

No. 8 *Sept 11* Term, 1893

Vacate & Supply
Public Road

Versus

Greenwood Township

Contents:

X

To the Honorable D.L. Krebs, Judge of the Court of Quarter
Sessions of Clearfield County, Pa.

The petition of the undersigned citizens of Greenwood Township,
&c. Respectfully represent:-

That they labor under inconvenience, for want of a public road to begin in a public road leading from Hoyt's Mill in Greenwood Township to Kerrmore in Ferguson Township,--at or near the Hoyt Turner on the Beech Creek R.R. and to end in public road at or near a place known as Hoyt's Cross Roads, near the line of Greenwood Township: The petitioners therefore pray the Court to appoint viewers, persons qualified according to law, to view the ground proposed for such road, and, if they should see occasion to lay out the same, to inquire and vacate the public road now open between to the points of the proposed new road, which last mentioned road will, by reason of the laying out of the proposed road, become useless. The portion of the old road asked to be vacated being expensive to keep in repair, steep grade, and dangerous to travel, since the construction of the Beech Creek R.R. And that the said viewers make their report to next Court.

And they will ever pray, &c., &c.

S. W. Wiley
David Wiley
George W. Wiley
Schwartz

W. B. Hile
James Young
Chas. Hile
J. C. Ferguson
G. M. De Boss
Angelo Tognetti

Allen W. Moore
C. W. Ferguson

D. H. Watts
Bert W. Read

D. R. Reed
Henry Owens
Harrison Straw
L. B. Hile
Martin Peterson

Jos. A. De Haas

Blair Stevens

Joseph Wilkinson

Lewis M'Cracken

T. H. Goon.

A. C. Green

W^d Warren W^d Bell

Ms. Dec. 22, 1893

Petition to lay out public
road from the
high ground in Lyons
road township. To lay out
road near the line of
the section with the
state of old road between
Saver points

And now Sept. 18, 1893 Peti-
tion road and Henry Beyer, - E.
C. Stevens and J. J. Milberry
are appointed to view and
report at the next session

By Wm. G. Gault

Filed 18 Sept 1893

J. J. Milberry

OSCAR MITCHELL,
Attorney at Law,
CLEARFIELD, PA.

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 18 day of Sept, A. D. 1893, before Judge of said Court, upon a petition of sundry inhabitants of the township of Greenwood,
....., in said County, setting forth that

That they labor under great inconvenience for want of a public road to be run in public road leading from Hoyt's Mill in Greenwood Twp to Greenwood in Ferguson Twp at or near Hoyt's Mill on the Beech Creek R.R. and to run in public road at or near a place known as Hoyt's Cross road near the line of Greenwood Twp & pray the Court to appoint several persons qualified according to law to view the grounds proposed for said road, & if they should see occasion to lay out the same to view & locate the Public road now opened between the points of the proposed new road which last mentioned road will by reason of the laying out of the proposed road become burdensome & useless. the portion of the old road asked to be vacated being expensive to keep in repair steep grade & dangerous to travel since the construction of the P & E R.R.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, And Report to next Term

whereupon the Court upon due consideration had of the premises, do order and appoint Harry Byers, E. E. Owens, & J. S. McCreary

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 land 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 land 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.

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 recieve 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

ASSESTMENT 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 Pres-
ident judge of The court of Quarter-Sessions
of Clearfield County Pennsylvania we the
undersigned viewers appointed by the
within order of Court to view vacate and
supply the road therein mentioned respect-
fully report that we gave good and lawful
notice of said road view and met agreeable
thereto on Saturday the 14th day of October
A D 1893. and having been severally sworn
or affirmed we have viewed the ground
for the proposed road and the road to be
vacated and are of opinion that there
is no occasion for a change to the road as
now in use Witness our hands this
fourteenth day of October A D 1893

Viewers { Harry Myers
J. M. Courcy
E. E. Owens

No. 8 Sept Sessions, 1893

ORDER

To view and lay out a road for
Public use in the township of
Gumwood, Clearfield Co.
Sessions, 189, ,
read and confirmed Ni. Si.
Road to be opened 33 feet
wide, except where there is
side hill cutting or embank-
ment and bridging, there to
be 16 feet wide.

By M^r Court

Filed. 20 Oct, 1893
Fees \$1; paid by M^r M^r M^r

NOTE.—In case of a private road, the release must be ex-
ecuted in favor of the petitioner for said road.
Also—Viewers will carefully note the number of days em-
ployed, 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.

(1407)	Days 1	Amount
Harry Bjorn	Miles 23	\$6.30
E. E. Owens	Days 1	
(Cent # 1438)	Miles 2	\$220
J. J. McCreary	Days 1	
(Cent # 1439)	Miles 2	\$220
	Days	
	Miles	
	Days	
	Miles	