

8-13-01-1000-K

No. 6, Dec. Sessions, 1901.

COMMONWEALTH

versus

Public Road

in  
Cooper Twp.

R.d. #1 Page 353

Charge

Part Map Rd 17707 & 17712

WILLIAM I. SWOOPÉ,  
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 town-  
ship 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 forty 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.

Chas D Jones Thomas Barr  
J. F. Merritt And Morgan  
E. H. Conway Jno Lovell Jr.  
W. M. Byers W. H. Curley  
J. W. M. Jackson Hobbs  
Geo. H. Gilling M. M. Dillon  
Jno Rudice George McBeth  
J. O. Rudice E. W. M. North  
Dorsey Press L. H. Reese  
W. C. Smathers W. E. Driney  
W. F. Sheridan W. H. Curley  
James Black Jr. Wilbur H. Coon  
R. W. Curley Jacob Moyer  
Adam Barr

W. E. Morris

P. J. Eisenhauer

C. J. Ames

No 6 Dec 1901

Dear Sir

Visiting in a horse road  
from near or at the New  
York Central Railroad  
at Hudson to extend  
to the Mechanic Brook  
in Cooper's Gap Pa

Now Sept 9 1901 Harry  
Bryce A. Carter and  
him, Kern are appearing  
before the  
road board and report  
at our term.

Very truly  
Yours  
Grant H. Thompson

FILED

SEP 9 1901

Grant H. Thompson,  
Prothonotary.

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 9<sup>th</sup> 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 Winburne 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, H. C. Dale, Henry Kerns 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 layout

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 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  
Thos J. Ames 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 Moshannon Creek

( a distance of about forty rods)

in Cooper Township, in the county aforesaid, will meet at the house of Wm. Boyse

(hotel) \_\_\_\_\_, in Copper

Township, on Tuesday, the 22nd. day of October, A. D. 190 1, 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 \_\_\_\_\_, 190 1.

Served on me this  
22<sup>nd</sup> day of October  
A.D. 1901  
Superior } Garin trustee  
of }  
Copier Trust } Chas. O. Stewart



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Harry Byers.

A. C. Dale.

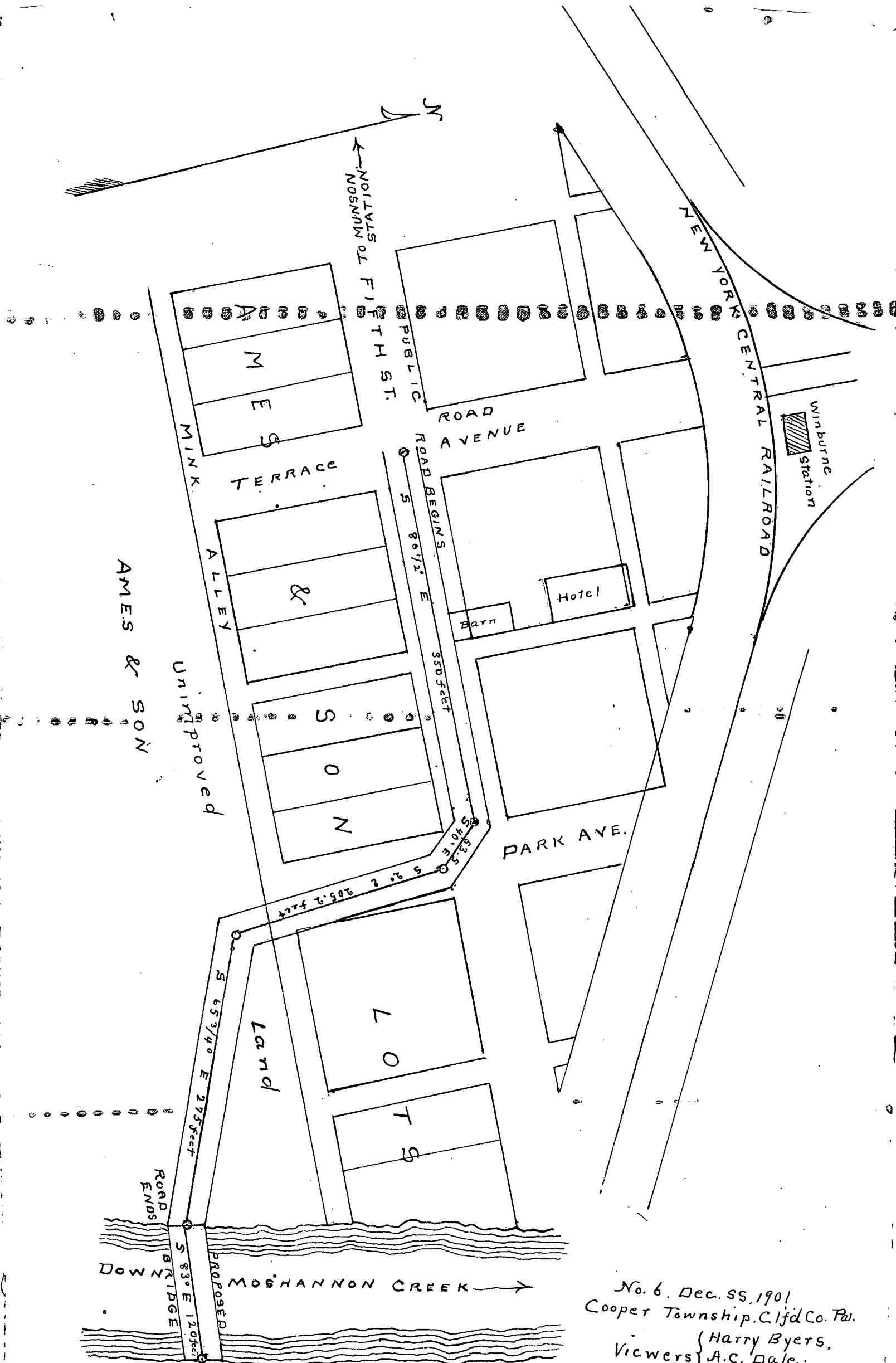
Henry Kerns.

Viewers.

Clearfield, Pa., October 9, 190<sub>1</sub>.

Served on me this  
with day of October  
A-D 1901

W. J. D. D. D.  
W. J. D. D. D.



No. 6. Dec. 55, 1901  
Cooper Township, Clifd 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<sup>County</sup> we The undersigned  
viewers appointed by the within order of court to view and lay  
out the road therein mentioned respectfully report that we  
gave good and lawful notice of said road view with notice  
to the County Commissioners of Clearfield County and supervisors  
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-  
York 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 a Locust Thence through said  
Park Street and land of Jas. Ames & Son and O L Schoonover  
South two degrees East two hundred and five feet to  
a Pine Stump Thence through improved land of O 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 named to no 8  
Dec SS 1901 of Clearfield County which road aforesaid extended  
across Moshannon Creek connects with road (public) laid out  
this day by E R Chambers, Harry Warfel and J M Schoonover by  
order of the court of Quarter Sessions of Centre County to  
No 8 Nov SS 1901 what 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 herewith  
annexed.

Witness our hands this 22<sup>nd</sup> day of Octo-  
ber A D 1901

Harry Byers  
Ab Dale  
H K C

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.
22 } Harry Byers	Days 2	
	Miles 21	10.10
A. C. Dale	Days 1	
	Miles 11	3.10
Henry Kerns	Days 1	
	Miles 28	4.80
W. W. Stewart Chairman	Days 1	
	Miles	1.50
John H. Harte Chairman	Days 1	
	Miles	1.50

No. 6 Dec. Sessions, 1901

**ORDER**

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

All Sessions, 1901, opened 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 Court  
 Cyrus Gordon

14 Feb. 1902  
 Confirmed Absolute

Attest By the Court  
 Grant Thompson

Filed 190  
 Fees \$1.25 paid by Grant Thompson

Order 1901

W. Wilkerson,  
 Notary.