

No. 19 Sept 25 Term, 1892

Vacate & Supply
Public Road

Versus

Burnside Township

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Part Twp. Rd 17311

To the Honorable the Judges of the
Court of Quarter Sessions of the
Peace; in and for Litchfield
County; The Petition of the
undersigned citizens of the
Township of Burnside in said
County, respectfully sheweth:
That your petitioners labor under
great inconvenience for want
of a public road beginning at
public road near Emanuel McKee
until it intersects public road near
John R. Young's. Your petitioners there-
fore respectfully pray your Honors
to appoint proper persons to view
and lay out the same, according
to law, and will ever pray.

Emanuel McKee

A. P. Springling
W. Irwin Cinning

Jacob Bennett

Jacob Springling

N. H. Whetstone

W. H. Whetstone

Samuel Wagner

H. J. Selders

G. J. Springling

Levin P. Springling

John Beatty

Myers Bowdler

Thomas Young

Henry Young

W. J. Heston

Mat. Wagner

John R. Young

To the Honorable, the Judges of the
Court of Quarter Sessions of the
Peace, in and for Clearfield County
The petition of the undersigned
citizens of the Township of Burnside
in said county, respectfully sheweth;
That a part of the public road
leading from near Smeeds to
the Township road near Little
Beaver Run, Part of which road
your petitioners conceive is now become
useless, inconvenient, and burdensome
to the inhabitants of said Township.
Your petitioners, therefore respectfully pray
your Honors that said part of road
may be vacated according to law and
they will ever pray.

Emanuel. McKee

A. P. Yingling
W. Levin Yingling
Jacob Bennett
Jacob Yingling
J. H. Shepherd
~~H. B. Haggard~~
David Wagner
H. S. Selders
J. H. Haggard
Levin B. Haggard

John Bearties
Moses Barden
Thomas Young
Helen Young
W. J. Hestover
Mat Wagner
John R. Young

No. 19 Sept. Sen. 1892.

Petition to vacate and
repeal road in Burn-
side Township.

New Sess. 10th 1892, Peti-
tion read and considered,
and, S. F. McLaughy, R. W. Rice
dile and Austin Berry —

are appointed Vice-pres,
to view and report upon
the propriety of repealing
said petition. S. F. McLaughy
~~S. F. McLaughy~~ and A. M. Tourist

Dec 1892. Every afternoon in
large room at City Dec 1893
by M. Tourist

Dec 26 Dec 1 1892

Wm. D. Linn

W. H. Kelley

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 26th day of September, A. D. 1892, before Judge of said Court, upon a petition of sundry inhabitants of the township of Burnside

_____ , in said county, setting forth that they labor under great inconvenience for want of a public road beginning at a public road near Emanuel McKee until it intersects public road near John R. Youngs & pray the Court to appoint proper persons to view and lay out the same and that a portion of the public road leading from near Smuda to the township road near Little Bear Run part of which road has become useless burdensome & inconvenient to the inhabitants of said Township and that the same be vacated according to law &c

and therefore praying the Court to appoint proper persons to view ^{Vacate & Supply} ~~and lay out~~ the same according to law, ^{Make report at Dec 31 1892} whereupon the Court, upon due consideration of the premises, do order and appoint S. F. McCloskey J. W. Riddle & Austin Curry 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 ^{Vacate & Supply} 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. Blom
Clerk.

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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 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 .

Record

NO. 19 Sept SESSIONS, 1892

ORDER

Vacate & Supply

To view ~~and lay out~~ a road for

Public use in the township of

Quinn'side, Clearfield Co.

December 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*

July Sec 1893. Confirms absolute

By W Court

Filed *Nov 10*, 1892

Fees \$ *20* paid by *J. H. Kelly*

PUBLIC PRINT.

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 of the fee for their return on the foot of the road with damages assessed by the original viewers, 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.
<i>S. H. McCoy</i>	Days <i>4</i>	
<i>(Conf #12281)</i>	Miles <i>35.8</i>	<i>19.50</i>
<i>Austin Curry</i>	Days <i>2</i>	
<i>(Conf #12286)</i>	Miles <i>9</i>	<i>4.90</i>
<i>W. B. Riddle</i>	Days <i>2</i>	
	Miles <i>9</i>	<i>4.90</i>
<i>Adam Brock</i>	Days <i>1</i>	
<i>(Conf #12282)</i>	Miles	<i>1.50</i>
<i>Jacob Youngling</i>	Days <i>1</i>	
	Miles	<i>1.50</i>

a Post. Thence South thirty seven degrees East. Seven perches to a Hemlock. Thence across Little Beaver Run, in land of the same. South seventy two, and a half degree East. Nine perches to a Post. Thence through land of the said Yingling, and land of Emmanuel McKee, South seventeen East, Twenty perches to a Post. Thence South thirty two and three quarter degree East; Thirty four and eight-tenths perches to a Post. South twenty two and a half degree East fourteen and two tenths perches to a Post in the line between the said McKee, and Wilford Porter. Thence along the line between them South eighty five and three quarter degree East fifty six perches to the Township road near Emmanuel McKee's house, (We also supplied a short piece of road in Jacob Bennetts land, Beginning at a point in line of the road above described, Three and eight-tenths perches from Post on the corner South thirty degrees West; and running South sixty six degrees East Thirteen and two tenths perches as it is shown on the annexed draft in Black Ink. Which said road as aforesaid laid out we are of opinion is necessary and important for a public Road.

And we all agree in the opinion that no one through whose land the said road passes is entitled to receive any damage.

We also find that the following road is useless for a public road. And declare it Vacated. To wit, Beginning at the point in the road as above described at 106 perches on the Course South Thirty degrees west in Jacob Bennetts land, and running through his land, and land of Irvin Wyngling, and land of Brickles and Winstling, South fifty two and a half degrees west, eight perches, South Sixty eight degrees west, ten perches, South twenty five degrees west, twenty two and two tenths perches, South thirty two degrees west, fourteen and eight tenths perches, South seventy degrees west, thirty and six tenths perches, North eighty eight and a half degrees west, twenty and six tenths perches, South Seventy nine degrees west, sixteen and two tenths perches, South fifty degrees west, thirteen and eight tenths perches, South eighty five and a half degrees west, eight perches, North eighty four degrees west, ten and six tenths perches, South eighty four degrees west, eighteen perches to the township road leading to the Cherry tree near little Beaver Run. also one other short piece of the same road in fac

Bennetts land Beginning at a Point eighteen
perches from Beginning of Course South 30° West
and running North Sixty Nine and a half de-
grees East; Twenty and five tenths perches
all of which is shown in red Ink, on the
Map, hereunto attached.

Witness our hands the 14th day
of December A.D 1892.

B. F. McGlosky
J. W. Riddle
Austin Curry

} Viewers

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

We the undersigned, persons appointed
by the annexed order of Court, to view, locate,
and survey, the road therein mentioned, res-
pectfully report.

That having given notice of the time, and
place of meeting, according to the Act of As-
sembly, and being all present, at the view of
the ground proposed for the said road,
and being all sworn, or affirmed, in pursuance
of the said order, we have viewed, laid out,
and do return the following road to wit, Be-
ginning at a Post in line of the Township road
leading from Cherry Tree, to Drasmoney Church, at
John R Young's fields, and running through land
of Vincent Jonkin, B. 7. Shepherd South Thirty
Two degrees East, Seventy Eight ^{& six tenths} perches to a
Post; South Fifteen degrees East, Eleven perches to
a Beech. South Fifteen degrees west, Thirty
and six tenths perches to a Post; Thence through
land of Jacob Bennett. South thirty degrees
West: One hundred and six perches to a Post, (this
last Course being most of the way along a dwp road)
Thence through land of Bennett, and land of
Lavin Gingleing. South thirteen degrees and
thirty minutes west; twenty four perches to