

No.

4

Private Road

Versus

Cooper Sup.

Contents:

To the Honorable the Judge of the Court of Quarter
Session of the Peace in and for the County of
Clearfield. The petitioners of the undersigned
inhabitants of the Village of ^{in Cooper Township} Kylestown in said
County, respectfully sheweth; That your petitioners
labor under great inconveniences for want of
a private road or highway to lead from the
Street or Alley at ^{South East corner of lot of} James L. Stewarts North to
^{North East corner of lot of} John W. Chambers, ^{deputy in Cooper Twp} your petitioners therefore humbly
pray the Court to Appoint proper persons to
view and lay out the same according to law;
And they will ever pray &c.

Names

Names

George Adry
M. M. Dillen
Hannie M. Rayhorn
George M. Bath
Sam. Nathaniel
David Connacher
Bell Connacher
H. L. Stewart
Pete Connacher
John Hamlin
Jas I. Harry

No 4 Dec 88 1894

Private Road in Clearfield

'Read now 10 Sept 1894
Held in view of the same
and John Stephenson
G. A. Case & N. M. Jones
an affidavit to view
said road and means by which
the same for private use and
both Court at the next term

My dear Sir
Cyrus Anderson
189

Sept 10 Sept 1894

J. D. Hargis

SINGLETON BELL,
ATTORNEY AT LAW,
CLEARFIELD, PENNA.

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 10th day of September, A. D. 1894, 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 private road or highway to lead from the street or alley at South East Corner of lot of James L. Stewart North to North East Corner of lot of John H. Hamblum all being in Cooper Twp

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, *I make report at Dec 11 1894* whereupon the Court upon due consideration had of the premises, do order and appoint *John Stephenson D. Goss & A. M. Jany* 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. G. Goss

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 ensembling 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 30 day of November
A. D. 1894.

George McBeth Seal
J. J. Harry Seal
Mrs S B Northan Seal
Earl S Stewart 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 Lafayette Hoover the sum of _____
To Talitha his wife the sum of _____
To Sara Potter her mother the sum of Seven ⁵⁰/₁₀₀ Dollars \$7 ⁵⁰/₁₀₀

Witness our hands this 30th day of November A. D. 1894.

Now Nov 30-1894 we the undersigned
Lafayette Hoover & Talitha his wife
and Mrs Sarah Potter hereby agree
to accept the above Damage Seven
5/100 Dollars for Settlement in full for
above rightway through our lands

J. J. Goss
N. M. Jurey
J. W. Stephens

Witness
Lafayette Hoover
Talitha Hoover
Sarah Potter

To the Hon. Judge of the Court
of quarter sessions of Bedford County.
We the undersigned viewers appointed
by the within order of the Court, to view
and supply the road therein mentioned.
Respectfully Report.

That having given notice of time
and place of meeting, according to the
act of assembly and rule of Court,
and all being present at the meeting
and viewing of the ground for the pro-
posed road and being all sworn in pur-
suance of the said order of Court.

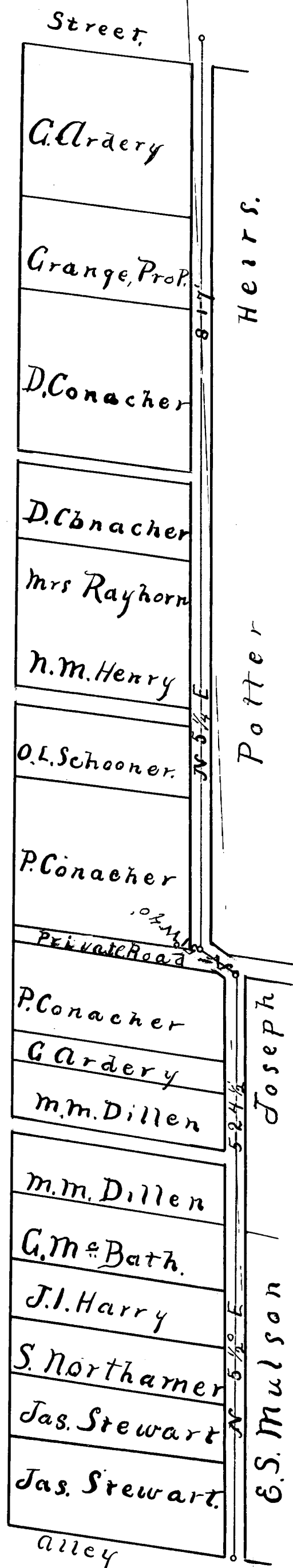
We have viewed and laid out and
do return the following road, viz:

Beg. at an alley at the south
East corner of a lot owned by James L.
Stewart, situated in 8th & 9th Town
Copers twp. Thence through the lots
of said James L. Stewart and S. B. North
corner and J. D. ^{Exo. Dec. 1880} ~~Harvey~~ ^{Baile} and the land
of Joseph Potter's heirs North Five and
one half $N 5\frac{1}{2}^{\circ} E$ Degrees East. Five Hundred
and twenty four and one half feet [524½']
to a private road thence North fifty one
[$N 51^{\circ} W$ Degrees West forty feet 40'] thence
North Five and one fourth $N 5\frac{1}{4}^{\circ} E$ Degrees East.
Eight Hundred and eighty seven feet [887']
to the Centre of a street leading along

the North side of a lot owned by John
H. Hamblain. The above said private
road being 15 feet wide, and a plat or
draft whereof is hereunto annexed.

Which said road as above described
we are of the opinion is necessary for
private use, and for which we have ob-
tained releases as set forth on the order.

J. W. Stephenson,
G. J. Goss,
A. M. Jurey.



Draft of Private Road
in Kyler Town, Cooper twp.
Located Nov. 30, 1894. Scale 100' = 1"
J. W. E.

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.

No. 4 Sept Sessions, 1894

ORDER

To view and lay out a road for private use in the township of Cooper, Clearfield Co. May Session, 1895, West View 2d read and confirmed N. 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
 Cyrus Gordon

Sept Sessions Commenced to Dec 8.5 1895

By the Court
 Cyrus Gordon

Filed 1 Dec 1894

Fees \$1, paid by Thompson

Bece ally

D. F. Glass	Days 1	25
	Miles 13	15
Wm. Gery	Days 1	200
	Miles 13	75
J. W. Stephenson	Days 2	500
	Miles 24	144

Days
 Miles

Days
 Miles

Mr. Jacksonburg

19 Dec 1895 Com.
 confirmed absolutely.
 As to the bond by
 Restorer

By the Court
 Cyrus Gordon