

No. 4, Sept Term, 1891

Public Road

Versus

Deeataun Township

Contents:

R. S. #3 - Page 489

Port Twp. Bd. 17660

To The Honorable David L. Meigs. Esq
President Judge of the Court of Common Pleas
of the County of Clearfield. In Company
a Court of General Quarter Sessions of the
Peace in and for the Said County at
September Sessions A.D. 1891.

The Petitioners of divers inhabitants of the
Township of Decatur and parts adjacent in
Said County respectfully sheweth that your
Petitioners labour under great inconvenience
for want a road beginning at a public
road leading from Fish Creek To Paxon
village ^{at the stone quarry} on the Lands of Lewis Fulton
thence by the nearest and best route until
^{at the Borough line} it intersects a public road leading from
Osceola Borough and known as Canton
Street in Said Borough. Your Petitioners
therefore respectfully pray your Honour
to appoint proper persons to view and
lay out the same according to law and they
will pray &c

Levi Miller
Josiah Priestley
James S. Sells
Theodor Reams
G. F. S. Sells
Joseph H. S. Sells
James Kephart

Wm. Gailor with
Oscar Thompson
James S. Sells
William S. Sells
George S. Sells
David S. Sells
Harry S. Sells
Robert Patterson

Robert Paterson	D. R. Hood
William Paterson	Martin Waldron
James Brown	Joseph Hale
John C. Hines	Thomas S. Botteman
Willson Obenel	Joseph Hobbs
Robert Tilton	John Hobbs
Sam. Reams	A. E. Gorman
W. E. Reams	John Bern
Thomas Johnson	Lewis Bowditch
Charles Johnson	Isaac A. Plarv
Thomas Priestley	George Aldham
Thomas Enright	Wright Shaver
Jacob Priestley	John Brown
Esau Priestley	William Hobbs
Samuel Priestley	Alex Cook
Carl Thibault	Lanes & Co.
Thomas Young	Robt. Hobbs
Thomas Young	Wilson & Co.
Thomas McDermott	David Smith
Calip Davis	Emanuel Hale
Chas. S. Stearns	Daniel Thomas
James Burdison	David Dick
Walter K. K. K.	W. F. Braumbach
Jacob Smith	A. J. Gorman
Michael Bursky	Geo. M. Bristol
James Mackin	Jacob Ritzman
Albert Bitter	F. H. H. H.
John S. S.	M. Goldsmith
Ed. S. S.	Henry Snyder

E. C. Linn
J. H. Saffrey
Thos. Kimo & Co
Chas. W. Kimo
John W. Kimo
Hause Bros.
M. K. Kimo
J. C. Kimo
Thos. Kimo
W. Kimo
W. Kimo
Geo. C. Kimo
Aaron Kimo

Nov 4 Sept 1891

Petition for Public Road
in Decatur Township from
a group in public road from
past town to Cornwell at level
of Seven feet at the level
greenery, to the front where
Curtis struck fence the
Borough line of the Borough
of Decatur.

Under no 14 "Sept 1891 1891"
This petition reads and contains
and therefore - Henry Rogers,
Spallenger, and Geo E Jones,
are appointed assessors to view
the proposed route & report to the
court at the next term.

By M. Court

Oct 14 Sept 1891

NO 4 Sep SESSIONS, 1891

ORDER

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

See Sessions 1891,
read and confirmed Ni. St.

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

July Secs 1892 Confirmed & approved
By the Court

Filed 12 Dec, 1891.

Fees \$ P. paid by H. Byers

PUBLIC SPRINT PRINT.

NOTE.—In case of a private road the release must be ex-
ecuted in favor of the petitioner for said road.
Also—Viewers will settle the number of days em-
ployed and set the amount out at the foot of their return. The
viewers can not interfere with damages assessed by the
original assessors except so far as the location may be changed
by the 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.

		AMOUNT.
Harry Byers (Clerk)	Days 3 Miles 22	\$14.20
George Jones Geo. J. 1032	Days 2 Miles 1	\$4.10
Patrick Gallagher Geo. J. 1046	Days 2 Miles 1	\$4.10
	Days Miles	
	Days Miles	
	Days Miles	

Bell

To The Honorable David L. Krebs
President Judge of The Court of Quar-
ter sessions of Clearfield County Penn-
sylvania, we, the undersigned, viewrs
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 with notice to County Com-
missioners and met agreeable thereto
on December Third A.D. 1891 and hav-
ing been first severally sworn or affirmed
we have viewed and laid out and
do return for public use the follow-
ing road to wit; Beginning at a
point on Township road at Lewis Fulton's
stone quarry thence by public road to
a post four tenth rods West of a pair of bars
nearly opposite house of ^{Thomas} ~~John~~ Bateman
thence through land of Cadman and Pooley
South twenty two and one fourth degrees East six-
ty four ^{perches} ~~degrees~~ to a post thence through land
of Rebecca Kephart South forty one degrees
East twenty eight perches to a post thence
South eight and three fourth degrees East fif-
teen and two tenth perches to a small dead
hemlock, thence ^{South} thirteen and one half
degrees East through land of said Rebecca
Kephart Thompson Robinson and Viter

Priestly one hundred five and eight
tenth perches to a Hemlock stump
thence South Eighteen degrees East
eighteen and two tenth perches to a
pine stump thence South thirty five
degrees East seven and five tenth perches
to a pine stump thence South sixty
one degrees East ten and four tenth
perches to corner of Joseph Hobbs then a
Through land of John Hobbs and Ambrose
Boyle & Kitting Coal Co. South forty one
and three fourth degrees East forty seven
and eight tenth perches to a ~~pine~~^{Hemlock} stump
thence continuing through land of Kit-
tanning coal Company South three
fourth degrees West twenty one and
nine tenth perches to a post thence South
eighteen and one half degrees East nine
and eight tenth perches to pine stump
thence South thirty one degrees East
eighteen and two tenth perches to a
pine stump thence South sixty four
and one fourth degrees East eight
and two tenth perches to a pine stump
thence South eighty seven and one
half degrees East sixteen and eight
tenth perches to a pine stump in
the centre of a street thence by

centre of said street North fifty four
and one half degrees East thirty five
and nine tenth perches to a post
thence South thirty five and one half
degrees East forty eight and four tenth
perches to a post thence South eight-
teen degrees East ten and seven tenth
perches to a post thence South thirty
three and one fourth degrees East seven
and two tenth perches to a post
thence South fifty four and one fourth
degrees East sixteen and eight tenth
perches to a post thence by centre
of a street South thirty five and
one half degrees East fifty nine and
one fourth perches to the Borough line
of Osceola On Curtin Street. A
plot or draft of which road as laid
out aforesaid is herunto annexed
showing courses distances and
improvements, which road is neces-
sary in our opinion for a public road
We believe no owner of land except those
whose damage we have assessed ~~are~~ entitled
to damages by reason of locating and
opening said road. It witness our hands
this ~~third~~^{fourth} day of December A.D. 1891.

Viewers { Harry Byers,
P. Gallagher,
Geo. E. Jones

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 *a point on the Public road leading from Fishtown to Parsonville at stone quarry on land of Lewis Fulton*

in Decatur Township, to the Osceola Borough line at Curtin Street

in Decatur Township, in the county aforesaid, will meet at Nathan Kephart's in Decatur Township, on Thursday, the 3rd day of December, A. D. 1891, at 5 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Clearfield Pa. Nov 23, 1891

*Harry Byers
P. Gallagher
Geo E. Jones*

VIEWERS.

Receipt received
of within notice
this 23rd day of
November A.D. 1891.

J. S. Coe & Co. }
of St. Louis }
Attend. W. C. C. }
attest
W. C. C. }
W. C. C. }

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 enrolling 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 Third day of December A. D. 1891.

John Habber Seal
Joseph Habber Seal
Thomas Priestley Seal
Geo Priestley 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 Mrs Rebecca Kephart the sum of fifty dollars
To Auburns Bayle the sum of Twenty Dollars
To _____ the sum of _____

Witness our hands this _____ day of _____, A. D. 1891.

Harry Bjerz
P. Gallagher
Geo E Jones

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 14th day of Sept, A. D. 1891, before Judge 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 Beginning at a Public Road leading from Fish town to Parowille at the Stone Quarry on the lands of Lewis Fulton thence by the nearest and best route until it intersects at the Borough line a public road leading from Reed's Borough and known as Curtis St 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 Byers Gallagher & Geo E Jones* 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.

J M Bevan
Clerk.