

No. 11, Sept. Sessions, 1904

COMMONWEALTH

versus

Public Road

in
Union Township

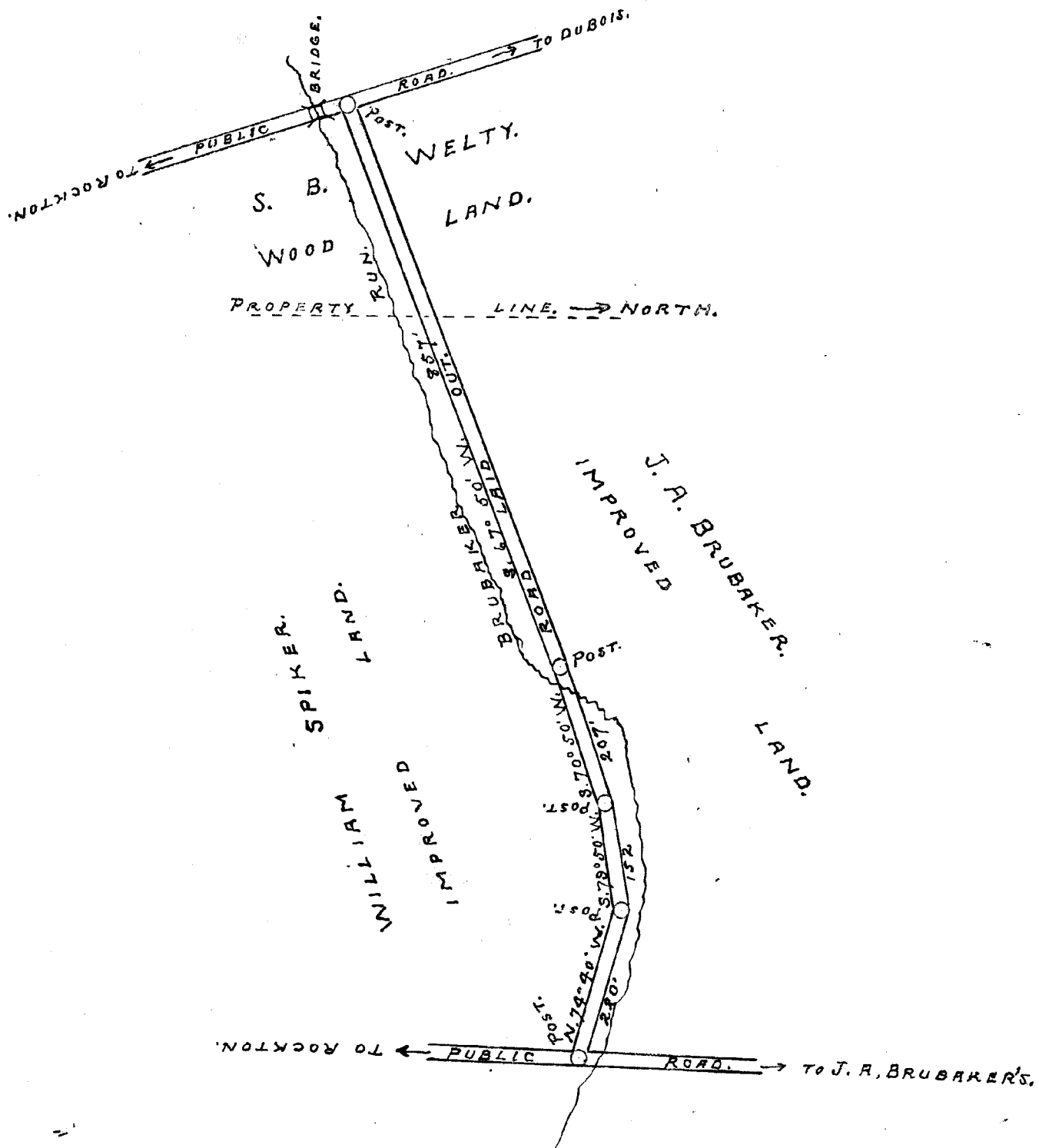
~~10~~
R. S. #4 - Page 466

Charge

at 10:30 AM
Sept 10 1904

Part of R. S. 7264

WILLIAM I. SWOOP, JR.
DISTRICT ATTORNEY.



U. S. Registered Mails go to every post office in the world. Provide for safe transit and correct delivery.
 Letters and parcels may be registered at any post office or at any post office station.
 Letters will be registered by letter-carriers in the residential districts of cities. Letters and parcels will be registered by rural carriers throughout their routes.
 For letters and parcels delivered through a U. S. post office, the sender must request and without charge, register the addressee's acknowledgment, when delivered through a post office in a foreign country, if the words "Registered Demand" be indorsed on the address side of the letter or parcel.

U. S. P. O. Registry Receipt.

Letter } No.
 Parcel }
 Received for
 116
 addressed to
 /
 class P

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 a point in the public road leading from J. A. Brubaker's to Rockton, at line of J. A. Brubaker and William Spiker,

in Union Township, to intersect a public road leading from Rockton to Du-Bois, at a point at or near a bridge crossing the Brubaker run,

in Union Township, in the county aforesaid, will meet at the house of J. A. Brubaker, in Union Township, on Monday, the 29th day of August, A. D. 1904, at 9 $\frac{1}{2}$ o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Geo. C. Kirk
John Sykes,
~~David Beaman~~
J. H. Bailey.
Viewers.

August 10th, 1904.

Within
Served, Notice on.

John Smith, Aug 13th / 1904

Scott Luce, } Supervisors
Aug 13th 1904

W. B. Spicher, } Land owners
Aug 13th 1904

S. B. Welty, } Aug 17th 1904

John Lyons, appointed by the court

Aug 15th / 1904

Affirmed and subscribed
to the service of the above
notice Aug 17th 1904

Notice served Aug 16th

S. B. Welty J.P.

J. A. Brubaker

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 Aug, A. D. 1904, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Union, in said county, setting forth that

they labor under great inconvenience for want of a Public Road or highway to lead from a point in Public Road leading from J. A. Brubakers to Rockton in Union Twp. of line of J. A. Brubaker and William Sticker to intersect a Public Road leading from Rockton to D^r Bois at a point at or near a Bridge crossing Brubaker Run in said Township.

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 ~~George Hick, John Lyons, and J. H. Bailey~~ George Hick, John Lyons, and J. H. Bailey 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 ~~to 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 enrolling 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 ..

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

To the Honorable, the Judge within named: We the undersigned, appointed by the annexed order do report; That in pursuance thereof, after having been severally duly sworn, all the viewers appointed by said order, viewed the ground proposed for the within mentioned road, and we do agree that there is occasion for a road as desired by the petitioners, and that the same is necessary for a public road. And having respect to the shortest distance and the best ground for such road, we have laid out in such manner as shall, in our opinion, do the least injury to private property, and as far as practicable agreeably to the desire of the petitioners, and do return for public use the following described road to wit:—Beginning at a point in the public road leading from J. A. Brubaker's to Rockton, at line between lands of J. A. Brubaker and William Spiker, thence N. 74° 40' W. on said ^{line} 220 ft. to a post; thence S. 73° 50' W., on lands of said William Spiker, 152 ft. to a post; thence S. 70° 50' W. still on lands of said Spiker, 207 ft. to a post; thence S. 67° 50' W., partly on lands of said Spiker, J. A. Brubaker and S. B. Welty, 358 ft. to a point in the public road leading from Rockton to DuBois, near a bridge crossing the Brubaker run. We further report that there are no damages accruing to any of the owners of the land over which said road passes, from opening the same. That before the said view, public notice of the time and place of the meeting of the viewers was given by advertisements put up at three of the most public places in the vicinity, ten days before said meeting. That notice was served on John Smith and Scott Luce, supervisors of Union township, on Wm. Spiker and S. B. Welty, owners of the land through which said road passes, and notice of said view was also given to the County Commissioners by registered mail, and we annex a plot or draft of said road laid out, stating briefly the improvements through which the same passes, and we hereto attach a copy of said notices.

Witness our hands this 29th. day of August, A.D. 1904.

Geo. C. Kirk
James L. Jones
J. H. Bailey } viewers

A J V

No. 11 Sept. Sessions, 1904

ORDER

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

Sept Sessions, 1904

read 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
Almon D. Smith

Dec. 11, 1904 confirmed absolutely, by the Court
Almon D. Smith

Filed 1904
Fees \$ 1.25 paid by Almy

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. S.—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.	
Geo. Kirk	Days 2	8.00	
	Miles 4	.40	
J. H. Bailey	Days 1	2.00	
	Miles 10	1.00	
John Syron	Days 1	2.00	
	Miles 10	1.00	
	Days		14.40
	Miles		
	Days		
	Miles		

J. R. Thompson,
Prothonotary.

1 To the Honorable Allison O. Smith,
 2 Judge of the Court of Quarter Sessions of the Peace
 3 for the County Clearfield,
 4 The Petition of the Subscribers, who are Citizens of
 5 Union Township, respectfully sheweth, that they
 6 labor under great inconvenience for want of a
 7 Public Road or Highway, To lead from a point in
 8 Public Road leading from J. A. Brubaker to Rockton
 9 in Union Township, at line of lands of J. A. Brubaker
 10 and William Spicher, To intersect a Public
 11 Road leading from Rockton to DuBois, at a
 12 Point, at or near a Bridge crossing Brubaker
 13 Run, in said Township.
 14 They therefore pray the Honorable Court, to appoint
 15 Persons duly qualified, to view the ground proposed
 16 for said Road, and lay out the same according
 17 to law, and they will ever pray &c

18 J. W. Taylor	S. H. Bice
19 J. E. Schafeld	O. O. Hendricks
20 J. B. P. ^{Supervisor}	J. W. G. Bode
21 John Smith	David S. Haffer
22 W. F. K. ^{Supervisor}	D. P. Rimer
23 J. A. Brubaker	J. S. Brubaker
24 Daniel Smith	J. H. B. B. B. B.
25 C. D. G. Bode	J. H. B. B. B.
26 T. S. J. J. J.	J. H. B. B. B.
27 J. H. B. B. B.	J. H. B. B. B.
28 J. H. B. B. B.	J. H. B. B. B.
29 W. M. Shaffer	J. H. B. B. B.
30 Howard W. Huey	J. H. B. B. B.
31 A. B. Bailey	J. H. B. B. B.
32	J. H. B. B. B.

Nov-August 1871/1904

David received letters
referred to above
I hereby appoint
John Ryans to serve
as vicar in this
case instead of David
Ryans.
By the Court
William C. Smith

David Ryans
J. C. Ryans
J. H. Ryans

11 Sept. 7. 1904

Petition

for Public Roads
in Union Township

Nov. August 10th 1904
petition read and
concerned and
George W. Smith, David Ryans

J. H. Ryans
are at present unable
to view and make
report to Sept. 11, 1904
By the Court
William C. Smith

