of the Townships
of Morris and Cooper, in said County, Respectfully
Sheweth; That your Petitioners, Labour under
Great inconvenience for the want of a Road
or high way, to lead from a Point on Public
Road leading from Tylertown to Ounison Station
at or near the line between land of James Drom
and James, Dillen, to a Point on public Road
leading from Tylertown to Philipsburg at
or near lot of W^m Drom, on the Davis farm
Your Petitioners therefore ^{humbly} Pray your Honor
to appoint proper Persons to view and lay
out the same according to law and they will
ever Pray &c^{the}

Peter W. M. S. L.
James M. Dillen } moris
O. L. Schooner

J. Hendershot
Wm. M. Pelton
O. W. L. L. L.
C. O. Carlson
J. Petterson
Edward W. W.

Nov 12th May 1887

Petition for appointment
of a surveyor to
view and lay out a
public road to lead
from a point in public
lie road running from
Hylerton to Merivon
Station at a short distance
the line of fence from
to a point in public
road at or near lot
of William Moore in
Cooper Township

Nov 8th 1887 Harry Ryers
Wm L. Merrill and Charles Johnson
are appointed surveyors to view
map at above May 1887

By the Court

Nov 12th 1887

H. R. Ryers

Clearfield County, ss: (C)

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 8th day of February, A. D. 1889, before Judges of said Court, upon a petition of sundry inhabitants of the township of Cooper, in said county, setting forth that they labor under

great inconvenience for want of a public road to lead from a point in public road running from Hylletown to Munson Station or as near the line of James Iron to a point in Public road as or near line of Mrs Mous in Cooper Twp

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 Harry Ryan W. E. Merrill & Chas Johnson 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.

Wm Sloan
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 County of Clatsop at and before the sealing and delivery hereof, have remised, released and forever quit-claimed, and do hereby remise, release and forever quit-claim to the said County of Clatsop 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 ash, 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 twelfth day of March A. D. 1889.

James M. Bullen
Alphonse W. Maudslott



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 B. C. Davis as report attached the sum of thirty dollars

To James Davis the sum of thirty dollars

To _____ the sum of _____

Witness our hands this twelfth day of March, A. D. 1889.

Harry Rogers
Wm. J. Henshaw
Harley Johnson

Honorable David S. Krebs President Judge of the Court
Quarter Sessions of Clearfield Co Pa we, the undersigned,
are appointed by the within order of court to view the
and lay out the road there in mentioned respectfully report
that we gave lawful notice of said road view and being present
on day appointed of May 2^d 1889
and having been first severally sworn or affirmed we have laid
out and do return for public use the following road to wit
beginning at a point two hundred sixty six and one half feet
from East of New Mond Lake Road leading from Kylesburg to
All post thence through land of B. C. Davis south eighty five
degrees east forty four and three tenth perches to a post
thence south fifty six and one half degrees east forty
seven and eight tenth perches to post on line between B. C.
Davis and Stephen Hendershot thence south eighty five
and three fourth degrees east three hundred perches on land
of S. Hendershot and on line between James Drimmer one side
and J. Hendershot, Asphy, and James Nilbon on the other
to point on road leading from Kylesburg to Munson Station
on line of James Drimmer in Morris Twp. A plot or draft of which
road as laid out ofore said is hereto annexed showing courses
distances and seated and unseated lands through which said
road passes which road as laid out ofore said is necessary in
our opinion for a public road. We believe one Asphy of Michigan
is not entitled to any damages on account of this road being built
on his land and have assessed and obtained release of damages
and elsewhere in this return. Witnesses our hands this
day of March A.D. 1889.

Viewers { Harry Byers.
Wm. L. Merrell
Charley Johnson

No. 4 May Sessions, 1889

ORDER

To view and lay out a road for
Public use in the township of
Cooper, Clerfild Co.

May Sep 1889 Reas confirmed
Mc Sc. Road 17. He opened 33
feet wide street 20 feet
substantially improving there
to be 16 feet wide by the Court

Sept Sep 1889. Continued and
for further advice as to matter
of damages. By the Court
Oct Sep 1889. Continued.
By the Court

Nov Sep 1890 Continued.
By the Court

Filed 22 Dec 1889
Fees \$1; paid by J. H. H. H.

Shawver

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-
placed and set the amount due at the foot of their return.
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
the advantages of the road, they will report to that effect.

Harry Gray { Days 3 Amount.

(outlay) Miles 16 13.60

W. S. Murrell { Days 1

(outlay) Miles 3 2.30

Charles Johnson { Days 1 Miles 1 2.10

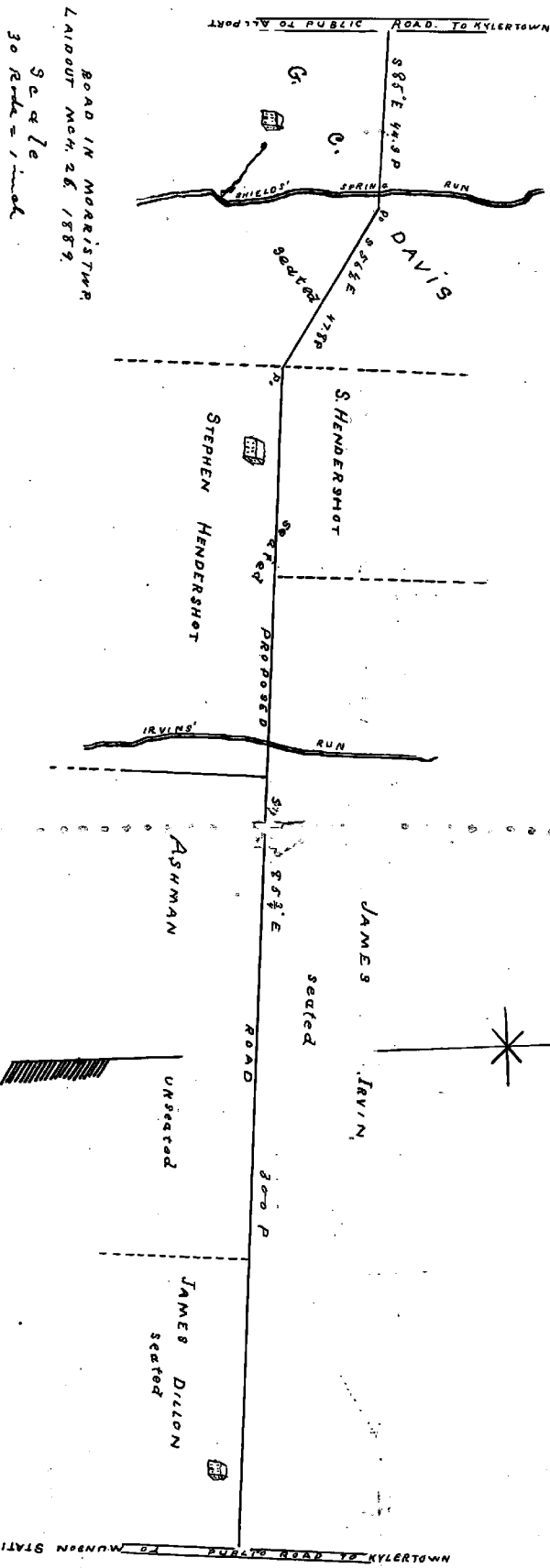
{ Days Miles

{ Days Miles

July Sep 1890 Continued.
By the Court

Aug Sep 1890. Referred back to
viewers to report on 16 feet
damages, and set off in return
there to By the Court

May Sep 1890 Confirmed in its
as before for survey By the Court
Sept Sep 1890 Confirmed
By the Court



ROAD IN MORRISTOWN
LAYOUT NOV. 26, 1889.
Scale
30 Rods = 1 mile

witnessed
at Court

To the Honorable David L. Krieb President
Judge of the Court of Quarter Sessions of Clear-
field County Pa. we the undersigned viewers
appointed by the within order of Court to view
and lay out the road therein mentioned
having filed our report to May 22 1890 and
the report having been referred back to us for
reconsideration of damages assessed we now
respectfully report that we gave the parties
interested written notice of time and place
of meeting for said reconsideration and
having been first severally sworn or affirmed
we reconsidered the damage assessed to James
Irvin and E.C. Davis and are of opinion that
the amount of damages assessed to E.C. Davis
should be changed from one hundred and
fifty dollars to eighty dollars because in
our estimate of damages in our first report
we did not take into consideration the fact that
a road had been in constant use up to the
time of our first report for upwards of twenty-
one years through the land of E.C. Davis to the
Public road leading from Rybertown To Philipsburg
which eighty dollars damages assessed is to pay for
fencing road we laid out. Witness our hands this
19th day of May A.D. 1890

Viewers { Harry Byers
Wm. A. Merrill
Charles Johnson