

No. 8, Feby ^{SS}
Term, 1890

Public Road

~~Versus~~ in

Cooper Township

Contents:

W. L. #2. Page 21

Part 1, 1890, 1771-3

B. Merritt
Albert Merritt

C. A. Munson

~~A. E. B. [unclear]~~

Sebastian Enyale,

James H. Wood

Sommerville Leo

Sommerville Buchanan

R. L. Somerville

Alfred [unclear]

James Burton

S. L. [unclear]

[unclear] [unclear]

[unclear] Phoenix

H. [unclear]

R. L. [unclear]

C. Merritt

G. Newton

L. Morgan

Philip Lucius

G. M. Merritt

To the Honorable the Judge of the Court
of Quarter Sessions of the Peace in and for
the County of Clearfield

The petition of the undersigned, inhabitants of
the Township of Cooper in the said County,
respectfully sheweth: That your petitioners labor
under great inconveniences for want of a road
or highway, to lead from Winburn or Merritt & Co
Mill, to a point on the road leading to Muncie
Station to intersect the road leading from Hylestown
to Philipsburg on line of lands of James Brin & of Parker Co
Your petitioners therefore humbly pray the Court
to appoint proper persons to view and lay out
the same, according to law; and they will
ever pray &c

W. H.	Lewis
Joseph	Erasmus
R. C.	Hoover
J. C.	Kyle
F. E.	Hilliard
S. M.	Dunlop

Nov 8 Feb 88 1890

Petition of citizens of
Frederick County for
Public Road in that town
ship from Burton Merritt
& Co. mill to a point
where line of land of James
Brown & Gardee & Co. inter-
sects the public road leading
from Munson's Station to the
road from Highland Mills.

Nov 8. 1890 Feb 8. 1890. Pe-
tition road recommended by
James Brown & Co. & D. S. Schorer and
Edmund Boyle are
opposed reasons to view the
route proposed report to the
trust him.

By Mrs. Court

A. G. A.

Filed Sept 1890

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 ensealing 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 thirtieth day of April
A. D. 1890

M. H. Lewis
J. C. Kyle



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 Eight day of April, A. D. 1880, before Judges of said Court, upon petition of sundry inhabitants of the township of Cooper, in

said county, setting forth that they have under great inconvenience for want of a road or Highway to lead from Winthurn or Merrett & Co. mill & yard on the road leading to Munson Station to intersect the road leading from Keylertown to Philipsburg on line of lands of James Inn and Parker & Co

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, I make report to the Court at next term whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Byers D. Johnson & Edward Dale 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.

Ami Dean
CLERK.

To the Hon. David L. Krebs President Judge of the Court of Quarter sessions of Clarfield County Pa, we the undersigned viewers appointed by the within order of court to view and lay out the road therein mentioned respectfully re-port, that we gave good and lawful notice of said roadview and met agreeable thereto on Tuesday the twenty ninth day of April A.D. 1889 and having been first severally sworn or affirmed we viewed and laid out ~~the~~ and do return for public use the following road to wit: beginning at a point on public road at Merrett's Mill four rods from Hokenberry Run thence through land of Pelton Hairs south seventy three and one fourth degrees west twenty perches to a post on ~~west~~ ^{west} side of Bell's Run thence north ~~sixty nine and three fourth~~ ^{sixty nine and three fourth} degrees west twenty three and nine tenths perches to a post near corner of a field thence north sixty three degrees west twenty seven and eight tenths perches to a Hemlock stump thence north thirty nine degrees west through lands of Pelton Hairs and Loyd Reynolds & Co ^{& T. C. Ryler} one hundred nine perches to a Birch sapling thence through lands of T. C. Ryler north twenty three and one half degrees west thirty eight and six tenths perches to a post at old camp thence north fifty four and three fourth degrees west twenty eight and four tenths perches to a post thence north sixty seven and one half degrees west ~~by~~ through land of T. C. Ryler and Peter Mons eighty seven and two tenths perches to a Hemlock Stump thence north eighty two degrees west on land of Peter Mons twenty eight perches to stone corner of Mrs

M. H. Lewis. Wm Mons ind on line of Peter Mons thence on line between Peter Mons and Wm Mons North eighty seven and one half degrees west ~~thirteen~~ ^{twenty} and seven tenths perches to a ~~back~~ post thence on land of Peter Mons south sixty eighth and one fourth degrees west fifteen and three tenths perches to a post thence on same south sixty three degrees west seventy two perches to a Hemlock thence south eighty seven and one half degrees west thirteen and seven tenths perches to a ~~perch~~ ^{perches} thence north sixty nine degrees west fifty two ~~degrees west~~ ^{perches} to Pine on line between James Irving Pardee & Co thence on said line north eighteen six and three fourth degrees west fifty six perches to post at road leading from Pyletown to ^{we believe no owner of land is entitled to damages by reason of locating & opening said road} ~~Philipsburg~~ ^{Munitions bridge}, a plot or druff of which road as laid out above is herewith annexed showing courses & distances in improvements & seated and unseated lands which road is necessary in our opinion for a public road. Witness our hands this thirtieth day of April A.D. 1890.

Viewers } Harry Byer
 } E. Dab
 } B. D. Schornover

No. 8 Ferry Sessions, 1890

ORDER

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

May Sep 1890 Confirmed in Si
 Order reopened 3 1/2 feet wide each
 where side hill cutting embankments
 or bonying there 12 feet for
By M. S. Court

Nov 14th Sep 1890 Review
granted By the Court

Sep 1890 Continued *Particular*
 see of 1890 Continued *Particular*

July Sep 1891 Confirmed
 also entered by the Court

Filed *31 May*, 1890
 Fees \$1, paid by *Harry Byers*

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 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 the reviewers.
 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.

<i>Harry Byers</i>	Days 3	Amount.
(<i>Curr # 447</i>)	Miles 20	\$14.00
<i>Edmund Dale</i>	Days 2	
(<i>Curr # 466</i>)	Miles 14	\$5.40
<i>B. O. Schanover</i>	Days 2	
# <i>Cash 765</i>	Miles 6	\$46.00
	Days	
	Miles	
	Days	
	Miles	