

No. 1, May Term, 1887

Public Road

versus

Graham & Co.

Contents:

Adverse report

No change

The petition of the undersigned citizens of Graham township respectfully represents, That they labor under inconvenience for want of a public road to begin in the public

road leading from Grahanton to Kylertown at a point near the old Grahanton School House, in the township of Graham, and to end at the Deer Creek road at a point near the house of Margaret Hoover, in said township. The petitioners, therefore, pray the Court to appoint persons qualified according to law to view and lay out the same and make report to next term of Court. Your petitioners further represent that the public road long since laid out, leading from Grahanton to Kylertown, the part of which road leading from its intersection with the Deer Creek road, in Graham township, to a point near the old - Grahanton School House, in said township, has become useless, inconvenient and burthensome, and is not in condition for public travel and cannot be made so without great expense to the taxpayers, and if the viewer's should find occasion to lay out the road herein prayed for, that they inquire of and vacate that part of the said road leading from Grahanton to Kylertown, between the points above mentioned, and make report to the next Court. And they will ever pray, etc.

[illegible]

Names

John J. Van Buren  
Hon. S. W. Richardson  
Hon. H. Hall  
W. H. H. H.  
W. H. H. H.  
O. J. H. H.  
James Maguire

not may 1887

IN RE

Public road in Graham  
township to lot from a point  
near old Gradenon school house

to a point near house of Har-  
riet Hoovers in said township-  
and petition to vacate, etc.

Accepted

Wm. J. May 1887

and now May 9<sup>th</sup> 1887, petition  
read and considered and there-  
upon E. F. Rice, A. C. Stanley  
and John W. Winters were appointed  
viewers to lay out  
and vacate, in accordance with the  
prayer of the petitioners and make  
report to the next term of Court.

By the Court

D. C. Rice

OK

McQuorn

Clearfield County, ss: ~~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 9<sup>th</sup> day of May, A. D. 1887, before Judges of said Court, upon a petition of sundry inhabitants of the township of Graham Twp., in said county, setting forth that they labor

under great inconvenience for want of a public road leading from a point near old Grahampton School House to a point near house of Mary Ann Hoover in said Twp. Your petitioners further represent that the public road long since laid out leading from its intersection with the Deer Creek road in Graham Twp. to a point near the Old Grahampton School house on line of proposed road in said Twp. and to view & vacate same

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, I make report to Court whereupon the Court, upon due consideration had of the premises, do order and appoint E. B. Reed A. L. Lunsberry & A. L. Torrey 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 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.

A. M. Bevier  
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 enseatling 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. 188 .



## 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 .

To the Hon. D. L. Krebs President Judge of The Court  
of Quarter Sessions of Clearfield County Pa.

We the undersigned viewers appointed to view the road  
within named respectfully report that after giving  
good & lawful notice of the time & place of meeting for  
said view we met in pursuance of said notice  
and after each being first severally sworn or affi-  
-med according to Law we viewed the grounds for  
said proposed new Road and also the road pro-  
-posed to be vacated and we are of the opinion that  
the proposed road is not necessary, and the old  
road is the most direct route between the points within  
named with equally as good grade and if one half  
of the expense of building the proposed new road  
were applied to repairing the old road it would  
make a better road than the proposed new road  
could possibly be made in five years

Witness our hands this 11<sup>th</sup> day of August  
1887

Emery C. Read  
J. C. Lansberg  
A. L. Moray

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 on which the road is to be closed, and the amount of damages assessed by the original viewers, except so far as the location may be changed by the viewers.  
 N. B. - If the viewers believe the parties are not entitled to damages, making no consideration the advantages as well as the disadvantages of the bill, they will report to that effect.

<i>A. C. Shumway</i>	<i>(Can 3 days)</i>	<i>1</i>	Amount.
	Miles	<i>5</i>	<i>2.50</i>
<i>Adams</i>	<i>(Can 3 days)</i>	<i>1</i>	
	Miles	<i>5</i>	<i>2.50</i>
<i>W. C. Hall</i>	<i>(Can 3 days)</i>	<i>1</i>	
	Miles	<i>11 1/2</i>	

Days	
Miles	
Days	
Miles	

No. 1 May Sessions, 1887

ORDER  
 Vacate Survey  
 To view and lay out a Road  
 For Use in the township  
 of Graham Clearfield Co.

*Sept 1887 Read and  
 confirmed by the  
 viewers by the Court  
 the 10th of  
 the 1st of 1887, confirmed  
 by the Court in  
 the case of the Court*

Filed 12th Aug. 1887  
 Fees \$1.00 paid by *John M. Mearns*

*Mearns*