

No. 9, Lee Term, 1885

1884

Vacate part of  
Fifth Street

~~versus~~ in

Clearfield Borough

Contents:

X

To the Honorable the Judges of the Court of  
Quarter Sessions of Chorlton County.

The petition of the Burgesses and other Councillors  
of the Borough of Chorlton and other citizens  
of said Borough respectively sheweth.

That a Street has been laid out long since  
extending from a point on Fifth St. in said  
Borough where said Fifth St. intersects Fourth St.  
to a point on Pine St. said street being  
about 50 ft. in breadth and 490 feet in length, which  
Street your petitioners conceive has now be-  
come useless in consequence of further rooms to  
the inhabitants of said Borough.

Your petitioners therefore pray the Court that  
the said Street may be vacated, agreeably to  
the Act of Genl Assembly in such case made  
and provided, & they will ever pray.

R. Johnson Burgess  
J. M. Gullion Councillor  
J. M. Rook " "  
Frank Johnson " "  
Alderman  
Fred Sackett " "  
W. E. Wallen " "  
C. Stone  
M. L. McEwan  
W. Wright  
Geo. R. Barnard,

No 9 Decr. 1885

Petition of Auguado  
Guan and of Poroyne  
Lecognieille to Vacate  
part of right of

Shows 12th day of 1885 - Petition

Here and elsewhere. E. C. Reid, John L.  
Ritter, D. M. Moore, Mrs. Elizabeth  
F. G. Miller and H. B. Davis are affianced  
and desire to view and report upon  
the propriety of vacating that part of  
High Street as laid out and desired  
in this petitioners make report to the

High Court, next  
By the Court  
D. Z. Nichols  
of

Decr. 1885

stamps

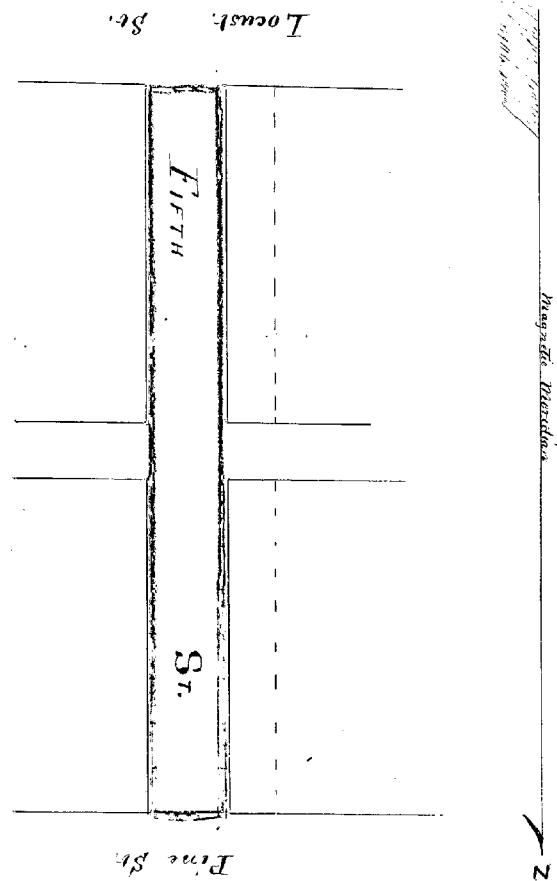
To the Honorable the Judges of the Court of  
Quarter Sessions of Clearfield County.

We the undersigned owners appointed by the annexed  
order of Court to vacate that portion of Fifth Street  
extending from Locust Street to Pine Street in the Boro.  
of Clearfield Pa. respectfully report that after giving  
good and sufficient notice according to law viz by poster  
put up at prominent places inside Boro. and further  
by giving personal notice to those persons interested &  
likely to be affected by the vacation of said Street, did  
meet in pursuance of said notice at the Court House  
in said Boro. and after all being present and all  
having been severally sworn or affirmed according to  
law, went upon the premises within named and after  
carefully viewing the same and making careful inquiry of  
all interested parties present, we find after careful considera-  
tion of all the facts learned that in our opinion the  
said Street has become useless, inconvenient, and burde-  
-some and therefore ought to be vacated  
a Plot or Draft of which is hereto attached

Witness our hands this 31<sup>st</sup> Day of January  
A.D. 1885.

E. C. Read  
John J. Patterson  
D. W. McLean  
Wm. Radclough  
A. G. Miller  
A. B. Shand  
D. Johnston

NOTE: - That current within the grid lines  
shows that current is reacted



CLEARFIELD COUNTY, & SS: ♦♦

At a Court of Quarter Sessions of the Peace of the county of Clearfield, held at Clearfield, in and for said county, on the 12<sup>th</sup> day of January, A. D. 1885, before Judges of said Court, upon a petition of ~~the~~ <sup>Burgess & Town Council, et al.</sup> ~~inhabitants of the townships of~~ Clearfield Borough, in said county, setting forth that a street has been laid out long since extending from a point on Fifth Street in said Borough, where said 5th Street intersects Locust Street to a point on Pine Street, said street being about 50 feet in breadth and 490 feet in length, which street your petitioner conceives has now become useless, inconvenient and burdensome to the inhabitants of said Borough.

and therefore praying the Court to appoint proper persons to ~~view and lay out~~ <sup>vacate</sup> the same according to law, whereupon the Court, upon due consideration had of the premises, do order and appoint E. C. Read, Jno. J. Patterson, W. Moore, W<sup>m</sup> Redebaugh, F. G. Miller, ~~and David Johnson~~ 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 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 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 lands 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 the 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 lands 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.

James Kerr  
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 sealing and delivery hereof, have remised, released and forever quit-claimed and do hereby remise, lease 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. 188 .

LL. S. I

LL. S. I

LL. S. I

LL. S. I

## 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. 188 .

NOTE.—In case of a Private Road, the receiver must be  
executed in favor of the petitioner for said road.  
Also—Viewers will consider not the number of days  
employed, but the amount of labor done, and the  
viewers cannot interfere with the  
charters of the receivers, so far as the location may be  
to damages, taking into consideration the advantages as  
well as the disadvantages of the road, they will report to  
that effect.

On no days! Amount  
Miles 2.00  
F. M. Miller Days 2.00  
C. S. Shaw Miles 2.00  
J. H. Moore Days 1—2.00  
J. M. Patterson Miles 2.00  
John H. May Days 2.00  
C. C. Van Cott Days 2.00  
Miles 2.00

No. 9 Decr. Sessions, 1884

ORDERED  
Vacate of Stock  
To ~~from until the road is~~ ~~not to Board~~  
For ~~use in the~~ 130-0  
of Clearfield Clearfield county.

28 July 1885 Received  
Confirmed No. 81  
By Nat. Court

" May 1885—Continued  
Aug 1885 Court  
23 July 1885 confirmed  
absolutely. R. C. C.

Filed 31 Jan 1885

Fees \$1, paid by

Morris