

No. 10, Sept 1888  
Term, 1888

Public Roads &  
vacate

**COMMONWEALTH**

versus in

Penn Township

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Petition to lay out and Vacate, a public road in Penn Township

To the Honorable David L. Krebs Prest. Judge of the Court of General Quarter Sessions of the Peace of Clearfield County-

The Petition of the unde signed inhabitants of Penn Township in said County, Respectfully represent: —

— — — — — That they labor under inconvenience for want of a public road to begin at a point on the Bell Run road, in Penn township at or near the Mouth of Keenan's Run, and terminate at a point on the public road leading from said Bell Run road to the Pennville and Luthersburg Turnpike, at or near the residence of Alexander M McDonald in said township.— — — — —

That there is at the present time a public road extending from said Alext-McDonald's to the intersection with said Bell Run road a distance of about three fourth miles, which by reason of its steep grade has become almost useless, and is burdensome to the inhabitants aforesaid; and by reason of want of repairs is practically useless for traveling purposes.— — — — —

The petitioners therefore pray the Court to appoint three persons qualified according to law, to view the ground proposed for said road, and if they should see occasion to lay out the same; to inquire of, and vacate that portion of the public road now open as aforesaid, from the residence of Alexander McDonald, to the mouth of Keenan's Run, 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 of Quarter Sessions.— — — — —

And they will ever pray &c.—

Merton D. Johnson  
W. W. M. Dyer  
J. A. Tisdale  
Dr. F. J. D. M.  
William H. L. et C  
Nicholas D.  
S. H. D.  
F. C. D. et C  
John Clark  
James H. C.  
John D. Anderson  
David T. et C  
F. C. D. et C  
John D. et C  
F. C. D. et C  
John D. et C  
F. C. D. et C  
James D. Hall  
W. G. H. et C  
Thomas Hall  
Arthur H. Huntington  
Frank Romeo  
James W. H. et C  
J. A. D. et C  
J. T. Davis  
G. S. P. et C  
H. M. D. et C  
Joseph Davis

George L. K.  
P. P. Keshaw  
W. H. L. T.  
David Wall  
J. W. Spencer  
John Conrad  
James Kirby  
Dr. J. H. (3)  
Warren & Bowles  
John D. (3)  
F. J. (3)  
W. W. Morris  
D. M. (3)  
John Spencer  
W. H. Ray (3)  
Joe Plain (3)  
Henry F. Young  
James A. Buff (3)  
George W. Kirby  
H. A. (3)  
James W. (3)  
John F. (3)  
D. W. (3)

No. 10 Sept 8, 1890

Ind Quarter Sessions of  
Chesterfield County

Petition of inhabitants of

Pennsylvaniaencying

for appointment of trustees

to lay out a road for pub-

lic use from a branch of

Bell Run road, at mouth of

Kinnaird Run, to a point

at residence of Mr. Alexander

McDonald, and to va-

cate a public road area

from a point at

said Kinnaird Run road

to its intersection with

said Bell Run road, all

in Penns. Commonwealth -

Filed Sept 8, 1890.

and on the 8th of 1890 the  
within petition was and continues  
unanswered - John Porter -  
Richardson - John Porter  
are appointed trustees to make  
and to run line of road

By the County

Master

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 8 Sept day of

, A. D. 1880, before Judges

of said Court, upon a petition of sundry inhabitants of the township of Penn, in

said county, setting forth that they labor under

inconveniences for want of a Public's road to begin at a point on the Bell Run Road in Penn Township at or near the mouth of Keenans Run and terminate at a point on the Public's road leading from said Bell Run road to the Pennville and Lutherburg Turnpike at or near the residence of Alexander McDonald in said Township =

That there is at present time a public road extending from said Alexander road to the intersection with said Bell Run road a distance of about three fourths miles which by reason of steep grade has been almost useless and is burdensome to the inhabitants and therefore praying the Court to appoint proper persons to view and lay out the same according to law,

whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Byers Richard Freeman John Porter 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. Blaun, 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 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 1<sup>st</sup> day of \_\_\_\_\_, A. D. 188<sup>8</sup>



## 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<sup>8</sup>

To The Honorable David S. Krebs President Judge  
of the Court of Quarter Sessions of Clearfield County  
Pennsylvania. We the undersigned, surveyors appointed  
by the within order of court to view and layout  
the road therein mentioned respectfully report, that  
we gave good and lawful notice of said road  
and met agreeable thereto on the fourteenth day  
of October A.D. 1890 and having been severally  
sworn or affirmed we have viewed the within  
mentioned road. Viz. beginning at post near  
Alex McDonald hence south nine degrees ten minutes  
east twelve perches thence south fourteen and one half  
degrees east thirty-five and two tenth perches thence  
south one half degree east eleven and six tenth perches  
thence south fifteen degrees twenty minutes west four-  
teen and a half perches. Thence south thirteen and  
one half degrees <sup>West</sup> ~~East~~ twenty seven and one half  
perches thence South twenty six and three fourth  
degrees West twenty-one and a half perches thence  
through lands of Alex McDonald & Jno Hobie South for-  
ty two degrees fifty minutes West nineteen perches  
thence South forty seven degrees thirty five minutes  
West seventeen and two tenth perches thence South  
forty four and one fourth degrees west twenty six  
and two tenth perches thence South fifty three  
degrees twenty minutes West fourteen and two  
tenth perches thence South forty-six degrees West  
fifteen perches thence South twenty six degrees

thirty-five minutes West nine and two tenth  
perches thence South fifty-eight and one half  
degrees West twelve and two tenth perches, thence  
North seventy degrees West six and two tenth  
perches thence North forty-five degrees West  
twelve and six tenth perches thence North  
seventy one and one half degrees West five perches  
thence South sixty two and one half degrees West  
three and fourteenth perches thence South nineteen  
and one half degrees West four and five tenth  
perches thence South eight and one half degrees  
West (at 8 perches crossing Bell Run) eighteen perches  
thence South one degree West seven and eight tenth per-  
ches to Bell Run Road, which described road is  
in our opinion useless inconvenient and burden-  
some and should therefore be vacated, to supply  
which we have laid out the following road to wit:  
Beginning at a Post near Keenan Run thence  
through unimproved land of Thomas Wall North  
sixty one degrees thirty-five minutes east seven and  
one tenth perches to a post thence North forty seven  
and three fourth degrees East fifty perches twelve per-  
ches to centre of Bell Run on land of Thos. Wall. Remainder on  
land of Col. E. A. Drivin) to a Hemlock Stump, thence  
through woodland of Col. E. A. Drivin and John Stoker  
North thirty three and one fourth Degrees East fourteen  
and six tenth perches to a post thence continuing  
through woodland of Jno Stoker North seventy and

one fourth degrees East thirty three and four  
tenths perches to a Hemlock thence through never  
ly cleared land of Jas John North fifty seven  
degrees twenty five minutes East twelve and two  
tenths perches to a post thence North thirty eight  
degrees ten minutes East forty one and five tenths  
to a post thence through lands of Jas John Alex Mc-  
Donald and Wm McDonald North twenty nine degrees  
five minutes East forty three and eight tenths  
perches to a Hemlock thence through Woodland  
of Wm McDonald North twenty six degrees East  
Twenty three and four tenths perches to a Hemlock  
thence North two and three fourth degrees East twen-  
ty six perches to a beech thence north fourteen  
and one half degrees West twenty two and six tenths  
perches to a Hemlock thence through Woodland  
of Wm McDonald and Alex McDonald North  
forty one and one fourth degrees West twenty two  
perches to a Maple thence through Meadow land  
of Alex McDonald North fifty five and one half  
degrees West twenty eight and six tenths perches  
to post on road leading to Pennville and Lathers  
burg turnpike and place of beginning of road  
vacated. A plot or draft of which roads as  
vacated and supplied is hereto annexed showing  
the courses distances and improvements, which  
road as laid out aforesaid is necessary  
in our opinion for a public road. We believe

no owner of land through which the road  
passes is entitled to damages by reason of the  
locating and opening said road. Witness our  
hands this fourteenth day of October A D 1890

Viewers      { Harry Dyer  
                  John Foster

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.  
Viewers cannot interfere with damages assessed by original viewers, except so far as the location may be changed by the viewers.  
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. 10 Court Sessions, 1890

## ORDER

Yazelle

To view and lay out a road for  
Plan use in the township of

Clearfield Co.

See his 1890 Confined to  
the open 33 feet wide  
sidewall cutting remnants  
to the 16 feet wide

By the Court  
July 1891. Confined  
absolute by the Court

Days	Days	Days	Days	Days	Days
3	3	1	1	1	1
Days 4	Days 4	Days 1	Days 1	Days 1	Days 1

Amount

1 Miles \$13.50

1 Miles \$13.50

1 Miles \$25.00

1 Miles \$15.00

1 Miles \$15.00

1 Miles \$15.00

Filed 8 Nov 1890  
Fees \$1 paid by John