

No. 5

Heby

58

Term, 1887

View Vacate &
Supply Public Road

~~YOUNG~~ in

Trigueson Twp.

Contents:

Adversereport
No change

To the Honorable the Judge of the Court of Quarter Sessions of
the Peace in and for Clearfield county, Pennsylvania.

The petition of the undersigned, respectfully represents: That
a public road was long since laid out and opened, leading from a
point near Broadway School House in Ferguson Township, to Gazzam and
Marron, and usually known as the _____ road: That a part of said
road through the townships of Ferguson and Jordan in said county,
beginning at a point in Ferguson township, about five rods above the
bridge across Campbell's Run, and in line between land of Jeff Dil-
lon and James Ferguson, in said Ansonville road; and ending at a point
in Jordan township on said road leading from Broadway School House
to Gazzam and Marron about 1320 feet ^{met} from House of Charles Lewis
has become inconvenient and burdensome, and the said road would be
much improved by a change of its route between said points.

Your petitioners therefore pray the court to appoint qualified
persons to view the premises and to inquire into the expediency of
making said change, and otherwise proceed as directed by the Act of
Assembly in such case made and provided.

And they will ever pray, &c.,

Ferguson Township Clerks, Names	Ferguson Township Clerks, Names
H. P. Brown	James J. Lillian
J. Strong	J. P. Reed
Wm. J. Bloom	Barrioso Straw
George W. Michals	J. C. Ferguson
M. M. M. M. M.	William Straw
Oweny. Huston Sr	George Williams
Wm. M. Barrett	Eugene S. Straw
J. H. Straw	W. E. Green
Harry A. Owens	W. H. Byer
J. H. Lewis	Thomas P. Owen

122

Nov 16th 1897

For change of power
leading from Broadway
between 10th
11th & 12th

After Nov. 16th 1897
petition read & Thompson
Orange Thumkin, about
10th and E.C. Road
see opposite view
to own & examine and
Road report in this
map to travel from
of power

By M. J. T. 100
12th
11th
10th
9th
8th
7th
6th
5th
4th
3rd
2nd
1st

May 1st 1897 Power and Light Co. 10th & 11th
By M. J. T. 100

Public Road

No 5 Febry 1887

on

Ferguson's Tract

Now 8th May AD 1888 Currey C. Read

and Orange Thurston being desirous of being relieved of their duty as jurors in above case, they are discharged from further service as jurors and Harry Byers & John I Strad are appointed as jurors in their stead to act with C. J. Shoff, jurors originally appointed, and the terms of jurors are enlarged until next term.

By the Court

D. Z. Krebs

pf

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 February, A. D. 1887, before Judges of said Court, upon a petition of sundry inhabitants of the township of Ferguson, in said county, setting forth that a part of road

through the townships of Ferguson & Jordan Beginning at a point in Ferguson Twp about five rods above the bridge across Campbells run and in the line between land of Jeff Dillen and James Ferguson in said Ansonville road and ending at a point in Jordan Township on said road leading to Broadway School house to Eggam and Maroon and about 1320 feet west from house of Chas. Lewis has become inconvenient and said road would be much improved by a change of its route between said points

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, And make report to the Court whereupon the Court, upon due consideration had of the premises, do order and appoint Orange Brunton, Chris Shoff & E. C. Road 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.


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. 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 Honorable the Judge of the Court of Quarter
Sessions of Clearfield Co Pa.

I the undersigned one of the viewers within named
respectfully report that after giving notice of the time &
place of making for said view. I went upon the ground &
met one of the viewers namely, Orange Thurston the other viewer
Christian Shoff did not appear. I found that Mr Thurston
is one of the Petitioners and is interested in the road but
is incompetent to act as a viewer on account of the reason
above stated. The purpose of the petitioners is to vacate
an old road on acct. of its steep grades and liability to be
impassable on account of snow drifts in the winter and
lay a road around the hills thereby avoiding the steep hills
and the snow drifts in winter. It is my opinion that the
road is necessary and that proper persons should be
appointed to view the same.

Witness my hand this 2^d day of May A.D. 1888

Emory C. Reed

NOTE.—In case of a petition for release must be executed in favor of the petitioner for said release.
 Also.—Viewers will carefully note the number of days and miles set the amount put at the foot of their return, and if they find any discrepancy with damages assessed by the original viewers, except as the location may be changed by the reviewers, they will report to the referees as well as the referees taking the consideration the advantages as well as the disadvantages of the road, they will report to that effect.

Charles H. Hays
 Amount.
 Miles 16 5.60

} Days
 } Miles
 } Days
 } Miles
 } Days
 } Miles
 } Days
 } Miles
 } Miles

SAVED & REPRODUCED FROM

No. 5 July Sessions, 1887

ORDER
 Vacate Route Key
 To view and lay out a Road
 For Public Use in the township
 of *Wayne* Clearfield Co.

Charles H. Hays
 Viewers of Viewers
 in this case are in
 charge to visit them
 by the Court
Wayne
Wayne

Charles H. Hays
 Viewers of Viewers in
 this case are in charge
 to visit them
Wayne

Filed *7 May*, 1888
 Fees \$1.00, paid by *Wayne*

Well

Clearfield County, ss: 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 16th day of

February, A. D. 1888, before Judges of said Court; upon a petition of sundry inhabitants of the township of Ferguson, in said county, setting forth that a part of a road

through Ferguson & Jordan Townships beginning at a point in Ferguson Township about five rods above the bridge across Campbell run in line between land of Jeff Mellon and James Ferguson in said Armstrong's road and ending at a point in Jordan Township on said road leading to Broadway School House to Gassam and Harrison and about 1320 feet west from house of Charles Lewis has become incumbered and said road would be much improved by a change of its route between said points

and therefore praying the Court to appoint proper persons to view and lay out the same according to law. Henry Dyers & make report whereupon the Court upon due consideration had of the premises, do order and appoint Henry Dyers & John P. Strait 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.

AmBloom 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 ensembling and delivery hereof, have remised, released and forever quit-claimed, and do hereby remise, release and forever quit-cluim 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 honorable David S. Keesler, judge of the court of Quarter sessions of Clearfield County, we the undersigned persons appointed by the within order of court to view, vacate and supply the road mentioned in the within order respectfully report, that having given due notice of said road view as required by law and the order of the court and meeting as Jurors on the sixth day of June A.D. 1888 and all the viewers being present, we were first severally sworn or affirmed and then proceeded to view the route of the proposed road. After carefully looking over the ground, measuring the respective distances of the two routes; comparing the grades and the nature of the soil as to swamps, etc, and the amount of woods through which the respective routes pass, we find that the present road is forty three perches shorter than the proposed one, that in but two places the grade of the present road exceeds the grade of the proposed one, and that the present road passes through nearly all cultivated land and a gravelly soil that could hardly be surpassed as a road bed, while the proposed road passes nearly all the way through dense woods and swampy ground, and, that in case the proposed road would be built, ^{nearly} one half of the present road must be kept open by the township, considering these things, and the fact that the expenditure of one twentieth part of the cost of building the proposed road would make the grade of the present road as good as the other, we are unanimously of the opinion that there is no cause for a road as proposed in the within order of court and we therefore report against vacating the present road and laying out an other as prayed for by the petitioners. Witness our hands this sixth day of June A.D. 1888.

Harry Byers.

John L. Straw
C. J. Shoff

Note:—In case of a private road, the tolls must be executed in favor of the proprietor for said road. The number of days employed and set the amount out of the fact of the road. Reviewers cannot interfere with damages assessed by the original owners, except so far as the location may be changed by N. B. — If the owners 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.

<i>Army, 3000</i>	<i>Days 1</i>	<i>Amount 6.40</i>
<i>Cut #734</i>	<i>Miles 29</i>	<i>7.20</i>
<i>John T. Black</i>	<i>Days 1</i>	
	<i>Miles 3</i>	<i>2.40</i>
<i>C. J. Staff</i>	<i>Days 1</i>	
<i>Ch #464</i>	<i>Miles 3</i>	<i>2.40</i>
	<i>Days</i>	
	<i>Miles</i>	
	<i>Days</i>	
	<i>Miles</i>	

CLARKFIELD RECORDING PRINT.

No. 5679 Sessions, 1887

Clear ORDER

To view and lay out a Road
For the use in the township
of Chazy and Clearfield Co.

Sept 20 1888 Confirmed by the

By M. L. Lusk

See Jan 1888 Confirmed by the
late M. L. Lusk

Filed 28th June, 1888

Fees \$1.25 paid by *Angeline Black*