

No. 11 Dec

SS

Term, 1891

Vacate

Public Road

~~Versus~~ in

Burnside Trp

Contents:

X

To The Honorable David L Kruhs
President Judge of The Court of Quarter
Sessions of The peace in and for The
County of Clearfield

The Petition of The undersigned inhab-
itants of The Township of Burnside in
Said County. Respectively Sheweth that
a Road has long since been Laid out
from The Township Road Near Little Beaver
Run To The Township Road Near H. Pothens
Sawmill Your Petitioners humbly conceive
is now Become useless inconvenient
and Burthensome To The inhabitants
Whereabouts Your Petitioners Therefore
humbly pray Your Honor That The said
Road may be vacated agreeably to the act
of The General assembly in such case made
and provided and They will Ever pray &c

M. W. Yingling
Oscar Yingling
Irvin Yingling
Edward Yingling
Adam Beck
Abraham Yingling
J. M. Yingling
Harry Yingling
H. W. Kruhs
Oscar Yingling

Myers Bowden
W. L. W. L. W. L.
Ed. Pothens
Wilford Porter
Daniel Fry
Trinity L. L.
Garniel Wagoner
Nelson L. L.
J. S. Wagoner

No. 11 Decr. 8000. 1891

Petition to vacate public
road in Bourne Co, running
from ^{Pointe} Bourne to point in Bour
ship road near St. Catharine's
8 or 9 miles

Dec 1st 1891 Reade and
Harry Rogers. John M.
Cunning and Geo. George
attested before 1000
report. By M. G. Hunt

Dec 4th 1892

W. G. Hunt

W. W. W. W. W.
John Langdon
L. W. Thompson
John & W. W.
A. P. Youngling

A. P. Youngling
Harry Youngling
George W. White
James - G. Youngling

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 4th day of July, A. D. 1892, before Judge of said Court, upon a petition of sundry inhabitants of the township of Burnside, in said county, setting forth that

A road has long since been laid out from the township road near Little Beaver Run to the township near H. Patchen's Saw Mill your petitioners humbly conceive is now become useless and inconvenient and burdensome to the inhabitants thereof your petitioners therefore pray your honor that the said road may be vacated agreeably to the act of the General Assembly

and therefore praying the Court to appoint proper persons to ^{view the} view and lay out the same according to law, And make Report whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Byers, John M. Cummings James Savage who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to view the ^{said} grounds proposed for said road, and if they view the same and any two of the actual viewers agree that ^{that the same has become useless and inconvenient and burdensome to the inhabitants thereof} there is occasion for such road, they shall proceed to ~~lay out the same~~ ^{vacate 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 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, and shall also attach thereto a post or notice of the road for which vacation is asked.~~ 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.

A. M. Bloom

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, and in consideration of the sum of ONE DOLLAR to us respectively paid by the at and before the enrolling 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 .

To The Honorable David L. Krebs, President
Judge of The Court of Quarter-sessions of Clear-
field County, Pennsylvania, we the under-
signed viewers appointed by the within
order of Court to view and vacate the
road therein mentioned respectfully
report that we gave notice of said view and
met agreeable thereto on Wednesday the
13th day of April A.D. 1892 and having been
first severally sworn or affirmed we viewed
the road proposed to be vacated and are of
opinion that the same can be repaired and
will answer the purposes of travel and has
not become useless inconvenient and burden-
some and should therefore not therefore be
vacated Witness our hands this Thirteenth
day of April A.D. 1892

Viewers { J. C. Cardon
James Hargreave
Harry Byers

known July 1892, John Mc Cunnings, one of the drivers, having died before view had, W.C. Cardon is appointed to view in his stead and the order is enlarged to next term
By the Court

No. 11 **Recessions, 1891**

ORDER
To view and tag out a road for
use in the township of
Barnardo, Clearfield Co.

Recd Sessions 1891,
read and confirmed N. S.
Road to be opened 33 feet wide,
except where there is side hill,
cutting or embankment and
bridging, there to be 16 feet
wide. By the Court

July Dec 1892 Confirmed
May Dec 1892 Confirmed
By the Court

Filed _____, 189
Fees \$1, paid by **W.C. Cardon**

Printed and Bound by _____

July 15th 1892
By the Court

NOTE.—In case of a private road the release must be ex-
cused in favor of the petitioner for said road, and the amount of ad-
vanced 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, and 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.

NAME	DAYS	AMOUNT
Harry Boyd	Days 1	\$9.40
Edw. W. 1081	Miles 54	7.40
James Savage	Days 1	
(Out #1079)	Miles 54	7.40
W.C. Cardon	Days 1	
(Out #1079)	Miles 54	7.40
	Days	
	Miles	
	Days	
	Miles	