

No. 16 Sept ⁵¹⁸ Term, 189 ²⁰

Vacate
Public Road

~~Versus~~ ⁱⁿ
Knox Township

Contents:

Report on the

To the Honorable David L. Krebs, President
Judge of the Court of Quarter Sessions of Bedford Co.,
Penna. The petition of the undersigned
Citizens of Knox Township and vicinity
in said County, Respectfully sheweth
That a road has long since been laid
out through Knox Township, Beginning
at a point ^{near Ridgeport & Reuben Caldwell} on public road leading from
Reuben Caldwell to Samuel W. Snyder
and thence a long Potts Run to a
point on public road leading from
Daniel H. Barnets to Iron Bridge
on Big Clearfield ^{crack} ~~Bridge~~ in said
Township, said road has by reason
of Obstructions and improper location
become inconvenient and burdensome
to the township and is now of no use to
any person and that to put it in sat-
isfactory condition will require a large
outlay of money at a great loss to the
Township. They therefore pray Your
Honorable Court to grant an order
appointing proper persons to view and
vacate the entire road (no reloca-
tion being required), And they will
Ever pray!

Names

M. B. Shugart

W. H. Eatwell

Names,

Wm. H. McDonald

Calvin Dead

Names

W. H. W. Donald
 L. B. W. Donald
 D. R. Rowles
 J. L. Lunnar
 J. H. Dunlop
 H. H. Rowles
 E. P. Stott
 Robert Hickok
 J. M. Callough
 H. H. Bloom
 Loring Rowles
 James Sandberg
 Aaron Fowler
 Wm. Cox Dr
 W. L. Wise
 A. Walker
 T. A. Safford
 Clark Cotton
 Lucet Arnold
 J. W. Baughman
 Henry Hindeliter
 John R. Dunlap
 Philip Erhard
 Robert P. Erhard
 Erno Brown
 H. L. Slippy
 D. W. Slippy

Names

J. W. Callough
 J. H. Bloom
 E. J. Strunk
 L. C. Robbins
 W. L. Walker
 Jonathan Walker
 Wm. M. Kae
 Jared A. Bloom
 J. L. High

No 16 Sept 1872

Petition Petitioners of
Lower Slope for meeting
~~and~~ ^{at} ~~the~~ ^{the} ~~road~~ ^{road} along
Coxs River in said Slope

Used more 19 Sept 1872
Petition read & considered.
At my Request, Jas. Savage, M.P.
Slopesy —
an appointed person to make
report to next term.

By Mr. Court

Filed 19 Sept 1872

Done

To The Honorable David L. Krebs President Judge of the court of Quarter Sessions of Clearfield County Pennsylvania, the undersigned viewers appointed by the within order of court to view and vacate the road therein mentioned respectfully report that we gave good and lawful notice of said road view and met agreeable thereto on the eleventh day of November A.D. 1892 and having been severally sworn or affirmed we have vacated the following road to wit: Beginning at a point near Reuben Caldwell on road leading from Reuben Caldwell to Samuel C Snyder's Thence down Potts Run. following courses and distances North twenty six and one half degrees East six perches, North sixty and one half degrees East fourteen perches, North forty nine and three fourth degrees East fourteen and four tenth perches, North thirty and one half degrees East thirteen and three tenth perches, North five and one half degrees East fifteen perches, North nineteen and one half degrees East eighteen and six tenth perches, North forty eight and one half degrees East twenty three perches, North fifty four degrees East thirty and seven tenth perches, North sixty and one half degrees East

twenty two fathoms, North forty nine and
one half degrees East eight and four tenths
fathoms, North fifty six degrees East eleven
fathoms, North sixty one degrees East Thir-
teen fathoms, North eighty four degrees East
eight fathoms, ~~North~~^{South} seventy six degrees
East thirteen and seven tenths fathoms, South
sixty seven degrees East nine and five tenths
fathoms, South seventy seven degrees East ten
and eight tenths fathoms, South sixty five
degrees East sixteen fathoms, South seventy three
and one half degrees East fifteen and seven tenths
fathoms, South seventy six degrees East ten
and four tenths fathoms, South eighty
three and three fourth degrees East fifteen
fathoms, North eighty eight and one half degrees
East nineteen and three tenths fathoms,
North seventy six degrees East fifteen fathoms,
North eighty four degrees East sixteen
and two tenths fathoms, North seventy five and
one fourth degrees East twelve and six tenths
fathoms, North seventy eight and three fourth
degrees East sixteen fathoms, North eighty
seven and one half degrees East fourteen
and three tenths fathoms, North eighty five
degrees East seven fathoms, South eighty
three and one half degrees East eleven
and eight tenths fathoms, South eighty

six and three fourth degrees East twenty
one and six tenth perches, North
eighty four and one half degrees East seven
and eight tenth perches, South eighty seven
degrees East twenty two and seven tenth
perches, North seventy three degrees East
twenty five perches, South seventy four
degrees East eleven and two tenth perches
South forty one degrees East eleven perches,
South fifty two and one half degrees East thirteen
and seven tenth perches, South forty four
and one fourth degrees East eleven and seven
tenth perches, North fifty three and one half
degrees East thirteen and two tenth perches,
South forty six and three fourth degrees East
ten perches, South thirty eight and one half
degrees East twenty nine and four tenth
perches, South forty one degrees East
twenty and nine tenth perches, South
forty nine and one half degrees East thirty
five and eight tenth perches, South six
ty one degrees East nineteen and nine tenth
perches, South seventy eight and one half
degrees East fifteen and four tenth per-
ches, North seventy eight and three fourth
degrees East twenty four and two tenth perches
North fifty five and one half degrees East four-
teen perches, North forty one and one half

east twenty and four tenth perches
North fifty one and one half degrees East
twenty nine and two tenth perches, North
fifty five and one half degrees East
Thirty two and six tenth perches, North
Twenty six degrees East six and one tenth
perches, North sixteen and one half degrees
East six and four tenth perches, North
twenty six and one half degrees East Twelve
and one tenth perches, North Thirty three
degrees East nine and eight tenth per-
ches, North twenty two degrees East nine
and five tenth perches, North forty Eight
degrees East nine and one tenth perches,
North fifty seven and Three fourth
degrees East six and nine tenth perches,
North sixty four and one half degrees East
eight and three tenth perches, North eighty
one and one fourth degrees East fourteen
and six tenth perches, North seventy one and
one half degrees East nine and four tenth
perches, North seventy six degrees East
Thirteen and two tenth perches, South eighty
six degrees East eleven and four tenth
perches, South seventy seven and one
half degrees East fourteen and eight tenth
perches, South seventy four and one fourth
degrees East twenty nine and two tenth perches.

South sixty nine degrees East. Thirty
three perches, South seventy four and
Three fourth degrees East ten perches,
South sixty five degrees East eleven and
four tenth perches, South sixty three
and one fourth degrees East thirteen
and seven tenth perches, South eighty
one and one half degrees East eight and
three tenth perches, North eighty five
degrees East eleven and six tenth perches
North fifty three and one half degrees East
eight and two tenth perches, North
thirty and three fourth degrees East
four and five tenth perches, North
forty seven and one half degrees East
five and seven tenth perches,
North forty four degrees East eleven and
seven tenth perches, North forty one
and one fourth degrees East eight and
eight tenth perches, North forty four
and one fourth degrees East thirteen and
five tenth perches, North thirty eight
and one half degrees East Twenty three
perches, North fifty one and one fourth
degrees East five perches, North twen-
ty four degrees East ten and three tenth
perches, North thirty seven and three
fourth degrees East nine and four

tenth perches, North forty two and
one fourth degrees East Twenty nine per-
ches, North fifty two and one half degrees
East ten and eight tenth perches,
North seventy and one half degrees East
Thirteen perches, North eighty five
and one half degrees East twenty and
four tenth perches, South eighty six
and one fourth degrees East Twenty
Three perches, North eighty nine
degrees East fifteen perches, North
seventy nine and one half degrees East
eleven and eight tenth perches To road
leading from Daniel Barnetts to
Iron Bridge on Big Clearfield
Creek, A plot or draft of which
road aforesaid is herunto annexed
showing courses and distances which
road has in our opinion become
useless inconvenient and burden-
some and should therefore be va-
cated, Witness our hands this 11th
day of November A.D. 1892

Viewers { Harry Byers.
 { Henry [unclear]
 { James [unclear]

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. 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 .

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 19th day of September, A. D. 1892, before Judge of said Court, upon a petition of sundry inhabitants of the township of Know-

_____ in said county, setting forth that a road has long since been laid through Know Township beginning at a point near residence of Reuben Cadwallor on public leading from Reuben Cadwallor to Daniel C Fryars and thence along Potts run to a point on public road leading from Daniel Barnett to Iron Bridge on Big Clearfield Creek, said township said road has by reason of Obstruction and improper location become inconvenient and burdensome to the township and is now of no use to any person and that to put it in satisfactory condition would require a large out lay of money at a great loss to the Township

and therefore praying the Court to appoint proper persons to view ^{Vacate} ~~and lay out~~ the same according to law, ^{Vacate} ~~Make report at next Term of Court~~ whereupon the Court, upon due consideration of the premises, do order and appoint ^{Vacate} ~~Harry Byers James Savage & H. Peoppy~~ 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 ^{Vacate} ~~road~~, and if they view the same and any two of the actual viewers agree that there is occasion for such ^{Vacate} ~~road~~, they shall proceed to ^{Vacate} ~~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.

Now Dec 22^d 1892 the following exceptions are filed to the Confirmation absolutely of the within report

7int: - There was no authority for the viewers to act as the order was not signed by any person -

Second:- That Henry J. Sloppy, one of the viewers was interested in the success of the vacation, and was one of the original petitioners for the view to vacate -

Third:- That the petitioners object to the road because of "obstructions, and bad location", but as/c that "no relocation" be granted -

Fourth;—That no notice was given to the owners of the land, of the intention to view and

Fifth:- That the annexed draft does not show the location of farms along the road, and does not show that the road crosses another township road, and is therefore incomplete and misleading -

Sixth:- That to vacate the road would be to deprive some of the farmers along the line of it, of a public road, and leave them no way of getting out but over the private property of other persons -

Seventh:- That the report does not state affirmatively that notice was given to the County Commissioners, and that no record of said notice is on file.

Eighty- That to vacate the road would deprive some of the citizens of their only public road to the Schouw house.

Ninth: - That the Supervisors were petitioners, and acted as chairmen, and thus used their influence to secure the granting the petitioners -

I certify that there are legal reasons to the conferring of this within report.

B. F. Chase

atty. for
Daniel H. Burnett
father.

NO 16 2nd SESSIONS, 1892

ORDER
to
lay out and ~~keep~~ a road for
public use in the township of
More, Clearfield Co.
Pa.
Sessions 1892,
read and confirmed Ni. St.
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
Exception sustained
Report returned
By McCourt

Filed 6th Dec, 1892

Fees \$1, paid by A. J. August

PUBLIC PRINTING.

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 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, talking into consideration the advantages as well as the disadvantages of the road, they will report to the effect,

AMOUNT.		DATE.		PLACE.	
4	very good	Days 3		Miles 22	\$ 14.20
	(Cost \$12.09)				
James Savage		Days 1		Miles 22	\$ 4.21
	(Cost \$12.00)				
H. J. Hobbie +		Days 1		Miles 22	\$ 4.21
	(Cost \$12.11)				
H. B. Shugart +		Days 1		Miles 22	\$ 15.6
	(Cost \$12.13)				
Clark Kasten		Days 1		Miles 22	\$ 15.6
	(Cost \$12.13)				
Channing		Days 1		Miles 22	\$ 15.6
	(1298)				