

No. 5, May Term, 1889

Reverend Wasate

Public Road

VERSUS

Sumner's Corp

Contents:

R. & B. Page 30

M. S. King, Secy. 1879
Petition for a better
road from front
near road line of
Epiphany Township
and on ground of
D.

Road leading from
Barnum's Borough
to New Windsor
Borough.

Filed 20th Aug 1879

Filed 20th Aug 1879. After
presented and King, Regy.
Gen. & Highell and Thomas
Miller are appointed re-
ceiv. to new road and
not be epi the road

W. S. King

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 20th day of February, A. D. 1889, before Judges of said Court, upon a petition of sundry inhabitants of the township of Burnside, in said county, setting forth that they have great

inconvenience for want of a public road and to
renew Vacant & supply public road from the East
line of Mrs. Catharine Kunsmann's land in said
Township to a point at or near the road leading
from Burnside Borough to near Washington Pass
at or near the steep bank on Susquehanna river
above Burnside Borough

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, to make report to the Court
whereupon the Court, upon due consideration had of the premises, do order and appoint Harry J. Jans, J. P. Witzel & Phineas Huston 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. Blount
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 sealing and delivery hereof, have remitted, 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 _____



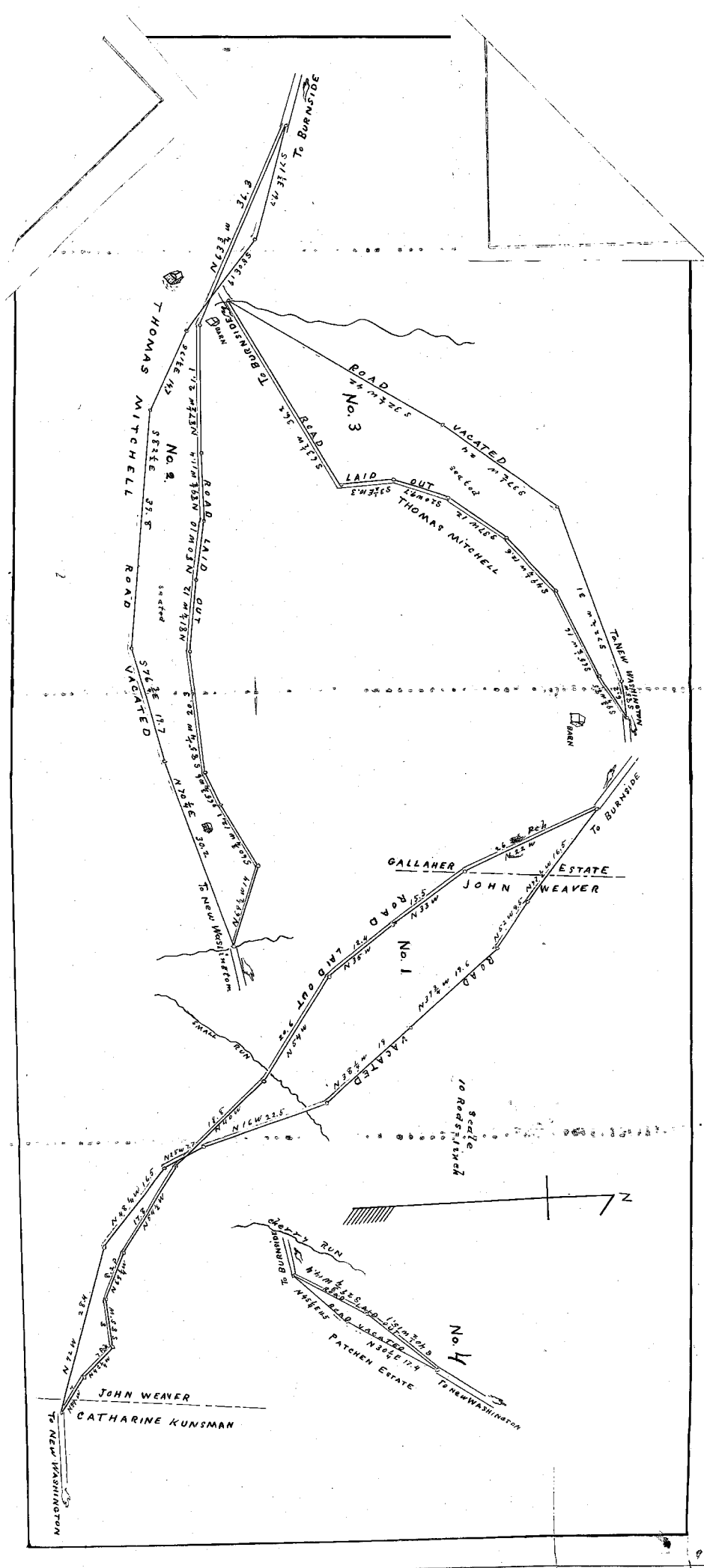
Assessment of Damages.

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:

(Assess To John Oraves the sum of fifty dollars
To Thomas Mitchell the sum of twenty five dollars
To _____ the sum of _____

Witness our hands this 24th day of April, A. D. 1889.

Henry Ryan,
James Muller,
J. of W. B. H.



To the Honorable David L. Krebs
President Judge of the Court of Quarter-
sessions of Clearfield County Penna
we the undersigned viewers appointed
by the within order of court to view va-
cate and supply the road therein men-
tioned respectfully report that we gave
public notice of said road view as
required by law and with agreeable thereto
on Wednesday April twenty fourth A.D. 1889
and having been first severally sworn
or affirmed we have viewed vacated
and supplied the road as follows.

first to vacate Oxrum Road and road
laid out by former view from Top of hill
at a point opposite second apple tree from Top
of hill near Kunzman's Barn to point
opposite a small birch ^{at foot of hill} twenty three rods
from Deer Run and supply the same by
beginning at small apple tree thence through
fields of Mrs Catherine Kunzman and John Weaver
north fifty nine degrees west seven perches to
a pine stump thence through John Weaver's
field north forty two and one fourth degrees
west seven Perches to a post thence
south eighty five degrees west eight per-
ches to a post thence north sixty nine
and one fourth degrees west eight and two fifth
perches to a pine stump thence north fifty
four and one half degrees west seventeen
and eight tenth perches to post near edge
of Deer Run Road Thence across said road and

into woods of John Weaver north forty degrees
west nineteen and eight tenth perches to post
near small Run thence north fifty four degrees
west twenty and six tenth perches to a dead
hemlock thence north thirty five degrees
west twelve and four tenth perches to a tall
pine stub thence north thirty three degrees
west fifteen and five tenth perches to a
hemlock tree thence north twenty two degrees
west twenty six perches on land of Gallaher
estate to point in Deer run Road opposite
said Birch

Second baguette, beginning at small bridge
at lower corner of John Smith improvement
now owned by Thomas Mitchell to beech
tree near top of Hill between T. Mitchell's and
Burnside being part of Deer Run Road to sup-
ply the same by a road through said farm
beginning at said bridge thence north sixty nine
and one half degrees west fourteen perches to a post
thence south sixty and three fourth degrees west
twelve and one tenth perches to a pine stump thence
south sixty five and three fourth degrees west six
perches to a Post thence south eighty five and
one fourth degrees west twenty and thirty six hun-
dredth perches to a Pine stump thence north eighty
one and one ^{fourth} half degrees west twelve perches
to a pine stump thence north eighty degrees
west ten perches to a pine stump thence
north eighty nine and one half degrees west
eleven and thirty six hundredth perches to a
pine stump thence north eighty seven and

one half degrees west twenty one and eight hundredth perches to a pine stump near corner of T. Mitchell's Barn thence north fifty three and three fourth degrees west thirty six and thirty two hundredth perches to a Beech and the end of the second part.

third Beginning at a pine stump by side of road at top of hill opposite old barn on T. Mitchell's place vacate that part of the old view which is not on our view and leave to be opened the following road through a field of T. Mitchell. Beginning at said pine stump thence south fifty nine and three fourth degrees west eight and forty eight hundredth perches to a pine stump thence south sixty five and one half degrees west sixteen perches to a pine stump thence south forty nine and one fourth degrees west twelve and sixteenth perches to a pine stump thence south thirty seven degrees west twelve perches to a pine stump thence south twenty degrees west nine and sixty eight hundredth perches to a pine stump thence south three and one half degrees east ten and thirty two hundredth perches to a post thence south sixty three and one half degrees west thirty six and two tenth perches to a point at a stone bridge in the Deer Run Road.

fourth Beginning at a chestnut at top of hill near Cherry Run vacate to pine stump at foot of hill about six rods from said run and apply the same being Deer Run Road by a road to begin opposite said chestnut on one

side and a quaking ash on the other thence south twenty nine and three fourths degrees west fourteen and four tenths perches to a hemlock thence continuing on land of Horace Pat- chen estate south forty and one half degrees west fifteen and twelve hundredths perches to said pine stump which is the end of part laid out being the last change made four having been made. A Plot or draft of which roads as laid is herewith annexed showing courses and distances and improvements.

We believe no persons except the two whose damages we appraise are entitled to any damages by reason of the opening of said road which road is in our opinion necessary for a public road. Witness our hands this twenty fourth day of April A.D. 1889.

Viewers { Harry Byers
Phineas Patton
L. S. Wetzel

No. 5. May Sessions, 1889

ORDER

Vocate

To view and lay out a road for

Public use in the township of

Burrville, Clearfield Co.

May 4th 1889 Conformed to

Road to be opened 33 feet wide

except at embankment inside

will cutting or bridging there

to be 16 feet wide

By the Court

Sept 18th 1889 Conformer absolute

By the Court

52-45

Filed 4 May 1889

Fees \$1.00

paid by Mary Rogers

NOTE.—In case of a private road, the release must be exact in favor of the petitioner for said road.
Reviewers cannot interfere with damages assessed by original viewers, except so far as the location may be changed by the viewers.
If the viewers believe the parties are not entitled to damages, taking into consideration the advantages and disadvantages of the road, they will report to that effect.

Days

Miles

Days

Miles

Days

Miles

Days

Miles

Days

Miles