

No. 5, Dec. Session, 1895

Public Road

~~COMMONWEALTH~~

~~versus~~ *in*

Knox Township

Contents :

Revised 12/1/77

70-2, 18-01-17430

To the Hon Judge of the Court of
Quarter Sessions, of Clearfield County.

We, the undersigned Viewers
Appointed by the Within Order of Court.
To View, and if necessary lay out the road,
therein Mentioned, Respectfully report.

That having, given notice of the time, and
place of meeting, for the said View, according
to the Act of Assembly. And being all pres-
ent. at the view of the ground proposed
for the said road. And being all sworn-
or Affirmed, in pursuance of the said
Order of Court. We have Viewed, and laid
out, and do return the following Road.
Viz. Beginning at a Wagon Spoke Post. driven
in the ground by a marked fence Post by the
Township Road leading to John Sow's House. &
near the Barn of James McKee, and running
Through land of the said James McKee, South
Eighty one and a half degrees west. Twenty
perches to a Post. South Sixty nine degrees
West. Twenty two perches to a White pine stump.
South thirty three degrees West four, and five
tenths perches to a Post. - South One degree East
Thirteen and six tenths perches to stones - South
Seventeen degrees East. fourteen perches to
a Post. South fifty degrees East, Eight and
five tenths perches. to a Post. South forty.

two and three quarter degrees east: Thirteen and six tenths perches to a Post. South five degrees east: Sixteen perches to a Post in Land of Samuel Snyder. Thence through his Land South twenty Seven degrees west: nineteen perches to a Post. South fifteen degrees west. Eleven perches to a Post: South forty One degrees west; nine and four tenths perches to a Post: South, fifty one and a half degrees west. twenty four perches to a Post. South fifty two degrees west: Twelve and six tenths perches to a Post. South fifty Eight degrees west Sixteen and six tenths perches to a Post in Land belonging to John Erhard. Thence through his Land South Seventy Seven and a half degrees west Twenty one and six tenths perches to a Hemlock. South Eighty nine degrees west Thirteen perches to a Post North Eighty one and a quarter degrees west Twenty seven perches to a Post. North fifty five and a quarter degrees west; Twenty four perches to a Iron Post. North fifty Seven and a half degrees west; Seven perches to a Post. Thence North Seventy Eight degrees west Ten perches to the Township road leading to New Millport from Erhard's Saw Mill. a Plot or draft: Whereof is herewith annexed.

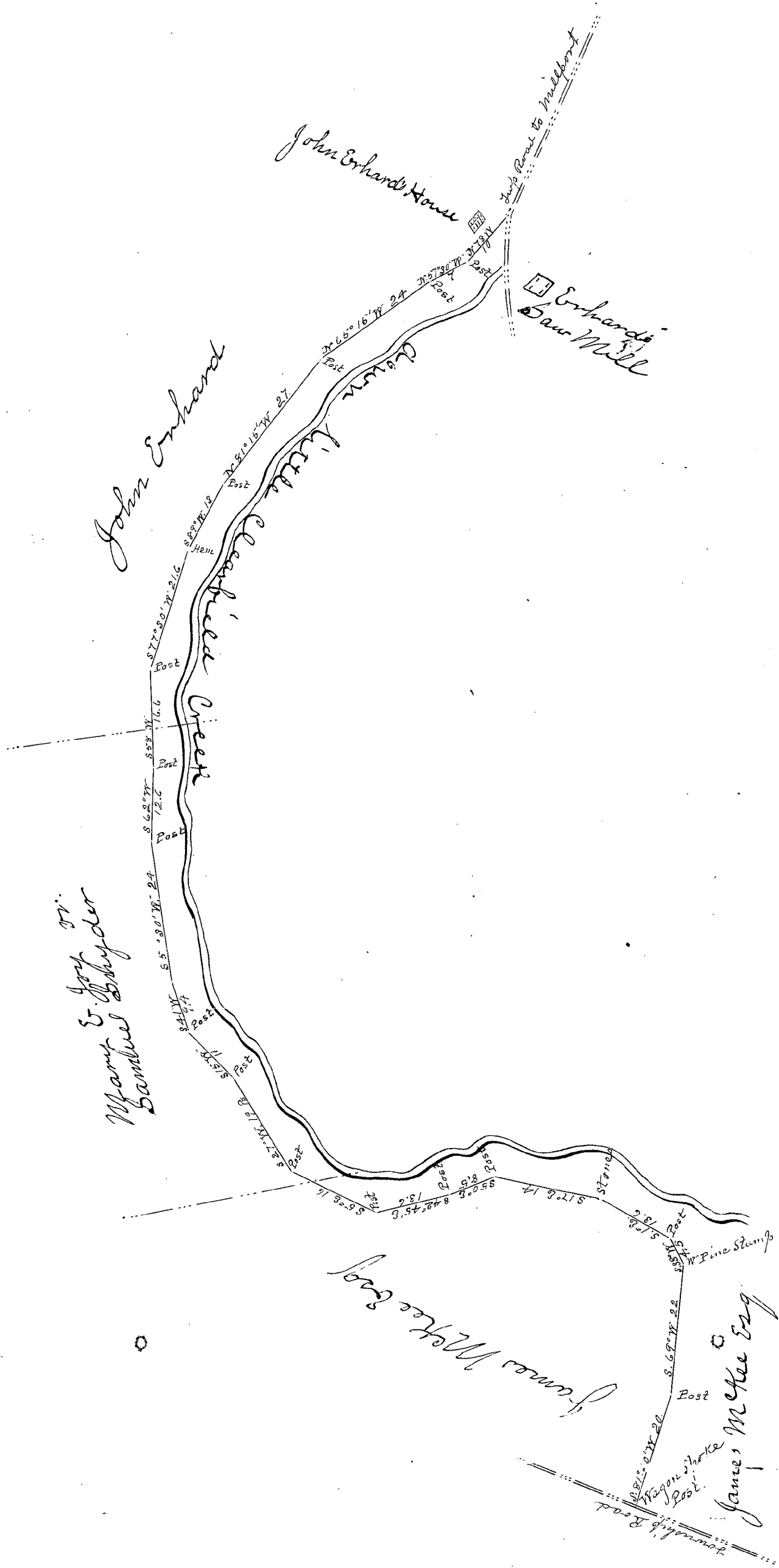
Which said Road as above described. We are of opinion is necessary for a

Public Road:

And further we are of opinion that
no person, or persons, through whose land
the said road is located, is entitled to
receive any damage.

Witness our hands the 21st day of
January A.D. 1896.

S. F. McClosky }
Aaron Wise } Viewers
Conrad Bloom }



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 21 day of December, A. D. 1896, before Judge of said Court, upon a petition of sundry inhabitants of the township of Knox Pike, in said County, setting forth that

they labor under inconvenience for want of a public road leading from a point on public road at or near Enkharo Sawmills in Knox Twp. Clearfield Co Pa to point on public road at or near John Low's in Knox Twp Clearfield Co Pa

and therefore praying the Court to appoint proper persons to view and lay out the same according to law; and report to next Term whereupon the Court, upon due consideration had of the premises, do order and appoint J. F. McCloskey Aaron Wise Conrad Brown 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.

Springery
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 en sealing 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 .

John Erhard 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 dam-ages 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 .

.....
.....
.....

Now May 1, 1896 Mary E. Joy and S. C. Snyder by their attys Murray & Smith file the following exceptions to the within and reports.

- 1st. That notice was not given as required to the parties through whose land the road passed.
- 2nd That notice was not given to the County Commissioners as required by act of assembly.
- 3rd. That owners of the land through which the road was laid out were not asked for release of damages by the viewers.
- 4th That said viewers did not assess any damages to S. C. Snyder over of said exceptions although the road passed through his property for a long distance and exceptant sustained great damage and there is no advantage to exceptant in the opening of said road.

Murray & Smith
Attys for Exceptants

No 218ae Sessions, 1896

ORDER

To view and lay out a road for
Jules usgin the township of
Leadville, Clearfield Co.
Sessions, 1896
July 8th & Aug 18th 1896
read and confirmed N. 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.

By the Court
Exmo. Etson

Exceptions

Filed 23 January, 1896
Fees \$1.25, paid by

Chagoss any

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.

1552	Days 3	Amount
87 M. Clancy	Miles 7	\$12.70
Ann. Wice	Days 1	
	Miles 1	\$2.10
Conrad Blum	Days 1	
	Miles 1	\$2.10
H. J. Bradley	Days 1	
	Miles	\$1.50
James Miller	Days 1	
	Miles	\$1.50
John Warren (Clerkman)		\$1.50

This 21.3,
See Latin report

Don't know
No. 11, District
Oscar Longcoy
Isaac Rice

NO. 5. Dec 28, 1895

Notice for a
Public Road

Sept 1890

Will Dec 24, 1895
Notice published
and H. F. M. G. G.
Hence We are
convinced that we
are not to be
of value. and we
want to see them
to be sent -

Wm. H. G. G.
Wm. H. G. G.

1895/12/18

Hogarty

E. W. McDonald
John Leonard

James R. ...
J. ...

W. H. McDonald
Michael ...

Wm. I. ...
Almon ...

Jonathan ...
Lewis C. ...
...

A

To the Honorable Cyrus Gordon
President Judge of the Court of
Quarter Session in and for Clarfild
County, State of Pennsylvania.

The undersigned Petitioners of
Asiox and Pike Township, County
and State aforesaid, represent
and respectfully to the Honorable
Court, that they are now laboring
under great inconvenience for
the want of a Public road leading
from a point on public road
at Or near Edwards Sawmill
in Knox Twp, County and State
aforesaid, to a point on public
road at Or near John Lows, in
Knox Twp. Your petitioners
pray the Honorable Court to
Consider the same, appoint Viewers
to lay out said road and make
a report and we will ever pray,

Names

Elias Bloom
H. L. Stebbins
David Pruss
J. K. Garian
A. M. Roube
And others

Names

John High
A. B. Bissman
Frank Shugart
H. E. Strunk
D. K. Cathcart

B. F. Miller
Samuel Wilbur
John W. Bullington
W. B. Park
Philip Edward
Addison Hoover
Hosea Edward
Crispian Sloppy
A. A. L. 1841
R. A. Edward
Ross Lunley
Juryman
John Edward
Martin C. Patterson
Conrad Bloom
A. A. L. 1841
P. T. L. 1841
J. A. L. 1841
Robt. P. Edward
Alvin Edward
Jared A. Bloom
L. B. Robbins
H. F. Royle
E. P. Lott
A. L. 1841
J. L. L. 1841
L. B. Lemperton
C. L. Edward
John J. Lunkin
L. B. L. 1841

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 24th day of December, A. D. 1901⁸⁷⁵, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Knox

they are now laboring under great inconvenience for the want of a public road leading from a point on public road at or near Edwards Saw Mill in Knox Township 2nd State aforesaid to a point on public road at or near John Lowe, in Knox Township

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, and report to next term whereupon the Court upon due consideration had of the premises, do order and appoint S. J. McCloskey, Aaron Wiser 2nd Conrad Bloom 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 view and 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.

Grant H. Thompson
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 receive any damages for injuries arising or growing out of the location and opening of the road aforesaid.

Witness our hands and seals this 27 day of June
A. D. 1902..

John Erhard Seal

Seal

Seal

Seal



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 James McKee Esq. the sum of Thirty Dollars (\$30.00)
To Anna M. Joy the sum of Thirty Dollars (\$30.00)
To ' the sum of

Witness our hands this Twenty Seventh day of June A. D. 1902.

S. H. McClosky
Conrad Bloom
J. S. Wise

No. 5 Dec. Sessions, 1895
ORDER

To ~~view~~ ^{review} and lay out a road for public use in the township of Emet, Clearfield County

April Sessions, 1902 read and confirmed N. S. Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

Decided
By the Court
Ernest Groves

Dec. 4, 1902 Confirmed MT
 absolutely by the Court

FILED
 190

Fees \$1.25 paid by
 Grant H. Thompson

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.

AMOUNT.

27 March 1895 Days 2 Miles 10 \$9.00

Conrad Blum Days 1 Miles 1 \$2.10

Ann Wae Days 1 Miles 3 \$2.30

Geo B. Harmon Days 1 Miles \$1.50

(Chain Carriers)
Geo C. Harmon Days 1 Miles \$1.50

new meepack

Geo D. N.

ANNA. M. JOY

JOHN. ERNEARD

JAMES McKEE'S

JAMES. McKEESQ

[illegible]

Hand-drawn map of the area around Corns Mills. The map shows a road labeled "Corns Mills Road" running diagonally from the bottom left towards the top right. Another road, labeled "Corns Mills Road", branches off to the right from the main road. A third road, labeled "Corns Mills Road", branches off to the left from the main road. A scale bar at the top indicates distances of 1/2 mile, 1 mile, and 1 1/2 miles. The map is oriented with North at the top.

To the Hon Judges of the Court

We the undersigned persons appointed by the
Within Order of Court to view and lay out the
Road, therein Mentioned, Respectfully Report.

That having given notice of the time, and place of
meeting, according to the act of assembly. And being
all present at the view of the ground proposed for
the said Road. And being all sworn, or affirmed, in
pursuance of the said Order of Court. We have viewed, and
laid out and do return the following Road. Viz. Beginning
at a Post in the Township Road leading from Erhard's Saw-
Mill. to new Millport. Near Erhard's Saw Mill. and running
through Land of John Erhard. South seventy eight deg-
rees. East Eleven perches to a Post. South sixty six and a
half Degrees East, nine and two tenths perches. to a Post
North ~~Eighty~~ (80) six degrees East. Ten, and one tenth perches
to a Post at the End of the Iron Bridge, Thence through
Land of the same, South, Fifty four degrees East. Twenty
and seven tenths perches to a Post. South eighty one and a
quarter degrees East, Nineteen perches to a Post. North eighty
nine degrees East Thirteen perches to a Hemlock. North seventy
seven, and a half degrees East twenty one and six tenths per-
ches, to a Post, N 58° East, sixteen and six tenths perches, to
a Post. Thence, in land of Annie M. Joy, or Samuel Snyder,
North sixty two degrees East Twelve, and six tenths perches
to a Post. Thence in the same, North fifty one, and a half
degrees East, Twenty four perches. to a Post. North forty
One degrees East. Nine, and four tenths perches. to a Post.
Thence North fifteen degrees East. Eleven perches to a Post.

Thence north twenty seven degrees east. Nineteen perches to a Post. Thence still through land of the said Anna M Joy, and land of James McKee Esqr. north five degrees west sixteen perches, to a Post. north forty two and three quarters degrees west, Thirteen and six tenths perches to a Post. north fifty degrees west. Eight, and five tenths perches to a Post. north seventeen degrees west fourteen perches to a stone pile. north one degree west. Thirteen and six tenths perches to a Post. north thirty three degrees east four and five tenths perches, to a white pine stump. Thence still through land of the said James McKee Esqr. north sixty nine degrees East Twenty two, perches to a Post. Thence by the same north Eighty One and a half degrees East. Twenty, and two tenth perches, to a Post. by the Township Road near John Lows- in Knox Township. which said Road, as aforesaid laid out, we are of opinion is necessary for public use. The parties through whose land the above described road passes, are John Erheard who signed the release of damage and Anna M Joy, and, James McKee, whose damage we have assessed, to the best of our judgement. A Plot or draft whereof is attached

Witness Our hands the Twenty seventh, (27th) day of June A.D. 1902.

S. F. McClosky
Conrad Bloom
D & Wise

No. 97 Term 18

No. Term 18

No. Term 18

No. Term 18

No. Term 18

No. Term 18

No. Term 18

No. Term 18

No. Term 18

No. 5 Term Dec 18

W. A. R. 18

No. Term 18

No. Term 18

No. Term 18

No. Term 18

No. Term 18

No. Term 18

No. Term 18

No. Term 18

June 6 1904

Knot Township Clearfield Co Pa
This is to certify that a
public Road Leading from Erhards
Sawmill to intersect the public
at or near John Lows is now ^{open}
for public Travel we certify these
facts to your Supervisors for Knot
Township for the year of 1904

E B Bloom Supervisors

May 1. 96 ex felua

Now April 8. 1898 settled By the Com. f.

20 Dec. 1901 opening, order issued to John
Edward —

Public Road in Knox Township.

No. 5 December Session, 1895.

To the Honorable Cyrus Gordon President Judge of the Court of Quarter Session of Clearfield County:-

The petition of the undersigned, Annie M. Joy and Wallace W. Joy respectfully represent

FIRST; That petition for a view of public road was presented to your said Court December 24, 1895, docketed to the said above stated number and term, asking for public road from a point on public road near Erhards in Knox Township to a point on public road near John Lows in said Township upon which petition viewers were on said day appointed by said Court.

✓ SECOND; That the said viewers made return to your said Court, laying out a public road along the East side of Little Clearfield Creek between said points which report is confirmed Ni. Si. by your said Court on the 7th of February, 1896.

THIRD; That about one hundred and fourteen rods of said road was located upon land now belonging to your petitioners, then in the name of Samuel Snyder, who is the father of Annie M. Joy, one of the said petitioners, and that no damages were assessed to the owners of said tract or piece of land, and the damages were not released by said owners.

FOURTH; That on May 1, 1896, your petitioners acting for the then owners through their Attorneys, Murray & Smith, filed exceptions to the report of the viewers in said case, which exceptions appear on the back of the report filed in said case.

FIFTH; That following the exceptions filed as aforesaid the said case was put upon the argument docket and so remained undisposed of until April 8, 1898, there is entered upon the argument docket the word "settled" but no conformation absolute was ever entered upon the report of the viewers in said case.

SIXTH; Your petitioners never authorized settlement or withdrawal of the exceptions filed to the report of the viewers in the above stated case and are informed and believe that their Attorneys never authorized

withdrawal of said exceptions. That there were negotiations entered into between your Petitioners on the one side and the Supervisors and other parties interested opening said road, but such negotiations were never in fact carried out or actual settlement of damages made on the part of said Supervisors or others interested and the entry of settlement made on said argument docket, was not authorized in any way by your petitioners and was wholly without their knowledge or consent unknown to them.

SEVENTH; That your petitioners never knew that said case was marked "settled" until some time during the month of January, 1902, when the Supervisors of Knox Township came upon the land of your petitioners and commenced slashing timber for the road and came to have an opening order; that your petitioners thereupon came to Clearfield and consulted counsel and found the record as above stated, but also found that said road had never been formerly confirmed absolutely by the Court but that the opening order had been issued on the 20th of December, 1891, to John Erhard.

EIGHTH; That your petitioners at once notified the Supervisors of the irregularity of the above mentioned ^{case} and stopped further work upon said road, and that since said date the Supervisors of said Township have again entered into negotiation with your petitioners for settlement of damages but that no settlement has as yet been made.

NINTH;; That the said road as opened passes as aforesaid over about one hundred and fourteen rods of the land of your petitioners, part of which land is timbered, which timber will be destroyed by making of said road; petitioners further allege that said road will cause a large amount of fencing to be done by them which is not now necessary because of the location of their land along Little Clearfield Creek, and that your petitioners is damaged by reason of the location of said road to the amount of at least One Hundred Dollars, and that there is no corresponding benefit to your petitioners by said location.

TENTH;; Your petitioners, therefore, believing that the said

opening order is irregularly issued without authority of the Court, and that the settlement marked of record in the said case was made by your said Court under a mistaken representation, therefore prays your Honorable Court to set aside opening order and to strike off the word "settled" upon the said argument docket, and that pending further determination of said case, the Supervisors of Knox Township ~~be~~ restrained from taking any further action upon opening order placed in their hands as aforesaid, and they will ever pray, etc.

Clearfield County SS.

Annie M. Joy
Wallace W. Joy
by Murray Smith Atty
personally came W. W. Joy, who being duly sworn according to law, says that the facts set forth in the above petition as far as they are alleged upon his own knowledge are true and correct, and as far as alleged on information of others he believes to be correct.

Sworn and subscribed this

28th day of ^{Feb} ~~March~~, 1902.

Grant F. Thompson, J. C. C.

