

No. 17 Sept ^{S'8}
~~Term~~, 1892.

Public Road
~~versus~~ in
Cooper Township

Contents:

OAK
A. 3. Village

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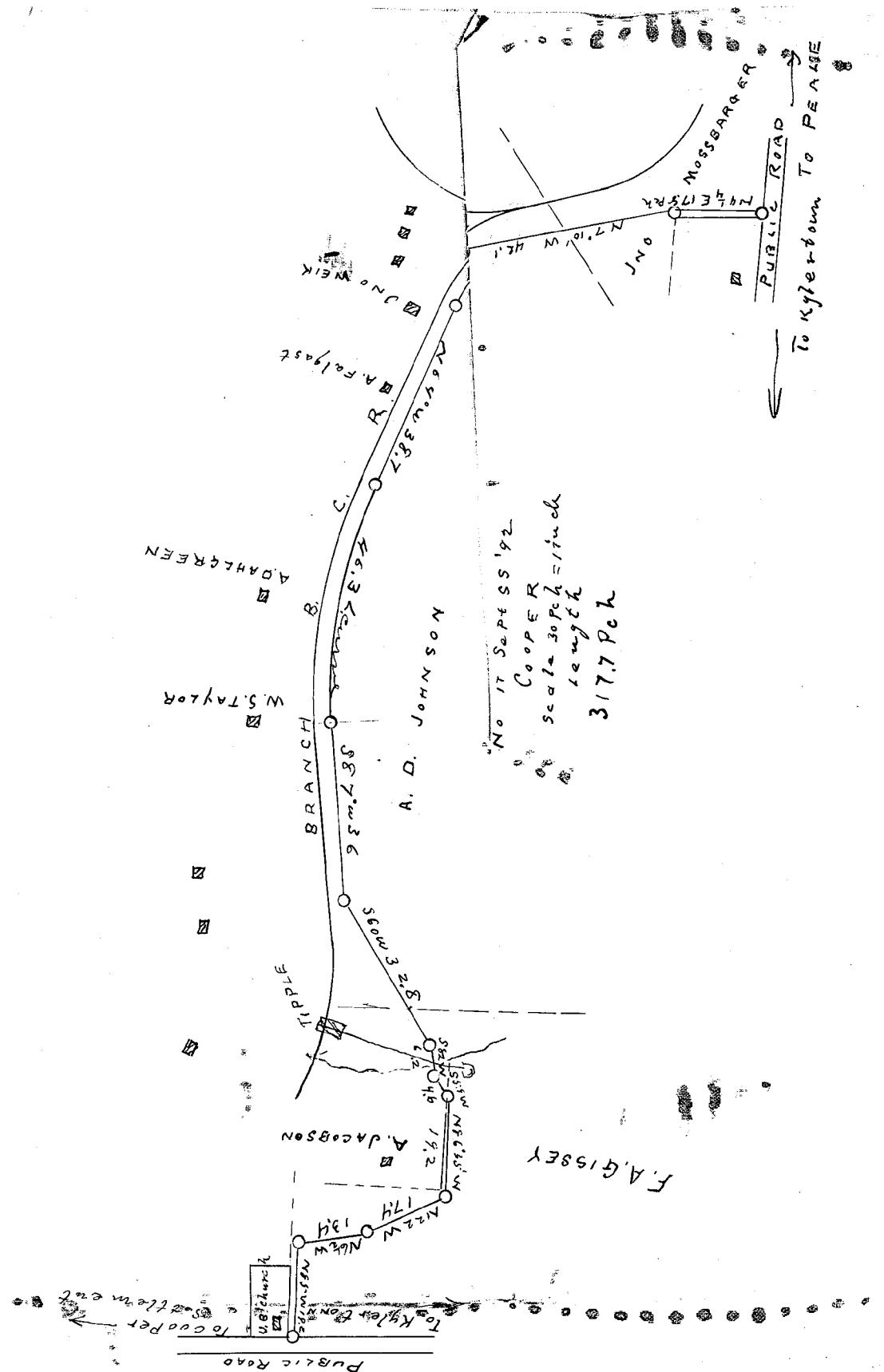
17 Sept 88, 1892

Petition for public road
in "Long Lake" public road
near "Lake" More bangs
to public road near the
United Buttercup House,

12 Sept 89, Rec'd and
Hans Bergens and Rex
Hoover and Jacob Johnson
appointed receivers &
P. J. McLowry

Filed 12 Sept 1892

W. J. 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 12th day of September, 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 they labor under great inconvenience for want of a public road beginning at a point in public road leading from Heywood to Peale near house of John Mosstargers to a point on the public road leading from Heywood 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 Byers Alexander Hoorn Jacob Tolmar 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, or and in consideration of the sum of ONE DOLLAR to us respectively paid by the at and before the enseuling 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 Mosebarger Seal
A. D. Johnson Seal
F. A. Gissey 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 Mosebarger the sum of twenty eight dollars
To A. D. Johnson the sum of thirty Eight
To F. A. Gissey the sum of forty four dollars

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

Harry Bayers
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 have 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 Ryebottom to Peale
near house of John Mossbarger and $16\frac{1}{2}$ feet
from corner of Park Tunnel 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
Eighty 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 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 Ryebottom to Cooper Settlement near U. B.
Church. A plot or draft of which road as laid out aforesaid
is hereto 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 damage will have assessed is entitled to damage
by reason of location or laying said roads. Witness our
hands this 19th day of November A.D. 1892

Viewers { Harry Boyer
 Jacob A. Holman
 Alexander Hoover

Record

NO. 174 *ORDERS*, 1892

ORDERS

NOTE.—In case of a private road, the release must be executed in favor of the petitioner or said road.
Also—Viewers will carefully note the number of days employed and set the amount out at the foot of their return.
Reviewers can not 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 consideration the advantages as well as the disadvantages of the road, they will report to that effect.

	AMOUNT.
Days 2	
Harry Powers	
<i>Feb 1, 1892</i>	Miles 2 \$10.00
Days 1	
Jacob Folmar	
	Miles 3 \$2.30
Days 1	
Aly. Hoover	
	Miles 2 \$2.20
Days	
Miles	
Days	
Miles	

*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

*July 2nd 1892. Conformed
absolute by the Court
S. C. Steele, J.*

Filed *Dec 1, 1892*
Fees \$1 paid by *.....*

PUBLIC PRINT. PRINT.