

No. 61xx

Review,
Public Road

Versus

Woodward Twp.

Contents:

Plat 3. 1/2 x 5 - 5

Port R. 66th
First Twp. R. 176th & 176th Sth

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 Fourth day of May, A. D. 1892, before

Judge of said Court, upon a petition of sundry inhabitants of the township of Geilich and Woodward, in said county, setting forth that

a public township road to No. 6 Sept. Sess 1890 was viewed laid out and confirmed in 51 - Beginning

at a point on the public road in Geilich township ^{Postward}

where said road crosses the opening of Eureka, not crossing to a point in public road in Geilich at the house of E.S. Stanley, that the Said Road as

laid will be of little or no benefit to the travelling public, that the location is over Rocky & flat ground and runs dangerously near the Rail Road that the same is laid out under & across the ^{of Eureka No. 3 colliy} trestle is so low that it will be impossible with a team with top load to pass underneath the Said trestle - that a much better road

be laid out on higher ground and built away from the line of the R.R. and more cheaply constructed -

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, and make report

whereupon the Court, upon due consideration had of the premises, do order and appoint Asa Spencer, Julius Vreeland, Geo. W. McCully

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.

A. M. Bloomey,
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:

We are of opinion that the owners of the land through which the road is laid out are to each damaged and upon this we are not entitled to receive damage the sum of eight dollars.

Witness our hands this 1st day of July, A. D. 1892.

Asa Spencer C.
E. W. Mullally
Julius Siebahn

To the Honorable, the Court with us named.
We the undersigned, appointed to review the
road herein mentioned, report that in pursuance of
said order, having been severally shown as herein
directed, we have reviewed the old road and in our
opinion believe the changes made are necessary
for the stability of same and the general good
of those concerned. After viewing the different
practicable routes we are unanimously of the
opinion that the course laid down upon the
accompanying draught will afford the best road
between the points named and the one most
easily kept in repair as well as the most con-
venient. That the due notice was printed
and published before the review. That said
road is intended as a public road. That for
the greater part the road traverses the land
of the Kittanning Coal Company and is an
actual necessity to those living in its vi-
cinity we are unanimously of the opinion
that no damages should be awarded.

July 1 1892

A. Spencer.

E. W. Marshall
Julius Viebahn

NOTE.—In case of a private road, the release must be executed in favor of the petitioner or said road. Also—Viewers will car remitt note the number of days employed and set the amount out on 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.

N. B.—If the viewers believe the parties are not entitled to damages, taking into considerate the advantages as well as the disadvantages of the road, they will report to that effect.

NO. 60 DEE SESSIONS, 1891.

Alleg. ORDER.

To view and lay out a road for public use in the township of Gulich and Clearfield Co. Woodwraight 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 W. Court

AMOUNT	Days	Miles
\$150.00	3	200
\$200	2	1700
\$200	1	300
\$360	1	360
\$860	1	200
\$200	1	200
\$400	1	400

Done in 1892. Certified
absolute by the Court

Filed 6 Sept. 1892.
Fees \$1 paid by

PUBLIC SPirit PRINT.

No. 6 Reg. Drawing 1890
No. 6 Dec 6th 1891
Philibiz L. C. in re

Public Road Beginning at
a point on the Middle Gap
Road where said Road
crosses the R. at Boca
Brs. 8. to a point on said
Road in said Gap. at
house of C. A. Stanley

Tolson & Ross 892
Notes contained &
Excluded by May
Sessions

By the Court

C. A. Sawyer.

President Judge
of the 2nd Judicial
District. Saline
County and the W. Philibiz &
the town of Saline to him
having failed to do so
will be denied. By the Court
Geo. H. M. Cully are appointed
attorneys for the plaintiff
and also, owners in
reality named

Now the 9th day of Dec. 1891.
Upon complaint of the parties
of the 2nd Judicial
District of the
Vishahn and the W. Philibiz &
on behalf of the town to him
and also out a road and
plaintine. By the Court

D. R. K.

Dec 9th 1891
J. M. Tolson
Court

To The Honorable David L. Krebs, President Judge of the Court of Quarter Sessions' of Clearfield County.

The petition of the undersigned respectfully represents:-
That a public Township road to No. 6 Sept. Sessions' 1890 was viewed, laid out and confirmed nisa. Beginning at a point on the public road in Woodward Township, where said road crosses the opening of Eureka No. 5 colliery, to a point in public road in Gulich Township, at the house of E. S. Stanley; that the said road as laid out will be of little or no benefit to the traveling public; that the location is over swampy and wet ground, and runs dangerously near the Rail road; that the same is laid out under and across the tresling of Eureka No. 3 colliery, and that the tresling is so low that it will be impossible for a team with a top load to pass underneath the said tresling, and that it would be expensive to keep it in repair and that it would only be an accommodation to those persons living along the direct line of the road; that a much better road can be laid out on higher ground, and built away from the line of the Rail road and more cheaply constructed.

Your petitioners therefore pray your Honorable Court to appoint viewers to re-review and lay out a road between the aforesaid points and they will ever pray.

Jacob C. Ginter Martin Vain
John Mills

John Allan
David J. Jones
Abraham Jones
Wm. T. Richards
Isaac Degin
Rees Thomas
John Hunter

John G. Hunter
James C. Hunter
Chris Hunter
John Harvey
Paul Livingston