

No. 2 Dec 58  
Term, 1891

Public Road  
versus in  
Declarative Powership

Contents:

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1891

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 Seventh day of December, A. D. 1891, before Judge of said Court, upon a petition of sundry inhabitants of the township of Dealter,

in said county, setting forth that they labor under great inconveniences for want of a certain public road Beginning at a point on the public road at or near the residence of James Clark in the Village of Fidem and Ending at a point in the public road at or near the residence of Mrs Goodhue in the Village of Gearhartville all in the said Township of Dealter

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, to make report at next Term whereupon the Court, upon the consideration had of the premises, do order and appoint Harry Myers James Savage Jacob Mock 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 the 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 Blom,  
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, or and in consideration of the sum of ONE DOLLAR to us respectively paid by the ..... 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 ..... 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. 189 .

..... *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 William Kinney the sum of fifty dollars  
To James Nicholson the sum of twenty five dollars  
To ..... the sum of .....

Witness our hands this 23rd day of January, A. D. 1892

James Savag  
Percy Miller  
Harry Byers

To The honorable David L. Krebs President  
Judge of the court of Quarteressions of Clearfield  
County Pennsylvania, we The undersigned viewers  
appointed by the within order of court to view and lay  
out the road therein mentioned respectfully report  
that we gave good and lawful notice of said road  
view and melt agreeable thereto on January twenty  
Third A.D. 1892 and said having been first severally  
sworn or affirmed we have viewed and laid out  
and do return for public use the following road  
to wit: Beginning at Public road leading from Phil-  
ipsburg to Osceola at House of James Clark  
thence by the centre of a street as laid out North  
fifty five and one half degrees West twelve hundred  
feet to point in said street thence North thirty four  
and one half degrees East on line parallel with Henry  
Northovers lot and sixteen and one half feet from its line  
by seven feet to point fifteen feet from line of James  
Walkers lot thence on land of James Nicholson by centre  
of a street North fifty five and one half degrees West  
Nine hundred and eighty one feet to post. (The two streets mentioned  
above are only thirty feet wide but it is intended that the road  
shall be made thirty three feet wide by taking a strip one and  
one half feet wide from land on each side of streets, owners  
of land not to be required to move fences until new ones are  
needed.) thence through land of James Nicholson North  
eighty one and one half degrees West ninety nine feet to a  
post thence North thirty nine and one half degrees West eighty  
two feet to post thence North thirty five and one half degrees  
East on land of James Nicholson and William Kinney three hundred  
thirty seven feet to small Run thence North twenty nine degrees East  
one hundred forty five feet to point <sup>width</sup> three and one half feet from  
blacksmith shop. (land necessary to make road required to be  
taken from Wm Kinney's land.) thence North twelve and three  
fourth degrees East forty seven feet to guardstone at corner of  
Mrs Goodalls yard on Twp. road leading to Philipsburg. A plot  
or draft of which road as laid out aforesaid is hereto annexed  
showing corner distances and improvements, which  
road is necessary in our opinion for a public road.

Witness our hands this twenty third day of Jan-  
uary A.D. 1892.

Viewers  
Harry Dyer  
James Savage  
Jacob Nock

**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. Viewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the reviewers.

NO. 2000 SESSIONS, 1891

ORDERS

To view and lay out a road for  
public use in the township of  
Clearfield, Clearfield Co.  
Feb'y Sessions 1892,  
read and confirmed Ni. Si.  
Road to be opened 33 feet wide,  
except where there is side hill,  
cutting or embankment and  
bridging, there to be 16 feet  
wide.  
By the Court  
May sess'y L Conferred to  
September 1892 By the Court  
September 1892 Confirmed as  
by the Co

Filed 25 Janney, 1892  
Fees \$1, paid by Henry J. Quay

PUBLIC SPIRIT PRINT.

# ROAD VIEWERS' NOTICE.

NOTICE is hereby given that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pa., to view Public Road leading from ~~point in public road at or near residence of James Clark in village of Hudson~~

~~in Decatur Township, to a point in the public road at or near residence of Mrs. Goodhall in village of Bearhartville~~

in Decatur Township, in the county aforesaid, will meet at ~~last named point~~ in Decatur Township, on Saturday, the 23rd day of January, A. D. 1892, at 9 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Harry Byers  
James Savage  
Jacob Mocks }  
VIEWERS.

Clearfield Pa Jan 26, 1892

Service of written  
notice accepted  
this 16<sup>th</sup> day of  
January A.D. 1891  
George Thompson  
John McLaughley

To the Honorable Judge of the Court  
of Quarter Sessions of Clearfield County

The petition of the undersigned  
citizens of the Township of Drexelton  
respectfully sheweth: That they  
comprise a populous community  
and labor under great inconvenience  
for want of a certain public road  
greatly needed by your petitioners,  
said road being necessary as follows.  
Beginning at a point in the public  
road at or near the ~~Osceola~~ Road  
Residence of James Clarke  
in the village of ~~Hudson~~ and ending  
near the Residence of Mrs. Goodhall

in the village of Gearhartville.  
All in the said Township of Drexelton.  
They therefore pray your Hon-  
orable Court ~~to affix~~ to let persons  
to view said proposed road or path  
to your Honorable Court and  
they will ever pray —

Henry Northover  
Peter Lauer Jr  
Adolph Godel  
Peter Lauer Jr.

Dr. in Middleton.  
Mr. David Turnbull H. K. French  
Joseph Cottle  
John Jones  
Thomas Phillips  
David Harry  
Sam Clarke  
Robert M. Parker Richard Penn  
Thomas Henson  
William Wood.  
Jake Bickelmann  
James Hartill  
John Horton  
Sam Halls  
John Hunter X  
William Briggs  
William Woodhouse  
James Little  
James Turner  
Conclius Cottle  
James Cottle  
J. W. Dwyeroddie  
John Walker  
Joseph Lester  
James Nicholson  
Geo. Gadel  
Nicholas Long  
John Penn  
Richard Boardman  
James Twiss

William Patrick  
James King  
Noah Beach  
John Hodgins  
John Daley

David L. Smith

Thomas Dahes

J. J. Hough  
Wm. Nicholson  
Robert Hunter  
Thomas Howe  
James Ashcroft  
Joseph A. Ashcroft  
John W. Hollowell

Thomas Jackson  
W. Turner  
Emory Hartshorn  
Joseph Ashcroft  
Thomas Eggason  
Robert Jones

Robert Hudson  
Major Benedict  
John Scott

John Richmond  
Arthur White  
Samuel Forrest  
John James

No. 2 Dec 58, 1891

Petition of citizens of Decatur  
Iowa for help in public  
was from a friend in pub-  
lic was at or near residence  
of James Clarke to a friend  
in Public Road at or near  
the residence of Mr. Goodall

And now 7<sup>th</sup> Dec 1891  
Petition was considered  
whereupon Harry Byers  
was savage. Jacob Mock  
an appalled return to  
view the former make  
reput long lost.

By Mr. Compt.

SINGLETON BELL,  
ATTORNEY AT LAW,  
CLEARFIELD, PENNA.