

No. 21, May 11<sup>th</sup> Term, 1893

Private Road

Versus

Lawrence Pop

Contents:

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

The Petition of James Carns of Lawrence Township, Clearfield  
County Pennsylvania, Respectfully represents:

That he labors under inconvenience for want of a private road  
to lead from his plantation in the Township of Lawrence, to an alley  
leading to the public road, leading from Clearfield to Luthersburg, at  
or near a point known as the George ~~Detzer~~ property.

He therefore prays the Court to appoint proper persons to view  
and lay out the same according to law,

And he will ever pray,

*James Carns*

21 May Sessions.

No 21 PETITION. 1893

Petition for private road leading from James Carns plantation in Lawrence Township, to an alley leading to the public road leading from Clearfield to Luthersburg, at a point near the George Fetzner property in said Township.

And now we the undersigned  
Henry Rogers, Joseph Rogers  
and ~~James~~ James  
Rogers to the property  
of ~~James~~ James Rogers

Filed 28 Aug 1893

D. J. Gregory

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

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 28

day of Aug., A. D. 1893, before James  
Judge of said Court, upon a petition of sundry  
inhabitants of the township of Lanesburg

in said County, setting forth that

The labors under great inconvenience for want of a private Road to lead from his place in Lanesburg Township to an alley leading to the public road leading from Clearfield to Locksburg at a point near the George Helzer property in said Township

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, Jas. Deary & Cyrus Howe

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.

DJ Gingery

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 en 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 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 .

Seal

Seal

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 :

To Margaret Carter the sum of ten dollars  
and James Carns to build and keep up fence if required  
To by said Margaret Carter the sum of .....  
To ..... the sum of .....

Witness our hands this 4 Th day of September, A D. 1893.

James L. Ray  
Harry Myers

Margaret Carter

JAS CARNS' LAND

Margaret Carter

S 41° 5' W 17.6 Pch

Proposed Private Road

Geo Fetter

LANE 1/2

TO PIKE  
Carter

Est.

Margaret Carter

MARGARET  
Carter

G HUNHBARGER

R. E. Shaw

scale 10 Pch = 1 inch

No 24 Sept 55 1893

Lawrence

PUBLIC ROAD

To the Honorable David L. Keck President Judge  
of the Court of Quarter Sessions of Clearfield County  
Pa. we, the undersigned, being a majority of the  
viewers appointed by the within order of court to  
view the road therein mentioned respectfully  
report that we gave good and lawful notice  
of said roadview and met agreeable thereto ~~and~~  
having been ~~severally~~ sworn or affirmed we have  
laid out and do return for private use of James Carns  
the following road to wit:— Beginning at said  
James Carns place thence across the land  
of Margaret Carter South forty one degrees five min-  
utes West seventeen and sixteenth perches to a post  
thence by line of said Margaret Carter and George  
Fetzer South Six degrees thirty six minutes East  
five and fifteen hundredth perches to a post in  
said line, thence by line between land of said  
George Fetzer and Carter estate South sixty five  
and one half degrees West five and seven tenths  
perches to end of Lane or alley leading to Clear-  
field and Luthersburg turnpike at Property of George  
Fetzer, A plot or draft of which road so as  
of said laid out is herunto annexed showing  
courses distances and improvements, which road  
is necessary <sup>in our opinion</sup> for the private use of James Carns  
the being — no owner of land as entitled to damages except M. Carter.  
We ~~submit~~ <sup>affirm</sup> our hands this fourth day of September  
#2

A.D. 1893

Viewers { Harry Byerly,  
James L. Leary

May

No. 21 Sept Sessions, 1893

ORDER

To view and lay out a road for

Prindle use in the township of  
Lawrence, Clearfield Co.

Sept Sessions, 1893,

read and confirmed Ni. Si.

Road to be opened 65 feet

wide, except where there is  
the damages in future of opening  
side will be paid by Railroads for  
road to be paid by Railroads for  
ment and bridging, there to  
be 16 feet wide.

By the Court

Dec 1893 Confirmed

absolute By the Court

Filed 4 Sept, 1893

Fees \$1, paid by Law.

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. 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.

Henry B. B. } Days 1  
Miles 2 \$ 4.20

James Leary } Days 2  
Miles 4 \$ 4.40

C. Howe } Days 2  
Miles 4 \$ 4.40

Days  
Miles

Days  
Miles

