

No. 7, May 88
Term, 1889

Public Road

VERSUS

Graham Twp.

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To Short to Locate

the Abolition of Distress Reserves in Franklin County

The Petition of the undersigned

P, respectfully represents: That they labor under inconvenience for want of public roads to begin in a public road leading from Palestine to Brattonsville in Graham town: which is near the point where the said boundary line of Wilcox, bisects lands closer said road; thence in a southerly direction along the common boundary line of lands of Henry Hamlin and Wilson Smeal to or about the common line of lands of Henry Hamlin, Wilson Smeal and Levi Heubler these in a westerly direction along the common boundary line of lands of Wilson Smeal and Levi Heubler a distance of ten or fifteen rods or thereabouts until it strikes the public road leading from Palestine to Brattonsville as aforesaid where it shall end.

The petitioners will pray the Court to appoint three persons qualified according to law to run the ground for such road and if they should be engaged to lay out the same, to inquire of and vacate the public roads now opened from the place

of beginning as above set forth to the place of ending as above set forth but which now runs diagonally across the land of Wilson Smeal thereby cutting off a three cornered strip of land which is comparatively worthless, which last mentioned road will by reason of the laying out of the proposed road, become useless: and make report of their proceedings to the next Court.

And they will re.

Name

Name

B. D. Schowenger

J. W. Bamberger

A. C. Atte

Mr. W. Hall

H. H. Smeal

James O. H. tte

W. H. Hubler

Isaac Nelson

L. H. Hubler

G. B. Lytle

H. Franklin

Elis Smeal

A. S. Smeal

Frank C. Smeal

F. J. Cole

Frank Taylor

E. H. Haber

B. S. Smeal

J. F. Franklin

John Woodring

Wm. Hanlon

George Hubler

H. B. Smeal

Wilson R. Smeal

Gene H. tte

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Amherst 20 July 88. Fletcher
had 500000 young fish
of 2-3 in. Ward and Frank
Chase permitted to view and
call at the neck town
By Mr. Curtis
David Fletcher
and

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June 2000
a
1000

R ^{pt} A H A M

Clfd. CO., Graham Twp.

Conf. Sept. 1889.

33 ft. -- 16 ft.

Beginning on the road from C.Kyler's to Grahampton where W.P. Smeal's line crosses to the road from C.Kyler's to Grahampton.



Clearfield County, ss: (Seal)

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 20th day of February, A. D. 1887, before Judges of said Court, upon a petition of sundry inhabitants of the township of Graham, in said county, setting forth that they labor under great inconvenience for want of a public road to begin in public road from Palestine to Grahamton in Graham Township at or near the point where the south boundary line of W. P. Smith's land crosses said road to public road leading from Palestine to Grahamton near Levi Hubler.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, Make Report to the Court whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Byers John Umard and Frank Goss 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.


Amblon
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.

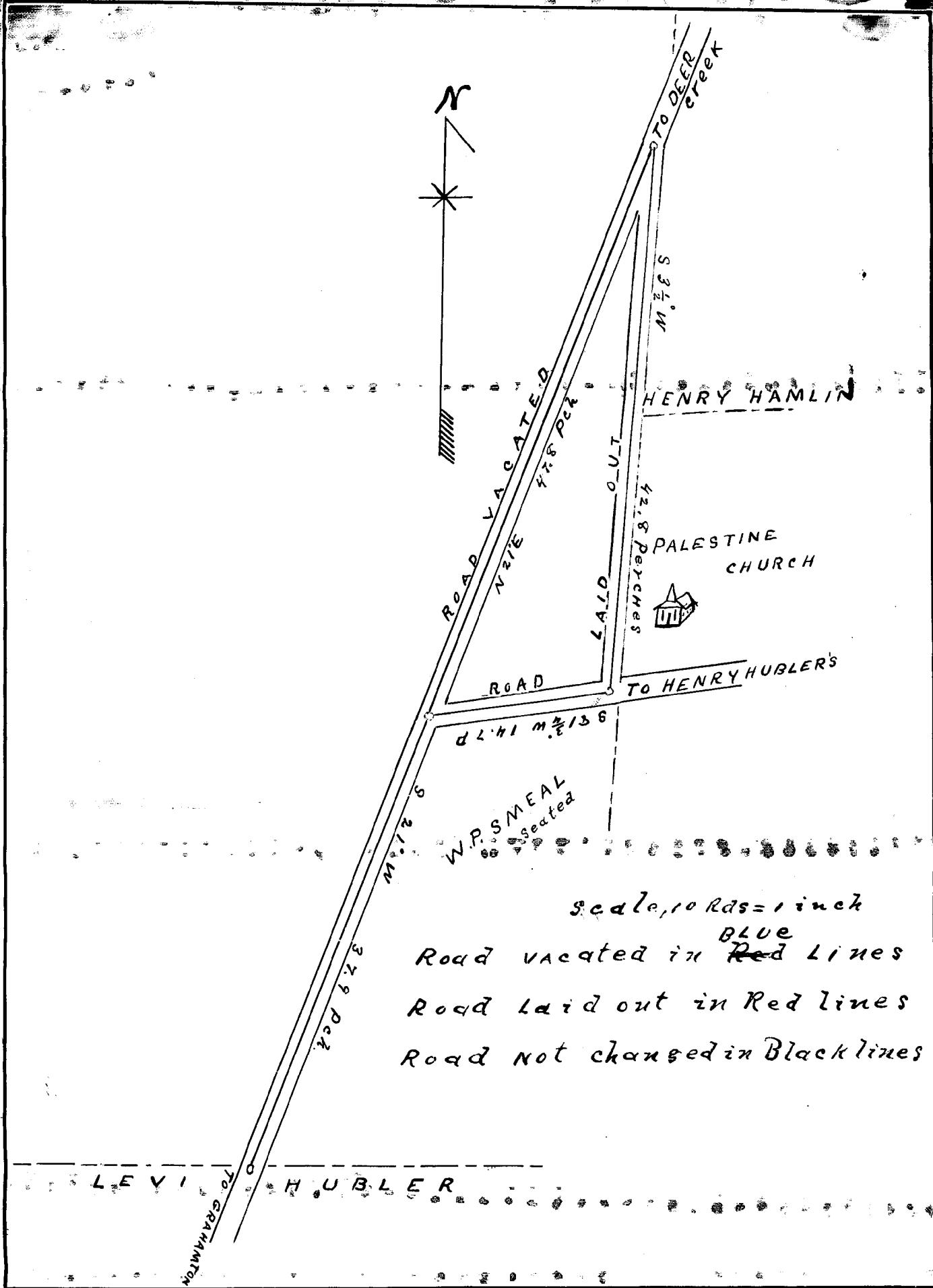
The following persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned viewers, under oath in pursuance of our duty, under the Act of Assembly, do assess their 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 David S. Krebs President
Judge of the court of Quarteressions of
Clearfield County, Penna. We the undersigned
viewers appointed by the within order of court
to view and lay out the road therein men-
tioned respectfully report that we gave pub-
lic notice of said road view as required by law
and are agreeable thereto on Monday April
fifteenth A.D. 1889. and having been first several-
ly sworn or affirmed we viewed vacated and
supplied the following roads to wit begin-
ning at the point sixteen and one half feet from where W. P.
Smells line crosses road from C. Tyler to Grahamton thence south
sixteen and one half feet distant from said line south three and one half deg-
rees west forty two and eight tenth perches to road from Palestine Church to Grahamton
thence on said road south eighty one and three fourths west fourteen and seven tenth
perches to said road from C. Tyler to Grahamton thence down said road to Levi Hub-

lers line. We vacated beginning where road from Palestine to Grahamton enters road
from C. Tyler to Grahamton bearing north twenty one degrees east forty seven and eight
tenths perches to where W. P. S. meets line crosses said road & place of beginning
a plot or draft of which roads as supplied

and vacated as aforesaid is hereto annexed showing
the courses and distances seated and unseated lands
through the roads pass which road as laid out
aforesaid is in our opinion necessary for a public
road. We believe no owner of land is entitled to any dam-
ages for opening of said road. Witness our hands this fif-
teenth day of April A.D. 1889.

Viewers { Harry B. Gerst.
 J. L. Ward.
 Frank Goss.

Note.—In case of a private road, the release must be executed in favor of the petitioner for said road. Also the 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 original 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.

No. 7 May Sessions, 1887

ORDER

James A. Supply
To view and lay out a road for
People use in the township of
Graham, Clearfield Co.

May 28, 1887 confirmed in the
word of the speaker is his word
exact as he will call it. In about
midnighting there is a great
while.

Sept 10, 1887 conformed to
date by the court

Amount.	Days	2
Harry Breen	1	
(Cut off 617)	{ Miles 15-	25-0
J. Franklin Bixby	1	
	{ Miles 8	2.80
J. Franklin Ward	1	
	{ Miles 4	24-0
	Days	
	{ Miles	
	Days	
	{ Miles	

Filed Bremey, 1887
Fees \$1.00 paid by John Morris

Parcel received,