

No. 11, May Term, 189

Public Road

Versus

Burnside Township

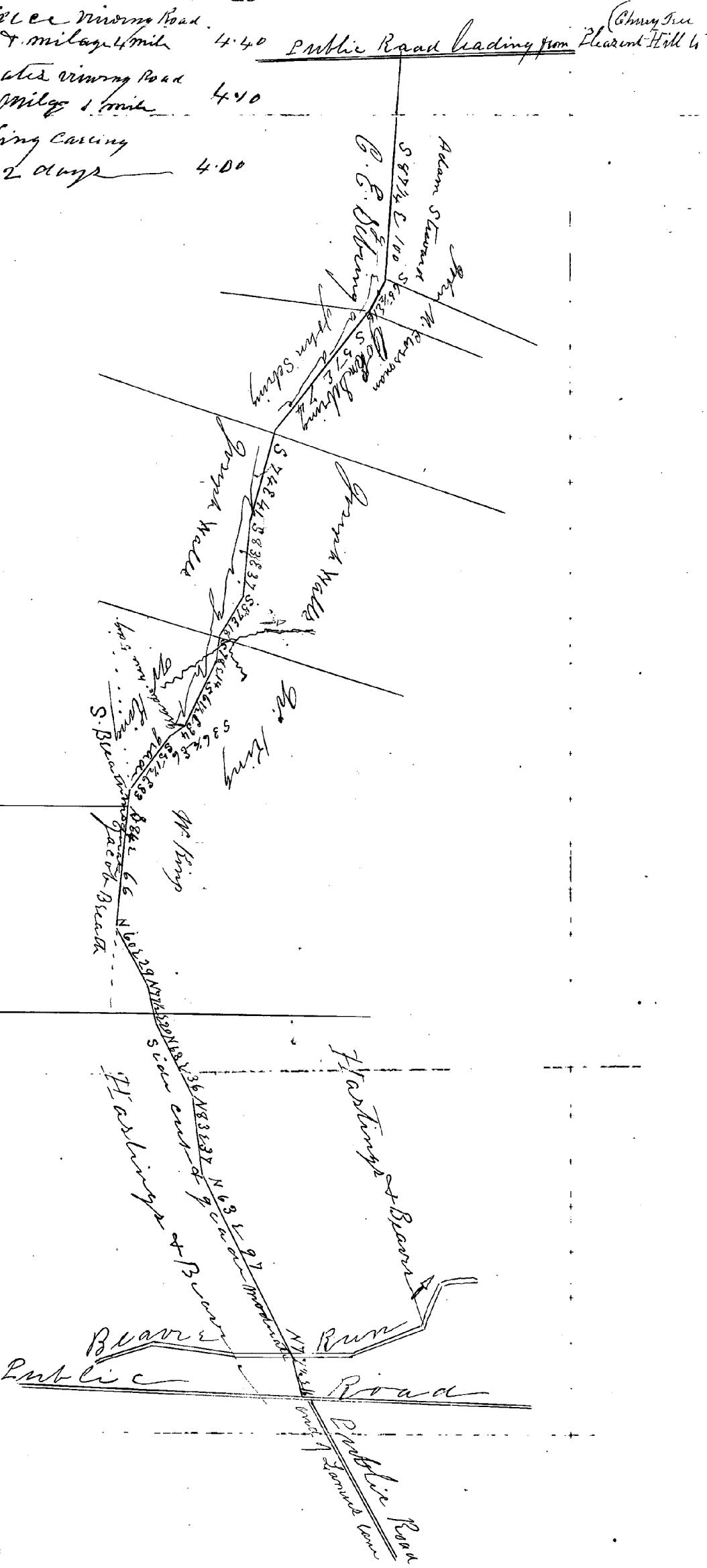
Contents:

3 pages

2 pages

and across Beaver Run three the dam North seventy seven
a half degrees east sixteen paces to the public Road
leading from Pleasant Hill to Leamer at the end of Lamme
Lane the grade through the accessible lane off W. King & Hartings
& Co. is from moderate to about five degrees principally side cut
which Road as before said is laid out we are of the
opinion is necessary for a Public Road and do retain
the same for Public use witness our hands

This 17th day of Aug. 1894 A Plot whereof is hereunto annexed
distance of layout Road 2 miles + 34 p. M. J. Boyce



XXX

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

To the Honorable the President Judge of said Court.

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.

That before entering upon the duties of our appointment, and before viewing the said road, we were each severally sworn or affirmed according to law, before a Justice of the Peace, and by mistake of the scrivner in writing out the said report, the fact of our having been sworn was not averred in said report.

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

And we will ever pray etc. (2nd) Mr. G. Boyce
John Pierce
J. C. Batis

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.

Mr. T. B. Bontec
John Piece
T. C. Bates

No 11 May 2d. 1894

the Rio Nodine
Bunwick, N.Y.

Tele

4. March 1895

D. G. Geiger

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 Burnsiede, 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 Leamers to Pleasant Hill at or near the end of Leamers lane to a point on public road from Pleasant Hill to Cherry Tree at or near the residence of Adam Stewart in Burnsiede 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 ~~McBree~~ John Leamers ~~and~~ ^{John} Peter 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.


John J. Gandy, 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 receive 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



John Sebring 
Joseph Wells 
John W. Branscome 
W. A. King 
J. Hobreth 

ASSESSMENT 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 & Eighteen cents
To G. E. Sebring the sum of Nine dollars & twenty cents
To all the other parties the sum of No damage

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

J. C. Bates
John Pierce
M. L. Boyce

We the persons appointed by the aforesaid
Order of Court to view and lay out the Road
therein mentioned do Report that after giving
due and public notice according to law all
the persons 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 Tree near the
Residence of Adam Steward Thence by line of Adam
Steward and C. E. Sibing south eighty seven and a half
degrees East one hundred paces to a post thence by
line of John M. Grossman and Sibing south sixty five and
a half degrees East sixteen paces thence through the
improvements of John Sibing south fifty one degrees
East twenty four paces thence through the improvements
of Joseph Wulff south seventy 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 seventy 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 and a
half degrees East thirty four paces the grade so far
is light-thence through the same south thirty six and 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 & others
south eighty four degrees east sixty six paces the grade light
thence through the arable 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 arable land of Hastings & Beaver north sixty eight
degrees East thirty six paces thence through the same
south eighty three degrees East thirty seven paces thence
through the same north ninth three paces east ninth seven and a half

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 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.

No 11 May Sessions, 1894

ORDER

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

Court & Session of 1894
read and confirmed Mr. 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.

John W. Clark
Amis Gundong

AMOUNT.
Days 2 Miles.....

Filed 1894
25
Fees \$1, paid by John Biles

1145 93 100

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 viewers
have been appointed by said Court
to view and lay out a Public Road
leading from a point on the Public Road
from Beamers to Pleasant Hill at or near
the end of Beamers lane in said Township to
a point on Public Road from Pleasant
Hill to Cherrytree at or near the residence
of Adam Stewart in said Township

and whereas we believe that said
Road is unnecessary for the accommoda-
tion of the public, because there
are already three parallel roads run-
ning 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 prop-
erty 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 ye &c

J. F. Tuckin

James Longdon
David Good ~~his~~
wth ~~for~~ ^{mark} ~~me~~

P. J. Stiffler
Robert E. Wilson

J. P. Moore
M. E. Stiffler

A. S. Byers
H. W. Thompson

A. E. Buckley
W. W. Thompson

John Carson

Joseph Pittman
John Headen

Elmer Singers
Bart. Dickey

W. Ayres
Rich Bennett

J. J. Neff
Ale Brinkhart

Ed Patchin
Jacob Huff

John Allison
H. P. Patchin

Geo. Barrett
Daniel Foy

Jos. M. Wilson

George C. Wilson
James A. Farmer
Jacob McKee

Geo. W. Keim
E. B. Brothers

Jacob Longdon
Myers Bowden
Eden Bratties

C. J. Brothers

John R. Smith
Samuel Barth

J. Blodell
C. E. Sebring
A. R. Stewart

71

R. F. Kants
J. F. Fink
G. F. Kants
J. C. Woods
Durah Bee
A. S. Allison
P. C. Woods
E. G. Reed
Lewis E. Bell
Thomas ^{has mark} ~~persec~~
J. F. Allison
Geo. Bee
Philip. A. Kants
Samuel Wagoneer
C. H. Drake
P. S. Wagoneer
John Sangamon
W. L. McLean
John Bevington
R. W. Colman
Jos. Re. Pittman
A. R. Bolin
J. E. Baker
Isaac Yingling
John P. Yingling
W. G. Postover
George Bassely
John D. Rogers
J. Grise

In Quarter Session
of Cearfes County
No 11 May 20 1874

Rubene Road
in
Burnside County.

Remonstrance

Also 8 Oct 1894

J. G. Gingrey

Post-Office

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 Cambria 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 -
atty for exceptants

May 11 1894

Public Law
in
Buncombe Co.

Exceptions

July 8 1894
Signed

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	Names
Joseph Walls	Ross Beck
Charles Walls	B. J. Briley
John W. Wining	Jacob Ferguson
John G. Wining	G. Beck
John H. Gommier	John H. Gommier
Ira G. Walls	W. H. Hause
John H. Gommier	Robert G. Beck
Johnson Walls	George H. Keis
John R. Smith	George J. Keis
W. C. Wining	William Keis
H. E. Rea	Redford Smith
Emanuel Oaks	C. H. Butterfield
	A. D. Goss

David Gott
Leslie Sutton
Acker J. Gott
Edmund R. King
J. M. Wilson
G. B. Kneadler

M. L. Gilbram
P. H. Burnel
H. M. Ferry
J. L. Brothers
Alvin G. Johnson
W. H. Tammison
J. O. Farnell
J. W. L. Elfring
W. M. G. Sebring

Lewis Boice - Surveyor
by his
Fred Bates -
Harry Sutton -
Franklin S. Sutton -
John Binkie

Petition for public road
from a point on public road
from Pleasant Hill
to Farmers Branch to a point
on public road from Pleasant
Hill to Farmers Branch residence
of John Binkie the Township
of Franklin, Allegheny Co.

May 22, 1894 last
in public road & in
accordance with the
proper record Mr. E. Boice
John Pearce and Fred
Bates are appointed review
to view said proposed
road and make report
thereof to next term of Court.

By your Court

John Gandy

R. M. May 22, 1894

John Gandy
R. M.

Murray O. Smith

ALLISON O. SMITH

Attorney at Law,
CLEARFIELD, PA.

Apr. 20th 1803

Mr. Leonard H. Thompson
Dear Sir: Please pay to
H.W. Ely costs due me
on road survey near
W.G. Kings & Fox Walls farm
in Burnside Twp.

The work was done about
Nine years ago and I have
not rec'd my costs as a
revenue on the above road

John Pierce

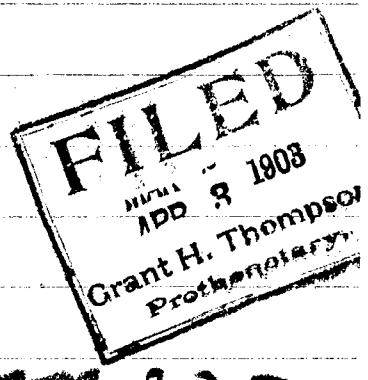
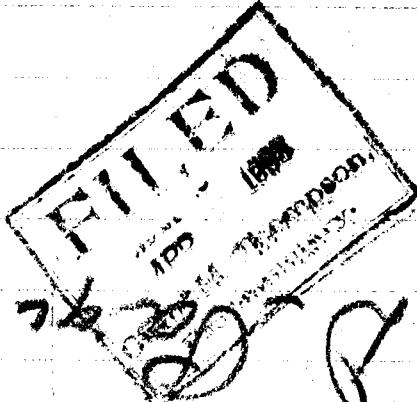
to of rents now owing is truly & my now
Mr. Howard Frey Feb. 6/898
Clearfield Pa. & Co.

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

Commissioners of Clearfield
Please pay to James the
amount due me for
Evening Road 9c

Item Adam Stuace
to public Road at Leamis
Lane sum 3 or 4 years ago
I think the amount is 12 dollars

M. G. Boyer



7681.50011 014

Mr. Grant & Thompson
Esq:

Mr. Apr. 8th 1803

Please pay H.M. Esq costs due
me on the road money that
was made near my place in
Buxton Reg. about the year
1804 and oblige me

Yours truly

W. A. King