

No. 17

Sept

Sessions, 1907

1907

~~COMMONWEALTH~~

VERSUS

Public Road
in Cooper
Township

R. S. #5 Page 20

Charge

Part Twp. Rd
17721

JAMES H. KELLEY,
DISTRICT ATTORNEY

[illegible]

Charles Swony
C. C. Edmiston
Rees Williams
Jno Griffin
J. F. Dampford
Y E. Keiser
W. J. R. R.

Wm Spence
Sam Green Jr
J. H. Spence M.D.

John Farr

John Birch

John Marsh
Ed. Rogers
Wm. Donahue. ^{Thurs}
Mike Griffin ^{mark}

Adm Messing
also Haus von
R. J. H. Tingen.
E. E. Miller

Y A Armstrong

John Taylor

~~David~~
John Wynn
James Black
Errol Brown
William L. Brown
Michael M. Herritt
Mike Weinrock

Edward Gustafson
And J. Anderson
Wm. Houston

Thomas Siney

F M Greaves

R³H J. Lewis 9

Howard Lutz

Frank Butler
Jesse C. C.

Herry
F. L. Class

H. J. McKee

George Furber

Frank R. Howz

Alf Johnston Jr

John Ban
James Buckley
Thomas Hagg
Brit Butler
Geor Lawrence

Gen Lucas
John Lawrence

Alf Popl
J. A. Maxwell
Stewart

W. H. Brown
C. G. Anderson

Chas Kinnel

Chas Allquist

W. H. Brown
Anderson Brown
O. P. Rees

Jacob Lawrence

George Robert

W. H. Brown

Shenidar Andoy

W. H. Brown

W. H. Brown

W. H. Brown

Andrew Fremberg

Nickel M. G.

Frank M. G.

Aug Gustafson

W. H. Brown

G. J. Birnbaum

W. H. Brown

W. H. Brown

Lawrence

L. H. Rees

H. H. Jones

W. H. Brown

Edmond M. G.

George Thorne

W. H. Brown

W. H. Brown

W. H. Brown

S. H. Curtis
J. J. Thompson
Laurie Meyer
A. J. Fahlgren
Chas. Berlin
Aug. J. Young
A. C. Lindgren
Larry Johnson
J. M. Rinder
John Redinger
Albert Spoz
Charles Palmer
Peter J. Hoyle
Lincoln Pope
H. E. Wasseen
And. Anderson
John Wren
Walfred Johnson
Lewis Johnson
Frank Johnson
A. C. Rapp

Notice to Supervisors under Act of March 29th., 1905.

To the Supervisors of Cooper Township,

You are hereby notified that an application will be made by citizens of said township to the Court of Quarter Sessions of the Peace of Clearfield County for the appointment of viewers to view and lay out a public road in the said township of Cooper in the said County to begin at a point on the lands of and at or near the residence of J.H. Kuester, and extending thence to a point on the public road from the village of Llanse in said township to Browns Run School House in said township, at or near the said Browns Run Schoolhouse; that said application will be presented to the said Court on Monday, September 9th., 1907, when and where you may offer objections to the same if you see fit.

William L. Europe

Attorney for Petitioners.

State of Pennsylvania,

County of Clearfield, SS:-

Personally appeared before me the undersigned justice of the peace within and for the said County, W.W. Lucas, who being duly sworn according to law, deposes and says that he served the above notice on S.R. Brown, W.W. Stewart, & Samuel Boyer, the supervisors of the said Township of Cooper, on the 6th day of September, 1907, personally, by handing to each of them a true and attested copy thereof, and informing them of the contents thereof, in said township.

Sworn to and subscribed before me
this 6th day of September, A.D. 1907.

Harry H. Jones (seal)
J.P.

W.W. Lucas

My Com. Expires 1st Monday in May 1912

No. 9 1000.33, 1907.

IN THE STATE COURT IN 1907-
BY 1000.33.

To, John M. Haver, 1907, 1907.

ELSON 1000.33, 1907, 1907
1000.33, 1907, 1907.

John M. Haver
and John M. Haver

1000.33, 1907, 1907.

1000.33, 1907, 1907.

1000.33, 1907, 1907.

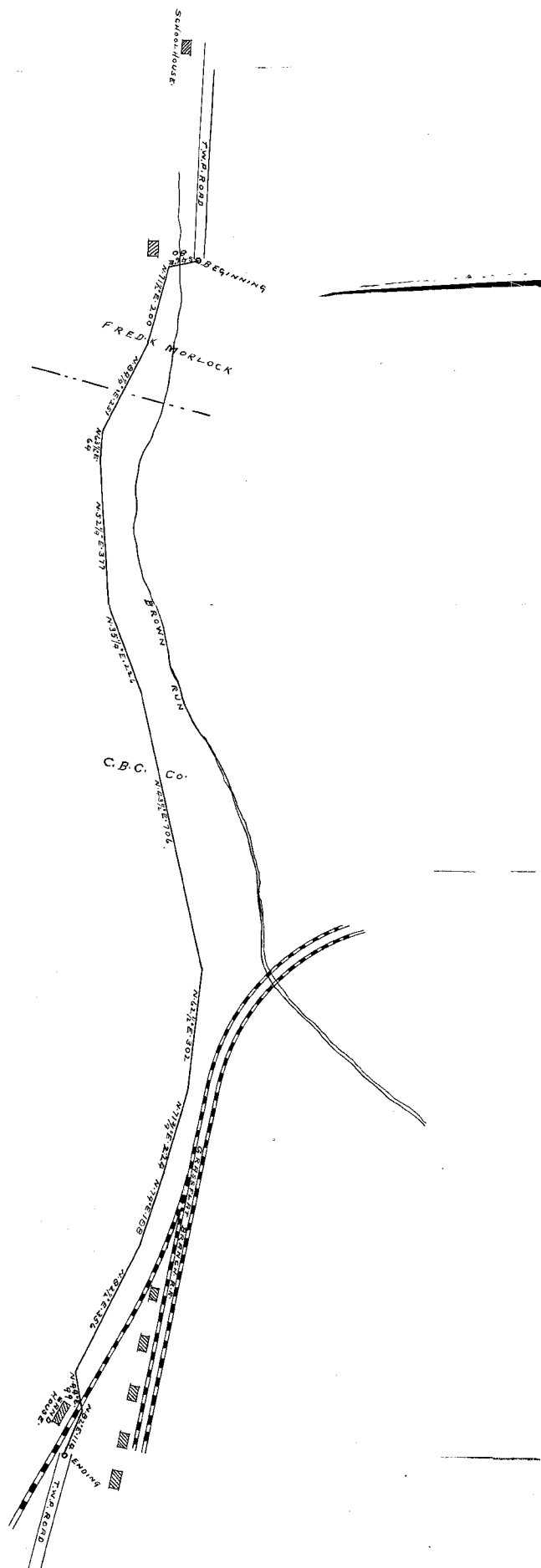
1000.33, 1907, 1907.

1000.33, 1907, 1907.

John M. Haver
John M. Haver

John M. Haver

1000.33, 1907, 1907.



of house of J. H. Kuester. Which said road so as aforesaid laid out by us we are of opinion is necessary for a public road. We would further report that the road as at present laid out and traveled from the old Plum road to the Viaduct will when the road as laid out by us is opened to travel become useless and burdensome to the tax payers and we would recommend that upon proper petition being presented the Honorable Court grant an order to view and vacate the same.

Respectfully submitted

W. A. Reese }
Jas. W. How } viewers
J. E. Phillips }

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 and
lay out the road therein mentioned respect-
fully report that After having given due
public notice by three written and
printed notices put up Near the location
of the said road of the time and place
of meeting to view and lay out the same
and also having sent proper notice to
the County Commissioner and the
Supervisors of Cooper Township of the
said time and place of meeting
we met at the house of J. H. Kneaster in
Cooper Township on Thursday October
tenth A.D. 1907 and after having been
duly affirmed in pursuance of the within
order we proceeded to view and lay
out and do return for public use the
following road to wit. Beginning at
a point at Eastern End of public road
running from the old Plum road past
Brown run School house to the end
of the private road leading to the house of
Fritz Modock Thence south forty six degrees

East Eighty feet. Thence North seventy one and one half degrees East two hundred feet. Thence North Eighty-four and one fourth degrees East two hundred and fifty-one feet. Thence North Sixty-three and one half degrees East Sixty-four feet. Thence North fifty-two and one fourth degrees East three hundred and seventy-seven feet. Thence North thirty-five and one fourth degrees East two hundred and twenty-six feet. Thence North forty-three and one half degrees East seven hundred and six feet. Thence North Sixty-two and one half degrees East three hundred and two feet. Thence along right of way of Grasso Lake branch of New York Central rail road North seventy one and three fourth degrees East two hundred and twenty-four feet. Thence North seventy-four degrees East one hundred and eighty-eight feet. Thence North Eighty-two and one half degrees East three hundred and fifty-six feet. Thence Crossing the said rail road North forty-four degrees East Ninety-Nine feet. Thence North Eighty-two degrees East one hundred and fourteen feet. to a point in Public road about three hundred feet west

✓
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 16th day of Sept., A. D. 1907, 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 and particularly the children of a large number of them who are attending the Public Schools of said Township and who have either to walk the railroad tracks and place themselves in danger of injury or to walk a much longer distance over the public road at present opened, labor under great inconvenience for want of a public road or highway, in the said Township of Cooper to begin at a point on the lands of and at or near the residence of J. H. Kuester and extending thence to a point on the public road from the village of Lense in said Township to Brown's Run School House in said Township at or near the said Brown's Run School House.

and therefore praying the Court to appoint proper persons to view ^{the} ~~the~~ ^{lay out} ~~lay out~~

the same according to law,

whereupon the Court, upon due consideration had of the premises, do order and appoint H. A. Reese, John W. Howe and Joseph L. Phillips 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~~ ^{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.

R. D. 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 en sealing 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 Frederick Morlock the sum of One Dollar

To Clea field Bluminson the sum of One Dollar

To the sum of

Witness our hands this Tenth day of October A. D. 1907.

H. A. Reese

Jos. H. Howe

Jos. E. Phillips

No. 9 Sept Sessions, 1907

ORDER

To view My lay out, a
road for Public use in the
township of Prophet,
Clearfield County

December Sessions, 1907,
read and confirmed Ni. Si.
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 the Court
William J. Smith
July 21, 1908
confirmed absolutely
by the Court
William J. Smith
J.

Filed _____ 190 ____
Fees \$1.25 paid by _____

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 official 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>6.0</u>	<u>5.00</u>
<u>J. W. Houser</u>	Days <u>1</u>	Amount <u>2.00</u>
	Miles <u>1.1</u>	<u>1.10</u>
<u>J. L. Phillips</u>	Days <u>1</u>	Amount <u>2.00</u>
	Miles <u>2.5</u>	<u>2.50</u>
		<u>4.50</u>
	Days _____	
	Miles _____	
	Days _____	
	Miles _____	