

No. 11, May Term, 189

Public Road

Versus

Burnside Township

Contents:

3 books of

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In Re                               Road 1A      ;
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                                     in              ;
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Burnside Township                   ;
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;
; In the Court of Quarter Sessions of
;
; Clearfield County, Pa.
;
; No. 11 May Sessions, 1894
;

We, the undersigned persons appointed by your said Court to view and lay out road mentioned in the order to the above stated case do respectfully report and return.

We, therefore, desire to pray the Court for leave to file this paper a amendment and supplement of said report.

(24) Mr. L. Boyce
John Pierce
T. C. Bates

Clearfield County, ss.

Before me personally came M.L. Boyce, John Pearce, and F. C. Bates, each of whom being duly sworn according to law, says that the facts set forth in the above report and petition are true and correct to the best of their knowledge and belief.

Sworn and Subscribed this 14th day of;

February, A.D. 1895.

February, A.D. 1895.

No 11 May 28. 1894

Mr. R. R. Reed
Barnwell, Ark.

File 4 March 1895

D. H. Sawyer

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 22nd day of May, A. D. 1894, 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 or highway to lead from a point on the public road from Leanes to Pleasant Hill at or near the End of Leanes lane to a point on public road from Pleasant Hill to Cherry Tree at or near the residence of Adam Stewart in Burnside Township

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, *I make report at Sept Term 1894* whereupon the Court upon due consideration had of the premises, do order and appoint *ML Boie John Seare & Andrew Bates* 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.

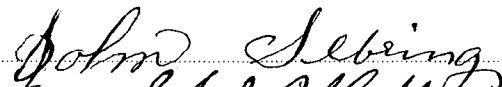
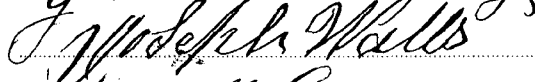

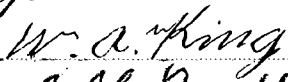

BY THE COURT.

D. J. Gering
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 20 day of August
A. D. 1894

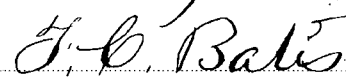
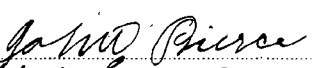
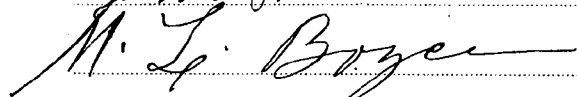
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ASSESTMENT OF DAMAGES.

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 Adam R. Steward the sum of Ten dollars & eighty cents
 To B. E. Sebring the sum of Ninedollars & twenty cents
 To all the other parties the sum of No damage

Witness our hands this 17 day of August, A D. 1894.

We the persons appointed by the annexed
order of Court to view and lay out the Road
there in mentioned do Report that after giving
due and public notice according to Law all
the viewers having viewed the ground proposed
for said Road having respect to the best ground
and Shortest distance so as to do the least injury
to private property we laid out the same as
follows viz: Commencing at a post in Public Road
leading from Pleasant Hill to Cherry Fen near the
Residence of Adam Steward Thence by line of Adam
Steward and C. E. Siring South Eighty Seven and a half
degrees East one hundred paces to a post thence by
line of John M. Crossman and Siring South sixty five and
a half degrees East sixteen paces thence through the
improvements of John Siring South fifty one degrees
East twenty four paces thence through the improvements
Joseph Wills South twenty four degrees East forty one
paces thence through the same South Eighty three degrees
East thirty seven paces thence through the same South fifty
seven degrees East eighteen paces thence through the same
South twenty Eight degrees East six paces to line of W. King
thence the same course through the improvements of W. King
ten paces thence through the same South sixty one & a
half degrees East thirty four paces the grade so far
is light thence through the same South thirty six & a half
degrees East six paces grade about five degrees
thence through the same South fifty one and a half degrees
East thirty three paces grade moderate thence through
the improvements and on the line of W. King & thence
South Eighty four degrees East sixty six paces the grade light
thence through the acreable land of W. King North sixty degrees
East twenty nine paces thence through the same North seventy
seven and a half degrees East twenty paces thence through
the acreable land of Hastings & Beaver North sixty eight
degrees East thirty six paces thence through the same
North Eighty three degrees East thirty seven paces thence
to a post North thirty three degrees East thirty seven paces

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 11 May Sessions, 1894

ORDER

To view and lay out a road for
 Public use in the township of
 Pennsboro, Clearfield Co.

Session, 1894
 Court Sept 18 1894
 read and confirmed N. S.

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.

By the Court
 Cyrus Gordon

Filed 18 Sept, 1894

Fees \$1, paid by J. A. B. etc.

W. H. S. per

	Days 2	Miles	AMOUNT.
	Days 2	Miles	
	Days 2	Miles	
	Days 2	Miles	
	Days 2	Miles	
	Days 2	Miles	

Petition

To the Hon. Cyrus Gordon Pres. Judge
of the Court of Quarter Sessions
of Clearfield County Pa.

The petition of the undersigned
citizens of Burnside Township
in said County respectfully sheweth

That whereas upon the petition of
certain citizens of said Township views
have been appointed by said Court
to view and lay out a Public Road
"leading from a point on the Public Road
from Learners to Pleasant Hill at or near
the end of Learners lane in said Twp to
a point on Public Road from Pleasant
Hill to Cherrytree at or near the residence
of Adam Stewart in said Twp

and whereas we believe that said
Road is unnecessary for the accommodation
of the public, because there
are already three parallel roads running
in the same direction and within
a short distance of the same and the
opening and construction of said road
would be very expensive and burdensome
to the tax payers of said Township as
well as very injurious to private property
through which it would pass

Therefore we would most respectfully

but earnestly remonstrate against
the confirmation of the said view
and as in duty bound we will ever
pray &c &c

W. Toukin

James Lington
David Good ^{his} ~~mark~~
W. J. ~~for~~ ^{for} ~~modelle~~

P. J. Stiffler

Robert E. ~~W. R. S.~~

J. P. Moore

M. E. Stiffles

A. S. Byers

H. M. Thompson

A. E. Brickley

W. W. Thompson

John Carson

Joseph Pittman

John Had. en

Edmer. Singers

Beit. ~~Vancouver~~

W. Ayres

Jacob Bennett

J. J. Veff

Ale. Rulhert

Ed Patchin

Jacob Huff

John Allison

H. W. Patchin

Geo Barrett

Daniel. Foy

Jos. M. Willard

George E. Willson

James E. Seamer

Jacob Mcken

Geo. W. Keirn

E. B. Brothers

Jacob Youngling

Myers Bowden

John Beethes

C. F. Brothers

John R. Smith

Samuel Beeth

John H. Lee

C. E. Spring

A. R. Steward

R. B. Kants
J. F. Fry
G. A. Kants
J. O. Woods
Lucas Bee
A. S. Allison
P. J. Woods
E. J. Reed
Lewis E. Bell
Thomas ^{his mark} ~~perce~~
J. T. Allison
G. W. Bee
Philip. A. Kants
David Wagoner
C. H. Drake
D. S. Wagoner
John Sangron
M. L. McPherson
John Bernege
W. W. Coleman
Jos. Re. Pittman
A. R. Bolvin
J. E. Baker
Isaac Yingling
John P. Yingling
W. G. Westover
E. W. Baschely
John W. Byers
J. Guise

In Quarter Session
of Cheapestead County.

Ne 11 May³⁰ 1874

Fulbore Road

ⁱⁿ
Barnack Township.

Reinstatement

Also 8 Oct 1874

J. H. Hargreaves

1374. Cheape

In the Court of Quarter Sessions of Clearfield County, Pa.

In the matter of

Public Road in

Burnside Township

No. 11 May Sessions, 1894.

Exceptions to Confirmation Absolute.

Now, October 8th A.D. 1894, the following exceptions are filed to the Confirmation Absolute of the Report of Viewers made in the above Road.

First Fred. C. Bates, one of the viewers on said road was an interested party, and kept his name off of the petition for viewers for the purpose of being a viewer and securing a favorable report to the view and in favor of the road.

Second The report of viewers as filed does not show that they were duly sworn or affirmed before attending to the duties of their appointment as required by the Order to View and by the law.

Third Due public notice was not given the land owners or the inhabitants as to the time and place of the proposed view, before the day of view as required by law.

Fourth That the ground was not viewed and the decision made that a public road was necessary before the viewers proceeded to lay out said road.

Fifth That the annexed draft does not show the location of farms and other improvements along the line of the proposed road and is therefore incomplete and misleading.

Sixth That the road as located in the report of viewers runs parallel with two other roads leading to the same points, and easily reached by parties residing on or near the proposed road.

Seventh That the proposed road would be expensive to build, as it is mostly side-cut and is ~~too~~ steep in grade and if the report is confirmed will work a great inconvenience to the tax-payers of that township, without being of any practical benefit to them.

Eighth

Because part of the road as laid out by the viewers is along the line and within the limits of Cambridge County.

For these and other reasons in said report the above exceptions are filed.

I believe the above to be legal exceptions to the report as made by the viewers.

B. F. Chase
att'y for exceptants

Nov 11 May Se. 1894

Public Road

in
Bumsted's Imp.

Exceptions

Jul 8 Ock 1894

D. J. Gering

B. F. CHASE,
Attorney-at-Law,
CLEARFIELD, PA.

John C. Clark & Sons, 230 Dock Street, Philadelphia.

To the Honorable Cyrus Gordon, President Judge of the
Court of Quarter Sessions, in and for the County of Clearfield.

The petition of the undersigned inhabitants of the
Township of Burnside, in said county, respectfully sheweth:

That your petitioners labor under great inconvenience
for want of a public road or highway to lead from a point on the
public road from Leamers to Pleasant Hill, at or near the end of
Leamers Lane to a point on the public road from Pleasant Hill to
Cherry Tree, at or near the residence of Adam Stewart in said
Township of Burnside.

Your petitioners, therefore, pray the Court to appoint
proper persons to view and lay out the same according to law.

And they will ever pray etc.,

Names

Joseph Walls
Charles Walls
Robert Walls
Adam Stewart
John C. Gorman
Isa C. Walls
John C. Gorman
Johnson Walls
John R. Smith
H. C. Deering
H. E. Beach
Emanuel Oaks

Names

Ross Beck
E. H. Brivley
Jacob Ingdon
G. Beck
Wm. Ingdon
Hy. McMurrian
Robert Atkinson
Geo H. Keen
George Jones
William Keen
Radford Keen
C. H. Butters
H. D. Good

David Good

Isaac Sutton

Abner J. Thorpe

Edward R. King

J. M. Wilson

G. B. Kneedler

M. L. McDevain
P. H. Bunnell
H. W. Fry
J. L. Brothers
Alfred J. H. Hove
W. H. Thompson
J. C. H. H. H.
J. H. H. H. H.
Wm. A. Sepinck

Louis Boice - Surveyor
 Cy-lis
 Fred Bates -
 Harry Sutton -
 Samuel Brattle -
 John Pierce

No. 11, May 11, 1894

Petition for public road
 from a point on public road
 from Leamington to Pleasant Hill
 at Leamington to a point
 on public road from Pleasant
 Hill to Leamington at residence
 of Adams, Leamington Township
 of Leamington Township

May 22, May 1894
 in public road & in
 accordance with the
 prayer made of M. E. Boice
 John Pearce and Fred
 Bates are appointed viewers
 to view and report
 made and make report
 thereof to next Term of Court.

By the Court
 Cyrus Giddens

Witness my hand
 at Leamington
 May 1894

Murray & Smith
 ALLISON O. SMITH

Attorneys at Law,
 CLEARFIELD, PA.

Apr. 7th 1903

Mr. Grant H. Thompson
Dear Sir: Please pay to
H.M. Fry costs due me
on road survey near
W.G. Kings & J.W. Wall's farm
in Burnside Twp.
The work was done about
nine years ago and I have
not rec'd my costs and a
reviewer on the above road
John Pierce

had sent me money to help to finish Com. school pay
Feb. 8/88

Mr. Howard & Son
Clearfield

Dear Sir I wish you would
present this order to the Com.
& get them to pay me the same

Pa. J. M. & Co.
was the first for King

Commissioners at Clearfield
Please pay to bearer the
amount due me for
running Road &c

from Adam Steward
to public Road at Leams
Lane run 3 or 4 years ago
I think the amount is 12 dollars

M. G. Boyer

10

FILED
MAY 8 1908
Grant H. Thompson
Prothonotary

FILED
MAY 8 1908
Grant H. Thompson
Prothonotary

Case of 63

710 H. May. 1894

W. Apr. 8th 1903
Mrs. Grant H. Thompson
Sir:

Please pay H.M. Fry cost due
me on the road survey that
was made near my place in
Buttside Twp about the year
1894 and oblige me

Yours Truly

W. H. King