

No. 2 July Term, 1892

Vacate

Public Road

Versus in

Cooper Township

Contents:

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

The petition of the undersigned  
respectfully represent: That a  
road has lately been laid out  
from a point on a public road  
running to Munson Station  
at or near Winburn or Merrett  
& Co's Mill and intersect pub-  
lic road leading from Kyler-  
town to Philipsburg on line  
of land of James Irwin and  
Pardee & Co.

That said road as laid out is  
not properly located as inten-  
ded by the petitioners and to  
open the same would incur  
a useless expense on the tax-  
payers of the Township and  
would not accommodate the  
persons living in said  
vicinity. Your petitioners  
further represent. That said  
road has not yet been open-  
ed and that they are a ma-  
jority of the signers to the  
Original petition for said

road. They therefore pray the  
Court that the said road be  
vacated agreeably to the act  
of the General Assembly in  
such case made and provi-  
ded. And they will ever  
pray &c.

Sebastian, Angelo

R. E. Warner

Abner A. J. Bee

Albert Merritt

Beulah Smith

R. L. Loring

Lewis Cheney

G. W. Merritt

S. M. Sams

George Sams

Sam. Gurnall

H. Houston

Somerville & Buchanan

R. H. Somerville

Somerville &c.

Wm Henry Howe

Petition of a merchant  
of the original petition  
showed to be at a point  
the road laid out but  
not opened from a  
point in a public  
road running to  
Munson Station at  
or near Clinton  
or near Coal Mill  
and intersect with  
the road running  
from Ryerston to  
Philippsburg or  
any of land of the  
Smith & Pardee & Co

18 July 1892, Relation road and  
Henry Rice. Geo. H. Rice and  
James Patterson, are applicants  
to build report  
by J. H. Rice  
D. C. Rice

Wm Henry Howe

Howe

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

The  
undersigned citizens of Cooper Township, Clearfield County  
respectfully remonstrate against the confirmation absolute  
of a report of viewers filed to 2 February Sessions 1892,  
reporting in favor of a vacation of " a road leading from  
a point on a public road running from Winburne station, at  
or near Winburne or Merrett & Co. mill, and intersect  
public road leading from Kylertown to Munson Station on  
line of land James Irwin and Pardee & Co.

First- They deny that said road is useless , inconvenient  
and burdensome.

Second- That upon said road , there are living at the  
present time the following families; - Philip Lucas, Curtis  
Lucas, Wm. Sensor, James Bechtol, John Bloom, Emil Grouse,  
Christ Turack, G. W. Narehood, T. C. Kyler, James Wurtz,  
Michael Wurtz, Benjamin Lucas, M. H. Lewis, ~~John Bloom~~,  
~~Collins Johnson~~ and that said vacation will close them in, so  
that they cannot have a way from their respective homes out,  
except by trespassing upon the lands of their neighbors.

Third.- That said road is the only convenient and sole  
way , that the undersigned , who live upon said road ,  
have of using to get to and from their farms.

Fourth- That said vacation closes in one Mrs. Lizzie Brown property, and detracts from the value of the same, and the use of the same. That she is about to build upon said land and needs said road for public purposes.

Fifth- That said road has a fine grade and is not a burden upon said Township in comparison with other roads of said Township built for the convenience of the people.

Sixth- That said road is useful to the citizens in the vicinity of the same.

Seventh.- That said petition for the vacation is signed by only seventeen persons.- Three of whom do not live in the township of Cooper, viz;- R. C. Hoover, who resides in Graham Township, G. M. Merrett, who resides in Boggs Township, R. L. Lenig, who resides in Morris Township.- The other signers of said petition do not live on the line of said road- That Sommerville & Buchanan, R. H. Sommerville and Sommerville & Co. are practically one and the same person.

Eighth- That as against the number of said petitioners, who do not live on said road, some twenty persons are affected by the present vacation of said road, who live on the line of said road.

Ninth- That as the confirmation absolute of said vacation of said road is discretionary with the court, the undersigned respectfully ask said court to hesitate and give the matter due weight and consideration before depriving them of the public road.

Signers

Signers

J. C. Kyle

M. H. Lewis

Christian Livick

Johan Blum

Emil Groenewald

B. F. Lucas

H. E. Lucas

L. H. Lucas

M. B. & Sons

Philip. E. & Lucas

James Hughes  
Lizzie Brown

James M. Woot

Michael Woot

John Brown

+

then on this side acc. to  
on line of Road

Josiah. S. Baker

Robert Leggett

James Bughoe

C. F. Hinkle

J. M. Enright

J. E. Haughwout

George McBath

M. M. Dillen

L. Hyles

Wm. L. Merrell

J. J. Hinkle

G. L. Hersh

E. C. Stere

Edwell Thompson

O. L. Hughes

Wm. M. Mow

R. J. Eisenhauer

No 2 February Term 1872

Vacation of Public  
Road in Cooper  
Township.

Remonstrance

Filed 8<sup>th</sup> August 1872  
A M Blount  
PB

S. V. WILSON,  
Attorney at Law,  
CLEARFIELD, PA.

John C. Clark & Sons, 230 Dock Street, Philadelphia.

## PUBLIC SPIRIT PRINT.

✓ To handle

WE COMMAND YOU, that, setting aside all manner of business, and

W. Miller Notary Public  
1500 S. 10th St. - 10th Floor  
Minneapolis, MN 55404

on the 2nd day of October next, at 1

a certain argument on a case of ~~Platt~~ and

*And this you are not to omit under a penalty of five*

Witness, the Hon. DAVID L. KREBS, Presi-

hundred and ninety-two

Prothymotary.

No 2 February 1892

In Relocation of  
Roadman Cooper  
Tinsbury

Subp on patrol  
Remuneration

|            |            |
|------------|------------|
| 10 Service | 150        |
| 25-        | <u>302</u> |
|            | 452        |

Wilson



Mr. H. C. Dennis  
1 mile Dennis,

Thence through unimproved land South fifty four degrees  
West seventy eight perches. Thence through unimproved land  
East seventeen perches. Thence through unimproved land North  
fifty eight degrees West forty four perches. Thence between  
improved and unimproved land North eighty seven and  
one half degrees West fifty perches to point in public road  
leading from Rykertown to Munson Station on line between  
lands of James Irwin and Pardee and company being ending  
of said road as viewed by us. Which said road or as  
aforesaid viewed we are of opinion is entirely unneces-  
sary for a public road and if constructed would  
cause a large and unnecessary expense to the  
tax payers of Cooper Township. And we therefore  
vacate the same.

George Stiffle  
James P. Hoover } Viewers  
Harry Ruse }

Hylerstown Pa

Apr. 16th 1892

To the Honorable the Judge Within named  
We the undersigned persons Appointed by the  
Within Order of Court to view and vacate the road  
therein mentioned respectfully report that after having  
given due public notice by two written and one  
partly written and partly printed Notices posted near  
the location of said road of the time and place  
of meeting to view and vacate the same We met  
at Hylerstown on the Twelfth day of April A.D. 1892 and  
after having been duly affirmed in pursuance of said  
Order We proceeded to view the following road to wit  
Beginning at a point in a public road leading from  
Hylerstown to Whitburne Station about two perches south of  
the livery stable of J. K. Davis thence through improved land  
south Eighty seven & one half degrees west twenty eight perches thence  
through improved land North fifty six degrees west forty four  
perches thence through unimproved land North forty three  
degrees west thirty perches thence through unimproved land  
North forty degrees west eighty two perches thence through unin-  
proved land North twenty seven degrees west forty perches  
thence through unimproved land North fifty four degrees west  
twenty eight perches thence through partly improved and partly  
unimproved land North seventy two degrees west ninety six  
perches thence between improved and unimproved land  
North Eighty three degrees west thirty two perches thence through  
unimproved land South Eighty three degrees west twenty perches  
Over

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 18th day of February, A. D. 1892 before Judge of said Court, upon a petition of sundry inhabitants of the township of Cooper

in said county, setting forth that a road has lately been laid out from a point on a public road running to Winburn Station at or near Winburn or Merediths Mill and intersecting public road leading from Keyport to Munson Station on line of land of James Iron and Ponderosa that said road as laid out is not properly located as intended by the petitioners and to open same would incur a useless expense on the tax payers of said Township and would not accommodate the persons living in said vicinity

and therefore praying the Court to appoint proper persons to view and <sup>Vacate</sup> lay out the same according to law, Make report at Next Term. whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Rice Geo Hipple & J. P. Koon who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to view the grounds <sup>on which</sup> ~~proposed~~ <sup>Said road passes</sup> ~~for said road~~, and if they view the same and any two of the actual viewers agree that there is <sup>no</sup> occasion for such road, they shall proceed to <sup>Vacate</sup> ~~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. Blom

~~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, and in consideration of the sum of ONE DOLLAR to us respectively paid by the ..... at and before the sealing 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 ..... the sum of .....~~

~~To ..... the sum of .....~~

~~To ..... the sum of .....~~

~~Witness our hands this ..... day of ..... A. D. 189.....~~

NO. 2 JURY SESSIONS, 1892.

ORDER

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

May Sessions 1892.

read and confirmed N. S.

~~Road to be opened 20 feet wide,  
except where there is side hill,  
cutting an embankment and  
bridging, there to be 16 feet~~

~~width.~~ By W. Court,

Filed 18<sup>th</sup> April, 1892.

Fees \$1, paid by H. H. H. on and Clear

PUBLIC PRINT.

W. H. H.

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. H.—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.

James W. Hoover } Days one  
Cout \$10.55 } Miles three

George H. H. } Days one  
Cout \$10.55 } Miles three

Harry Reese } Days 2 1/2  
Cout \$10.87 } Miles 1 1/2

Days  
Miles

Days  
Miles

Days  
Miles

Now & Aug 1892 Ammanville filed

To the Honorable Judge of the Court of Clearfield County  
State of Pennsylvania:

In accordance with the accompanying Order of Court to view the site for a Public Road in Lawrence Township, Clearfield County, we the undersigned, viewers appointed to view and lay out the same, do respectfully report:—

That having given due and public notice of the time and place of said view by printed hand bills as required by act of Assembly; we met on the 11<sup>th</sup> day of April, 1892, at 8 o'clock A.M. at the O'Shaunter Post Office which were the time and place named on the notices of the view, and after each having been duly sworn or affirmed according to law, and all the viewers being present, and having agreed that such road was necessary for the public convenience proceeded to lay it out according to the following description, to wit:—

Beginning at a point in the township road near the O'Shaunter Post Office, thence through the lands of Milton Reed along the Right of Way of the Beech Creek Railroad Company  $N 62^{\circ} 30' E$  250 feet to a point in the public road leading from O'Shaunter to Glen Richey, thence  $N 61^{\circ} 50' E$  690 feet thence  $N 58^{\circ} 09' E$  471 $\frac{1}{2}$  feet to a point in the division line between the lands of Milton Reed and the Beech Creek Cannon Coal Co., thence along a street 40 feet wide as laid out on the plan

of the lands of the Beech Creek Canal Co. through  
 the lands of said Company N  $42^{\circ}22'E$ . 119. feet  
 thence along said street N  $51^{\circ}55'E$ . 574 feet  
 to a point, thence S.  $89^{\circ}\frac{3}{4}E$  80 feet along said  
 street, thence N  $73^{\circ}30'E$  1670 feet (one hundred and  
 seventy feet) to a point in the road leading  
 from Mitchell's Station to Glen Ridge.

Witness our hands and seals this the 23<sup>d</sup>  
 day of April A.D. 1892.

H. M. Kutz (Seal)  
 W. J. Hoffer (Seal)  
 James Savage (Seal)

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 17<sup>th</sup> day of February, A. D. 1892, before Judge of said Court, upon a petition of sundry inhabitants of the township of Laurel, in said county, setting forth that

They have unanimously memorialized for want of a public road or highway to lead from a point on the public road leading from the Village of Glen Richey to Turkey Hill School House at or near where said road crosses the Beech Creek Railroad in Laurel Township to a point on the public road leading from Mitchell Station on the Beech Creek Railroad in Laurel Township to the Village of Glen Richey at or near Mitchell's Station on the Beech Creek Rail Road

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, and make report at next Term whereupon the Court, upon due consideration had of the premises, do order and appoint H. M. Kurtz W. D. Hoffer 3rd James Savage 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. Bloom  
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, do 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 \_\_\_\_\_ the sum of \_\_\_\_\_

To \_\_\_\_\_ the sum of \_\_\_\_\_

To \_\_\_\_\_ the sum of \_\_\_\_\_

Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 189 .

NO. 4 *July* SESSIONS, 1892

ORDER

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

*My* 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 Mr. Court*

*Sep. 1892 Confirmed*  
*absolute By Mr. Court*

Filed *25 April*, 1892  
Fees \$1, paid by *Wachace*

PUBLIC PRINT.

NOTE.—In case of a private road, the release must be ex-  
cused in favor of the petitioner for said road.  
Also—Viewers will carefully note the number of days em-  
ployed 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 chang-  
ed 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>By Mr. Court</i> | Days 2   | 8.00 |
| <i>Cent # 1098</i>  | Miles 14 | 1.40 |
| <i>By Mr. Court</i> | Days 1   | 2.00 |
| <i>Cent # 1098</i>  | Miles 14 | 1.40 |
| <i>By Mr. Court</i> | Days 1   | 2.00 |
| <i>Cent # 1098</i>  | Miles 14 | 1.40 |
| <i>By Mr. Court</i> | Days     |      |
| <i>Cent # 1098</i>  | Miles    |      |
| <i>By Mr. Court</i> | Days     |      |
| <i>Cent # 1098</i>  | Miles    |      |
| <i>By Mr. Court</i> | Days     |      |
| <i>Cent # 1098</i>  | Miles    |      |

To the Honorable W. L. Krebs Judge of the  
Court of Quarter Sessions of Clearfield County  
Pennsylvania.

The petition of the undersigned,  
inhabitants of the Township of Lawrence, in said  
county, respectfully sheweth: That your petitioners  
labor under great inconveniences for want of a  
public road or highway, to lead from a point  
on the public road, leading from the village of  
Glen Richey to Turkey Hill school house, at or near  
where said road crosses the Beech Creek Rail-road  
in Lawrence Township to a point on the public  
road leading from Mitchell's Station, on the Beech  
Creek Rail-road, to the village of Glen Richey at  
or near Mitchell's Station on the Beech Creek Rail-  
road in Lawrence Township.

Your petitioners therefore pray the Court to  
appoint proper persons to view and lay out  
the same, according to law; and they will  
ever pray &c

C. B. Dillen

John A. Kirkwood

George Sadler

Willis Baumgardner

John A. Rowles

Henry Sinclair

Philip S. Rowles

O. J. Michael

Gas. S. Read

J. H. Kennedy

C. P. Rowles

D. P. Morrison

J. M. Bowman

Le. J. Heimes

Perry Brown

W. F. Boorin

J. M. Schooley

Chas. J. Lemp

J. Roll. Bloom

J. G. Merrell

John Barratt

G. W. Aughenbaugh

J. S. Aughenbaugh

No 4 July Dec 1892

Propositions for further  
road in Lawrence Twp

To lead from  
a point on public road lead-  
ing from village of New Rietz  
to highway near double river  
at or near where said road  
crosses the Reed Creek RR.

To  
a point on public road leading  
from Mitchell Station on Reed  
Creek RR to village of New Rietz  
at or near Mitchell Station on  
Reed Creek RR.

Nov 17 Feb 1892 the within  
propositions read and considered  
and, Wm. Knapp, Wm. H. Hopper,

and, Mr. H. H. Hopper,  
appointed commissioners to view and  
lay out said road report to the  
Court at - 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32

Wm A Chase