

No. 3, May Session, 18

Public Road

~~COMMONWEALTH~~

versus in

Bradford Township

Contents:

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.

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In the Matter of a Public ) No. 3, May Sessions, 1895.  
Road in Bradford Township lead- ( )  
ing from a public road at Philip ( )  
Young's property in Woodland, ( )  
Bradford Township, Clearfield Co., ( )  
to a point on public road or ( )  
Frogtown in said township. ( )  
( )

To the Honorable Cyrus Gordon Judge of said Court.

The petition of the undersigned citizens and tax-payers of Bradford Township respectfully represents:

That on the 27th day of Feby, 1895 the following petition was presented to your honorable court; the petition of the subscribers respectfully showeth, That they labor under great inconvenience for the want of a public road or highway to lead from a public road at Philip Young's property, Woodland, Bradford Township, Clearfield Co., Pa., to a point on a public road at Frogtown in said township, they therefore pray the court to appoint persons duly qualified to view the grounds proposed for said road to lay out the same according to law. Said petition being signed by several persons. That Harry Beyers, W. T. McCorkle, and R. H. Shaw were on the 27th of Feby, 1895, appointed viewers to view said road, who by their report dated the 29th day of August, 1895 reported a public road to the court; that on the 19th of December 1895 the court confirmed said report nisi, the confirmation of same having been at September Sessions, 1895 continued until Dec. Sessions, 1895; That on the 8th of Feby, 1896, the said road was confirmed absolutely by the court. That said viewers did not, as appears by the record, although having been appointed at Feby Sessions, 1895 report at May Sessions, 1895, nor was there any enlargement of powers of said viewers that appears from the record of said case. That the

provided that the upper end of said road  
from a point near Philiph Young's property  
to a point near John Buek's residence be kept  
up by the townsippe.)

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petition above recited asking for appointment of viewers for the laying out of the public road was not such a petition as would give the court jurisdiction, for the reason that the termini of the roads or at least the one terminus has no fixed definite point as required by law. That the said road as laid out is not necessary for a public road, the same being used only as a street for certain lot owners in the village of Woodland; that the road is laid upon rough ground and would be very expensive to make, that there would have to be riprapping along said road for a distance of about 130 feet and about 10 feet high, and that it would cost the township about 400 dollars to construct the same. Your petitioners believe that said road is not necessary for public use and that the same should not be confirmed by the court. Your petitioners therefore pray your Honorable Court to grant a rule be granted on the petitioners

to show cause why the said confirmation absolute should not be stricken off and your petitioners be permitted to file exceptions to the confirmation absolute of the above road for the reasons set forth in the above petition and others, and they will ever pray.

J. H. Shirer  
Geo. Brattin  
W. A. Hauger  
Joy A. Loring  
Peter Lutz  
J. H. Kels.  
G. J. Lansberry  
C. F. Albert  
E. J. Waldersee, Jr.

The National Walker Co  
E. M. Lutz  
Sept of Minn  
John Wilson  
H. C. Farnum  
Asst. of Minn  
J. S. Morris  
H. C. Hiles  
George Stevens  
Thomas A. Parks  
Alice Munderfield

Abel Green  
C. A. Forey  
Daniel Barber  
E. J. G. Gillett  
Henry Taylor  
George W. Wilson  
John W. Green  
A. W. Powder  
John Keeler  
Mark Taylor  
A. H. Thompson  
John W. Green  
E. Dale  
R. E. Hale  
David Dale  
W. E. Forey  
Guy Forey  
L. S. W. Dowdell  
J. G. Shirey  
Hannett Mathews  
Peter Mathews  
Wm. Mathews  
Samuel Woobridge  
Matthew Thompson  
E. H. Woodbridge  
The Bagg, Bain

Henry Benedict  
Das Barber  
Emerson  
J. S. Gillett  
Joseph Graham  
J. M. W. Dowdell  
E. W. Litz  
J. H. Stewart  
E. B. Stewart  
John McLean  
John F. Gillett  
Ralph Lonsbury  
Isaac H. Green  
St. Q. Paige  
John Fabender  
D. G. Burket  
Bias Mathews  
A. D. Wilson  
Martin Wilson  
James Forey  
J. W. Green  
John E. Green  
John. C. Thompson  
St. L. Conard  
Malbert Mathews  
J. W. Underwood

W. H. Shopp  
Ave Burns  
Wm. Ing. Lowell  
George Thompson  
J. A. Pearce  
H. E. Ward  
Wm. Warner  
O. O. Warner  
James Murray  
E. E. Ryker  
Francis Gabbard  
Jacob Bunge  
Jonathan H. H.

STATE OF PENNSYLVANIA )  
(SS.:  
COUNTY OF CLEARFIELD )

Joseph F. Thompson, being duly sworn according to law, says that the facts set forth in the foregoing petition are true and correct to the best of his knowledge and belief.

Sworn and Subscribed before me, )  
this 9<sup>th</sup> day of Sept. 1897. )

Joe F. Thompson

W. H. Sherry Jr.

Mr. J. W. S. [unclear]

the last winter  
I probably won't  
be trading  
any more.

Now 15<sup>th</sup> Sept 1897. I accept service of  
this rule and waiver issue

In the Court of Quarter Sessions  
of Cleasfield County.

In the matter of a Pub. in S. May Sess. 1895.  
in Road in Brad-  
ford Township lead-  
ing from a public  
road at Philip Young's  
property in woodland  
Bradford Township,  
Cleasfield Co. to a point  
on public road or in  
town in said township

Now Apr 6, 1898 a mill having  
been granted to show cause why  
the confirmation absolute should not  
be strucken off and the petitioners for  
mill be permitted to file exceptions to  
the confirmation absolute, having been  
made absolute on argument, by the  
Court, Oscar Mitchell Atty. for the pe-  
titioners for said mill files the follow-  
ing exceptions & a report of the  
viewers made in the above case;

1. That the viewers appointed by the  
Court in this case, were appointed on Feb-  
ruary sessions 1895 and that they failed  
to report at May sessions next and  
that the powers of the viewers were

not enlarged from May Sessions  
1895 to September Sessions 1895 to  
which last named term the officers  
made their report

2. That the termini of the road, or at  
least one terminus, has no fixed defi-  
nite point, as required by law.

Oscar Mitchell

Atty. for Petitioners.

MS May. 208. 1895.

Published in  
Bradford, Pa.  
exception to  
prior owners

FILED. APR 15 1898.

H. M. Gentry  
Clerk

W. H. D. M.  
Attn: Congressmen

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 27<sup>th</sup>, day of September, A. D. 1893, before Judge of said Court, upon a petition of sundry inhabitants of the township of Bradford, in said County, setting forth that

they labor under great inconvenience for the want of a public Road or Highway to lead from a public Road at Philip Young's property, Woodland Bradford Twp. to a branch of public Road at Frogtown in said Twp.

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

whereupon the Court upon due consideration had of the premises, do order and appoint Harry Beyers, W. M. Conkle, R. H. Shaw

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.

B Y THE COURT.

CLERK.

J. G. Gingers

## 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 Philip Young the sum of twenty dollars

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

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

Witness our hands this 29<sup>th</sup> day of August, A. D. 1895.

Harry Byers  
Wm. G. McCorle,  
R. H. Shaw

# ROAD VIEWERS' NOTICE.

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NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Penn'a., to view Public

Road leading from a public road at Philip Young's property in Woodland

in Bradford Township, to a point at Public road at Frogtown

in Bradford Township, in the county aforesaid will meet at Woodland Post Office, in Bradford Township, on Thursday, the 29<sup>th</sup> day of August, A. D. 1895, at 7:30 o'clock A.M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Harry Bayers  
W. T. McCorkle  
R. H. Shaw

VIEWERS.

Clearfield Pa Aug 17, 1895.

Accepted service  
of this notice this  
17th day of August 1885.  
County Commissioner  
Compt'd of Reed

sixty-eight feet north sixty-eight and three-fourths  
degrees West three hundred forty three feet Thence  
through land of Al Boynton North seventy-nine  
degrees West one hundred fifty-seven feet to post  
Thence South eighty-four and three-fourth degrees  
West one hundred thirty-four feet to post  
Thence through land of Woodland fire brick Company  
South forty-nine degrees West two hundred fifty-four  
feet to post Thence South thirty-six and one-half  
degrees West one hundred fifty-two feet to post  
Thence crossing train roads South eighty-one  
and one-fourth degrees West seventy-one feet to  
a post Thence South sixty-seven degrees West one  
hundred forty-seven feet to pine stump Thence through  
land of said firebrick Company North eighty  
six and one-fourth degrees West five hundred  
thirty-three feet to pine stump Thence through  
land of Al Boynton north sixty-three and three-fourth  
degrees West two hundred and fifty-three feet to  
a post Thence North fifty-four and three-one-fourth  
degrees West three hundred and twenty-five feet to  
a post Thence North twenty-seven degrees West  
four hundred twenty-three feet to post near  
abutment of viaduct Thence North forty-seven  
and one ~~half~~<sup>fourth</sup> degrees West two hundred and  
fifty-six feet to post Thence by a straight North  
twenty-nine degrees West two hundred twenty-six  
feet to post Thence North sixty-five degrees West  
two hundred sixty-five feet to public road at  
Frogtown as within mentioned. A plot or draft of  
which road so as aforesaid laid out is hereunto  
annexed showing courses, distances and in-

To The Honorable Cyrus Gordon President  
Judge of The court of Quarter Sessions of Clear-  
field County Pennsylvania, we, The un-  
dersigned, viewers appointed by the within  
order of court to view and lay out the road  
therin mentioned respectfully report that  
we gave good and lawful notice of said  
road view by posting notices where road was  
to be laid out at least ten days before said roadview  
and gave five or more days written notice  
to Commissioners of Clearfield County and having  
met at time and place mentioned in said  
notices we ha all being present at view and  
having been severally sworn or affirmed as  
within directed we have viewed and laid  
out and do return for public use the  
following road to wit: Beginning at  
Public road at Philip Young's property about  
8.5 feet south from where said road joins road  
leading from Clearfield to Bigler. Hence through  
land of said Philip Young, South fifty two  
and three fourth degrees West one hundred twenty  
five feet to a post. Thence through same land  
North eighty-eight and three fourth degrees West  
one hundred seventy-eight feet to a post on line  
of said Young's land and 16 $\frac{1}{2}$  feet from front line  
of school lot. Thence by said lot and other lots  
platted with thin fronts and 16 $\frac{1}{2}$  feet distant there-  
from South seventy-eight degrees West five hundred  
and thirty six feet, North eighty-one and three fourth  
degrees West one hundred fifty feet thence North  
seventy-three and one fourth degrees West four hundred

provements, which road is necessary in our  
opinion for a public road. We believe no owner  
of land is entitled to damages by reason of opening  
of said road except Philip Young whose damage  
is assessed elsewhere in this report. Witness  
our hands this twenty-ninth day of August.

28 1895

Viewers { Harry Byers  
          { Wm D McCorkle  
          { R H Shaw

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 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. 3 May Sessions, 1895

ORDER

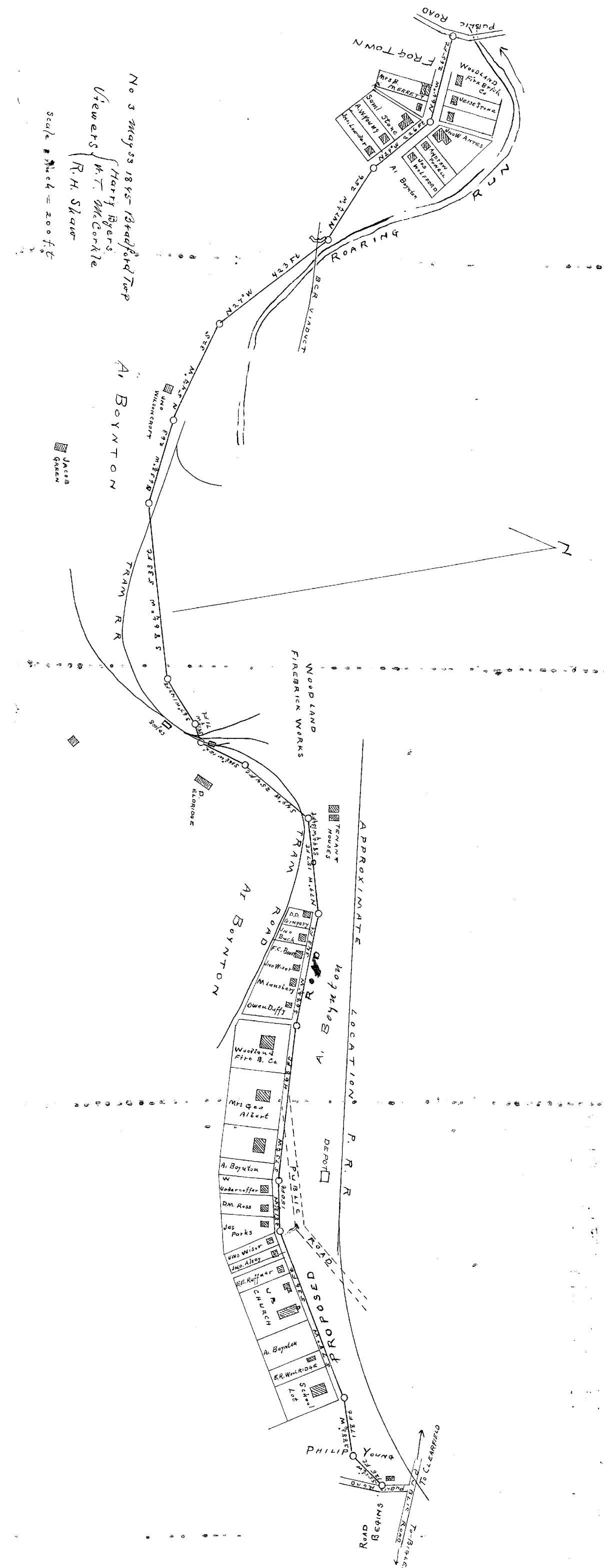
Review and lay out a road for  
public use in the township of  
Bradford, Clerfield Co.  
File No. 1 Sessions, 1895,  
read and confirmed M. S.  
Road to be opened 33 feet  
wide, except where there is  
side hill cutting or embank-  
ment and bridging, there to  
be 16 feet wide.

By John A. Clark  
Cyrus Goodwin

Super Sessions 1895  
Cyrus Goodwin  
Cyrus Goodwin  
S. S. 1895-  
By the Court  
Cyrus Goodwin

AMOUNT.
1571 Days 2
1579 Miles 6 \$8.60
1579 Days 1
1579 Miles 9 \$2.90
1579 Days 1
1579 Miles 6 \$2.60
1579 Days 1
1579 Miles 6 \$2.60

Filed 2 Sept., 1895  
Fees \$1.50 paid by Bell



To the Honorable the Judge of the Court of Quarter Session of the peace of the County of Clearfield

The petition of the Subscribers respectfully sheweth that they labor under great inconvenience for the want of a public road or highway to lead from a public road at Philip Youngs property Woodland Bradford Township Clearfield Co Pa to a point on public road at Frog Town in said Township they therefore pray the court to appoint persons duly qualified to view the grounds proposed for said road and to lay out the same according to law

Petitioners	Names
1 C. B. S. Barney	R. R. Thompson
2 David Young	" D. Young
3 John H. Buck	D. M. Ross
4 George Lufier	J. H. Barr
5 W <sup>3</sup> H. L. Larish	J. D. Price
6 W Baughman	Tbos Hooven
7 M. W. Williams	W <sup>3</sup> Muller
8 H. R. Foy Jr	H. W. Croft
9 S. R. Hodridge	J. B. Young

W. E. Lansbury  
J. L. Stone  
J. R. Willard  
G. S. Shinn  
Daniel Elchick  
Geo. Merrill  
L. H. Scott  
J. M. McPhatter  
Amy Leighow  
Henry Dell  
John W. Bain  
W. A. Woolridge  
H. H. Peters  
H. C. Hines  
J. S. Peters  
J. W. Undercoffer  
J. W. Leighow  
J. Livingston  
S. H. Stevens  
James F. Davis  
W. M. Kapstone  
H. L. Taylor  
A. E. Short  
J. L. Livingston  
Ellsworth Albert  
Theodore Gross  
Jno. C. Gingay  
J. A. Woolridge  
W. S. Overly

G. W. Lansbury  
J. W. Antes  
John E. Widos  
Thomas Parkes Jr  
D. D. Gingay  
G. W. illegal  
E. H. Walker  
W. D. Carr  
J. W. C. Leighow  
Peter Doyle  
B. J. Peters  
John R. Gearish

No. 3. May 35. 1895

Petition for public road  
in Madison Township

Chesnow 27<sup>th</sup> Feb 1895  
Petition now presented and  
signed by Harry J. C. and  
Wm. J. McCorkle of this place

and affirms there is no  
bridge and necessary to lay out  
the road for future use and  
that will be cost at my time.

By the Compt  
James Gandy

Recd Feb 27, 1895

J. Gandy

SINGLETON BELL,  
ATTORNEY AT LAW,  
CLEARFIELD, PENNA.