

No. 3 Dept. Sec.
Public Road
Chas. Co. Bell Corp.

VERSUS

Her road

X

In Re Petition for Vacation of Public Road No 5
September Term 1890.

To the Honorable Judge of the
Court of Quarter Sessions of Clearfield County.

The undersigned petitioners
would respectfully represent:-

That a certain road
has been laid out and ordered to be opened for
public use to lead from a point near the mouth
of Ralting Run in New Berg Boro' to a point
on the Public road leading from New Berg
to McHaffey and near to Wm. S. McHaffey
in Chest and Bell Townships;

That said Road
was confirmed absolutely February Session 1891
and an opening order was issued on the
day of 18

That said Road has
not yet been opened either in whole or in part:
that your petitioners are a majority of the
persons originally petitioning for said road
within Clearfield County: that your petitioners
now pray for the vacation of said road for
the following reasons:-

And

The construction and building of said road
would be too expensive and burdensome
upon the taxpayers of Bell & Chest Townships
and would not be of any special advantage

has not happened in the travelling public.
2^d They say the friendship through which part
part peace is not settled to any extent
and it is not likely, to be so the country to
as any and any.

got the road now enough to be recovered
from almost parallel with the public
already in use from any dot from to
La Jolla, and the new road is unnecessary
for the accommodation of the public

from petitioners thence by the
road happened never from past
and report can ascending to also -
like means proceeding into open
the travellers;
should they not be proving

J. H. Campbell
 J. A. McLee
 J. E. Ross.
 R. L. Mahaffey.
 Wm. McFadden.
 Elwood Passmore.
 Wm. Skarffman.
 25 Deroy Ellis x
 J. O. Johnson
 John Thomas
 W. H. Snyder
 W. B. Wells
 Jacob Jorgensen
 Ed. Jorgensen
 Thomas Jorgensen
 Sheridan Krummow
 Ellsworth Krummow
 S. S. Snyder
 Jacob B. Beeth
 H. B. McCre
 J. Russell McGinn
 B. Griffiths
 H. H. Meckley
 H. J. Meckley
 S. J. Meckley
 W. J. Meckley
 J. H. Kelley

Ben Lee
 J. W. Lee
 J. M. Poff
 J. M. Thomas
 H. Mitchell
 H. H. M. Lee
 J. W. M. Lee
 Ed. J. J. Anderson
 Samuel Anderson
 S. A. McCre
 Foster Beatty
 U. J. Drent
 Levi Baker
 James Mott
 J. A. Schrecongost
 J. J. Davidson
 Mack Davidson
 S. J. Schrecongost
 J. Q. Rhoades
 Walter E. Eddy
 P. C. Simpson
 J. D. Shaffer
 J. K. Henry
 J. Q. Eddy
 D. D. Rhoades
 Ruben Kuperst
 Austin Beatty
 J. Q. Beatty
 C. A. Eddy

J. W. Robins
 W. A. Henry
 W. H. Canner
 O. M. Byers
 A. E. Simpson
 E. Daisler
 Chas. Daisler
 Wm. Daisler
 H. W. Shields
 G. E. Shields
 J. A. Duff
 James Morris
 Finckee
 J. R. Mcbee
 A. J. Dehaven
 Geo. Campbell
 S. E. Ayder
 W. B. Word
 J. L. Hockembry
 Harry Ross
 E. E. Fulliken
 W. P. Mahaffey
 Geo. S. Simpson
 R. F. Mcbee
 Edmund Fulliken
 J. L. Wolf
 W. B. Boyer
 J. W. Ward

W. F. Nicodemus
 Wm. Mcintosh
 George B. Miller
 H. P. Mahaffey
 W. B. Ross
 J. H. Nicodemus
 Jas. Hopkins
 Wm. Egan
 W. J. Campbell
 Daniel Remaley
 S. J. Remaley
 J. H. Briant
 Thos. M. Davidson
 John Bathurst
 J. R. Wetzel
 Reed Sunderland
 Bolser Fulliken
 James Hopkins
 Philip Mcfee
 L. J. Parrish
 E. L. Wetzel
 Samuel Hall
 H. W. Wetzel
 J. W. Campbell
 J. T. Kauffman
 W. Campbell
 M. P. Campbell

	Samuel T. Kaufman	
	A. J. Ling	E. DeHaven x 35-
	Ed Kaufman	a DeHaven 34x
	Al Cooper	R. S. Ellis x 15-
42	J. S. DeHaven x	W. F. Myer x 36
49	W. R. DeHaven x	Sheel Heforn 39
40	E. W. Byers x	W. W. W. W. W. 20
45	J. J. Byers.	
	Jack Byers	
	J. O. Baker	
	Geo E Gillett	
	A. B. Mosser	
	H. A. Breth	
	Herbert Anckley	
	W. M. S. S. S.	
	Daniel Bouch	
	Tom Remaly	
	Edmund	
	David Kaufman	
26	A. D. Lydie x	
12	J. Herbert Mahaffey x	
	Mrs. Wicks	
14	Guy E. Conant x	
32	R. L. Roeder x	
27	James M. Orr x	
22	D. G. O. Speckard x	
	<u>D. W. Michell</u>	
50	Charles M. Maceter x	

John Wood
John Gray
J. B. Hurd
J. P. Foy
E. H. Adelman
B. D. Williams
J. S. McGordon
Geo. S. Williams
W. B. Brettle
62 A. L. Hurd *
A. L. Bishop
James L. White
S. E. Underhill
174 H. H. Hurd +
13 H. Penington *
Don. H. Bishop
Jas. B. Wood
Samuel McLadden
A. B. Barrett
15 R. S. Montgomery *
J. Advertiser
W. H. Beatty
46 W. H. Jones *

Alfred 1890
and his little son
Good & happy
Sunday after
in the East
Spence Smith

Wm. Sept. 21 1870

Better yet would a
Public Road leading
from about near the
Mead of Kelley, down as
much as half a mile and
on a wide road leading
from a point where it
crosses the river.

Now all right -
The week long
and then suddenly
we appeared. I wish
I knew how to
as well as you do.
We are happy to
be with you again.
I hope you will
be able to visit us
again soon.

NOV 4 1898
S. V. WILSON, JR.
ATTORNEY AT LAW
CLEARFIELD, PA.
Prothotolary.

So the Honorable the Judge of the Court
of Justice preside in and for the
County of Berkeley,
The petition of the undersigned the
sons of William Henry, Ferguson and
John and the Sonships in said
County respectively represent that
your petitioners other minor grant in
common for the tract of a Rotten
Road to land from a grant near to
the tract of Rotten Lane in Berkeley
County to a grant on the Rotten Road
leading from Cherry to Berkeley and
near to William D. Berkeley, they therefore
pray the Court to appoint Decrees to them
and lay out the same, according to laws
which they will ever pray to.

And they will pray so,

[The page contains numerous handwritten names and signatures, many of which are mirrored or repeated across the page, suggesting a list or index of individuals.]

Oct 5 Sept 58. 1870

Station for P. M. C.

Chert & Red sandstone

Nov 1870 4, 1870 The water
pattens and sandstone
and the upper part
of the sandstone is
red and is of the
same color as the
sandstone and is
of the same color
as the sandstone
of the same color

By the Crack

Nov 5 Sept 1870

Nov 5

To the Hon Judge of the Court of Quarter
Sessions of Clearfield County Pa.

We the undersigned Viewers, Appointed by the with
in Order of Court. to view and Vacate the Road
therein mentioned, Respectfully report, having given
notice of the time and place of meeting, according to
The Act of Assembly, And being all present, at the view
of the said laid out Road, and being all sworn or af-
firmed, in pursuance of the said Order of Courts.
We have viewed the ground, as formerly laid out,
And we find it be very unavailing, the ground upon
which it is laid being very swampy a great deal of it.
And very expensive to make, it being necessary to build
at least five Bridges across Snyder Run, beside a
number of smaller Bridges, there is also a long hill on
said Road, that is very steep. And we are of opinion
that, the said road is not necessary for public
use, And we declare it vacant, as follows to wit.
Beginning at a Rock by the Public Road leading
from Newburg to Mahaffey, Seven & six tenths perches
East from where said Road crosses Ratting Run in
The Box of Newburg, Thence Through lands of Rachel
Hurd north forty two and a half degrees East ten per-
ches, to a Post: Thence north fifty and a half degrees East
Twenty nine and four tenths perches to a Post in the Old
road. Thence along the said road, through land of
S. J. Hurd's Estate North sixty seven East Thirty three
and four tenths perches, North Thirty nine degrees East.

Seventeen perches. Thence north sixteen degrees East
fourteen and eight tenths perches. Thence through land
of William Lucker, in Ferguson Township. North seven
degrees East; Twenty six and six tenths perches, Thence
North fifteen and a half degrees East Fifteen and three
tenths perches, North twenty eight and a half degree
East; Thirteen and four tenths perches, North forty six
and a half degrees East fifty and two tenths perches
to a Post. Thence North thirty six degrees East twenty
two perches to a Maple Stump. Thence North twenty five
and three fourth degrees East, Seventeen and five
tenths perches to a Hemlock. Thence North Eleven and
a quarter degrees East; thirteen and three tenths perches,
to a Hem. Stump. Thence North twenty two and three
quarter degrees East, twenty and four tenths perches
to a Hemlock. Thence North Eleven and a half degrees
East; thirty nine and six tenths perches, to a Post.
Thence through land of Rachel Hurd North three
and a half degrees East. Twenty and four tenths per-
ches to a Post in the line of land belonging to Joseph
Rainey's Estate. Thence along said line South eighty
four and three quarter degrees East, thirty two and
six tenths perches to a Red O. Thence North fifty
degrees East. Through land of Jose and Bennett
Twenty Three and five tenths perches, to a Hemlock.
Thence through same North Eighteen and a half
degrees East, fourteen and eight tenths perches.
to a Maple. Thence North Eight and a quarter

degrees west, nine and three tenths perches to a Hemlock. North one quarter degree west, six and one tenth perches to a Hemlock. North forty three degrees west, ten and six tenths perches to a Hemlock. North thirty and one fourth degree west five and a tenth perches, Thence north fifty six degrees west seven perches, Thence north sixty two degrees west eleven and five tenths perches, to a Post, north fifty five degrees west, eight and three tenths perches, to a Birch Stub, Thence north twenty nine, and three quarter degrees west eleven, and nine tenths perches to a Hemlock. Thence north forty degrees west seven and eight tenths perches to a Hemlock. Thence north fifty one and three quarter degrees west, twenty one and seven tenths perches to a Hemlock, north forty seven and one fourth degree west nine, and one tenth perches to a Hemlock. Thence north forty two and a fourth degree west eleven and six tenths perches to a Post. North one half degree East, four and eight tenths perches to a double Birch. north thirteen and three quarter degrees East, eleven and nine tenths perches, to a Post. North twelve and three quarter degrees west six perches to a post; Thence north forty six degrees west sixty four and nine tenths perches to a Hemlock. North fifty six and a half degree west twenty and seven tenths perches to a Birch. North sixty three and three quarter degrees west twenty, and six tenths perches, to a Post. north forty five degrees west thirty one

And four tenths perches to a Birch. Thence north forty eight and a half degrees west. sixteen and one tenth perches, to a large Sugar. Thence north sixty three degrees west, seventeen and nine tenths perches to a post. Thence north Eighty two degrees west twenty four perches, and two tenths, to a post: by Snyder Run. Thence north forty nine degrees west, eight and nine tenths perches, to a Linn. Thence north Eighty six and one quarter degrees west. Six and one tenth perches to a Hemlock. Thence north Eighty seven and three quarter degrees west, eighteen and one tenth perches to a Hemlock. Thence north seventy one degrees west (thruong land of Wm B. Mahaffey) seventeen and two tenths perches to a Hemlock. Thence by the same South fifty eight and one half degrees west - nine and three tenths perches to a Hemlock. Thence South sixty eight and a half degrees west seven and six tenths perches, to a Sugar. Thence South seventy eight and three quarter degrees west - seventeen and nine tenths perches to a Hemlock. South Eighty six and a quarter degrees west, Twenty^{one} and three tenth perches, to a Hemlock. Thence north Eighty four and a quarter degrees west Thirteen and two tenths perches, to a Hemlock. Thence south Eighty seven degrees west, Twenty three and eight tenths perches to Post by a Beech. Thence North Eighty eight; and a half degrees west five and two tenths perches, North Seventy six and a quarter degrees west. five and eight

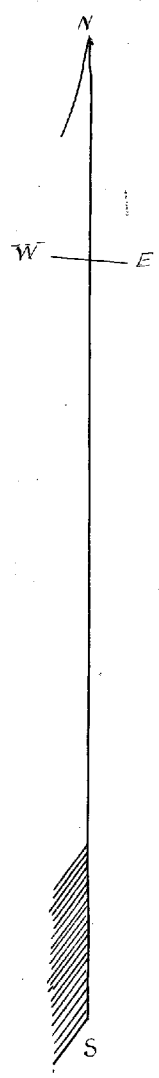
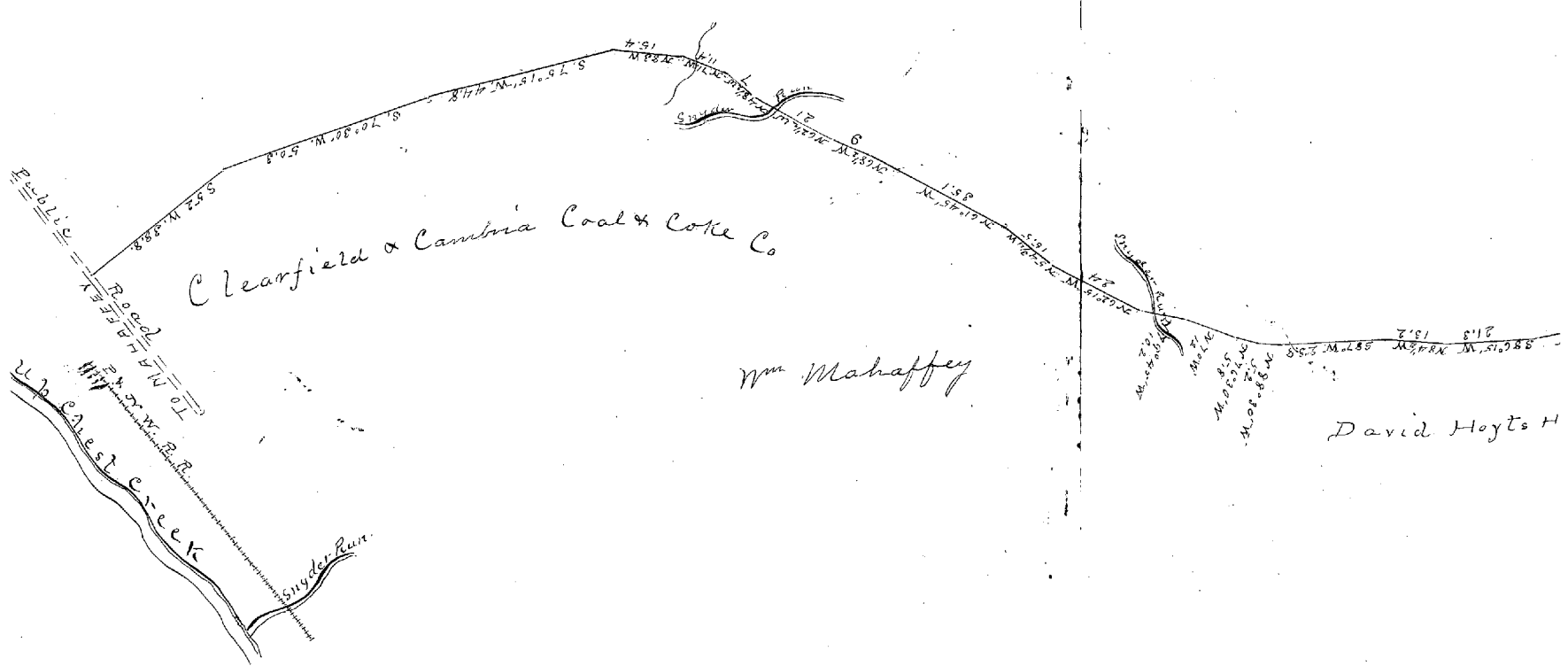
tenth's perches to a Hemlock. Thence north seventy degrees west twelve perches to a post by a Hemlock. Thence North seventy nine and three quarter degrees west Ten and two tenths perches to a dead Hemlock. Then North sixty two degrees and a quarter west. twenty four perches. North fifty four and three quarters degrees west Thirteen and five tenths perches to a Lim. North sixty one and Three quarter degrees west. Thirty five and one tenth perches to a Post; Thence north sixty eight and a half degrees west; Nine perches to a Beech. Then north sixty two and a half degrees west Twenty one perches. Thence through land of the Clearfield and Cambria Coal, and Coke Co. North forty eight and a half degrees west. Seven perches to a Post; North seventy one degrees west; Eleven and four tenths perches to a Post. North eighty three degrees west fifteen and four tenths perches to a Beech. South seventy five and a quarter degrees west forty four and eight tenths perches to a Beech. Thence South Seventy and a half degrees west, Fifty and three tenths perches to a Post; Thence South fifty two degrees west; Thirty eight and eight tenths perches the Public Road leading from Newburg to Mahaffey, in land of William Mahaffey, near his Residence, A plot, or draft of the said described Road is herewith annexed

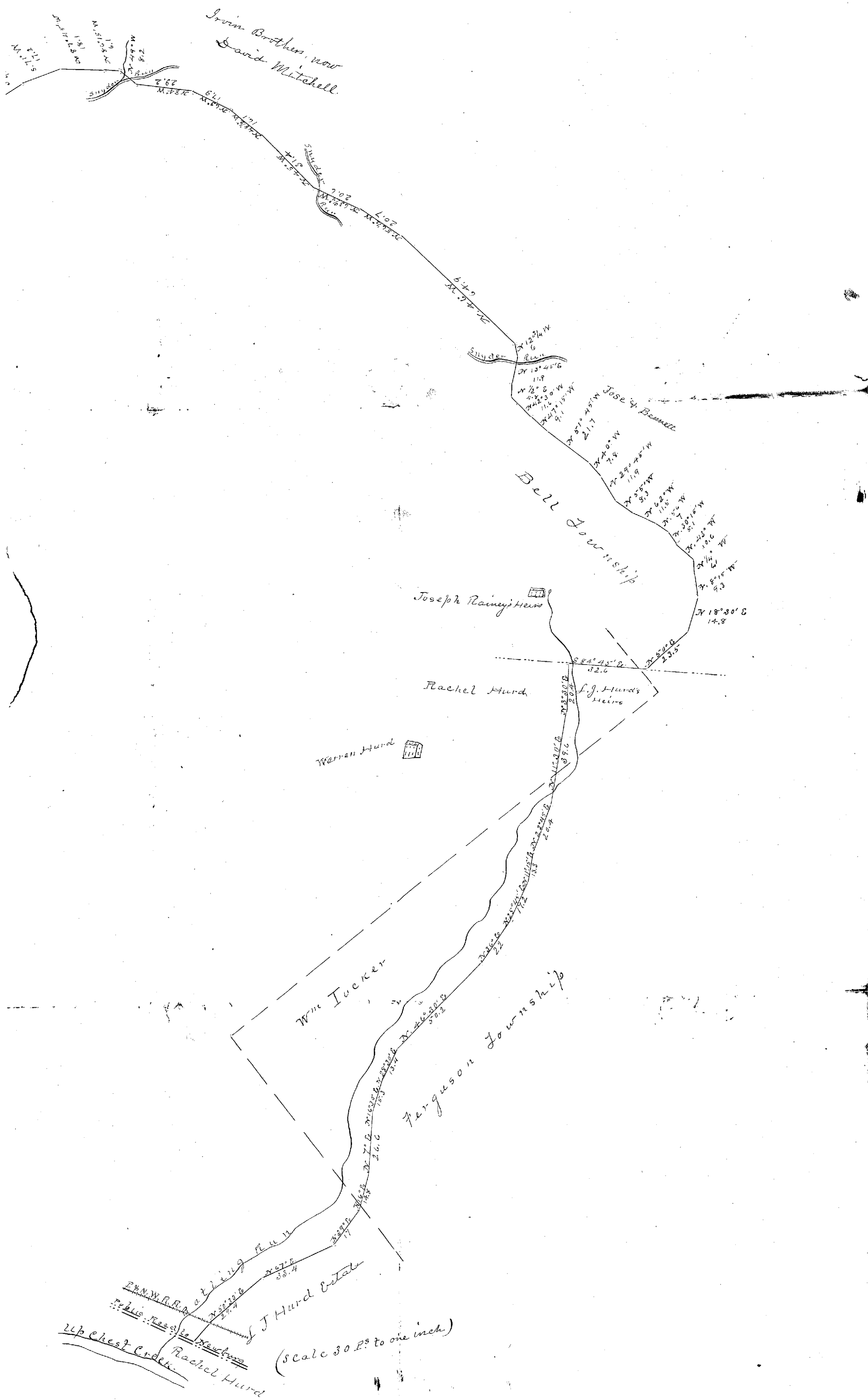
Which said road as above described we are
of opinion is not necessary for public use, and
would only be a burthen on the Taxpayers of
Bell Township. And we therefore declare it
Vacated.

Witness our hands the 14th day
of December, 1899.

E. F. McClosky
Jacob Burge
G. H. Hall

} Viewers





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 5th

day of Sept., A. D. 1890, before

Judge of said Court, upon a petition of sundry inhabitants of the township of Chest + Bell

, in said county, setting forth that

a certain road has been laid out and ordered to be ~~opened~~ for public use to lead from a point near the mouth of Rattling Run in Newberg Boro. to a point on the public road leading from Newberg to Mahaffey and near to Wm. S. Mahaffey in Chest and Bell Townships. That the said Road was confirmed absolutely February Sessions 1891 and an opening order was issued on the day of 18. That said Road has not been opened either in whole or in part. that your petitioners are a majority of the persons originally petitioning for said road within Clearfield County; that your petitioners now pray for the vacation of said road.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, ~~and report to next term of Court~~ whereupon the Court, upon due consideration had of the premises, do order and appoint Geo. Hall, Jacob Berge and Saml. McClaskey 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 ^{vacation} 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 the 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 land 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 land 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.

Grant H. Thompson

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 en sealing 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. 189 .

.....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. 189.....

No. 5 Sept. Sessions 1899

ORDER

vacated

To view and lay out a road for
Public use in the township of
Chestnut Bell, Clearfield Co.
Sept. 15th 1899
Sessions, 1899,
read and confirmed Ni. Si.
Road to be opened 23 feet
wide, except where there is
side hill cutting or embank-
ment and bridging, there to
be 16 feet wide.

By the Clerk
Cyrus Gordon

27 May 1901 confirmed for
absolving. W. J.
Grant Thompson
Pro.

FILED
Fees \$1, paid by
DEC 13 1899

189

Grant H. Thompson,
Prothonotary.

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.

Nov. 20, 1 day 87 miles
Dec. 14, 2 day 35
1 day making Report } Days 4 } AMOUNT.
S. F. McCloskey } Miles 74 } \$16.00
Nov. 20, 1 day of 85 miles } Days 4 } \$16.00
Dec. 14, 2 day " 35 " } Miles 74 } \$16.00
George H. Hall } Days 3 }
Miles 70 } \$13.00

Dec. Rungel } Days 2 }
Miles 34 } \$7.40
Days }
Miles }
Days }
Miles }

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 fifth day of
Sept, A. D. 1880, before Judges
of said Court, upon a petition of sundry inhabitants of
the township of Chest & Bell, in
said county, setting forth that they labor under

great inconvenience for want of a public road to lead from a point near the mouth of Rattling run in Newburg Borough to a point on the public road leading from Newburg to Mahaffey and near to Mm & Mahaffey

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 ~~Harry Byers~~ ~~Just. Lewis~~ ~~and~~ ~~James~~ 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.

Ambley 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 .

No. 5- Sep Sessions, 1890

ORDER

To view and lay out a road for

Public use in the township of

Chas. V. Bell, Clearfield Co.

Dec. 1890. Confirmed his right
to the opened 33 feet wide
road at the bridge cutting
embankment.

By Wm. Bond

July Sep. 1891.

Confirmed Absolute

By Wm. Bond

Filed 30 Dec, 1890

Fees \$1.25 paid by H. Rogers

Harris

Note.—In case of a private road, the release must be executed
by the owner of the petitioner for said road.
Also.—Viewers will carefully note the number of days em-
ployed and set the amount out at the foot of their return.
If the viewers 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 5 } Amount.
(Cert #821) } Miles 38 } \$22.80

Jacob Lee } Days 3
(Cert #822) } Miles 2 } \$6.20

Fred Cross } Days 3
(Cert #823) } Miles 5 } \$65.00

Joseph Hard } Days 3
(Cert #824) } Miles x } \$45.00

Warren Hard } Days 2
(Cert #825) } Miles x } \$3.00

Wm. McShaffery } Days 1 } \$15.00

