

No. 4, May Term, 1890

Vacate Public Road

Versus

Bezzaria Pwp

Contents:

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In the Court of Quarter Sessions of Clearfield
County.

To the Honorable David L. Kreb, President
Judge of said Court.

The petition of the undersigned
inhabitants of the Township of Beccaria, in
said County, respectfully sheweth:- That a
public road has been long since laid out
from Mathew's School House in said Township
to Westover in the Township of Chest, and
that a part of said road, to wit, beginning
at Mathew's School House and ending at
the Chest Township line, your petitioners
conceive, is now become useless, inconvenient
and burdensome.

Your petitioners therefore pray the
court that the said part of road may be
vacated, agreeably to the Act of Assembly in
such case made and provided; and they
will ever pray &c.

~~James Hopkins~~
James Hopkins
Robt Kimble
W. H. Lytle
Lewis J. Burr
Joseph Shank
John Keindman

John E. Matthew

M. D. Davis

Thomas S. Lipton

John Lightner

Jas. Luchetti

Samuel Roberts

Urban Roberts

H. B. Allison

John Matthew

John D. Kuhn

Christen Kuhn

James W. O'Neil

Nov 4 May 1890

Return to Vacate and
in Beecan Township.

Nov 5 May 1890 J. T. Dyer
Mr. A. J. Dyer and R. A. Dyer
are applicants for
renewal of
By the Court
D. Z. Cook

Nov 5 May 1890

Bilger

Matthew's School House

John R. Highiner

Surveyed 18th May 1880
by order of Comtee

The average grade of 109
elevation and depression
this length of road 550

It is situated in Decatur, P.
Georgia, Co. Va. and begins
at a point at the
junction of the line between
several courses & distances
to a point near Matthew's
house in said P.
The average grade of 109
elevation and depression
this length of road 550

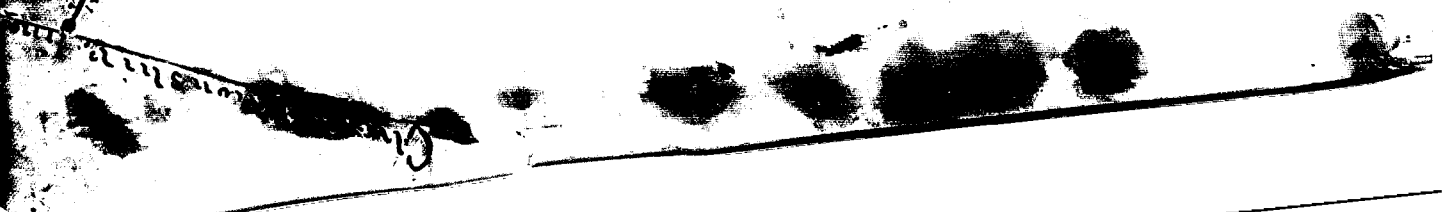
W. R. Co.

Whitmer land and lumber co.

Whitmer land & lumber co.

South Whitmer

Whitmer land & lumber co.



Report of Viewers.

To the Honorable the Judge within named,
We the undersigned persons appointed by the within order of Court; to view to view the road therein mentioned respectfully report

That having been present together with R. A. Holden (also a person appointed as aforesaid) at the view of the said road, and having all been first severally sworn or affirmed in pursuance of the said order, after due and legal notice, we have viewed the said road, and that we are of the opinion that the same has become useless, inconvenient and burdensome and ought, therefore to be vacated.

Witness our hands this 18th day of July A.D. 1890

J. J. Holden
A. J. Fry
Viewers.

To the Honorable D. L. Krebs Judge of the Court
of Common Pleas of Clearfield County. Being one
of the persons appointed by an order of
Court; to view the road mentioned in the
petition presented to your Honor a copy of
which is attached hereto respectfully report-;
That having been present, together with John
Lightner and A. J. Fry, also persons appointed
as aforesaid at the view of said road, and
having all been first severally sworn or affirm-
ed, in pursuance of the said order, we have
viewed the said road, and I am of opinion
that the same has not become useless, incon-
venient and burdensome, and that there is
no cause for vacating the same and would
further report that the said part of this road
is an actual necessity to a certain part of
the people of that community.

Witness my hand this 26 day of November
A. D. 1898;

I would further state that this road has
been used constantly for fifty years -
A. Holder

Copy of Petition

In the Court of Common Pleas of Clearfield
County: -

The petition of the undersigned inhabitants of
the Township of Beccaria in said County res-
pect. sheweth; That a public road has been long

since laid out from Mathews School house
in said Township to Westover in the Township
of Chest- and that a part of said road to wit:-
Beginning at Mathews School house and ending
at the Chest-Township line, your petitioners
conceive is now become useless inconven-
ient- and burdensome; your petitioners there-
for request the Court- that the said part of
road may be vacated according to the Act, of
Assembly in such case made and provided.

Report of R. C. Mathews

Filed for record 1870

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 6th day of May, A. D. 1880, before Judges of said Court, upon a petition of sundry inhabitants of the township of Deeana, in said county, setting forth that a road has been

long since laid out from Mauchus School House in said Township to Hedden in Chest Township and that part of said road to wit: Beginning at Mauchus School House and ending at the Chest Township line has now become burdensome useless and unnecessary and pray the Court that said road may be vacated.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, I make Report at Sept Term of Court whereupon the Court, upon due consideration had of the premises, do order and appoint John L. Lightner & J. R. A. Holden 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 vacating} ~~for~~ said road, and if they view the same and any two of the actual viewers agree that there is occasion for such ^{vacation} ~~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 B. 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 .

SEAL
SEAL
SEAL
SEAL

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 .

No. 4 May Sessions, 1890

ORDER

To view ~~and~~ ^{Vacate} a road for
Public use in the township of
Beccard, Clearfield Co.

Sep 1890. Confirmed ^{By the Court}

Dec 1890. Consideration
Continued to Feb 1891
^{By the Court}

Feb 1891. Confirmed
absolute
^{By the Court}

Filed 1 Sep 1890
Fees \$1, paid by ^{200 Legman}

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.

<i>1000 2 1/2 miles</i>	<i>Days 1/2</i>	Amount.
<i>(1000) 1/2</i>	<i>Days 1/2</i>	
<i>(1000) 1/2</i>	<i>Miles 7.50</i>	
<i>1000 1/2</i>	<i>Days 1</i>	
<i>1000 1/2</i>	<i>Miles 20</i>	
<i>1000 1/2</i>	<i>Days 1</i>	
<i>1000 1/2</i>	<i>Miles 24</i>	
<i>1000 1/2</i>	<i>Days 1</i>	
<i>1000 1/2</i>	<i>Miles 1</i>	
<i>1000 1/2</i>	<i>Days 1</i>	
<i>1000 1/2</i>	<i>Miles 1</i>	