

No. 6, Sept ^{SS} Term, 1887

Vacate & Supply
Public Road

COMMONWEALTH

~~versus~~ in

Jordan Township

Contents:

Not completed

X

In the Court of Quarter Sessions
of Chenfeld County
In re of Petition
to vacate and supply
Public Road
in
Jordan Township } No 6. Sept. Sess 1892

Nov. January 26, 1893 the following exceptions are filed to the confirmation absolute of report of viewers.

1st The report of viewers does not designate the County or Township in which the road is located, nor does it state whether the road is for Public or Private use.

2^d The report of viewers does not show the width of road.

3^d The viewers have no authority under an order of the Court to vacate and supply, to lay out a road which does not supply the part of the road vacated.

4th The viewers had no authority to act at the time they made the view.

5th The assessment of damages is not signed by the viewers as is required by the act of Assembly.

6th The release of damages does not state to whom the release is made.

I hereby certify that in my opinion the foregoing are legal exceptions.

Geo. E. Merritt
Atty for Exceptions

No. 6 Sept 88 1-8 92

Share of Returns as
Owens's Supply
Fund

is

John T. Owens

Constitutional Convention
and subsequent grant
of money

July 26 Dec. 1895

J. B. Owens
Esq.

Geo. E. Owens

To the Honorable David L. Webb
President Judge of the Court of
County Session of Cherokee County.
The undersigned citizens
of Jordan Twp. respectfully request
that that portion of a public road
extending from the village of Gazzam
to the village of Assonville in said
Township of Jordan is that now men-
tioned - that said route between above
named village can be shortened and
the grade improved - Therefore they pray
Your Honorable Court to appoint a
viewer to view locate and supply
that portion of the public road leading
from said village of Gazzam to
Assonville in the Township of Jordan
And they will ever pray.

Robert Shullington Supr
for Clearfield Bit Coal Corp.

James Methuen

L. G. Harrison.

W. B. Strong

W. C. Hartger

A. E. Wagner

Alb. Nelson

Robert Sinclair

James Stevens

James Soudan

Thomas Stevens

John Lyons

Wm Sinclair

1	Robert Boyle
2	Lee McCracken
3	Andrew Sinclair
4	Richard Hutchings
5	Charles H. Smith
6	Robert Wiley
7	Charles Sawyer
8	Thos Hay
9	W. E. Pryde
10	Ad. D. Tunney
11	John Pearson
12	Erik Johanson
13	Ernest Anderson
14	Noah Williams
15	David Hill
16	Andrew Carlson
17	John Nyman
18	John Hill
19	Wm. D. Patterson
20	L. F. Garverich
21	John Leedie
22	Harold R. Green
23	J. B. Cronin
24	L. Soderbalm
25	L. P. Anderson
26	Henry Neilson
27	John Neilson
28	J. Johnston
29	W. H. Haines
30	John B. Wilson
31	Chris Rhy
32	

1 Samuel Forrest

2 J. Irvine

3 James R. Smith

4 D. Decker

5 H. W. Davis

6 Petter Janson

7 Jos. J. J. J.

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no 6 Sept 58 1892

vacate v Suffolk

in

Jordan Township

Sept 1892. J. T. McCloud

Mr. J. Howard - Sec. School

appointed 1 new student

to assist him

By McCloud

Filed 3 Sept 1892

Sept 1

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

The undersigned, citizens and Tax-payers of Jordan Township, Clearfield County, Pa., respectfully represent:

That a petition was presented to your Honorable Court to Vs. 6 Sept. Sessions, 1892, for the appointment of viewers to view, vacate, and supply that portion of the public road leading ^{from} the village of Garzann to Susonville, in the Township of Jordan."

That to vacate and supply said road is unnecessary, useless, and burdensome to said Township, as the present road between said points is on good ground, in good repair and condition for travel, could be shortened so little as to make it useless to do so, and is of as good grade and location in all respects as the ordinary Township road.

That proposed location of road is on line of street in village of Garzann, and it is a scheme on the part of certain persons owning lots along said street, or other property in said village, to have said lots or property improved at the expense of the ~~Township~~ by having a road laid out over the line of said street. They therefore remonstrate against the granting of said road, and pray your Honorable Court to refuse confirmation of the report.

And they will ever pray, &c.

James C. D. M. Murray	Charles Merchant
Samuel McKeehen	Farmer

Geo Lamborn
J. C. Davison
George Patterson
John A. Pearce
S. W. Johnston
L. C. Stearns
J. R. Thomson
J. W. Rea

W. F. Tozer
J. M. Johnston
Jos. Vallimont
J. H. Rickbird
J. C. Blom
David Johnston
J. F. Johnston
Laf. Bloom

Farmer
Contractor & Builder
Stone Mason
Farmer
Farmer
P. Martin
Farmer
Farmer

Farmer
" "
Labor
" "
Farmer
Farmer
Farmer
Lumberman

James E. Hill
Abner Webster
J. A. Diller
Hiram Strawn
W. H. Rea
J. W. Strawn
E. W. Mays

James D. Hill
J. C. Wise
R. K. Johnston
James J. Hunt
J. C. Strong
A. J. Pearce
L. D. Wise
H. A. Owen
Geo W. Bollinger

Farmer
"
"
"
Merchant
"
Merchant
Farmer
Farmer
Farmer
Quoniam P. M.
Lobores
Farmer
Farmer
Mason

R. H. Johnston
 Orange Street in S. R.
 J. Miller
 J. W. Johnston
 John O. McKeehen
 W. J. Kling
 J. G. Gilligan
 A. W. Young
 R. R. McNeil
 Wm. D. Miller
 S. J. Bloom
 A. E. Brown
 Reuben Stray
 J. F. Wiley
 J. Harry Way
 Henry Seon
 Geo. F. Block.
 James Hunter Jr.
 James Marry
 Peter Patterson
 A. W. Bloom
 William Straw
 W. J. May
 J. S. Wardle
 Jordan Bloom
 J. R. Ames
 Sam. Barrett
 R. S. Glasgow
 J. A. Withers
 John J. Wilson

J. W. Wm
 Farmer
 D. H.
 Farmer
 Farmer
 Blacksmith
 Farmer
 Farmer
 Supervisor
 Laborer
 Carpenter
 Farmer
 Farmer
 Farmer
 Lieutenant of the Peace
 Tax. Coll.
 Carpenter
 Farmer
 Farmer
 Farmer
 Farmer
 Farmer
 Laborer
 Farmer
 Constable
 Farmer
 Farmer
 Farmer
 Farmer

Mo. 6 Sept. Decoding, 1898.

Road, Slagham to
Dreunille.

Jordan Township.

Renantrance.

R. Geo. B. Menist

S. W. Hill	
E. J. Curry	
James McKeehen	Farmer
Ch. J. Witheright	pack smith
Anson Swan	Farmer
Sharon Witheright	farmer
Martin nolin	farmer
Thomas Strong	farmer
J. W. Gibby	
M. S. Strawn	
B. Wise	Farmer
R. M. Johnston	Farmer
J. G. Williams	
J. M. Williams	Carpenter
H. L. Starn	
John W. Leonard	Laborer
Orange Huston	Laborer
E. Curry	farmer
W. McShapring	
W. L. Schoening	
John Calister	Farmer
Elmer Gorman	Laborer
Thomas Irvin	Farmer
O. S. Jordan	Farmer
H. Lester	"
Frank Schoening	Carpenter
E. M. Ferguson	
Moses Huston	stgt
J. R. Patterson	
Herman Johnson	
James J. Creville	
Albert Perry	
John Hill	
A. B. Shaw	
G. H. Shaw	Farmer
John Gantz	Labor
E. M. Wagner	blacksmith
E. W. Pearce	Farmer
H. L. Brown	
M. W. Pearce	
J. C. Smith	Farmer

To the Honorable 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 Supply, the road there in mentioned Respectfully report.

That 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 ground proposed for the said road, and being all sworn, or affirmed in pursuance of the said Order of Court, We have Viewed, and laid out, and do return, the following road, to wit.

Beginning at a Point, or Post in the Township road leading from Kermore to Marren in the Village of Hazam, and running along a Street in said Village, and through land belonging to the Clearfield Bituminous Coal Company. South Thirty six degrees East; at thirty five perches Crossing another Street, and Continuing, One hundred and forty eight and three tenths perches to a Marked Maple Thence through land of the said Co. and land belonging to George Straw, South forty and one half degrees East, Seventy six and

four tenths perches to a post. Thence South
Twenty five degrees East, forty six per-
ches to a Post, Thence South Seven degrees
West. Thirty and three tenths perches. to a
Post in a Street. Thence along said Street
South Thirty six degrees East. Twenty seven
perches. to the Township road near, and lead-
ing to the Village of Ansonville. Also
from the Intersection of the Street Thirty five per-
ches from the Beginning, North fifty three and
a quarter degrees East. Fifty five, and four tenths
perches to a Post. Thence through land of the O
B. C. Co. South Forty one degrees East, Forty perches.
to the Township Road. Which said road as
above described we are of opinion is necessary
for public use. and we are of opinion that
George Straw, through whose land the said
road passes, is Entitled to damages to the am-
ount of One Hundred Dollars. A Plot, or Draft
Whereof is hereunto attached, the Black lines
Showing the road surveyed, and laid out.
And the red lines showing the part vacated.
Viz. Beginning at a Post in the Township Road
Reading from Lumber City to Ansonville. and
running along said road. North twenty-
two degrees West, Fourteen perches. North
nine degrees West, Thirty two perches.

north nine degrees East Fourteen perches.
North Five degrees west, Twenty three per-
ches, north six and a half degrees east
Fifteen and eight-tenths perches. North
twenty nine and a half degrees west - Ten per-
ches. Thence north Forty seven degrees, and
Thirty minutes west, Twenty Seven and three
tenths perches to the Township Road leading
from Gaggam to Lumber City Via Hermonore
This last described part of a road we are
of opinion is not necessary for public use, and
we declare it vacated

Witness our hands the 12th day of
December A.D. 1892.

B. F. McClosky }
John F. Straw } Viewers
Lewis Orhand }

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 25th day of September, A. D. 1892, before Judge of said Court, upon a petition of sundry inhabitants of the township of Jordan

_____ , in said county, setting forth that that portion of a public road extending from the Village of Gazman to the Village of Amsonville in said Township of Jordan is inconvenient that said route between above named Village can be shortened and the grade improved and pray the Court to appoint Viewers & View Vacate & Supply that portion of the public road leading from said Village of Gazman to Amsonville in the Township of Jordan

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, Made return at Dec 1892 whereupon the Court, upon due consideration had of the premises, do order and appoint J. M. Cluskey & J. Straus Viewers & Supply 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 Vacation of 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 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.

A. M. Beaman
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, or 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. 189 .

Joe Methuen *Asst* 
Supt C B & Co 
..... 
..... 

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 *George Straw* the sum of *\$100.00*
To the sum of
To the sum of

Witness our hands this day of, A. D. 189 .

Recd.

NO. 6 App. SESSIONS, 1892

ORDER

Deebee Supply

To view, ~~and~~ ^{not} a road for

Public use in the township of

Madison, Clearfield Co.

Recor. Sessions 1892,

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 Court

May 20 1893. Information

Obstate Refused

By Court

Filed 16 Dec, 1892

26

Fees \$1, paid by

PUBLIC SPRING PRINT.

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.

57 M. Colbecky	Days 3	Amount
(@ #1223)	Miles 11	\$13.10
Geo. J. Brown	Days 2	
(1296)	Miles 4	\$4.40
Lewis Crisak	Days 2	
(1296)	Miles 5	\$4.50
John J. Leflag	Days 1	Chambers
(1314)	Miles	\$1.50
Robert J. E. Brown	Days 1	
(1314)	Miles	\$1.50
William J. Campbell	Days 1	
(1314)	Miles	\$1.50