

No. 4, May Sessions, 1903

COMMONWEALTH

versus

Public Road

in
Cooper

Charge

Wilson

WILLIAM L. SWOOPE,
District Attorney.

TO THE HONORABLE 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 said County, respectfully sheweth:

That your Petitioners labor under great inconvenience
for want of a public road or highway in the Township of
Cooper, to begin at a point on the Township road leading
from Kylertown to Kyler's mill at the point where the public
road leads to Winburne, to a point on a public road near the
house of George Hoffman leading from Knox Run to Kyler's mill.

Your Petitioners therefore pray the Court to appoint the
proper persons to view and lay out the same according to law.
And they will ever pray.

| | |
|-----------------|-------------------|
| W. B. Humpton | Gust Berggren |
| A. E. Gustafson | Olof Brown |
| Peter Hanson | And J. Dahlberg |
| A. W. Johnson | Frank Tellerson |
| Leif Johnson | J. J. Dahlstrom |
| O. G. Anderson | Wm. Meyer |
| John A. Olson | and Berg |
| John Larsson | |
| Andrew Jakobson | |
| Charley Swanson | Carl Larsson |
| Andrew Mattson | Andrew Rudfors |
| P. A. Strick | and J. Dahlberg |
| Chas. Strand | And E. P. Larsson |
| Chas. Engqvist | Lewis Linberg |
| Frank Anderson | |

Andrew Peterson

J. W. Hallquist

Chas. Kump

Andrew Leppanen

Geo. B. Hoffman

7104 May 11 1903

IN THE COURT OF QUARTER
SESSIONS.

P E T I T I O N
of the
Inhabitants of Cooper Town-
ship, for a public Road.

Now May 11 1903
Henry Reese and
Johnstone and
etc etc are
Appointed viewers
to report at next term

By the Court
Cyrus Anderson

FILED
FEB 13 1903
Grant H. Thompson,
Prothonotary.

Wheeler

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 11th day of February, A. D. 1903, 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 Public Road or Highway in the Township of Cooper, to begin at a point on the Township road leading from Kylertown to Kylers Mill at the point where the public road leads to Uginburne, to a point on a public road near the house of George Hoffman leading from Knox Run to Kylers Mill.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, Report to next Term whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Reese, John W. Howe, and Albin Dale 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 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.

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 ensembling 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..... the sum of.....

To..... the sum of.....

To..... the sum of.....

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

.....
.....
.....

No 4 May Sessions, 1903
ORDER

To view and by right a
road for Public use in the
township of Cooper,
Clearfield County

May Sessions, 1903,
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.

By Wm. B. Smith
Cyrus Gordon
23 Sept. 1903 confirmed
absolutely
Gordon & Thompson

FILED

MAR 24 1903
Grate H. Thompson by Harry Reese
Prothonotary.

Wilson

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.

| | | |
|--------------------|-----------------|--------------------|
| <u>W. A. Reese</u> | Days <u>2</u> | Amount <u>8.00</u> |
| | Miles <u>11</u> | <u>1.10</u> |
| <u>J. W. Boor</u> | Days <u>1</u> | Amount <u>2.00</u> |
| | Miles <u>15</u> | <u>1.50</u> |
| <u>R. C. Dale</u> | Days <u>1</u> | Amount <u>2.00</u> |
| | Miles <u>14</u> | <u>1.40</u> |
| | Days | Amount |
| | Miles | |
| | Days | Amount |
| | Miles | |

To the Honorable
The Judge of the Court of
Quarter Sessions of Clearfield
County Penna.

We the undersigned
persons appointed by the
within order of Court to view
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 said road of the
time and place of meeting to
view the same and also
having given due notice to
the County Commissioners of
Clearfield County and the
Supervisors of Cooper Township
of said time and place of
meeting we met at the house
of George Hoffman in
Cooper Township on Thursday
the twelfth day of March A.D.
1903 and after having been
duly sworn in pursuance
of the within order we proceeded
to view the road therein

Mentioned. After a Careful
Examination of the ground for
the said road we were of opinion
that it is not necessary for
a public road.

Respectfully Submitted

John H. Storer
A. C. Dyer

} Viewers