

NO.

Mar 3d Sept

Term, 1909

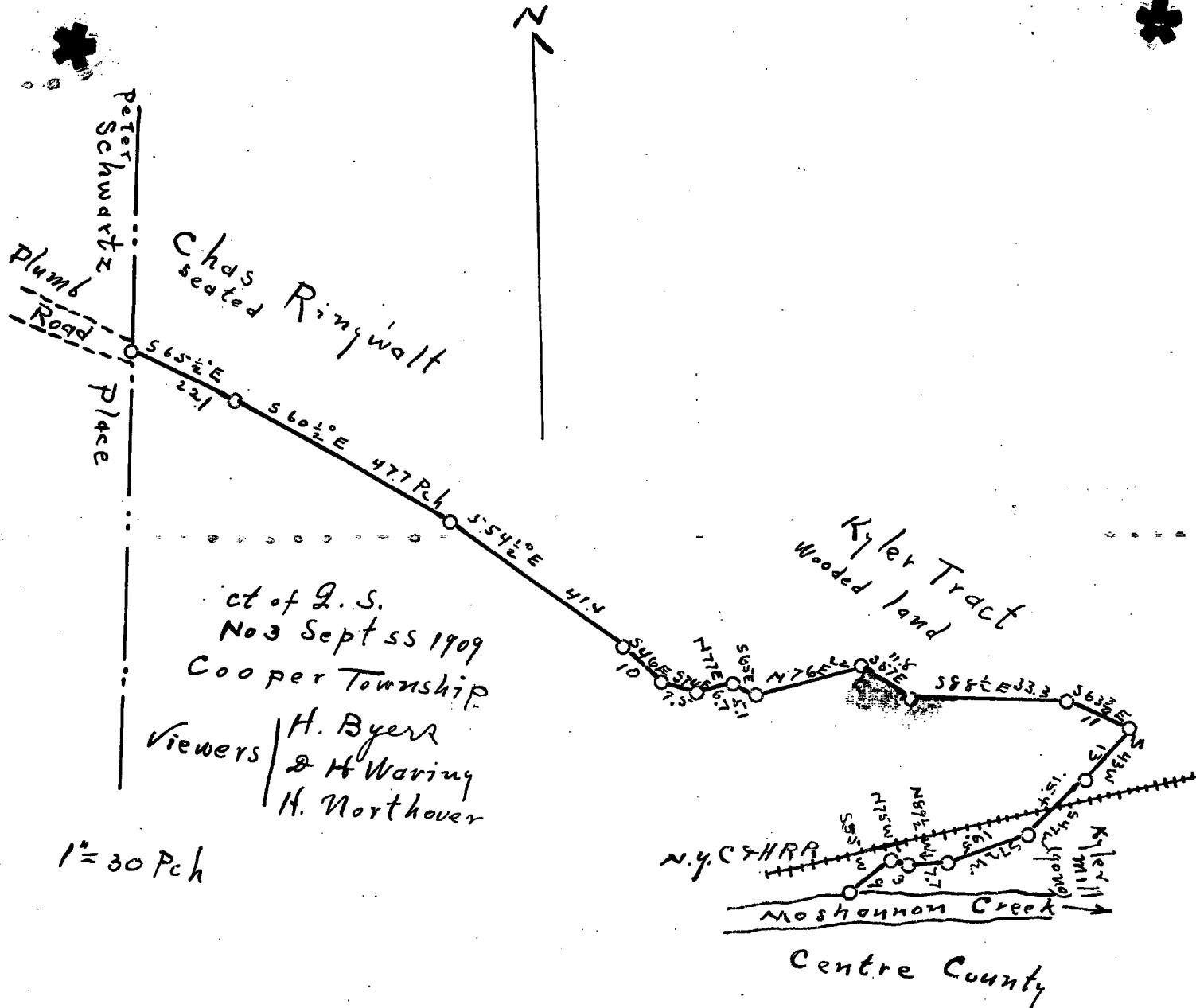
Tacote Public Road

Verses in

Cooper Town

BTH

X



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 13<sup>rd</sup> day of May, A. D. 1909, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Coopers, in said county, setting forth that

The petition of the undersigned inhabitants and taxpayers of Cooper Twp, Clearfield Co, Pa respectfully sheweth; That a road has long since been laid out from Kylertown to Old Pioneer Mill, or Kylers Mill on Mashanon Creek, a part of which road beginning at or near a point in said Plum road at the Swartz place and extending a distance of about one and one fourth ( $\frac{1}{4}$ ) miles to Old Pioneer Mill on Mashanon Creek has now become useless inconvenient and your petitioners humbly pray your Honor that this petition of said road be vacated. - 72-65

and therefore praying the Court to appoint proper persons to view and Vacate the same according to law, whereupon the Court, upon due consideration had of the premises, do order and appoint Harvey Bixler, Delaney H. Waring, Henry Northover, 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 vacate 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.

Roll 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 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 ..... the sum of .....*

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

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

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

To the Honorable Allison O. Smith President Judge of the  
Court of Quarter Sessions of Clayfield County Pa., We, the un-  
dersigned viewers appointed by the within order of Court  
to view and vacate the road therein mentioned respectfully  
report that we gave notice of the said view and met  
agreeable thereto on the 17th day of August 1909 and having  
been severally sworn or affirmed we viewed the said  
road to wit beginning at East line of Swartz place thence  
 $565\frac{1}{2}^{\circ}E 22.1$  perches,  $560\frac{1}{2}^{\circ}E 47.7$  perches  $544\frac{1}{2}^{\circ}E 41.4$  perches  $546^{\circ}E$   
 $10$  perches  $574^{\circ}E 7.5$  perches,  $N77^{\circ}E 4.7$  perches,  $565^{\circ}E 5.1$  perches,  $N76^{\circ}E$   
 $22$  perches  $557^{\circ}E 11.5$  perches  $588\frac{1}{2}^{\circ}E 33.3$  perches,  $563\frac{3}{4}^{\circ}E 11$  perches,  $543^{\circ}W$   
 $13$  perches  $547^{\circ}W 18.4$  perches,  $572^{\circ}W 16.8$  perches,  $N89\frac{1}{2}^{\circ}W 7.7$  perches,  $N75^{\circ}W$   
 $3$  perches to end of bridge (gone) across Moshamon Creek at old  
Pioneer or Kyler Mill now gone  <sup>$555^{\circ}W 9$  perches to Moshamon Creek</sup> <sup>the compass</sup> which road in our opinion  
is useless, inconvenient and burdensome and should  
therefore be vacated. Witness our hands this 17th day  
of August A.D. 1909

Harry Ayers  
D.G. Waring  
Henry Northover

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.  
No. 3.—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 3 Sept. Sessions, 1909.

**ORDER**

To view and vacate a road for public use in the township of Landopier, Clearfield County.

Septuher Sessions, 1909.  
read and confirmed N. S.  
Road to be opened 32 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

At the Court of Common Pleas on the 17th day of August 1909, on petition of John J. O'Leary, 34th Ward, Albion & Smith O.J.

Filed

190

Fees \$1.25. John J. O'Leary 34th Ward

F 150

AUG 26 1909  
JULY 26 1909  
PROTHOSOTARY.

To the Honorable Judge of the Court of Quarter Sessions of  
the Peace in and for Clearfield County.

The petition of the undersigned, inhabitants and taxpayers of  
Cooper township, in said County, respectfully sheweth:-

That a road has long since been laid out from Kylertown to  
Old Pioneer Mills, or Kyler Mills on Moshannon creek, a part of which  
road beginning at or near a point in said Plumb road ~~XXXXX~~ at the Swartz  
place and extending a distance of about one and a fourth miles to  
Old Pioneer Mills, on Moshannon Creek has now become useless, inconven-  
ient, and your petitioners humbly pray your Honor that this portion of  
said road be vacated, agreeably to Act of Assembly in such cases made  
and provided. And they will ever pray.

John H. Ralston

W. H. Edwards

W. H. Edwards

Charles Ringwald

Charles Ringwald

W. H. Morris

Fred Morlock

Fred Rothweiler

Alfred Steinweiler

Alex Stahl

W. H. Williams

W. H. Lucas

H. Poorman

G. G. Weaver

M. J. Little

Joe Kohl

Orlando Muzzey

Alfred Steiner

W. H. Morris

B. F. Kyler

L. R. Run

Pete Cannachy

George Rothweiler

M. M. Dillen

James Dinger

J. W. McPharman

Sam Northamer

Edward Smith — A. G. Brown  
O. L. Hughes George E. Gandy  
G. H. Mayers Paul Ulrich  
G. H. Tag  
Walter Stewart Simon Moyer  
Sheridan Andrew Joseph Eisachauer  
L. L. Warren  
H. S. Jones Charles Eisenhower  
Ralph Geiss  
D. V. Moore ~~John Sieghart~~  
Sam Maines O. P. Reese  
G. B. Young Lizzie Horner  
Joe Ongster John Hamlin  
F. S. Hall Wm. Moyer  
W. E. Diviney Wm. Deacon  
P. L. Eisachauer James Commerell  
H. H. Gillett W. D. Duncan  
J. S. Recorde A. S. Sommerville  
Peter Moyer Pitt Commerell  
W. Morris Grover Wayne  
F. E. Beard W. D. Hoovis  
Daniel. Doner H. W. Merritt  
H. E. Horne Charles Ulrich  
P. E. Hess Harry Klein  
W. H. S. Laddick J. Dale

No 3 Jeffers 99

Petition to vacate public  
land in Cooper township  
from a point in Plum road  
at the Swartz place to Old  
Providence Mills at Mahanoy  
Creek

June 11<sup>th</sup> day of 1909  
Petition presented and  
Horn, Blevins, Delaney & Wain  
and Henry Mathews  
are appointed receivers  
to apply to the Circuit court  
for an injunction.

As the complaint  
of Almon D. Smith  
J. G.

John D. Mathews