

S-13-01-1000-K

6, Delco Sessions, 190.1

COMMONWEALTH

versus

Public Road

Cooper Twp.

R. d. v. Page 303

Charge

Part Rep'd 19207 & 17712

WILLIAM L. SWOOP,
District Attorney.

Petition for Laying out a Road.

TO THE HONORABLE CYRUS GORDON PRESIDENT Judge of the Court of Quarter Sessions of the Peace in and for the County of Clearfield.

The petition of the undersigned, inhabitants of the township of Cooper, in the said County, respectfully sheweth;

That your petitioners labor under great inconvenience for want of a road or highway, to lead from at or near the New York Central Railroad at Winburne, Pa. to extend to the Moshannon Creek a distance of about fourty rods.

Your petitioners humbly pray the Court to appoint persons to view and lay out the same, according to law; and they will ever pray.

James D. Jones Thomas Barr
J. F. Merritt And Morgan
G. H. Conway Jno Lovell Jr.
W. M. Dwyer W. H. Curley
Jno Dymn. & C° Jackson Hooper
Geo. H. Gillings M. Dillen
Jno Rudice George McBath
J. S. Rudice C. W. M. Mark
Darney Press L. T. Reed
W. L. Sommers W. E. Durney
H. Henderson W. H. Curley
James Black Jr W. H. Hooper
R. H. Cawley Jacob Moyer
Adam Barr

W. E. Mono

P. J. Eisenhauer

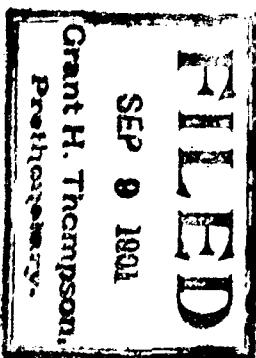
G. J. Ames

No 6 Dec. 3 1901

W. J. Martin
Petition for a Writ of Habeas
Corpus made to the New
York Central Railroad
for umbuline to extend
to the Mohawk River
in Cooper up to Pa

Now before I 9 1901 Harry
Davis a Convict and
John Lewis are appointed
Counsel for the
and Good and report
at our Term.

By the Court
John Ganson
A. M.



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 9th

day of September, A. D. 1901, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Cooper

in said county, setting forth that your petitioners labor under great inconvenience for want of a road or highway to lead from at or near the New York Central Railroad at Albion Pa. to extend to the Moshannon Creek a distance of about forty rods.

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 Harry Byers, A. C. Dale, Henry Kline 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.

Frank 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 ensealing 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 day of
A. D. 190.....

G. J. Ames Seal
Chas D. Allen 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 the sum of
To the sum of
To the sum of

Witness our hands this day of A. D. 190

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

at or near New York Central Railroad at Winburne

in Cooper Township, to Moshannan Creek
(a distance of about forty rods)

in Cooper Township, in the county aforesaid, will meet at the house of Wm. Boyse
(hotel), in Cooper Township, on Tuesday, the 22nd,
day of October, A. D. 1901, at 11 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 Byers.

A. C. Dale.

Henry Kerns.

Viewers.

Clearfield, Pa., October 9, 1901.

Received on us this
22nd day of October
A.D. 1901
Superior garnet
Copper & Ch. Stewart

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

at or near New York Central Railroad at Winburne

in Cooper Township, to Mo. shannon Creek(a distance of about forty rods).

in Cooper Township, in the county aforesaid, will meet at the house of Wm. Boyse (Hotel), in Cooper Township, on Tuesday, the 22nd, day of October, A. D. 190₁, at 11 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 Byers.

A. C. Dale.

Henry Kerns,

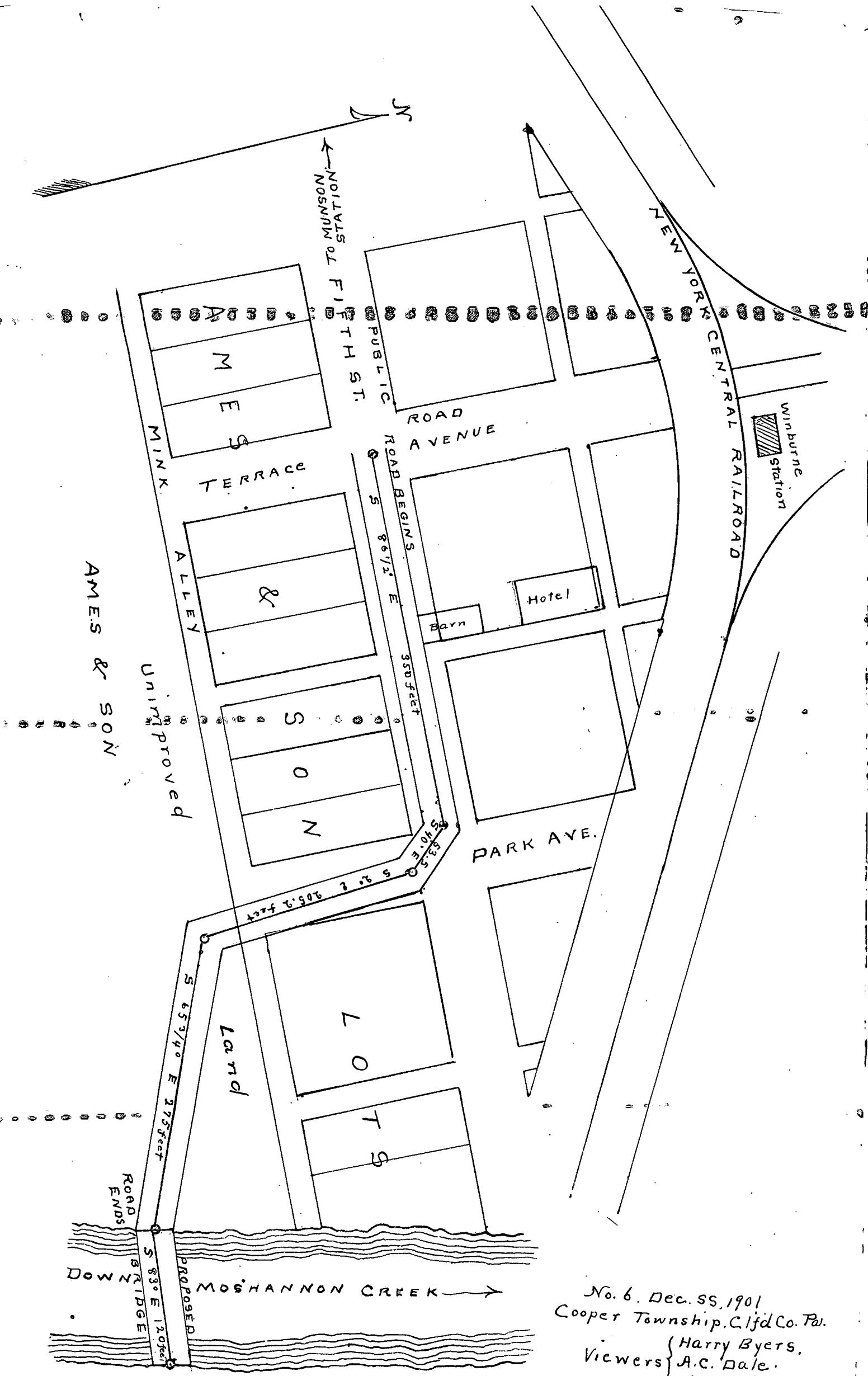
Viewers.

Clearfield, Pa., October 9, 190₁.

Served on me this
sixth day of October

A.D. 1901

John C. Black
W. J. Dean



No. 6. Dec. 55, 1901
Cooper Township, C/lfd Co. Pa.
Viewers { Harry Byers.
 { A.C. Dale.
 { Henry Kerns.
Scale, 100 feet = 1."

To the Honorable Cyrus Gordon Presiding Judge of
the Court of Quarter-Sessions of Clearfield County, we the undersigned
were appointed by the within order of court to view and lay
out the road herein mentioned respectfully report that we
gave good and lawful notice of said road view with notice
to the County Commissioners of Clearfield County and supervisor
of Cooper Township as required by act of assembly, that we
met agreeable to the said notices and having been severally
sworn or affirmed we viewed the ground for the proposed
road, and have laid out and do return for public use
the following road to wit: Beginning at a point at Twin in
road leading from Winburne to Munson near the New-
fork central railroad at Winburne thence by fifth
Street south eighty six and one half degrees East three hun-
dred and fifty feet to West side of Park Avenue thence
South forty degrees East fifty three and one half feet
through Park Street to Locust thence through said
Park Street and land of Jas. Ames & Son and J.L. Schoonover
South two degrees East two hundred and five feet to
a pine stump thence through unimproved land of J.L.
Schoonover South Sixty five degrees East two hun-
dred and seventy five feet to a pine stump on bank of
Moshannon Creek at end of proposed bridge
to be erected across Moshannon Creek and viewed to no 5
Dec 55 1901 of Clearfield County which road aforesaid extended
across Moshannon Creek connects with road (public) laid out
this day by E.R. Chambers, Harry Marfel and J.W. Schoonover by
order of the court of Quarter Sessions of Centre County to
No 8 Nov 55 1901, where said viewers from Centre having been
present at with us, on view of said road, which road
as laid out aforesaid (as per within order) is necessary in our
opinion for a public road, A plot or draft of road aforesaid
showing courses distances and improvements is herunto
annexed.

Witness our hands this 22nd day of Octo-
ber A.D. 1901

Harry Bixler
A.C. Dale
H. K. Clegg

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.

ORDER

To viewers lay out a road for public use in the township of Cooper, Clearfield County

All Sessions, 1901,
before 22nd 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.

By the Clerk
By Cyrus Gindorff
14 Feb'y 1902
Confirmed above
attest By the court
George Thompson Jr.

VIEWER	Days	Miles	AMOUNT
Henry Byers	2	Days 2	
A. C. Dale	1	Miles 1	
Henry Kers	1	Miles 1	
W. W. Stewart	1	Miles 1	
John Hartle	1	Miles 1	
John Hammar	1	Miles 1	
			10.10

Filed 190
Fees \$1.25 paid by John Hartle
Ordered 11/1/01

W. H. Thompson,
Notary.