

No. 15 May Term, 1892

Vacate & Supply
Public Road

Bell Township ^{Versus}

Contents:

Plaintiff's Wages v. 21

Too short - Vacate & Supply

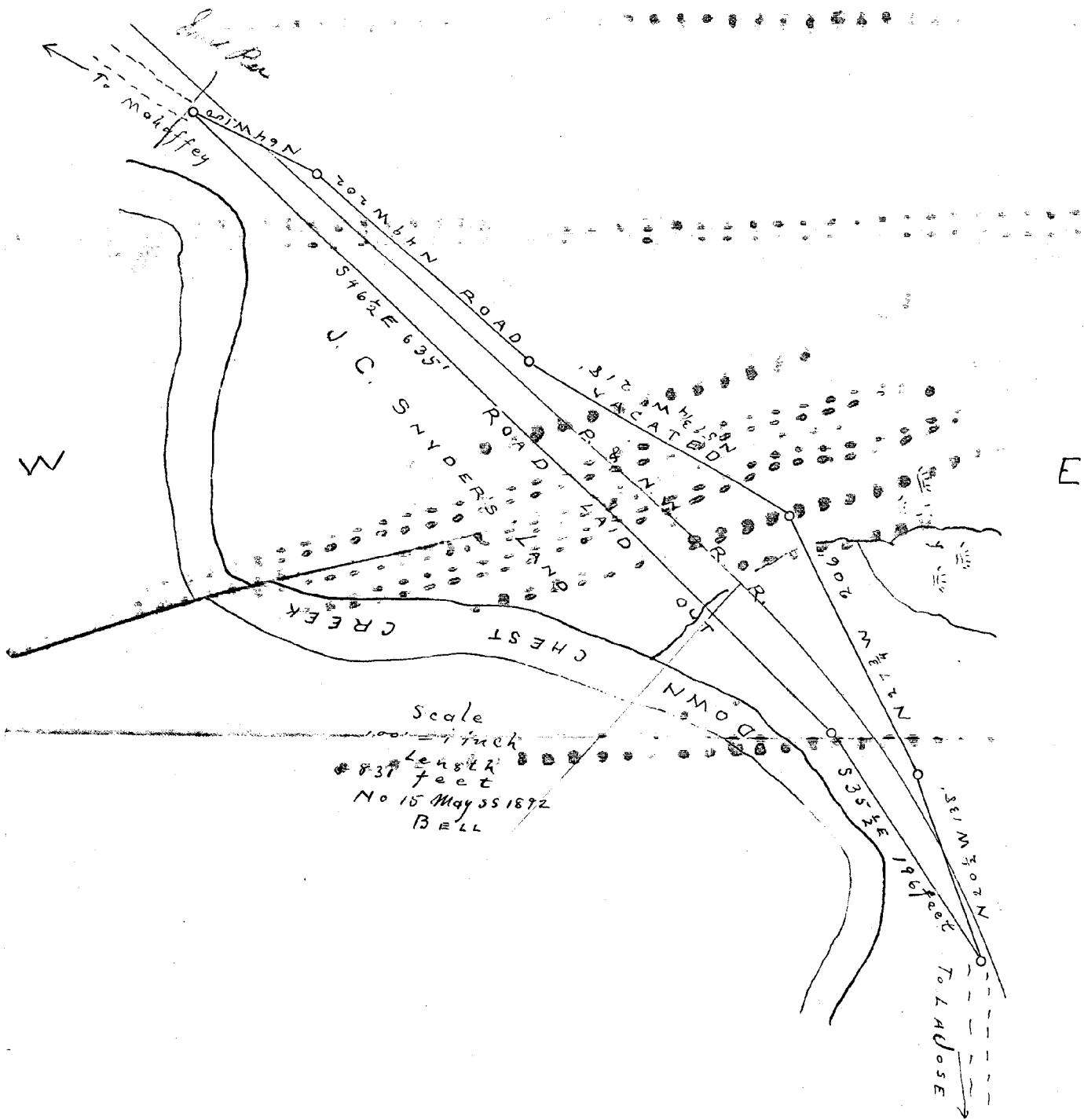
NEWBURG

SWW

BORG

Clfd. CO., Bell Twp.
Conf. Absol Dec 1892.
33 ft. - 16 ft.

Beginning on public road Mahaffey
to La Jose at crossing of P. & N.W.
R.R. toward Mahaffey -- to
Mahaffey to La Jose near R.R.
Crossing - toward La Jose.
(All in lands of J.C. Snyder.)



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 June, A. D. 1892, before Judge of said Court, upon a petition of sundry inhabitants of the township of Bell

, in said county, setting forth that

a portion of the road leading from Mahaffey to Laffee is very dangerous by reason of the crossing of the Bell's Gap Rail Road that the RR Co. agree to construct a new road so as to avoid two crossings. They therefore show that a portion of said road situated in Bell Twp. Beginning at a point in said road at or near the high crossing on land of H. Snyder thence to a point in said road near a small stream also on land of H. Snyder ^{at about 300 feet} nearer the town of Mahaffey, that the point first described has become dangerous unnecessary ^{and} burdensome ^{and} should be vacated and supplied

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, C. J. Shoff, and John T. Straw 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 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.

J. M. Beeson,
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 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. 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 Pa, we the underengaged viewers
appointed by the within order of Court to view
and lay vacate and supply the road therein
mentioned respectfully report that we have good
and lawful notice of said road view and met
a agreeable thereto on Tuesday the second day of Aug-
ust A.D. 1892 and having been severally sworn
or affirmed we have viewed and vacated
following road to wit: beginning at point
road from Newburg to Mahaffey Eighty six feet
from crossing of Railroad on Land of J. C. Snyder
thence down road toward Mahaffey North twenty
and one half degrees West one hundred thirty eight feet
thence North twenty seven and three fourth degrees West
two hundred six feet thence North fifty nine and three
fourth degrees West to two hundred eighteen feet thence
North forty nine degrees West two hundred two feet
thence North sixty four degrees West crossing
railroad one hundred feet to supply which road
vacated of aforesaid we have viewed and laid out
and do return for public use the following road
to wit: beginning at point at end of road vacated
thence South forty six degrees thirty six minutes East ^{and} five hundred
thirty five feet to post thence South thirty five
and one half degrees East one hundred ninety six
feet to starting point of road vacated, which road
laid out is necessary in our opinion for a public road
the one vacated having become useless in convenient
and burdensome. A plot or draft of roads aforesaid
is hereto annexed showing courses distances and
improvements. We believe the owner of land through
which road passes is not entitled to damages
by reason of locating or opening said road

Witness our hands This second day of August

A.D. 1892

Viewers

{ Harry Byers,
John G. Straw
C. J. Sniff

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. Recipients cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the petitioners.
 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 15 May SESSIONS, 1892

ORDERS

vacate supply

To view and lay out a road for

Public use in the township of
 Bell, Clearfield Co.

Sept 1st Sessions 1892,

read and confirmed Wi. Si.
 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

See Session 1892 confirmed above
 By the Court

Filed 13 Sept 1892
 Fees \$1²⁵ paid by Harry Ayers

PUBLIC SPIRIT PRINT.

Bell

	AMOUNT.
Days 2	
Harry Ayers	
Cent # 1149	Miles 35-\$11.50
John J. Brown	Days 1
Cent # 1176	Miles 6-\$2.60
C. J. Shoff	Days 1
Cent # 1150	Miles 6-\$2.60
	Days
	Miles
	Days
	Miles