

No.

7, May 58 Term, 1889

Public Road

versus

Graham Lwp.

Contents:

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2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 220

To the Honorable the Judges of the Court of Quarter Sessions of the County of Middlebury

The Petition of the undersigned  
Respectfully represents: That they labor under inconvenience for want of a public road to begin in a public road leading from Palestine to Walthampton in Graham township at or near the point where the same boundary line of William Smeal's land crosses 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 corner of lands of Henry Hamlin, Wilson Smeal and Levi Hubler thence in a westerly direction along the common boundary line of lands of Wilson Smeal and Levi Hubler a distance of ten or fifteen rods or thereabouts until it strikes the public road leading from Palestine to Walthampton as aforesaid where it shall end.

The petitioners would pray the Court to appoint three persons qualified according to law to view the ground proposed for such road and if they should be necessary 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 use-  
less: and make report of their proceedings to  
the next Court.

And they will re.

Name

Name

B. D. Schoonover  
A. C. ~~at~~  
H. B. Smeal  
W. H. Hubler  
L. H. Hubler  
H. Hamilton  
A. S. Smeal  
J. J. ~~at~~  
E. D. Hubler  
J. J. Hamilton  
John Woodring  
Wm Hamilton  
George Hubler  
H. B. Smeal  
Wilson R Smeal  
Jere Hler

J. W. Burnbarger  
Mr. W. Hall  
James O. Hie  
Isaac Hlen  
G. B. Lytte  
Elis Smeal  
Francis Correll  
Frank Hylter  
B. S. ~~at~~

Nov 7 - May 1 1889  
Notation No

Law suit and  
Gravel at

Public Road in  
Brookline Township

Filed 20 July 1889

At the above date July 1889. Petitioner  
Ward & Peterson vs. Henry Peterson  
Petitioner Ward and Frack  
Have appointed to view and  
report to the court  
By the Court  
Dated 7th July  
PJ

11 27 67 10 18 1889

Done at

Sept 1st 1864

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R A H A M

Clfd. CO., Graham Twp.

Conf. Sept. 1889.

33 ft. -- 16 ft.

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



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 20<sup>th</sup> day of February, A. D. 1887, before Judges of said Court, upon petition of sundry inhabitants of the township of Graham, in said county, setting forth that they have 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. Smalls 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, Freeman Ward & 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.

AMB Linn  
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-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 :

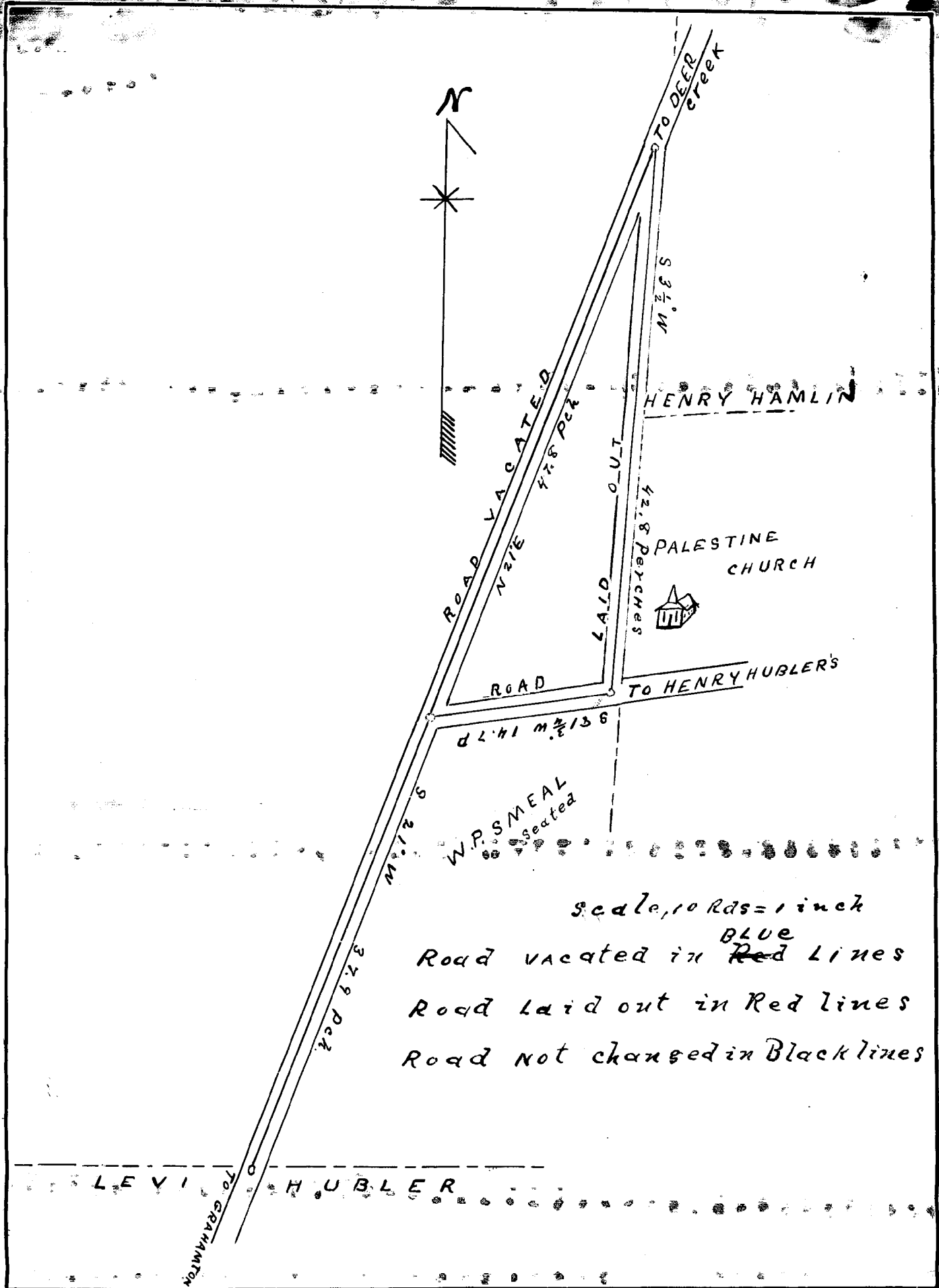
To \_\_\_\_\_ the sum of \_\_\_\_\_

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 Quarter Sessions 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 met agreeable thereto on Monday April  
fifteenth A.D. 1889. and having been first sever-  
ally sworn or affirmed we viewed vacated and  
surveyed 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. Kyler's to Grahamton ~~thence~~ thence south  
sixteen and one half feet distant from said line South three and one half deg-  
rees west forty two and eight tenths perches to road from Palestine Church to Grahamton  
thence on said road south eighty one and three fourths west fourteen and seven tenths  
perches to said road from C. Kyler's to Grahamton thence down said road to Levi Shu-  
less line. We vacated, beginning where road from Palestine to Grahamton enters road  
from C. Kyler's to Grahamton ~~thence~~ north twenty one degrees east forty seven and eight  
tenths perches to where W. P. Smells line crosses said road & place of beginning  
a plot or draft of which roads as surveyed  
and vacated as aforesaid is herewith 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. We witness our hands this fif-  
teenth day of April A.D. 1889

viewers { Harry Byers.  
J. L. Ward.  
Frank Goss.

No. 77 May Sessions, 1887

ORDER

Vacate & Supply

To view, and lay out a road for

Public use in the township of

Chatham, Clearfield Co.

May 1887 confirmed in de  
mond & he opened 33 feet wide  
except sidehill cutting  
must be bridging there is a  
wide. By the Court

Sept 1887 confirmed also  
late By the Court

Filed May 1887

Fees \$1.00 paid by B. Johnson

Paid & issued

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 them 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.

Harry Byers } Days 2  
(Cut 617) } Miles 15- 25-0

J. Frank Bora } Days 1  
} Miles 8 2.80

J. Duncan Ward } Days 1  
} Miles 4 2.40

Days  
Miles

Days  
Miles

Amount.