

No. 121, Seph Term, 1889

Vacate & Supply
Private Road

versus

Graham Prop.

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Sec. 2 - Dec. 1888

1700-27

+

start *Simton*
stop

WALLACETON
L. H. Co., Graham Twp.
Conf. Absol. Feb. 1890.
33 ft. -- 16 $\frac{1}{2}$ Ft.

Beginning in the lane of E.M. Peter's
----- to the Twp. Road leading from
S Wallacetown to Morrisdale Mines. *M* *O*

To The Honorable Judge of the Court of Quarter
Session of the Peace in and for the County
of Glenfield

The Petition of the undersigned Citizens
of the Township of Graham in said County
Respectively sheweth that a Private Road
hath been lately laid out by order of Court
from Township Road near A. Newmills
Saw Mill to Township Road at John W
Turner Lane on Township Road

which Road when made will be very
injurious and Cause great Damage and
inconvenience to the Parties owning Land through
which said Road will Run

We therefore Pray the Honorable Court to
Appoint Proper Persons to vacate and
Supply that Part of said Road from E. M.
Petersons Fence to Township Road

not deposit
petition of ~~the~~ ^{the} ~~the~~ ^{the}
of Graham Township
to vacate & supply a
portion of private
road from A. H. Himm
mells saw mill to
John W. Turner's
lane.

10 Sept 1889. Harry Rogers
Alex Thompson and W. S. Curley
are appointed new men to
view & report at the next
term. By Mr. Court

Filed 10 Sept 1889

JWS

Names
 J. F. Hubler
 L. A. Hinner
 C. C. English
 John H. Hays
 J. L. Ward
 H. H. Houser
 H. D. Hinnermaker
 J. H. Bumpster
 L. Hubler
 John Hamilton
 Wm. H. Hinner
 H. B. Smeal
 W. B. Smeal
 James Pyttle
 W. H. Smeal
 E. W. Smeal

Names
 S. Smeal
 J. Smeal
 Grant Smeal
 E. J. Williams
 R. Holt
 John E. Wright
 M. D. Davis
 Henry J. Hummel
 C. H. Hill
 E. H. Hummel
 Franklin Hoyer
 David Smeal
 H. H. Hummel
 William C. Hoyer
 J. H. Hummel
 Henry Hoyer
 J. H. Hoyer
 C. H. Hoyer
 J. H. Rothrock
 L. Rothrock
 M. Tlegal
 Aaron Tlegal
 C. R. R. R.
 J. H. Smeal
 J. S. Smeal
 J. W. Turner
 W. R. Williams
 J. H. Hummel
 H. H. Hoyer
 W. H. Hoyer
 S. Smeal
 J. C. Hubler
 Michael Hoyer
 James Hoyer
 J. C. English
 C. H. Hill
 J. H. Hoyer
 E. W. Smeal

To the Honorable David Z. Kiehl, President Judge of
the court of Quarter sessions of Clearfield County Pa. we
the undersigned viewers appointed by the within order
of Court to view ^{vacate} and lay out the road therein men-
tioned respectfully report that we gave lawful notice of
said road view by posting notices, and met agreeable
thereto on Wednesday the twenty seventh day of November A.D.
1889, both being present and having been first severally
known or affirmed we have vacated the following private
road, viz: beginning at a point in lane of E. M. Peters
about fifty four rods from his house thence ~~south~~ ^{east} seventy
four degrees ~~west~~ ^{east} forty eight and four tenth perches through
land of said E. M. Peters thence south eighty four and one half
degrees east twenty ^{one} and two tenth perches to a post thence
continuing through land of James Moyer north forty eight de-
grees east sixty and one tenth perches thence north thir-
ty five and one half degrees east eighteen and one tenth
perches thence north fifty eight degrees east fifteen and
six tenth perches to public road leading from Bigler to
Morrisdale mines at a point north of A. Hummell's saw mill
which road afore said having been vacated we supplied by lay-
ing out a road beginning at same point as road vacated thence
through land of E. M. Peters east forty six perches to corner
of land of James Moyer and John Emigh thence on line between
John Emigh & James Moyer south eighty six degrees east
thirty six perches to centre of Moravian Run being corner of Moyer
John Emigh and line of Abram Hummell thence on same course
through land of Abram Hummell fourteen and eight tenth
perches to Township road leading from Wallaceston to pub-
lic road leading from Bigler to Morrisdale mines at a point
one foot south of a large pine stump. We believe no owner of
land is entitled to any damages by reason of locating and
opening of said road except Abram Hummell whose damages
are assessed else where in this report. A Plot or draft of roads
aforesaid is herewith annexed showing courses distances
and improvements, which road is necessary in our opin-
ion for a public road. Witness our hands this twenty-
seventh day of November A.D. 1889

Viewers { Harry Byers.
P. Curley

No 12 Sep Sessions, 1889

ORDER

Vacated & Suppley
To view and lay out a road for

Private use in the township of

Graham, Clearfield Co.

Dec Sep 1889 Road reconfirmed

7th Sec, & ordered to be opened 33

feet wide except where, six wheel

cutting re-embankment there to

be 16 1/2 feet By the Court

July Sep 1890 Confirmed absolute

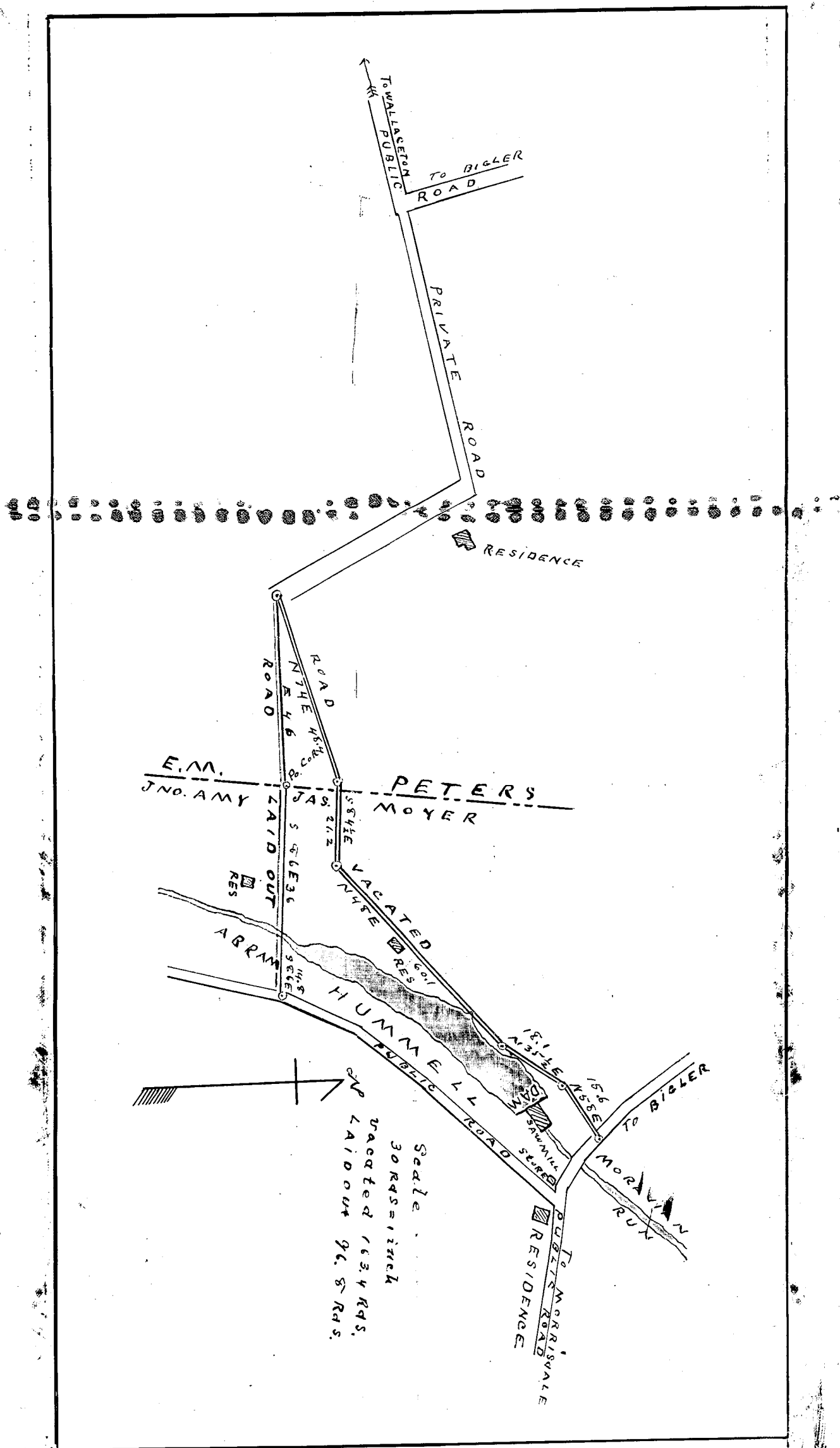
By the Court

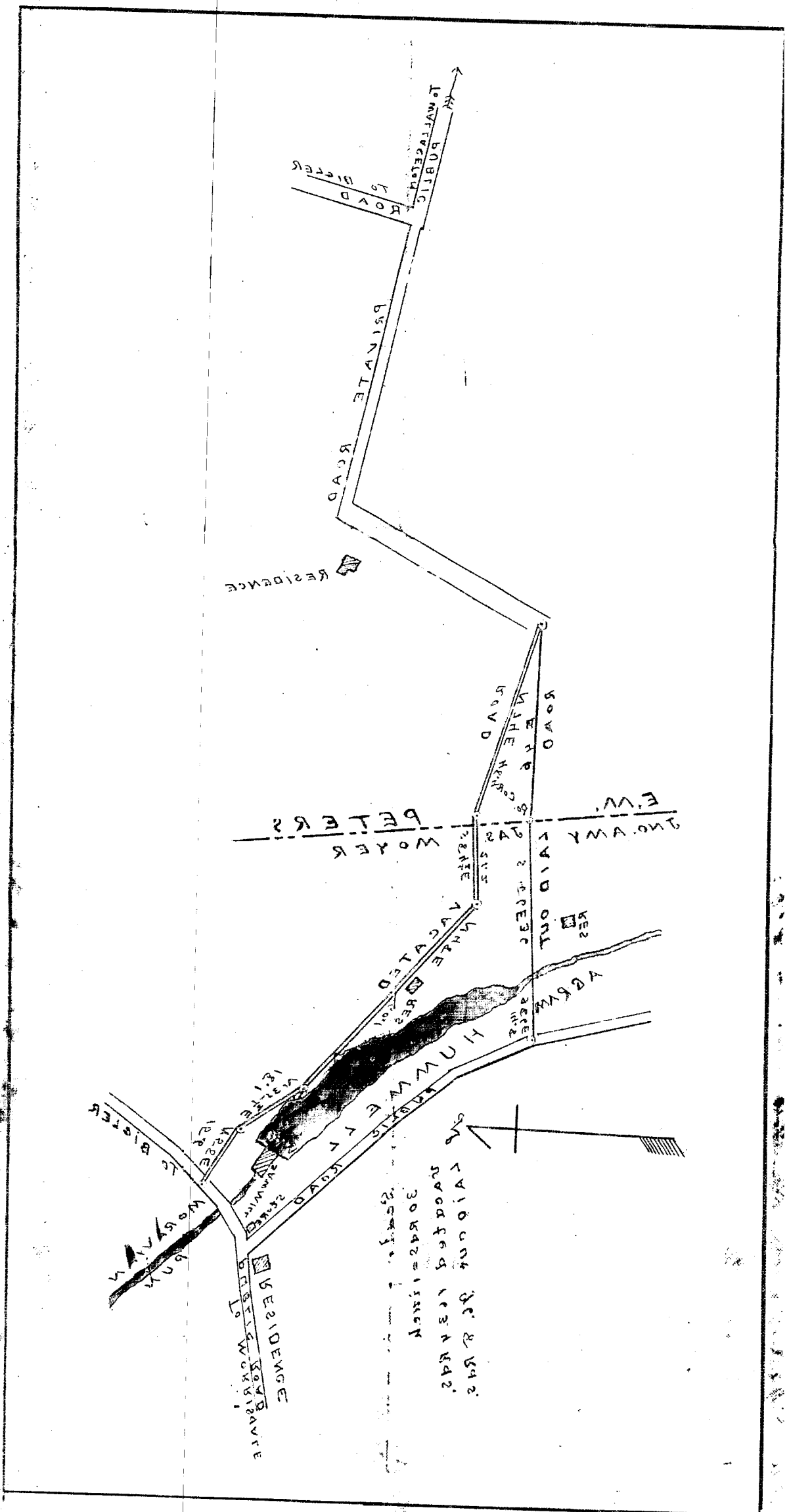
Filed 22nd Sep 1889

Fees \$1, paid by A. D. Jones

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 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.

Harry Ryan	Days	Miles	Amount
P. Gurley	Days	Miles	2.00
On # 713	Days	Miles	30
	Days	Miles	2.30
	Days	Miles	
	Days	Miles	
	Days	Miles	
	Days	Miles	





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 Abram Hummell the sum of five dollars
To _____ the sum of _____
To _____ the sum of _____

Witness our hands this 27th day of November, A. D. 1889.

Harry Byers
P. C. C. C. C.

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 10th day of

Sept, A. D. 1889, before Judges of said Court, upon a petition of sundry inhabitants of the township of Graham, in said county, setting forth that a private road

near McBurnell Township to Township road at John H. Blom lane on Township road which road when made will be very injurious & cause great damage, and is intended to be for the purpose of running land through which said road will run

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 Alvo Ralston Wm. Curley

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.

AM Blom
CLERK.