

No. 6, May ¹⁸⁸⁹ Term, 1889

Public Road

versus

Lawrence Twp

Contents:

Right of Way

Port Twp Board v. 1889

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 Clearfield 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 Clearfield 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 29th day of April
A. D. 1889.

R. J. Brinker



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 .

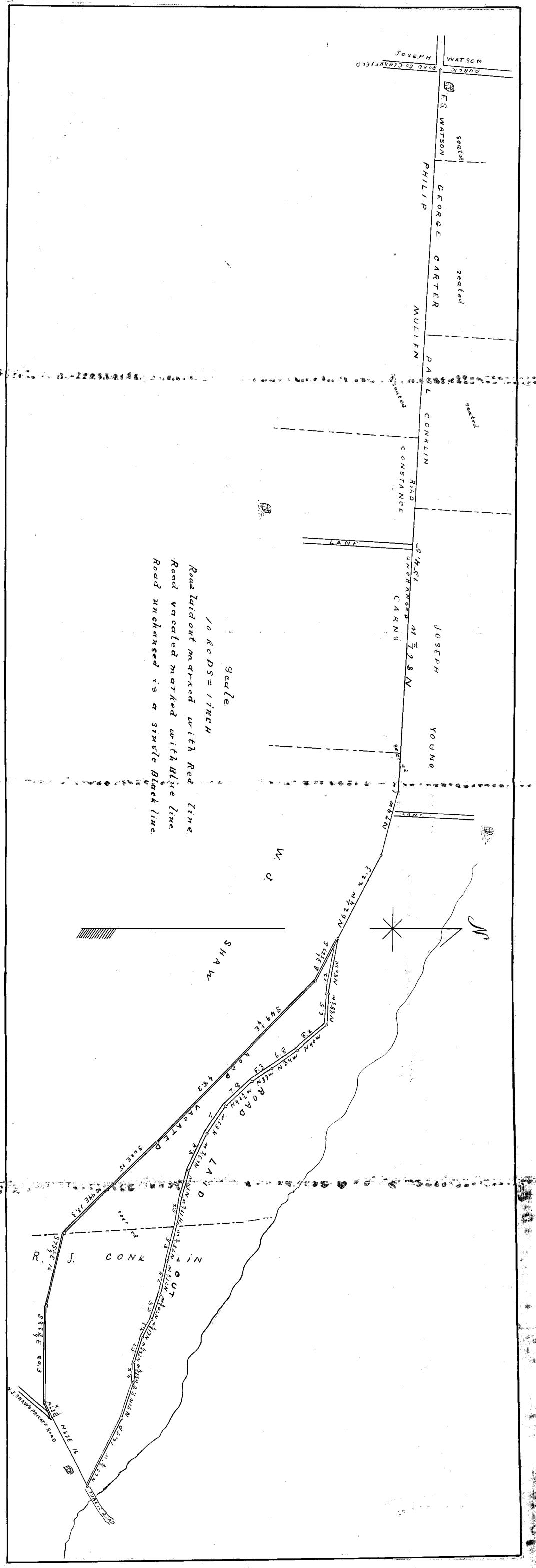
Clearfield County, ss: ()

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 20th day of January, A. D. 1889, before Judges of said Court, upon a petition of sundry inhabitants of the township of Laurance, in said county, setting forth that they labor under great inconvenience for want of a public road from a public road leading from Paradise to Joseph Watsons at a point at or near the house of R. Conkleis and to end in a public road at or near the corner of George Youngs farm in Laurance Gap and to make the public road now opened from the place of R. Conkleis to the house of J. S. Watsons on line of the proposed road.

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 Byers Joseph Burns & Philip Rose 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.

Ambleton CLERK.



To the Honorable David L. Krebs President
Judge of the Court of Quarter Sessions of Clear-
field County, Penna we, the undersigned
viewers appointed by the within order of
Court to view vacate and supply the road
therein mentioned respectfully report that
we gave public notice of said roadview
as required by law and met agreeable
thereto on Monday the twenty ninth day
of April A.D. 1889, all being present, and
having been first severally sworn or af-
firmed we have viewed vacated and supplied
the following roads, to wit: Beginning at a
point in Public road near R.J. Conklin's
house and opposite a pine stump, we laid
out a road having a grade of five degrees start-
ing from said stump north sixty two and
three fourths degrees west sixteen and five tenth
perches to a post on land of R.J. Conklin thence
continuing on land of R.J. Conklin north seven-
ty one west seven and eight tenth perches
to a post by fence thence through the woods
north eighty seven and three fourths degrees
west four and two tenth perches to a chestnut
thence north seventy two and one fourth degree
west five and seven tenth perches to a Birch
sapling north sixty one and three fourths degrees
west four and three tenth perches to a Birch

north seventy and three fourth degrees west
five and eight tenth perches to a hemlock north
seventy seven and one half degrees west seven and
four tenth perches to a maple north seventy
five and one half degrees west eight and five
tenth perches to a chestnut (striking land of Joseph
Young at a distance of eight Perches) thence con-
tinuing on land of Joseph Young north seventy
nine and one half degrees west five and two
tenth perches to an ash sapling thence north
seventy four degrees west six perches to a
red oak thence north sixty three and one
half degrees west eight and nine tenth per-
ches to a Double chestnut thence north fifty
five degrees west seven perches to a chestnut sap-
ling thence north forty two and one fourth deg-
rees west seven and eight tenth perches to a post
thence north thirty three degrees west five and
three tenth perches to a dogwood thence north
thirty four degrees west six and eight tenth per-
ches to a Chestnut thence north forty degrees
west eight and two tenth perches to a chestnut
thence north eighty five and one half degrees
west six and five tenth perches to a chestnut
thence north eighty degrees west twelve perch-
es to a pine stump near the corner of a field
of Joseph Young's and in public road now in
use, from thence to the house of F. S. Watson

we make no change in the road. We vacated the public road now in use beginning at said pine stump near corner of Joseph Young's field thence south sixty two and one fourth degrees east eight perches south forty four and one fourth degrees east forty eight and three tenth perches south forty two degrees east fifteen perches south forty four degrees east thirteen and three tenth perches south seventy five and one fourth degrees east sixteen perches south eighty eight and three fourth degrees east twenty and three tenth perches thence north sixty three degrees east four perches to point where W. J. Shaw's Private road joins said public road. We believe for public use the grad on the road vacated is too heavy being for a distance of nine rods ten and one half degrees. A plot or draft of which roads vacated and supplied is hereto annexed showing the courses distances and improvements which road as laid out aforesaid is necessary in our opinion for a public road we believe no owner of land is entitled to damage for the locating & opening of said road.

Witness our hands this twenty ninth day of April A.D. 1889.

Harry Byers.
Viewers } Joseph Adams
 } Philip Reece

No. 6 May Sessions, 1887

ORDER

Passage

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

May 29 1889 Confirmed in the
Mad 1st the opened 33 sub-grade
right bring a ditch cut to
embankment there wide 16 feet
wide. By McCourt

No. 1889 Confirmed
absolute by the Court.

Filed 4 May, 1889
Fees \$1²⁵ paid by J. C. Cason

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 em-
ployed and set the amount out at the foot of their return, by the
original viewers, except so far as the location may be changed
by other 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.

Hours Driven	Days	Amount
(Cutoff 622)	2	\$8.20
Joseph Owens	1	
(Cutoff 624)	4	2.40

Philip Reese	Days	Amount
(Cutoff 622)	2	2.20
	Days	
	Miles	

Days	Amount
Miles	

To the honorable the Judges of the Court
of Quarter Sessions of Clearfield Co

The petitioners of the undersigned respectfully
represent that they labor under great inconvenience
for want of a public road or highway to begin
in a publick road leading from Paradise to
Joseph Watsons, at a point at or near the house
of R. J. Conklin in the Township of Lawrence
and to end in a public road at or near
the corner of Joseph Youngs farm in said
Township. The petitioners therefore pray the
Court to appoint proper persons to view and
lay out said road and to enquire of and
vacate the public road now open from the place
of R. J. Conklin to the house of J. S. Watsons
on line of the proposed road in the Township
of Lawrence which last mentioned road will
by reason of the laying out of the proposed
road become useless and make report of the
proceedings to the next Court

Names and they will &c

Names

J. S. Watson
W. S. Jr.
J. J. Wood
J. F. Shaw
W. E. James
R. J. Conklin

Names

John Shaw Jr.
John F. Watson
R. J. Conklin
James L. Murphy
John G. Conklin
W. E. Smith
Joseph Young

no 6 may 2. 1889

Petition for appointment
of viewers to view and lay
out a public road fronting
on a public road leading
from Paradise to Joe Watson's
at or near R. G. Conklin's house
to corner of Joe Young's
farm in Lawrence Township
and vacat public road
from R. G. Conklin's house
to G. S. Watsons

Filed 20 deg 1889

Nov 20 July 1889. Petition and
writheupon Young Peters
Joseph Peters, Philp Reece
are appointed (or new and
reputable men) to
reprobate and hear
* By the Court

Kramer

Answer

Answer