

No.

1, J. C. H. Form, 1894  
Vaccate & Supply  
Public Road

Versus

Kaishau Township

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X

To the Honorable The Judge of the  
Court of Common Pleas of Clearfield Co  
Pa We the Undersigned persons appointed  
by the within order of Court to view  
vacate & supply the road therein mentioned  
respectfully report that after having given  
due public notice by three written and  
printed notices put up near the location of  
said <sup>road</sup> of the time and place of meeting to  
view and lay out the same we met at the  
Potter House on the ninth day of November  
A.D. 1894 and after being duly affirmed in  
pursuance of said order we proceeded to view  
the said road and after a thorough  
examination of the same we were of  
opinion that considering the small  
expense of repairing the road as now  
constructed and the large expense which  
would be caused by supplying the same  
also that the road as now constructed accom-  
modates almost as many citizens as it  
would by being supplied in another locality  
it is advisable to leave the said road  
remain as now constructed

H. A. Reese  
Christian Brown

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 19<sup>th</sup> day of September, A. D. 1894, before Judge of said Court, upon a petition of sundry inhabitants of the township of Kauthau

, in said County, setting forth that a road has long since been laid out from the Mouth of Mosquito Creek in the Village of Kauthau to L. P. Muller which road petitioners conceive is now become useless encumbrance and burdensome to the inhabitants there abouts and that said road may be vacated & supplied according to the act of Assembly &c

*vacate & supply*  
and therefore praying the Court to appoint proper persons to view and lay out the same according to law, *I make report at next Term of Court* whereupon the Court, upon due consideration had of the premises, do order and appoint *Christ Brown W. Konatz Harry Rau* 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 *vacate & supply* 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.

*J. J. Sengay*, 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 .

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 ..... the sum of .....

To ..... the sum of .....

To ..... the sum of .....

Witness our hands this ..... day of ....., A. D. 189 .

**NOTE:**—In case of a private road, the release must be executed in favor of the petitioner for said number.

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 *4*-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.

### Amounts

2136

Days 10

Grand Total	Miles 6	Days 2
Mr. Reed	Days 1	Miles 17

Days .....  
Miles .....  
Days .....

No 1 Sept Sessions, 1894

ORDER   
Create a Turnpike  
To view and ~~keep~~ a road for  
Public use in the township of  
Clearfield, Clearfield Co.

..... Sessions, 189  
..... Aug 21, 1895  
..... read and confirmed At. St. J.  
..... Road to be opened 38 feet  
..... wide, except where there is  
..... side hill cutting or embank-  
..... ment and bridging, there to  
..... be 16 feet wide  
..... Creek to  
..... be paved on the County  
..... By the County  
..... Cyrus Gandy Jr

Filed 14 May 1894  
Fees \$1.25 paid by

Tagore - *Brindabell*