

No. 15, May Term, 1889

Public Road

versus

Deeatur Township

Contents:

P. 1. #3 - P. 365

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Contents:

P. A. #3 - Page: 36 ✓

Part Two Rd. 17660 & 17662

James Patton

Edward Patton

Michael Greely

A. W. Butler

Martin H. Greely

Nathan Kephart

James Mackon

James Harrison

B. Johansen

P. J. J. J. J.

Michael J. J. J.

James J. J. J.

John J. J. J.

August J. J. J.

Charles J. J. J.

Thomas J. J. J.

John C. J. J.

Michael C. J. J.

Hyman C. J. J.

Frank C. J. J.

Frank C. J. J.

1870 May 1887

Petition for Public
Road in Worcester Sup
from a point on a public
road leading from Ouse
to the old Mill at a point
at or near the residence
of Nathan Tephart
to a point on the Boro
ugh line of Worcester
as to water set with
Wells Street in said
Borough

20th May 1887. Read and
P. Gallagher, Milo, Hays, and
Harry Payer, are appointed
to view report at next term

By McCourt
J. J. H. p. 8

Filed 20 May 1887

Worcester

To the Honorable David L. Koch.
President Judge of the Court of Common
Pleas of the County of Clearfield. Now
comprising a Court of General Quarter
Sessions of the Peace in and for the
Said County at May Session 1889.
The petition of divers inhabitants of the
Township of Decatur and parts adjacent
in the said County respectfully sheweth
That your petitioners labor under
great inconvenience for want of a ^{public} ~~highway~~
Road beginning at a public road leading
from Cresula to the old Pike on the
the Lands of Nathaniel Kephart and his
Heirs thence by the best route until
it intersects Hall Street in the Borough
of Cresula in said County. Your petitioners
therefore respectfully pray your Honor
to appoint proper persons to view and
lay out the same according to Law.
And they will pray

John H. Burns
John Hatton

John Burns Jun
James Mcophy

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 May, A. D. 1889, before Judges of said Court, upon a petition of sundry inhabitants of the township of Decatur, in said county, setting forth that they labor under

great inconvenience for want of a Public road to lead from a point on Public road leading from Oreeola Borough to the Old Pike at or near the residence of Nathan Kephart to a point on the Borough line of Oreeola so as to intersect with Hale Street in said Borough

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 Okaleagher, Milo, Hoyt 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.

A. M. Brown
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 ensuing 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. 1888.

SEAL

SEAL

SEAL

SEAL

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. 1888.

ORDER

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

Sept 26 1889 Confirmed
 W. to be opened 3.3 feet wide
 and broken side to cutting on
 buying this to be 16 feet wide
 By W. Board

Dec. 1859 Confirmed
absolute. By Mrs Court

Filed 28th July, 1889
Fees \$1, paid by Jno Burns

Harmon

NOTE.—In case of a private road, the release must be executed in favor of the petitioner for sale of road. The number of days employed and set the amount out at the foot of their return. Reviewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by 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 the effect.

Harry Byer } Days 2 } Amount. /
 (Auto #661) } Miles 22 \$ 10.20

Patrick Gallagher }
 Days 1 }
 Miles 1 \$ 2.10

Miles *Kingst* } Days *1*
 Miles *210* } Miles *\$210*

Days { Miles

Days
Miles

To the Honorable David B. Kirk President
 Judge of the Court of Quarter Sessions of Charles
 County, Pa. we the undersigned jointly appointed
 by the Court of Or for the within order of Court to
 view and lay out the road therein mentioned
 respectfully report that we gave notice of said
 road view and met agreeable thereto on Friday
 the nineteenth day of July and having all been first
 severally sworn or affirmed we viewed and laid out
 the following road to wit beginning at a point on
 the old line road leading from Locusta Borough to
 the Fairbairns, where there is a small water race said
 road thence down the middle of said road (which is
 fifty feet wide) south fifty feet and one fourth degree
 west ~~thence~~ ^{thence} to center of same
 about there on a small of said road about thirty
 feet and then fourth degree east seventy nine feet
 to center of first that thence down first about
 north fifty feet and one fourth degree west nineteen
 and five feet thence to center of Hale Street thence
 we have about north thirty seven and one half degree
 east ~~thence~~ ^{thence} to line of Locusta Borough
 a copy, before draft of which road we laid out of same
 advances accepted showing course and distance
 and list of land owners who will be benefited
 by opening of said road, which road is laid out
 appeared in necessary in our opinion for a public
 road as the road is forced out and used to some ex-
 tent we believe no owner of land through which the road
 passes will be damaged by reason of opening and
 opening of said road. At which our hands this
 nineteenth day of July A.D. 1889

Witness my hand
 Harry Byers
 Miles Hoag

