

No. 4 May Term, 1901

Public Road
versus in

Chest Township

R.S. #4 - Page 331

vacated

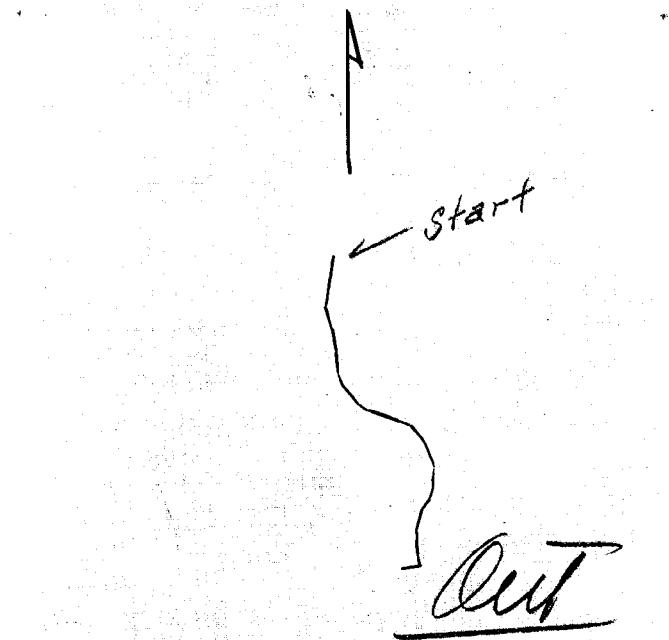
Start → Out

Chest Twp.

Begin on public road
on line of J. Pennington
& Cambria Coal & Iron
Co. thence North East
to public road from
Westover to New Washington.

Coaf. Ab's. ?

" N. S. May 1903. 33-16
Opening order issued Oct 15
1903.



Chest Twp.
Conf. Ni. Si. May 13-1901
33-16'

Begin at Public Road
near George Michaels
above Hards Mill - to
road at Mrs. Smeeds.

Road Viewers' Notice.

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view PUBLIC **Road leading from**

PUBLIC ROAD, NEAR ELIZABETH SMEAD'S, ON THE WEST SIDE OF CHEST CREEK.

in CHEST **Township, to** CONNECT WITH

PUBLIC ROAD NEAR GEORGE MICHAELS.

in NEWBURG BOR'G. **Township, in the county aforesaid, will meet at the house of**

GEORGE MICHAELS

, in NEWBURG BOR'G,

Township, on MONDAY, **, the** EIGHTH Fiftieth **day of** APRIL **, A. D. 190¹ , at** ¹ **o'clock P M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.**

J. S. M. Creery
J. F. C. Bell

S. H. Mitterow

Viewers.

KERRMOOR, MARCH 16th

, 190¹ .

Received on
and this 18th day
of March 1881

D. T. Deane
etc & Company

No. 4 May Sessions, 1801.
Public Road }
in
Chest Township.

To the Honourable Cyrus Gordon,
President Judge of said Court:

The petition of the undersigned
respectfully represents: - That on the
third day of June A. D. 1802, a review
of the above road was granted by the
Court, with J. S. McCrary, S. W. With-
row and F. T. Bell as viewers; That
it has been impossible to get said
viewer to act and for that reason
no review has been had. Your
petitioners respectfully ask that
other viewers be appointed to go
upon the ground and make
review and report to May Sess,
1803. And they will ever pray

I W. Kendall
J. Scott W. Morris



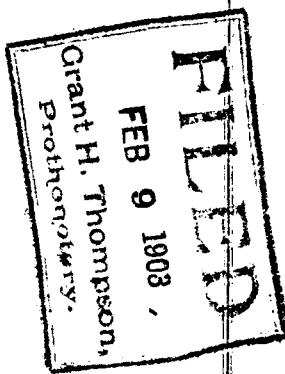
Mr. & Mrs. S. 1801

Public Land
sic
Great Northern

Mr. & Mrs. S.
Linton, Stein and connected
and Harry Rose, Jacob
Burge and James Son.
copy

See also attached specimen
commemorative postcard
to number 1800 and
report to May 2005.

By Mr. Davis
Census Bureau



Petition for a Publick Road

To The Court of the Just of Quarter
Sessions of the Peace of the County of
Chester The Petition of the Subscribers
respectfully sheweth That they labor
under great inconvenienc for
the want of a Publick Road
so high way to lead from
Publick Road in Chest: Twp
Chester ~~co~~ Neer Elizabeth Anne
on the WEST side of Chest: Creek
and to connect Publick Road
NE Henry Michael Jr. Rebun
Byrrough of said County thy have
for day the last to affant Persons
only qualified to view the ground
Proposed for said road and to lay
out the same according to said
Henry Propst

J. N. Rainey	J. Edward Hilliard
James Chapman	James Eagle
G. H. Edward	J. W. Harrel
E. B. Rainey	J. B. Kitchen
and his wagon	L. H. Snyder
Henry Stodd	C. W. Masters
Jacob Langford Jr	L. W. Esteller
Edward Denington	John Hunt
Burt Kirtton	J. H. Morris
Warren Wood	S. C. Johnston

11th G. 119, writers
W.M. Egger 22
Harry Remington
Ogden Campbell
John McCormick
J. H. Gilligan
J. G. Westover
John J. Kitchen
John Remington
David Remington
Salmon Biggs
Sylvester Currier
James Woods 24
A. F. Michael
A. H. Kitchen
G. W. Snyder
John Masell
Wm. H. Saighlin
Simon Remington
Samuel H. Boyce
for myself away
J. H. Kitchen
Court Curry
Wm. E. Remington
Wm. Butterfield
W. H. Michael³⁷
Dove Foster
J. G. Remington
R. Remington
W. H. Remington
W. H. Remington

Walker Ward

Asa Lusk
George Mumford
John Blodgett & Cope
J. B. Beale
J. C. Hurd
John Townsend
Asa Hurd
E. H. deacon
A. M. Gorman
John Lincolnton
A. T. Miner
J. P. Foote
C. J. Horne
C. H. Horne
Lans B. H. Hill
John Conley
Fert. Bishop
W. M. G. Foote
W. H. Hinckley
E. D. Michaels
J. B. Worrell
D. C. Michaels

No. 4 May 1901

Feb 20 1901

Wm. H. Tolson Sec.

and Commissioner

U. S. M. C. G.

S. W. Thompson

Compt. Bell

an application for

new and never

before, have I

recently made

By the Compt.

Compt. Gen.

FILED

FEB 20 1901

Grant H. Thompson,
Prothonotary.

order
dated 20 Feby 1901

H. H. Thompson

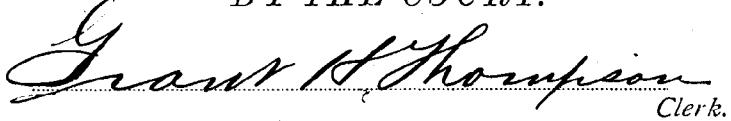
Clearfield County, ss:

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 20th day of February, A. D. 1901, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Chest

Chest, in said county, setting forth that they want a Public Road or highway to lead from Public Road in Chest Township Clearfield Co. near Elizabeth Smead on the West side of Chest Creek and to connect Public Road near George Michaels in Newburg Borough in said County, they therefore pray the court to appoint viewers to view the same

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. S. McCleary, A. H. Withers and Carter Bell 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 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 County of Clearfield at and before the sealing and delivery hereof, have remised, released and forever quit-claimed; and do hereby remise, release and forever quit-claim to the said County of Clearfield 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 16 day of April
A. D. 1901.

Joshua Pennington ^{his} _{mark} Seal
Elizabeth A. Donnel 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 Jacob Pennington the sum of One hundred dollars
To Heannah McCandless the sum of Fifty dollars
To the sum of

Witness our hands this 16 day of April A. D. 1901.

J. M. Creery
J. H. Withrow
F. C. Bell

To The Court of Quarter Sessions of Clearfield County.

We the undersigned viewers appointed by your Honorable Court to "view and lay out" a road in Chest. T'w'p Clearfield County, Pa., from Elizabeth Smeed's to George Michael's, in said township, having all been present, and duly sworn or affirmed according to law, carefully examined the proposed route, agree that such a road is a Public necessity, and would also be of great value to the property owners along the route, and have therefore laid out the same as follows:-Beginning at a post at the Public Road near George Michaels, above Hurds Mill, Thence S.9.45 W., 970ft, S.7.30 W., 600ft. S.17 E., 745ft. S.8.30 E., 540ft. S.5.30 E., 651ft. S.22.30 E., 386ft. S.37 E., 378ft. S.47 E255ft. S.56.30 E., 275ft. S.71.45 E., 900ft. S.71.45 E., 335ft. S.65.30 E., 230ft. S.51 E., 335ft S.35 E., 309ft. S.27.30 E., 259ft. S.21.30 E., 279ft. S.6.30 E., 383ft. S.6. W.245ft. S.18 W.431ft. S.43 W., 318ft. S.18 W., 664ft. S.466ft. S.3 E., 288ft. S.5.30 E., 338ft. S.80 W., 640 ft to post on road at Mrs Smeed's. The total distance being 11300ft. (2.14 miles). The same being laid out with reference to the shortest distance, best ground, and least damage to property assessment of damages and releases covering all improved property, is hereto annexed, also a draft to a scale of 500ft to an inch, showing in detail the locality, and the route selected.

Submitted this 18th day of April, A.D. 1901.

(Notices according law, and rule "147")

J. S. McCreary
S. H. Withers
F. C. Bell } Viewers

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. 4 May Sessions, 1901

ORDER

To view and lay out a road for public use in the township of Chest, Clearfield County, Pa.

May 13, 1901
Sessions, 1901,
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.

As the Chest
Cyrus Linder
J. P.

	AMOUNT.
John McCreary 3 Days	16.00
J. E. Bell 2 1/2 Days	6.50
John McCreary 2 1/2 Days	12.00
John McCreary 2 1/2 Days	12.00
Scott Monroe 1 Day	1.70
Joshua Cunniff 1 1/2 Days	3.00

Filed	190
FILED	
Fees \$1.25 paid by	
APR 20 1901	
Grant F. Thompson,	
Prothonotary.	

Hospitality

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PA.

Public Road in
Chest Township.

NO. 4 May Sessions, 1901.

To the Honorable Cyrus Gordon, President Judge of said Court. The petition of "Clearfield and Cambria Coal and Coke Company", by their agent, Adam Breth, respectfully represents:- That on the 20th., day of February, A.D. 1901, the petition of I.N. Rainey and others, praying for the appointment of viewers to view and locate a public road or highway to lead from public road in Chest township, Clearfield county near Elizabeth Smeeds on the west side of Chest Creek and to connect public road near George Michaels' in Newburg Borough in said county was presented and that on the same day the court appointed J.S. McCreery, S.H. Witherow and Cortes Bell, viewers to view and make report of same to next court.

That on the 20th., day of April, 1901, said viewers filed their report in the office of the Prothonotary. That on the 13th., day of May 1901, said report was confirmed Ni., Si., by the Court and confirmed absolutely on the third day of September, 1901, and an opening order, directed to the supervisors of Chest township, was issued on the 11th., day of November, 1901, by virtue of which the said supervisors are now about to open said road. That said road passes through the seated lands of your petitioner for a distance of more than half a mile and that the opening and making of said road will be very injurious and damaging to said lands, and will cause the destruction of much timber growing thereon.

Your petitioner also represents that no notice of the time and place fixed for the assessment of damages was given to said Clearfield and Cambria Coal and Coke Company or to their agent, nor does it appear from their report that the viewers considered the question of damages at all so far as the lands of your petitioner are concerned, neither does the report show

when or on what date the view was made. Your petitioner further represents that no effort was ever made to obtain release of damages from your petitioner.

Wherefore, your petitioner showing that no notice of the time and place of making the view or of the assessment of damages was ever given to your petitioner and that no release of damages was ever obtained or asked for, prays the Court that the order of confirmation in this case be set aside, and a re-view directed, and that such other and further order as to the Court may seem meet and proper in this behalf be made. And he will ever pray &c.

Clearfield and Cambria Coal and Coke Company. By their agent,

Adam Breth

Clearfield County ss:

Adam Breth, being duly sworn according to law doth depose and say 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 eleventh day of April
A.D. 1902.

Adam Breth

Paul K. Thompson
Now, May 23 1902, the above report read and considered and a Rule is hereby granted upon I.N. Rainey and others, petitioners, to show cause why the order of confirmation absolutely in this case should not be set aside and a re-view directed, and proceedings to open the road be stayed pending the Rule. Returnable first Monday of June 1902.

W. B. McAllister

331.258

Now June 8^d 1802, Rule made absolute and
review granted. Same review as in original
proceedings to review and make report to next
Sess 1802. This order made by Consents of
Court concerned.

By the Court
John W. Reed
Judge of the High Binding.

At H. May 23, 1801

On this Day
in

Court Session.

Order for

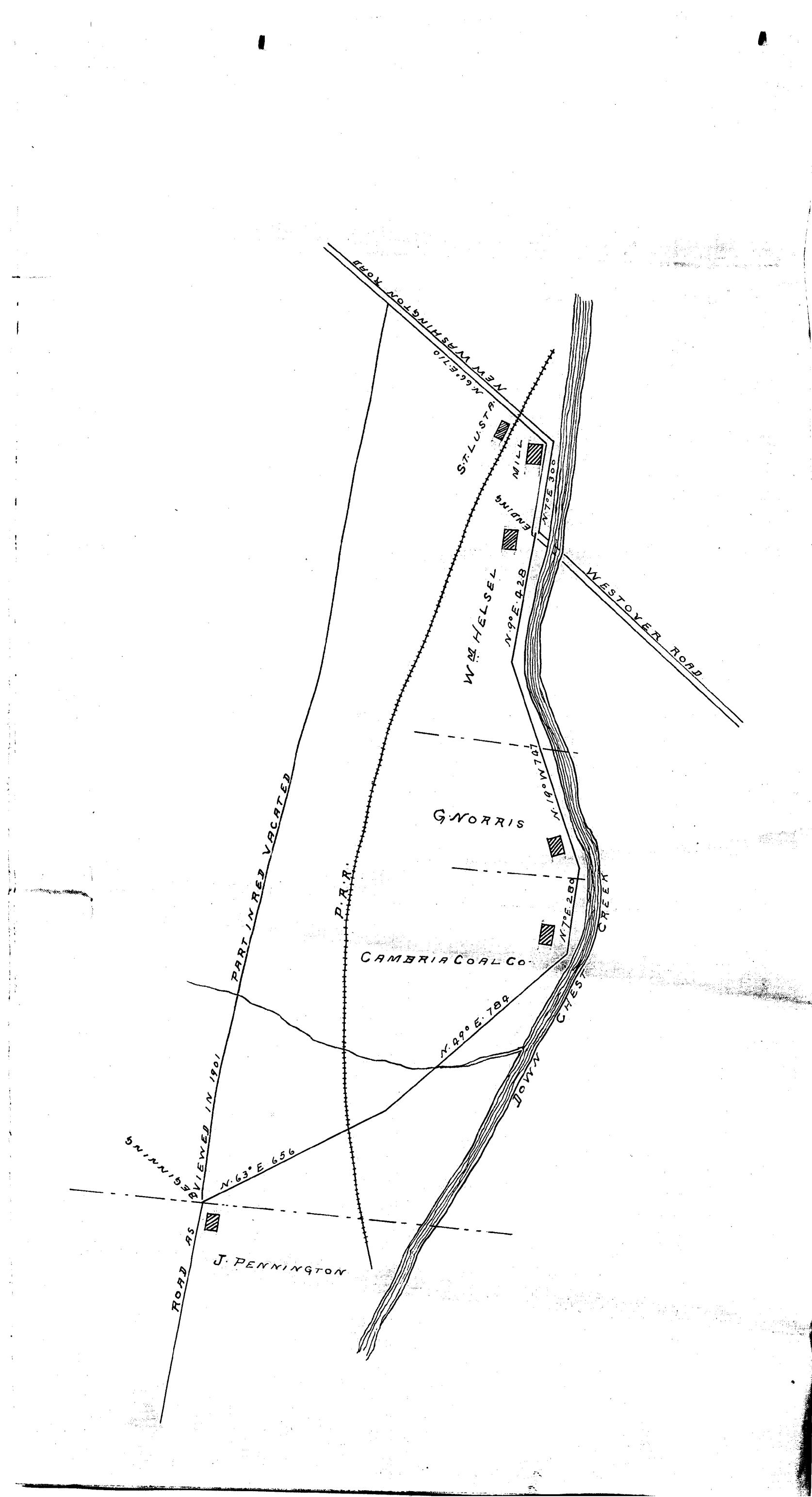
Review.

FILED

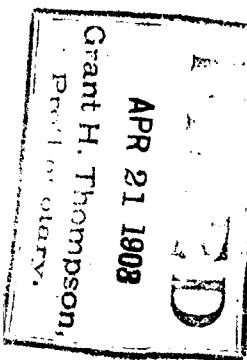
MAY 23 1802

Grant H. Thompson,
Prothonotary.

KELLEY,
Attorney at Law,
Clermont, Pa.



To the Honorable
 The Judge of the Court of Master
 Sessions of Clearfield County Penna.
 We the undersigned persons
 appointed by the within order of Court
 to review the road therein mentioned
 respectfully report that After having
 given due public notice by three
written and printed notices put up
 near the location of the said road of
 the time and place of meeting to view
 and lay out the same and also having
 given due notice to the County Com-
 missioners and the Supervisor of
 Chest Township of said time and place
 of meeting we met at the house of William
 Kelsel in Chest Township on Friday
 the 17th day of April A.D. 1903 and
 after having been duly affirmed in
 pursuance of the within order we
 proceeded to review and lay out and
 do return for public use the following
 road to wit. Beginning at a point
 in a public road as marked and laid
 out some two years ago and on line
 of lands of J. Pennington and the Cam-
 bria Coal and Iron Company. Thence
 North sixty three degrees East six hundred



and fifty-six feet. Thence North forty-nine degrees East seven hundred and eighty-four feet. Thence North seven degrees East two hundred and eighty feet. Thence North nineteen degrees West seven hundred and forty-seven feet. Thence North nine degrees East four hundred and twenty-eight feet to a point in the public road running from Westover to New Washington and on the west bank of Chest Creek. Above described road being intended to supply that part of the road as reived and laid out in 1901 extending from the point of beginning of above described road to a point in the public road near house of George Michael. Said part having been vacated by proceedings of your honorable Court. Which said road so as above described laid out by us we are of opinion is necessary for a public road.

Respectfully submitted

R. A. Reese
W. L. Carson } Owners
James Savage }

Review

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 20th day of February, A. D. 1901, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Chest

they labor under great inconvenience for want of a Public Road or highway to lead from Public Road in Chest Township near Elizabeth Smeal's on the West side of Chest Creek and to connect Public Road near George Michaels in Newburg Borough in said County

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 ~~W. C. Garden~~ Harry Reese, ~~John B. Bixby~~ and James Savage 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 Review 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 encasing 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 17th day of April
A. D. 1903.

Scott H. Morris *Seal*

W. Hebel *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 Cambria Larddon Co. the sum of one dollar
To the sum of
To the sum of

Witness our hands this 17th day of April A. D. 1903.

W. A. Reese

W. Larddon

James Savage

Moore

No. 4 May Sessions, 1901

ORDER

To review and lay out a road for public use in the township of Chest, Clearfield County

May 2 Sessions, 1901
3 miles laid and confirmed Vi. Si.
Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

By the Court
Cyrus Gandy Jr.

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.

	AMOUNT.
Days 2	8.00
Miles 67	67.00
Days 1	2.00
Miles 40	4.00
Days 1	2.00
Miles 40	4.00
Days	
Miles	

Or. 13-1901 opening & resurvey to prove which

190

ED
Fees \$125 paid by Jas H. Kelley

APR 21 1903

Grant H. Thompson,
Prothonotary.