

No. 17 Sept 58  
Term, 1892

Public Road  
~~Versus~~ in  
Cooper Township

Contents:

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H. 3. V. 3. 11

Prothon

Erasure and interlineations made before printing  
 Alanson Benthall  
 Atty for Petitioners

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

The petition of the undersigned citizens of the Township of Cooper in said County respectfully sheweth that your petitioners labor under great inconvenience for want of a Public Road beginning at a point in the <sup>leading from the town to make</sup> public road near house of John Harsbarger. ~~And the same~~

~~being a part of John Harsbarger, O. D. Johnson, and others~~  
~~leading from the town to make~~  
 to a ~~point on~~ <sup>leading from Hylton to Cooper settlement</sup> the public road near the United Brethren Church, ~~the location of said road being from the to the Clearfield line near Hylton.~~

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

Samuel Benson X

John Wick X

Alfred Lindberg X

H. Banton

Al Shillingford

Robert R. Spence

Thos Patterson

Anthony Mettchko

Wm Berg

Harry Berg

Alfred Falquist X

Gust Carlson X

Gust Larsson X

Gust Swanson X

Adolf Kautzman

C. H. Ketterbloo X

Gust Janson X

Wm S Taylor X

C. J. Holmstrom X

A. Dahlgren X

George Kader

Fred Berg

James O. Booner

Wm S Taylor X

C. W. Berg X

C. L. Little

Joseph Eisenhauer

John Niehoff

Sam m Fyln

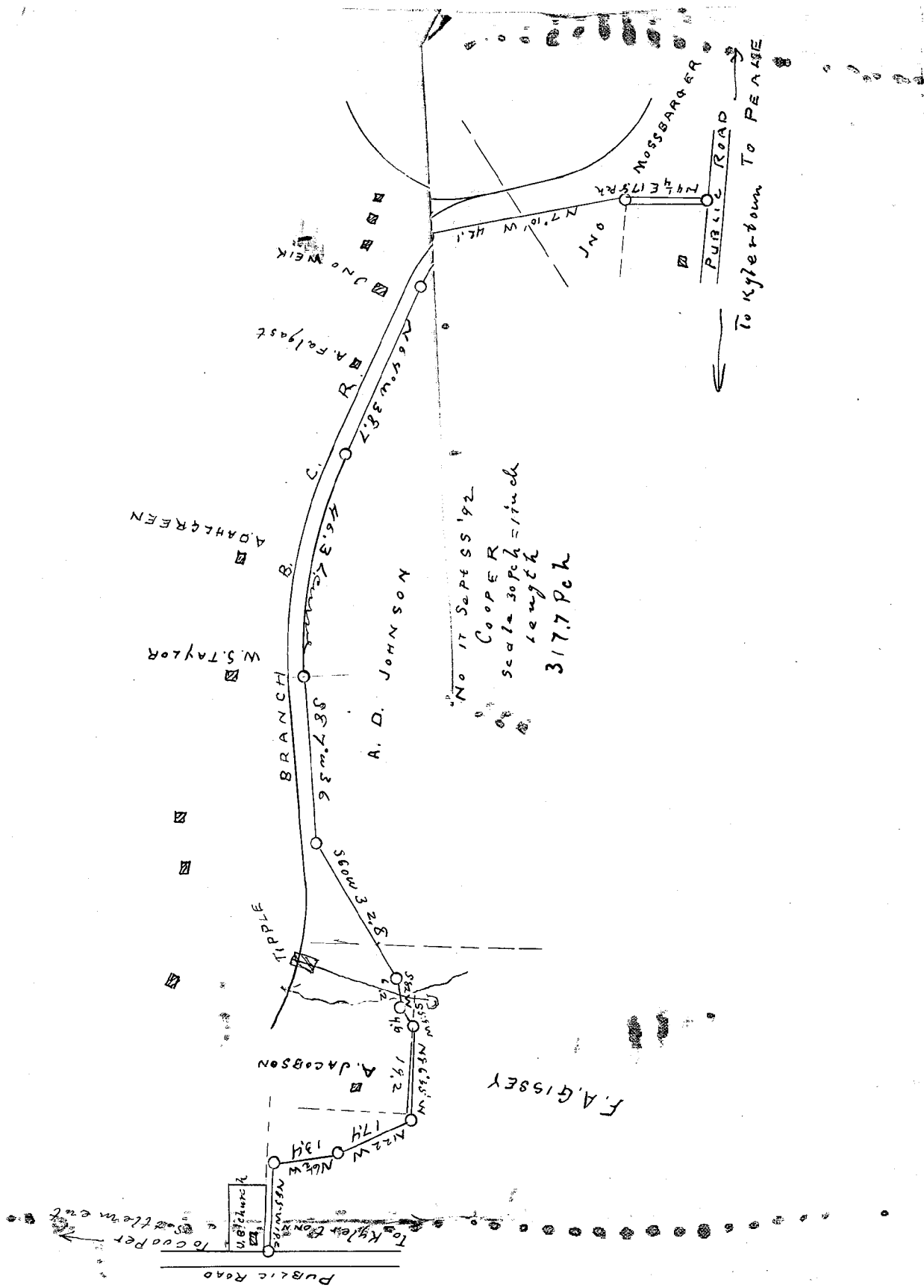
17 Sept 28, 1892

Petition for public road  
near John Wouhengen  
to public road near the  
United Brethren Church,

12 Sept 1892, Revere and  
Harry Vayass and Alex  
Hornor and Jacob Polak  
appointed receivers of  
By W Court

Filed 12 Sept 1892

W. O. Smith



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

*They labored under great inconvenience for want of a public road beginning at a point in public road leading from Kylesburg to Peale near house of John Mossbarger to a point on the public road leading from Kylesburg to Cooper Settlement now the United Brethren Church*

and therefore praying the Court to appoint proper persons to view and 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 Syers, Alvanah Horn & Jacob Tolman* 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 Blum*  
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, for and in consideration of the sum of ONE DOLLAR to us respectively paid by the ..... at and before the ensembling 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 ..

John Mosberger Seal  
A. D. Johnson Seal  
F. A. Sissey 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 John Mosberger the sum of twenty eight dollars  
To A. D. Johnson the sum of thirty eight  
To F. A. Sissey the sum of forty four dollars

Witness our hands this 19 Th day of November, A. D. 1892.

Harry Byers  
Jacob A. Johnson  
Alexander Hoover

To The Honorable David L. Krebs, President  
Judge of The Court of Quarter Sessions of Clear-  
field County Pa. 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 having been severally sworn or affirmed  
we have viewed and laid out and do return for pub-  
lic use the following road to wit: beginning at  
Point on public road from Rybertown to Peale  
near House of John Mossbarger and 16  $\frac{1}{2}$  feet  
from corner of Lark Traced Thence on land of  
John Mossbarger 16  $\frac{1}{2}$  feet from his line North  
four and one fourth degrees East seventeen and eight  
tenths perches to post Thence North seven degrees ten  
minutes West through land of Jno Mossbarger and A. D. Johnson  
forty two and one tenth perches to a post 4  $\frac{1}{2}$  feet from centre  
branch Beech Creek Railroad Thence parallel with said  
railroad (Moravian Run Branch) by a left curve fourteen perches  
thence by a tangent North fifty four degrees West thirty eight  
and seven tenths perches Thence by a left curve forty nine  
and two tenths perches Thence by a tangent South eighty seven  
degrees West thirty six perches to a post Thence South  
Sixty degrees West thirty two and eight tenths perches to Post  
Thence South eighty two degrees West six and two tenths perches  
to a white oak sapling Thence South fifty nine degrees West  
four and six tenths perches to a white oak sapling, Thence  
North eighty six degrees thirty five minutes West nineteen  
and two tenths perches to post Thence North twenty two  
degrees West seventeen and four tenths perches to a pine  
stump Thence North six and one half degrees West thir-  
teen and four tenths perches to post Thence parallel to Kissup  
line and 16  $\frac{1}{2}$  feet from it and on his land North eighty five  
degrees West nineteen and two tenths perches to Post  
on road from Rybertown to Cooper Settlement near Ch. B.  
Church, A plot or draft of which road as laid out, aforesaid  
is herewith annexed showing courses distances and improve-  
ments, which road is necessary in our opinion for  
a public road. We believe no owner of land except those  
whose damages we have assessed is entitled to damage  
by reason of location or opening said road, Witness our  
hands This 19th day of November A D 1892

Viewers } Harry Byers  
              } Jacob A. Goolsbier  
              } Alexander Hoover



# Record

NO. 17 ~~Sept~~ SESSIONS, 1892

## ORDER

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

*Dec* Sessions 1892,

read and confirmed N. S.

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

*Relay Dec 1893. Confirmed  
absolute By the Court  
S. C. Kreigh*

Filed *Dec*, 1892

Fees \$1<sup>25</sup> paid by

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 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.

	Days	Amount.
<i>Harry Ayers</i>	<i>2</i>	
<i>Feb #1218</i>	<i>Miles 22</i>	<i>\$1020</i>
<i>Jacob Folmer</i>	<i>1</i>	
	<i>Miles 3</i>	<i>\$230</i>
<i>Wm. Hoover</i>	<i>1</i>	
	<i>Miles 2</i>	<i>\$220</i>
	Days	
	Miles	
	Days	
	Miles	