

No. 11

Sept. Term, 1893

Public Road

versus in  
Chest and Gordon  
Townships

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Part Twp. Rd. 17417

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 25.  
day of Sept, A. D. 1893, before Judge of said Court, upon a petition of sundry inhabitants of the township of Crush Gordon, in said County, setting forth that

That they labor under great inconvenience for want of a Public Road to lead from the top of Cleville Hill on the public road commonly called the Cleville Road in Gordon Township to a public Road leading from Bensdale to McPherson in Crush Township at a point near the North boundary of land of J. Milton McCord.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, and Report to the next Term whereupon the Court, upon due consideration had of the premises, do order and appoint John L. Deighler, S. H. McPherson & Jas. McKeachan 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 land 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 land 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,

  
D. J. Gregory

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 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 recieve 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.....

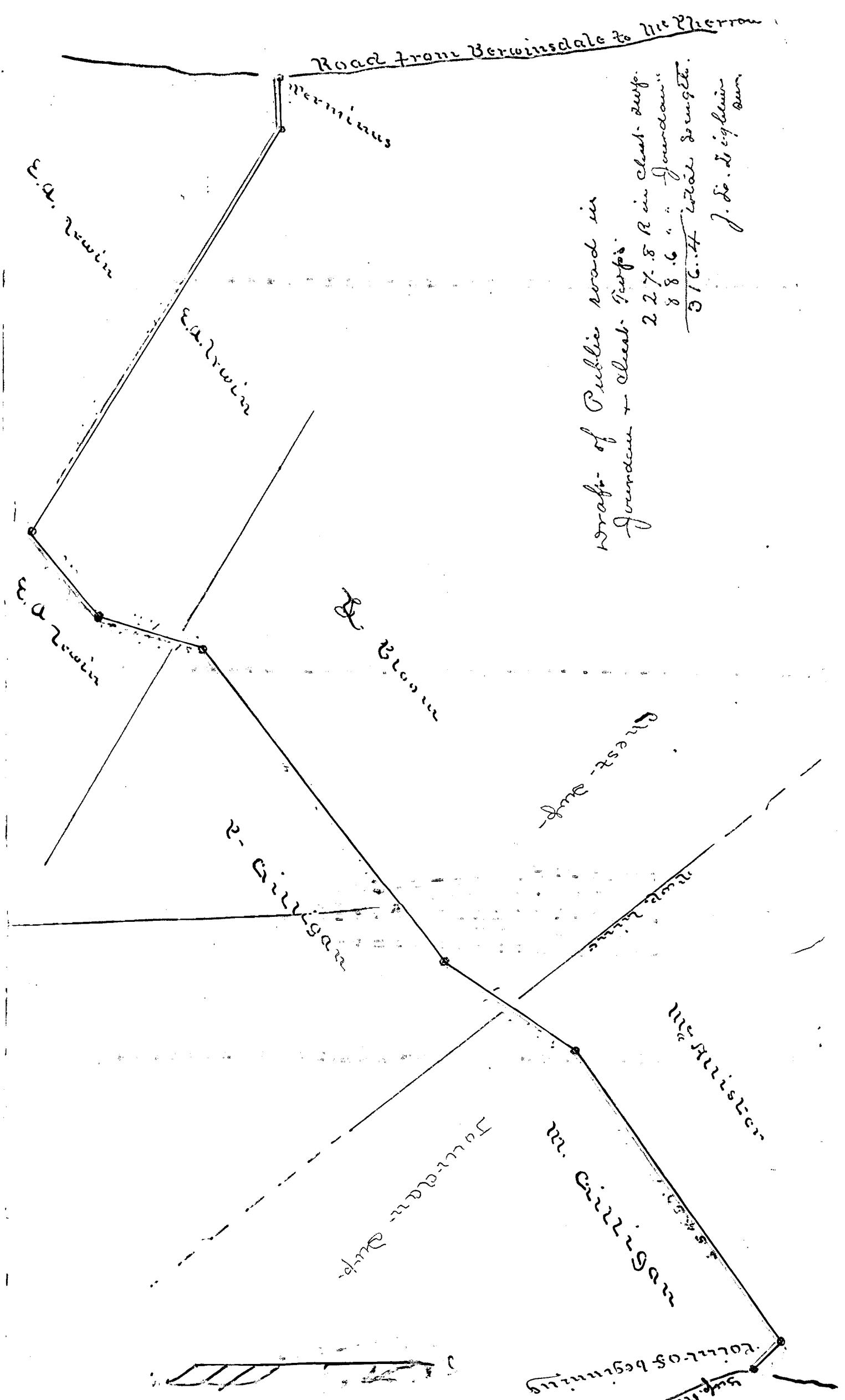
*John McAlister Seal*  
*Michael Gilligan Seal*  
*P. Gilligan Seal*  
*Seal*

## ASSESTMENT 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: *That none of the said land owners will sustain any damages by reason of the laying out and opening of the said proposed road.*

To..... *the sum of*.....  
Witness our hands this..... day of....., A. D. 189.....

*Michael Gilligan*  
*J.W.D. Diphuer*  
*James McKeehan*  
*S. H. Witherow*



TO THE HONORABLE, THE JUDGE OF THE COURT OF QUARTER SESSIONS  
OF THE PEACE FOR CLEARFIELD COUNTY:

We, the undersigned, viewers, appointed by the annexed order of Court to view the proposed therein mentioned, having met on the ground for the proposed road, on the 31. day of *October* A. D. 1893, in pursuance of public notice by us given by hand bills, and having first been duly sworn or affirmed to discharge our duties in the premises according to law, do respectfully report, that we, in addition to said public notice, gave personal notice to the owners of the land through through which the said proposed road passes, as required by the rules of the Court, and having viewed the ground for the said proposed road, we have laid out for public use, and return the following road:

BEGINNING at a point on the top of Witmer Hill on the public road commonly called the Witmer road, in Jordan Township, thence by line dividing lands of *John* McAllister and M. Gilligan, North 44 deg. W. 7 6/10 rods, which land is of ~~poor~~ quality, ~~divine~~ ~~divine~~; thence by lands of the same South 54 1/2 deg. West 66 rods; thence continuing through lands of M. Gilligan, South 34 deg. West 15 rods to lands of Lorenzo Bloom; thence by lands of said Bloom, South 34 deg. West 14 rods to lands of P. Gilligan, said Bloom's land being of ~~not~~ ~~poor~~ quality, ~~divine~~ ~~divine~~ "small corner"; thence by lands of P. Gilligan and *L* Bloom ~~McAllister~~, South 53 deg. 46 Min. West 74 rods, which lands are of ~~divine~~ ~~line~~ quality, ~~not~~ ~~farm~~ ~~land~~ ~~divine~~ ~~divine~~ ~~not~~ ~~divine~~ ~~and~~ ~~no~~ ~~incumbent~~ ~~line~~ thence by lands of P. Gilligan South 17 deg. 30 min. 5 1/2 rods; thence by lands of E. A. Irwin, South 17 deg. 30 min.

C

West 15  $\frac{3}{10}$  rods; thence by same South 50 deg. 30 min. West, 20  $\frac{8}{10}$  rods; thence by the same lands, North 56 deg. West 89 rods; thence by the same North 89 deg. 30 min. West, 9  $\frac{2}{10}$  rods to public road leading from Berwindsale to McPherson, and the terminus of said proposed road, the lands of E. A. Irwin, being of *a poor* quality, *Owned, not leased.* Said road being  $316 \frac{4}{10}$  rods in length, and that portion being in Chest Township from the place of beginning to the township line being  $227 \frac{8}{10}$  rods in length, and the remainder thereof, in Jordan Township, being  $88 \frac{6}{10}$  rods in length.

We further certify that having had due regard to the best ground for the purpose, we have laid out said road for public use, believing the same to be necessary for the accommodation of the public, a plot or draft of said road being hereto attached, showing the courses and distances of the same.

And we further report that in our opinion no damages have been sustained by any of the owners of the land through which the said proposed road passes, and that we have obtained a release of damages from the owners of the land through which the proposed road passes, as is shown by the release endorsed upon the back of the said order to view.

All of which is respectfully submitted.

WITNESS our hands and seals this 31st day of October, A. D. 1893.

*W. D. Wetherow* *Seal*  
(*James McKeen* *Seal*)  
*S. H. Wetherow* *Seal*  
*Viewers*

To the Judge of the court of Quarter Sessions  
of the Peace in the within or annexed order named  
of the subscribers, the prisoners appointed by the  
said Court to view and lay out the said  
Court's intended report, that leaving Baw first  
nearly noon or affixed in the manner  
and form prescribed by the said order all of  
us (or this far.) Jus. D. Begum &c. N.  
Hillenow & Jas. McKechnie having viewed the  
ground for the proposed road and (thereof  
as concuring) did lay out and mark return the  
same for a public road beginning at a point  
on Whinster line on the public road commonly  
called the Robin road in Jordan duff. then by lands  
of lands of Mcallen and Kilkigan & 440.44-7.6 Ras. then by lands  
of the same S-54 $\frac{1}{2}$  West-66-Ras. then by the same in Kilkigan  
S 34 $\frac{1}{2}$ -15 Ras. to lands of Soreya Blevon then by lands of the  
same S 34 $\frac{1}{2}$ -14 Ras to lands of P. Kilkigan then by lands of  
P. Kilkigan the afores S 53 $\frac{1}{2}$  46' or 74 Ras. then by lands of P.  
Kilkigan S 17 $^{\circ}$  30' 1 $\frac{1}{2}$  67/2 Ras. then by lands of S. a. Dray S 17 $^{\circ}$  30' 1 $\frac{1}{2}$  15.3  
Ras. then by the same S 50 $^{\circ}$  30' 1 $\frac{1}{2}$  20.8 Ras then by lands of the  
same North 56 $^{\circ}$  14 $\frac{1}{2}$  - 89 Ras. then by the same North  
89 $^{\circ}$  30' 4 Ras - 9.2 Ras. D. Suff. Road and terminus being  
(318.4) Ras long

Witness our hands and seal the 31<sup>st</sup> day of Oct. A.D. 1893

bierwiss.

~~John D. Soderstrom~~

S. J. G. Witherow Seal

James M. Keeler. *Seal*

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. 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 consideration the advantages as well as the disadvantages of the road, they will report to that effect.

No. 115 Sessions, 1893

ORDER

To view and lay out a road for  
Public use in the township of  
Clearfield, Clearfield Co.  
Date of Sept. 14, 1893,  
Sessions, 1893,  
read and confirmed Ni. Si.  
Road to be opened 33 feet  
wide, except where there is  
side hill cutting or embank-  
ment and bridging, there to  
be 16 feet wide. In No Court  
Report of View

Woodchiarin Conf 1431 Days 2 8.00  
Miles 16 1.60  
S. H. Witherow Conf 1416 Days 1 2.00  
Miles 4 .40  
J. A. McDeek Conf 1428 Days 1 2.00  
Miles 4 .40  
Days ..... Miles .....  
Days ..... Miles .....

28 May 1894 certified  
that every time of Court  
by the Court  
Agnes Gordon

25 Sept. 1893  
Fees \$1, paid by Frederick  
Agnes Gordon  
Agnes Gordon  
Agnes Gordon

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

September Sessions, 1893.

The petition of citizens of Jordan and Chest townships in the County of Clearfield: Respectfully Represents: That they labor under great inconvenience for want of a public road to lead from the top of Witmer Hill, on the public road commonly called the Witmer Road, in Jordan township, to a public road leading from Burwindsdale to McPherran, in Chest township, at a point near the North boundary of land of J. Newton McCord:

They therefore pray the Court to appoint viewers to view and lay out the route of the proposed road, and to report to the Court at the next term.

Names	Names
Richard Shaw	Edward McGarvey
Michael Smith	J. F. Reagler
W. C. Spangler	J. Kenton Bolard
Anthony McGarvey	John Straw
J. D. McGarvey	John S. McCulley
John Lewis	Henry Bennett
Harry Kepp	Jacob Nelson
A. M. Grassmyer	J. R. Brown
H. W. Palliard	James Davison
W. H. Bloom	John & H. Fletcher
Preus Fowler	
Thomas Wood	
Robert Leros	

No 11 Sept 2nd 1873.

Petition of citizens of  
Cheston on Jordan, Pa.  
for a public road leading  
to the public road at the top of  
Mtns Hill on Jordan St.  
to intersect the public road  
leading from Remondale  
to all of Penna at a point  
near the North boundary  
of land of Mervin W. Lord  
in Cheston, Pa.

Now Sept 2d 1873 written  
presented, and the undersigned  
present names to request at  
West Penna City, John J.  
Lighter, Sam'l W. Sterns  
Lmr. M. Heckam are affit  
it never before

Mr. M. Ward  
Niles 20 Sept 1873

Henry

W. H. Hilding.

Samuel