

2 Feb'y No. Term, 1898

Public Road
Versus
Cheek's Gap

R.D. 2d - Page 203

Not used:
used review of 1900

Petition For a Review.
 To the Hon. Judge of Clearfield County State of Pennsylvania
 The Petition of the Subscribers Respectfully Showeth That
 a Road hath been lately laid out by order of the Court
 from a Point Beginning at a Point on a Road
 from the Phenon to Grovera at the Watering Trough
 Meane Farmed Campbells lands in Chest Township Clearfield
 County Pa thence a Cross Land of Frank Campbell a
 Cross Land of Tobias Johnson a Cross Land of Alex Mc Kinney
 a Cross Land of Frank McCullly a Cross Land of Samuel
 Miles to an oake Tree on Public Road leading from Samuel
 Miles to Benoniade at a place Samuel Miles Barn and Ending
 at the aforesaid oak tree in Chest Township in the County
 aforesaid which Road if confirmed by the Court will
 be very injurious to your Petitioners. They therefore pray the
 Court to appoint Proper Persons to Review the said
 Road.

Dave Bartie	John S. McCullly
J. P. McCullly	Jacky T. Morgan
J. H. McCullly	J. R. McCullly
John Killion	Alfred S. McCullly
James Killion	George H. McCullly
Robert Killion	Easton Lewis
John Killion	Robert Lewis
W. H. Lusk	David Blawie
Alfred Strand	Lorenzo Blawie
J. H. McCullly	Patrick Blawie
J. Strand	Hos. K. Brine
John Lewis	Leviell Mrs. Masters
J. H. McCullly	Henry Pennington
W. P. Scott	E. P. Mrs. Masters
Joe Galloway	W. H. Eggle
John Galloway	John Eggle
D. H. Michael	John Hawley
John R. Rains	J. W. C. Galloway
Samuel Rains	J. W. White
James Kitcher	J. W. Rains
J. H. Michael	John Hawley
John S. McCullly	John Rains
J. S. Montgomery	John Hawley
John Lash	W. H. Lusk
James Gandy	W. H. Lusk
Isiah Neff	G. C. Dickel
James Codd	Frank Dicke
William Hazellton	Frank Stombaugh
John Hazellton	Frank Bennett
John A. Hall	John O. Gandy
William H. Fauler	George Hazellton
Wm. H. Gandy	

No. 2. July 1898

Ronni
or
O.S.
Czech
Slovak

Reviewers
Rosenstein

File 15 April 1898

D. Thompson

6. M.

Done now 8th June 1898. My August
W.M.P. McHaffey & Miles Murphy are
appointed reviewers to review the
written materials and make reports
to next Term of Court.

By the Court
Cyrus Gordon

Done now Oct 17th 1898 on
Motion of C. & M. The powers
of the reviewers are unchanged
to next Term with same terms
as of present at Sept Term 1898

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

We the undersigned Viewers, 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. To wit. Beginning at a Post by marked Stumpz in the Township Road leading from McPherson to Invona. Near the watering Trough. Hence through land belonging to Frank Campbell, and land of Tobias Johns. north forty one degrees, and fifteen Minutes West, One hundred, and Twenty (120) perches, to a Post. Hence through land of the said Tobias Johns. and land belonging to Alexander McKinzie North forty three degrees west. one hundred and twenty. (120) perches. to a Post. Hence through land of the said Alexander McKinzie. North twenty degrees east. six and eight tenths perches. to a Post near McKinzie's Barn. Hence still through land of the said Alexander McKinzie, and land belonging to Frank McCulley

North fifty degrees west, Thirty three perches to a Post. Thence through land of the said Frank McCulley north Seventy degrees west twelve and four tenths perches to a Post, Thence still through land of the said Frank McCulley's Land, and land belonging to Samuel A. Miles, North Thirty nine degrees, and forty five minutes west, Sixty one and four tenths perches to a Post in the Township Road, leading from Samuel Miles, to Ber-Windale, near his Barn, and the "Oak tree".

Whick Said Road, as above described, we are of
Opinion is necessary, for Public use. A Plot or
Draft Whereof, is hereunto annexed.
Witness our Hands, the 26th day of
January, 1898.

S. F. McClosky, }
Anthony McGowen } Viewers
J. P. Bell }
11

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 18

day of Dec, A. D. 1897, before Judge of said Court, upon a petition of sundry inhabitants of the township of Elkley

, in said county, setting forth that they labor under great inconvenience for want of a public road or highway beginning at a point on road from McPherson to Irionia at the watering branch near Frank Campbell's lane and ending at an oak tree on public road leading from Samuel Miles' to Berwind's all at or near Samuel Miles' Barn in Sps of Chest

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, ~~for the next term~~
whereupon the Court, upon due consideration had of the premises, do order and appoint J. M. Closkin, M. Bee Anthony, W. G. Garrison 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.



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 day of A. D. 189

Frank Campbell *Seal*
Tolias Johnson *Seal*
S. A. Miles *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 Frank McCulley the sum of Five Dollars (\$5.00)
To the sum of
To the sum of

Witness our hands this day of , A. D. 189

S. F. McCloskey
Anthony McGarvey
J. W. Bell

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. 2681 Sessions, 1898

ORDER

To view and lay out a road for
 Public use in the township of
 Chest, Clearfield Co.
 July 21st Sessions 1898,
 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.

AMOUNT.	
S. J. McCloskey } Days 3	
(1m) } Miles 5.3 \$17.30	
Joe Whell. } Days 2	
} Miles 8 \$6.80	
A. McCloskey } Days 2	
} Miles 4 \$4.40	
C. L. Comina } Days 1	
} Miles 1.50	
John Johnson } Days 1	
} Miles 1.50	
Frank Campbell, Off 1 day. } \$1.50	

July 17 Oct 1898
 No report having
 been made by the
 viewers appointed
 June 1898 at next
 term of Court, and
 has failed and has
 been made absolutely
 by the Court
 Cyrus Sordy

Filed 31 Janv., 1898
 Fees \$1 paid by

Oct 17 1898
33-16
Begin in Twp Road leading
from McPherron to Iriona
to Twp Road from Sam'l
Miles. to Bermudale.

A

Confort
Run

Smart T

S

Smart S