

10 Sept

Sessions, 190

COMMONWEALTH

versus

Public Roads in  
West Township

P.S. #4 - Page 385

Charge

vacated

WILLIAM I. SWOOP,  
District Attorney.

To the Honorable Cyrus Gordon Judge of the Court of Quarter Sessions  
of the County of Clearfield,

The petition of the undersigned, inhabitants of the township of Chest in  
the said County, respectfully represents;

That your petitioners labor under great inconveniences for want of a pub-  
lic road or highway to lead from a point on the public road on the west  
side of Chest creek near "the Blue-hole" to Welshdale. Your petitioners  
therefore pray the Court to appoint proper persons to view and lay out  
the same, and they will pray.

John Rainey  
A. R. Kitchen  
J. W. Kitchen  
John J. Kitchen  
J. W. Kitchen  
Austin Gray  
Samuel McPherson  
John Fisher McPherson

William Dunbar

Isaiah Stoff  
Samuel Wood

J. W. Snyder  
James Snyder  
Austin Wood

J. W. Mathews

J. P. McPherson

Harry White

E. J. Westover

John Stoff  
J. D. Westover  
J. H. Westover  
Jordan Westover  
J. M. Westover  
John Remington  
C. C. Jeff  
Millard Roland  
Hon. John Hockenberry

Genes Westover  
D. C. Michael  
Sam Dunbar  
H. C. Kitchen  
J. H. Dunbar

To the Honorable Clark Gordon Judge of the County of DuPage  
of the County of DuPage,

The petition of the members, inhabitants of the town of Great in  
the said County, respectfully represents;

That your petitioners report under oath in consequence of a hunt of a  
load of hay or haywax to send to a party on the public road on the west  
side of Great Brook near "the Bridge" of Westfield. Your petitioners  
therefore pray the Court to appoint proper persons to view and lay out  
the same, and theiratty pray,

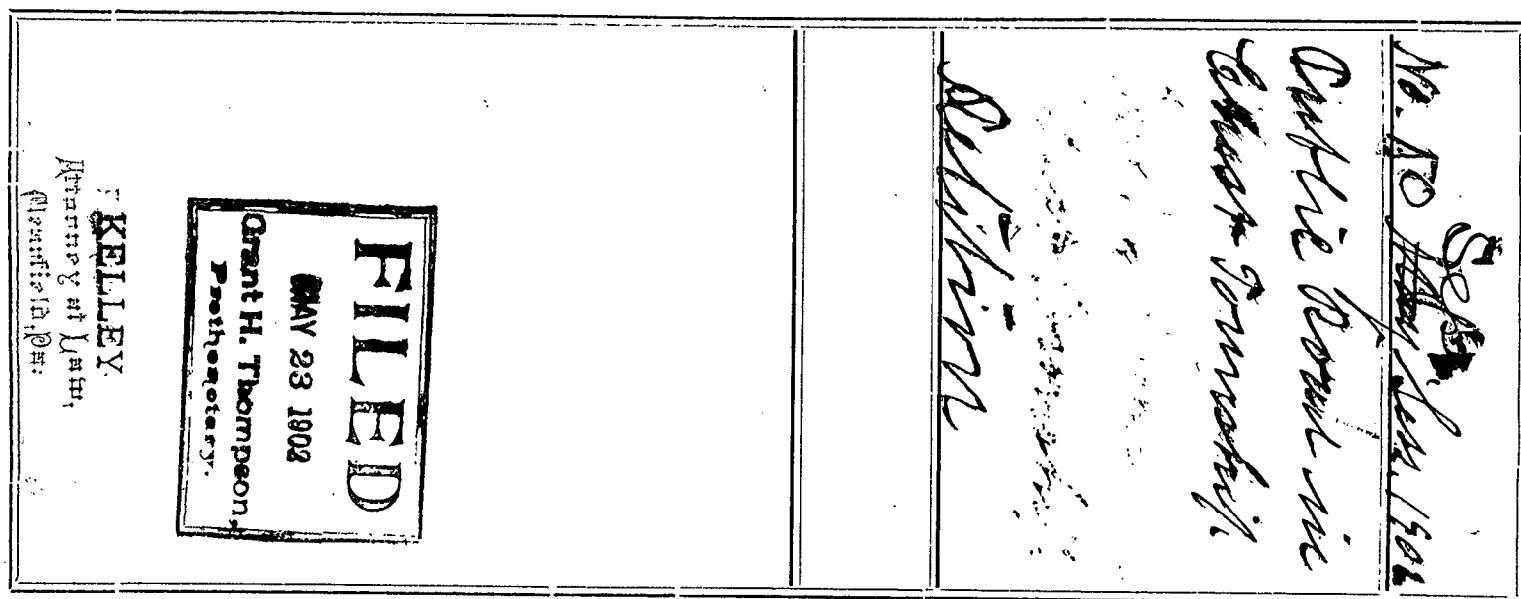
*Names of persons*

*J W Ritter*

*J C Michael*

Now Sept 16<sup>th</sup> 1802, form of review  
enlarged and continued until well down, 1802.

By the Author  
Cyrus Godfrey



Now May 23<sup>rd</sup> 1902, Petition made and con-  
sidered and the Court appoints ~~the~~ <sup>the</sup> Doctor  
J N Byers and a Clerk  
and viewer to view  
the proposed road site and make report  
at Sept Session, 1902.

W. D. Palk (P. D.)  
3248 58

To the Hon. Judges of Court &c - We the un-  
dersigned 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 be-  
ing all being 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 in the Township Road, near George  
H Kitchen's House; and thence through land of Austin  
Curry. South eight, and a half degrees East, sixteen  
perches to a white pine stump. Thence, South three quarters  
of a degree East, fifteen perches to a Post. Thence South seven  
degrees East, ten perches, to a Post. Thence through land  
of the same and land of the Clearfield, and Cambria  
Coil, and Coke Co South ten degrees, west, eight perches  
South seventeen degrees west, nineteen perches, to a Post.  
South one degree west, eight perches, to a Post. Thence by  
the same South ten degrees west, twenty two perches  
to a Hickory. Thence South fifteen degrees East, sixteen  
and four tenths perches to a Post, South sixty nine East  
seventeen perches to a Post. South forty eight and a half  
East, nine and eight tenths perches to a Post. Thence by  
the same, South thirty one degrees East, eight perches  
to a Post. South twenty five degrees East, twenty <sup>seven</sup> per-  
ches to a Post. Thence South thirty nine degrees East  
Twenty one and four tenths perches to a Post. Thence

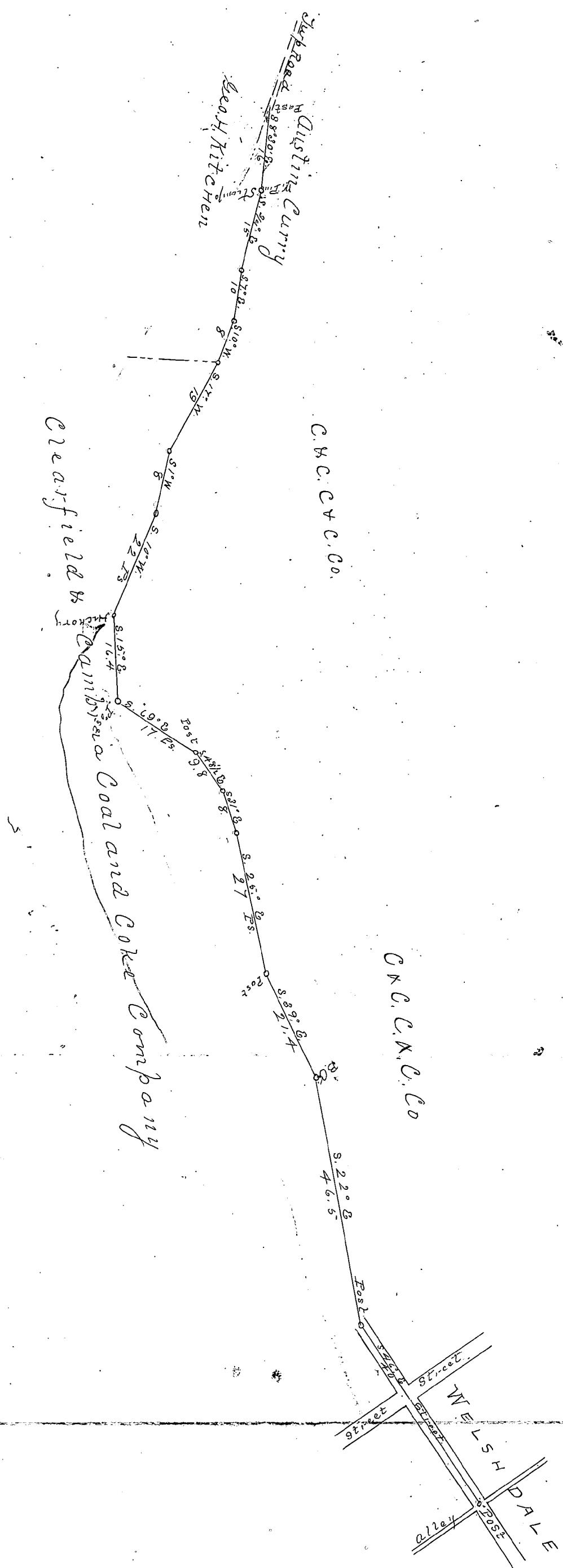
Hence South twenty two degrees East, Forty six  
and five tenths perches to a Post, Thence still by  
the same, South forty six degrees East, (along a  
Street in Welshdale) Forty perches to a Post in an  
alley, a plot or draft is hereto annexed which said  
Road, as aforesaid laid out, we are of opinion is necessary  
for Public use; witness our hands, the Twenty third day  
of September 1902.

S. F. McClosky

J. W. Byers

Jacob A. Bremth

Viewers



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 23

day of May, A. D. 1902, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Chest

, in said county, setting forth that

your petitioners labor under great inconvenience for want of a public road or highway to lead from a point on the public road on the West side of Chest Creek near "The Blue hole" to Welshdale.

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. McClaskey J. W. Byers and Jacob A. Breth 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 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 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. 190.....

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 Justin Curry the sum of Twenty Five dollars  
To George Kitchen the sum of Five Dollars  
To ..... the sum of .....

Witness our hands this ..... day of ..... A. D. 190 .....

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. 10 Sept. Sessions, 1902

**ORDER**

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

**Abie Sessions, 1902**  
viewed and confirmed Mr. 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.

AMOUNT.	
2379	Days 2
37	Miles 5 \$16.80
2380	Days 2
37	Miles 5 \$4.50
2381	Days 2
37	Miles 6 \$4.50
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Frankfort, Pa.

Dec 28, 1903

The road running from George Hatchens  
House to Delmont through the  
said Lands of Aushier Ferry and the  
Cambria Coal and Coke Co. is now  
opened and ready for use.

John Fiskel supervisor  
Edward Westover Supervisor

