

No. 1 Sept. Sessions, 1904

COMMONWEALTH

versus

Public Road  
in  
Burnside Twp.

R. S. #4 - Page 406

Charge

WILLIAM I. SWOOPE,  
DISTRICT ATTORNEY.

To the Hon. Allison O. Smith, Judge of the  
Court of Common Pleas, of the county of Blairfield,  
composing a court of Quarter Sessions of the Peace  
for said county: (Petitioners of Brimfield Township)

Your petitioners respectfully represent that  
they labor under great inconvenience for the  
want of a Public Road or highway to lead from  
a point on the Public Road leading from East  
Ridge to Cherrytree, near the lines between  
Amos E. Roland and Lydia Hewitt, to a point  
on the Public Road leading from East Ridge Road  
to Patchinville, between the house and barn  
of Joseph R. Pittman, they therefore pray the  
said <sup>court</sup> to appoint persons duly qualified to view  
the ground proposed for said road, and lay out  
the same according to law.

J. E. Jüngling  
W. J. Westover  
O. G. Westover  
E. L. Westover  
W. R. McLandless  
J. A. Lloyd  
Charley McCall  
T. J. Young  
S. S. Young

Edwin C. Beck  
J. Somerville  
E. B. Brothman  
Emmanuel Oaks  
A. S. Hewitt  
O. S. Hewitt  
L. H. Goland  
A. E. Roland

Clark Beck  
Wallace C. Beck  
Adam Beck  
Nicholas Beck  
Joseph Pittman  
James Beck  
Leonard Beck  
H. C. Leamer  
D. J. Leamer  
Jonas Leamer  
Frank Leamer  
G. L. Mynecoop  
G. L. Brothers  
Eliatt Scott  
C. F. Brothers  
Warren Brothers  
Abraham Zingling  
A. K. Beck  
J. B. Bennett  
B. H. Shepherd  
J. M. J. Zingling  
Henry Zingling  
Isaac Zingling  
Howard Curtin Zingling  
George W. Lloyd  
G. L. Lloyd  
J. F. Lloyd  
Clark Lloyd  
Gilbert D. Fulton  
Miles Wagner  
Albert Oaks  
J. J. Lawman  
J. M. King  
Nathaniel Keirn  
H. E. Lawman  
Clark Keirn  
William Scott  
J. A. Ashcraft  
George Oaks

Daniel Keirn  
N. L. Keirn  
A. P. M. Gardell  
John F. Bee  
R. D. George  
John Ruml  
Joseph A. Dunlap  
H. M. Fry  
G. C. Myers  
B. G. McWaters  
Earl Patchin  
Daniel Fry  
C. P. Long  
Daniel Linton  
Lewin E. Bee  
Bayer Thompson  
S. A. Campbell  
D. J. Ross  
E. C. Smith  
A. N. Zingling  
... ..

1 Sept. 1904

Rev. J. H. Wilson

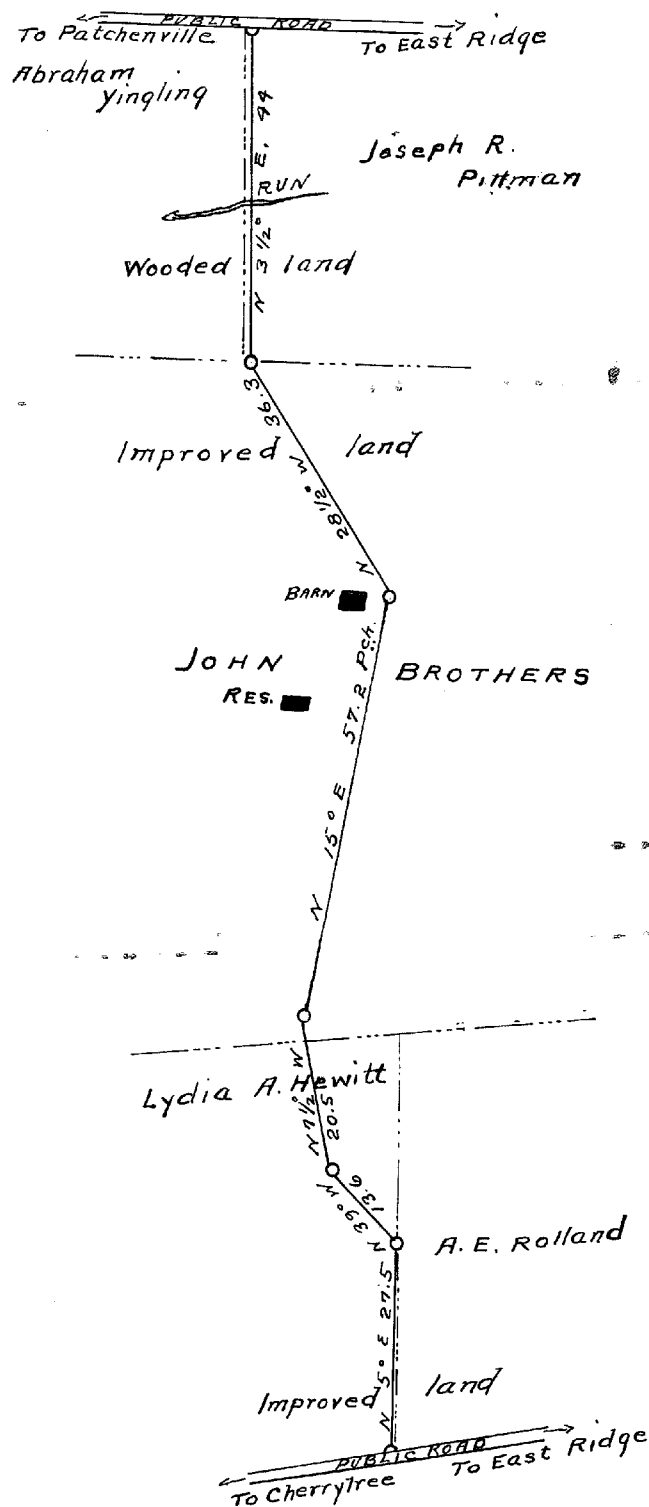
For a  
Public Road  
for  
Commerce & Industry

Now this is day  
of May 1904 the  
within petition being  
read and considered and  
thereupon during August  
the Board of Directors and  
Board of Directors

are appointed herein to  
will be ready to put  
road and to establish the  
same. Attest & certify  
of

JOSEPH H. THOMPSON  
HENRY HALL, SECRETARY, INDIANAPOLIS, IND.

3 May 1904 received



ROAD IN BURNSIDE TWP  
No. 1 SEPTEMBER 25, 1904

VIEWERS { Harry Byers.  
Blake M. Cracken.  
Jacob Burge.

Scale, 20 Pch = 1"

# 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

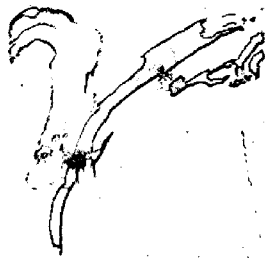
point on public road leading from East Ridge to Cherrytree near the line between Amos E. Roland and Lydia Hewitt

in Burnside Township, to a point on the public road leading from East Ridge road to Patchenville between the house and barn of Joseph R. Pittman

in Burnside Township, in the county aforesaid, will meet at the house of Joseph R. Pittman, in Burnside Township, on Friday, the 26<sup>th</sup> day of August, A. D 1904, at 8 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  
Blaise McCracken  
Jacob Burge  
Viewers.

Clearfield Pa Aug 17, 1904



Served on us this

19th day of August A.D. 1904

Supervisors of

Burnside Twp.

{ M. J. Hartover  
J. H. Weaver

{ J. L. Byers

{ Daniel Gaulton

Burnside

# 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

point on public road leading from East Ridge to Cherrytree near the line between Amos & Roland and Lydia Hewitt

in Burnside Township, to a point on the public road leading from East Ridge road to Patchenville between the house and barn of Joseph R Pittman

in Burnside Township, in the county aforesaid, will meet at the house of Joseph R Pittman, in Burnside Township, on Friday, the 26 day of August, A. D 1904, at 8 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  
Jacob Burge  
Blake McClracken  
Viewers.

Clearfield Pa Aug 17, 1904.



Served on us this  
17th day of August A.D. 1904

Co. Commissioners

By A. T. Storer Clerk

Sumner

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 2 day of May, A. D. 1904, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Burnside, in said county, setting forth that

*your petitioners respectfully represent that they labor under great inconvenience for the want of a Public Road or highway to lead from a point on the Public Road leading from East Ridge to Cherrytree, near the lines between Amos E. Roland and Lydia Hewitt, to a point on the Public Road leading from East Ridge Road to Palchenwill, between the house and barn of Joseph R. Pittman*

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 Byers, Blake McCracken & Jacob Burger* 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.

*Grant S. 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 enrolling 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 26<sup>th</sup> day of August A. D. 1904.

John Brothers 









## 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 Joseph R Pittman the sum of Thirty dollars  
To Lydia Hewitt the sum of Thirty dollars  
To \_\_\_\_\_ the sum of \_\_\_\_\_

Witness our hands this 26<sup>th</sup> day of August A. D. 1904

Harry Myers  
Blake McCracken  
Jacob Bunge

To The Honorable A. O. Smith, President Judge of the  
Court of Quarter Sessions of Clearfield County, Pa.  
we, the undersigned viewers appointed by the within  
order of Court to view the road therein mentioned  
respectfully report that we gave good and lawful notice  
of said view by posting three or more notices in most public  
places in vicinity of road more than ten days before the day  
of view with notice to Supervisors of Burduside Township  
and County Commissioners attached hereto and having been  
severally sworn or affirmed we viewed the said road and  
have laid out and do return for public use the follow-  
ing road to wit. Beginning at a point on the public road  
leading from East Ridge to Cherry Tree near the line between  
Amos E. Rolland and Lydia Hewitt. Thence through improved land  
of said parties along said line (centre of road laid out being 1 rod West  
of a Row of Cherry Trees North five degrees East twenty-seven and  
five-tenth perches to a post thence through improved land of said  
Lydia Hewitt North thirty nine degrees West thirteen and six-tenth  
perches to a post thence through land of same and land of John  
Brothers (2.6 Pch) North seven and one half degrees West twenty and  
five-tenth perches to a post thence through improved land of said  
John Brothers North fifteen degrees East fifty-seven and two-tenth  
perches to a post, thence through improved land of same North  
North twenty-eight and one half degrees West twenty six and  
one-tenth perches to a post at northern line of said John Brothers  
one Rod East of White Pine Corner of Abram J. Ingling's Land  
thence through wooded and improved land of Joseph R. Pittman  
by a line one rod East of his western line North five degrees  
East forty-four perches to post at Township road leading from  
East Ridge road to Patchenville, thence Eastward along said road  
to point on said road between house and farm of said Joseph R. Pitt-  
man, which road as laid out aforesaid is necessary in our opin-  
ion for a public road. A plot or draft of said road is hereun-  
to annexed showing courses, distances and improvements. Dam-  
ages being assessed elsewhere in report. Witness  
our hands this Twenty-sixth day of August A.D.  
1904

Harry Byer,  
Blake McCracken,  
Jacob Burge

*Be...*

No 1 Sept Sessions, 1904

ORDER

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

Sept Sessions, 1904, Si.  
read and confirmed Ni. 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  
Almon & Smith  
Dec 8th, 1904 Confirmed absolutely - By the Court  
Allison Wright

Filed  
Fees \$1.25 paid by M. & S.

Grant H. Thompson,  
Prothonotary.

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.

<i>Harry Byers</i>	Days <i>3</i>	Amount
	Miles <i>49</i>	<i>16.90</i>
<i>Jacob Burge</i>	Days <i>2</i>	
	Miles <i>49</i>	<i>8.90</i>
<i>Blk McCracken</i>	Days <i>1</i>	
	Miles <i>13</i>	<i>3.30</i>
<i>Wm Westover</i>	Days <i>1</i>	
	Miles	<i>1.50</i>
<i>Chairman</i>	Days	
	Miles	