

No. 8

Jefferson Term, 1893

Deeate & Supkey  
Public Roads

Versus

Greenvale 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 ~~the~~ 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 Tunner 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  
Clark Hile  
J. C. Ferguson  
J. N. DeKoss  
Angelo Tognetti

Allen W. Moore  
C. W. Ferguson  
D. H. Watts  
Bert W. Read  
D. R. Reeder  
Henry Owens  
Garrison Straw  
J. B. Hile  
Carlton Peterson

Jos. St. De Haas  
Blair Stevens  
Joseph Wilkinson  
Lewis Bracken  
T. H. Goon,  
P. E. Green  
Warren W. Bell

Mr. Dec 22, 1891

Petition to lay out a paved  
Highway along the  
Highway from the  
Dale near the line of  
the said commissioners  
between the old road  
and the new road.

And now September 1893 Peti-  
tion read and Henry Burger, - E.  
E. Gross and J. J. McNeely  
are appointed commissioners  
to act at the next term  
of Court.

By the Court

Filed 18 Sept 1893

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 Greencwood, in said County, setting forth that

That they labor under great inconvenience for want of a public road to begin in public road leading from Hoyts Mill in Greencwood up to Hermon in Marson Twp at or near Hoyts Mill on the Beech Creek R.R. and to end in public road at or near a place known as Hoyts Cross road near the line of Greencwood Twp & pray the Court to appoint several persons qualified according to law to view the grounds proposed for said road & if they should on occasion to lay out the same to inquire & decide the Public road now opened between the points of the proposed new road which last mentioned road was made by reason of the laying out of the proposed road to 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 B & C RR

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, Aug. Report to Next Term

whereupon the Court upon due consideration had of the premises do order and appoint Harry Tyers & Ed. Clegg & J. S. M. Clegg

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 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

## 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 in the road as  
now in use Witness our hands this  
fourteenth day of October A D 1893

Viewers { Harry Brye,  
P. M. Dury  
E. C. Owen

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.

No. 8 Sept. Sessions, 1893

ORDER

To view and lay out a road for  
Public use in the township of  
Gruccod, Clearfield Co.

Sessions, 1893,  
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 Mr. Court

AMOUNT.
Days /
Miles 23 \$6.30
Days /
Miles 2 \$2.20
Days /
Miles 2 \$2.20
Days /
Miles .....
Days .....
Miles .....

Filed 20 Oct., 1893  
Fees \$1.25 paid by match