

No. 9, May 30, 1859

Public Road
versus
Jordan Township

Contents:

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 28th day of May, A. D. 1894, before Judge of said Court, upon a petition of sundry inhabitants of the township of Jordan, in said County, setting forth that

They labor under great inconvenience for want of a Publice road or Highway in said Township to begin at a point on a Publice road leading from Kinnon to Manay and to end at Belgenoee in said Township where Publice road from Gazzam leads to Stronowee in said Township

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, to make report at Sept 11 1894 whereupon the Court upon due consideration had of the premises, do order and appoint Harry Dyer, Harry Jack, Ogden 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.

D. D. Dyer, 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 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.

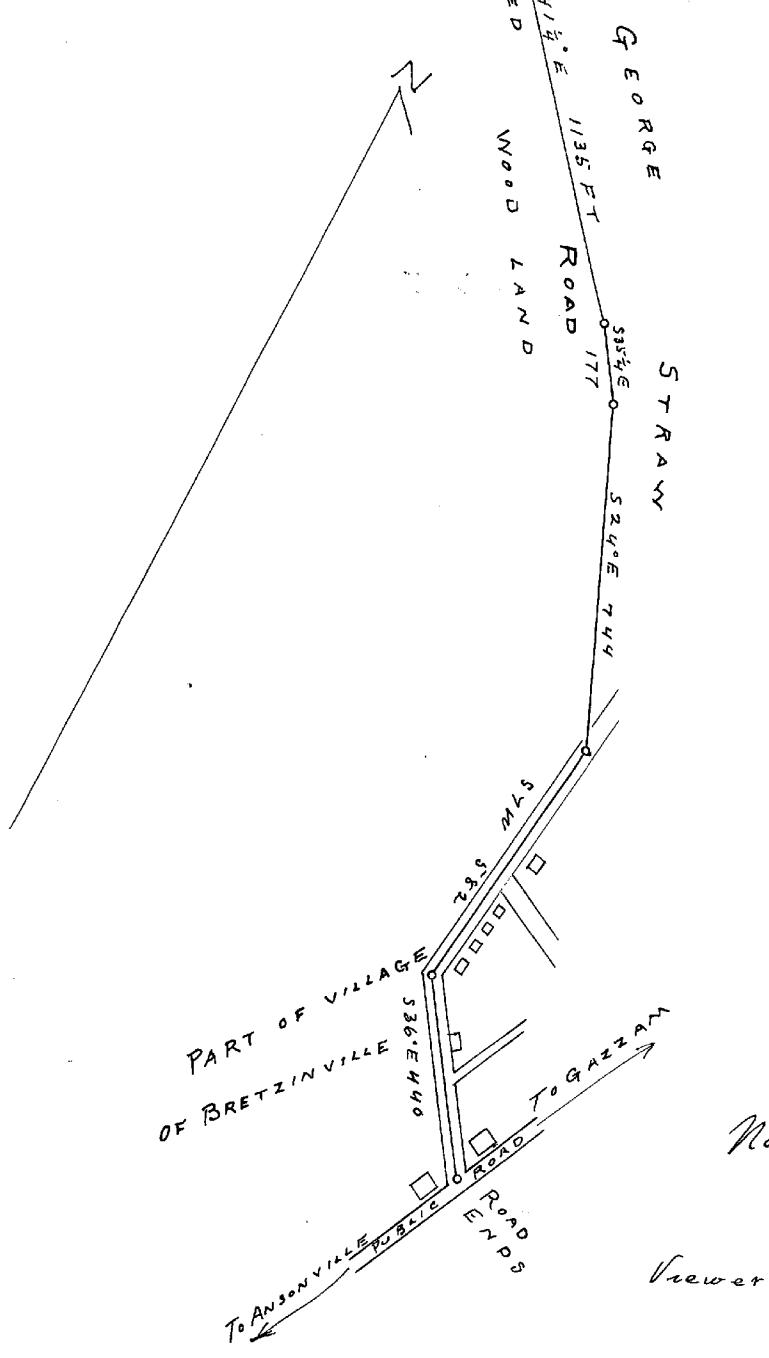
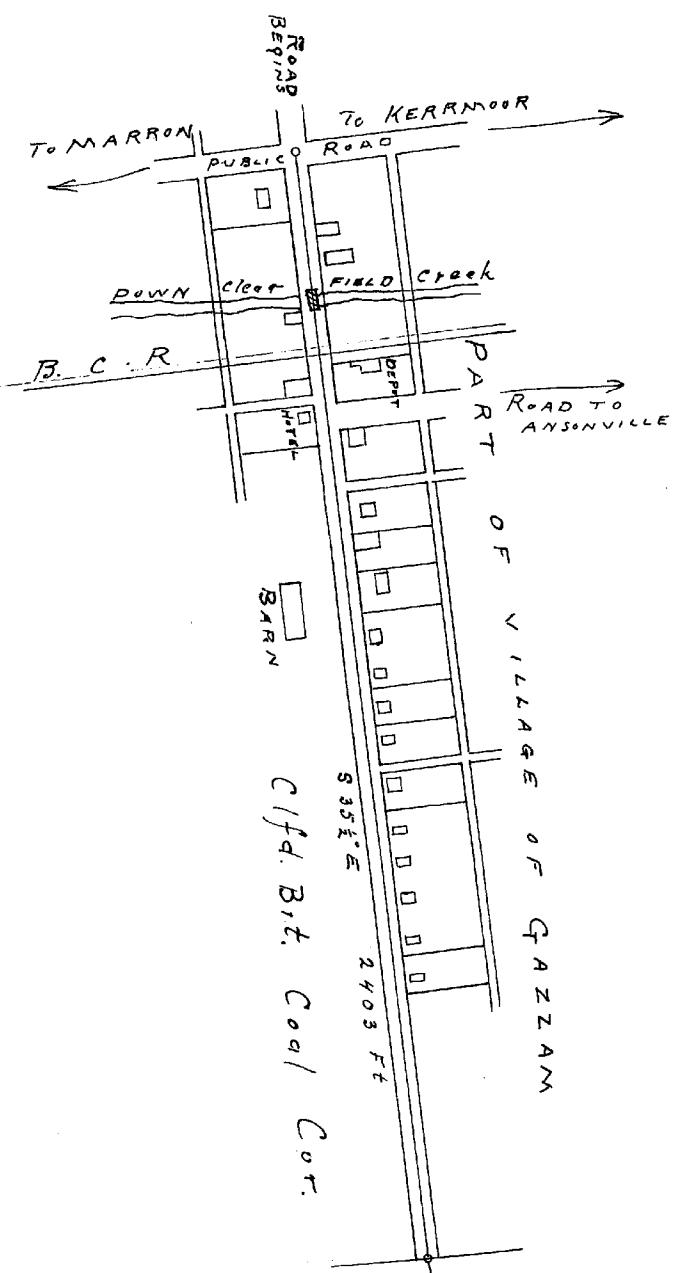
The following persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned viewers, under oath in pursuance of our duty, under the Act of Assembly, do assess their 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 .



No 9 May 5 1894
Jordan Twp
Viewers Cyreneus Howe
Zach Oden
Harry Rogers

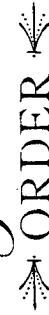
Scale 300' = 1 inch

To The Honorable Cyrus Gordon President Judge
of The Court of Quarter Sessions of Clearfield County Pa,
we the undersigned viewers appointed by The within order
of court to view and lay out the road therein mentioned
respectfully report that we gave good and legal notice
of said road, view and met agreeable thereto at the
place said road was proposed to be made and having been sever-
ally sworn or affirmed as per within order we have viewed
and laid out and do return for public use the following
road to wit, beginning at township road leading from Kerr-
moor to Eazzam at a street (passing depot) in Eazzam village
thence by centre line of said street South $51^{\circ} 15'$ and one
half degrees East twenty-four hundred and three feet to post
thence through wood land of George Straw South forty-one and
one fourth degrees East eleven hundred and thirty-five feet to post
thence South $35^{\circ} 15'$ and one fourth degrees East one
hundred and seventy-seven feet to post thence South twenty-
four degrees East seven hundred forty-four feet to post in
a street in Breyerville $16\frac{1}{2}$ feet west from fence line of lots
projected northward. thence by said street and centre of road
 $16\frac{1}{2}$ feet west from said lots South seven degrees West five
hundred and eighty-two feet to post in centre of another
street thence by said street South Thirty-six degrees East
four hundred and forty feet to road from Eazzam to An-
nerville at Residence of J. J. Johnson. A plan or
skirt of which road as laid out aforesaid is herunto
annexed showing courses distances and improve-
ments which road is necessary in our opinion
for a public road. We believe no owner of land
through which the road passes is entitled to dam-
ages by reason of opening said road. witness our hands
this twenty-third day of August 1894

Harry Byers.
Viewers
Lyman Hobson
Rock Oster

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 viewers.
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. *Ames*: Sessions, 1894

ORDER 

To view and lay out a road for
public use in the township of
Frankland, Clearfield Co.
Sept. 1894
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.

John Rogers
John Jones
Jack Ogden
Charles
John C. Clegg
John Grindall

Days	Days	Days	Days	Days	Days
2	1	1	1	1	1
<i>10.60</i>	<i>10.60</i>	<i>4.60</i>	<i>4.60</i>	<i>5.00</i>	<i>5.00</i>

Nov 12 April 1895 I have
viewed the viewers' work &
assessed damages such &
number to collect from
a viewer who apparently
has viewer see his road
or road, to act as a viewer.
There will other viewers
to assess damages as
per application
John Clegg
John Grindall

Filed *3 Sept. 1894*
Fees \$1. Paid by *John Stephen*

To the Honorable Cyrus Giden President
Judge of the Court of Common Pleas
of Clearfield County Pa.

The petition of
the undersigned inhabitants of the
Township of Jordan in the said
County. respectfully sheweth:

That your
petitioners live under great inconvenience
for want of a public road or highway
in the Township of Jordan to begin
at a point on a Public Road leading
from Kersner to Marron in Jordan
Township and to end at Breyer-
ville in said Township of Jordan
where Public Road from Gazzam
leads to Annville in said

Your petitioners
therefore pray the Court to appoint
proper person to run and lay out
the same according to law and
they will ever pray:

Names

Names

James Methven
W. H. Gardner
W. O. Hartner
Lee McCrack
L. G. Garrison
W. B. Loring
Lars Sly
C. D. Murray

J. C. Johnston
John Credie
James R. Smith
Andrew Carlson
John H. Baxter
John Lyons
Alexander Nelson
L. C. Englehall

Names

Thomas Stevens
William Reed
George Hill
John O'Conor
Jake Spruby
T. J. Truby
J. E. Rose
W. J. Cowell
Frank Anderson
L. J. Anderson
John Loring
Fas Loring
~~Frank Loring~~
Ellis Michaels
Seymour Michaels
William Michaels
Alfred Johnson
Andrea ~~Brissberg~~
Oscar ~~Brissberg~~
Andrew ~~Brissberg~~
P. W. ~~Wathran~~
Robert Starene
Olof Dahlqvist
Albert Johnson
James Barney
James Stevens
R. G. Patterson
Thomas Robison
Charles D. Sawyer
Martin O'Hara
Gilbert Neilson
Ernest Anderson
Norman Anderson

Names

Archibald Clark
Naah Williams
Wm Williams
Pat Hooley
William Stone
Richard Nelson
John Quist
Andrew Johnson
Hagan Roberts
Ed. Ekdstrom
Andrew Sinclair
John Sinclair
Robert Sinclair
Robert Petty
William Hill
Jas. L. L. Field
John ~~the~~ Loring
Ole Smith
William Smith
John Smith
Andrew Smith
W. W. Lanch
Andrew Olson
John Olson
Chas Olson
Chas Mattson
F. Remstrom
Charles R. Roll

Names

Charles Forman
John N. Anderson
L. G. Johnson
S. M. Larson
John Jacobson
Chas. Larson
William Harkins
Richard Budd
Alex Nelson
Robt. Arose
Sam'l. E. Green
David Green
W. H. Tatton
Thomas McNeil
Andrew Snyder
Jno. J. Preston
Jno. H. Heile
Dave Bell
L. C. Sederholm
Chas. Sederholm
Chas. Nelson
W. S. Hay
George W. Mayton
Jos. Jagovich
D. C. Hinchberger
F. W. Johnson Farmer
Jos. R. Patterson
George Patterson
Robt. Hollingsforth

Names

H. G. Prince H. C.
D. J. Miller T. H. C.

Road Supervisor
C. H. Anderson

No 9 May 1894

Picture for Rublee
Road in Jordan
Twp. in Indiana
from point on River
Road from Leaven
W to Indiana in Jordan
Twp. Indiana and end
at Newville in Jordan
Twp.

May 28 May 1894
Rublee's picture report
& correspondence and in
Hornby Papers, & Horn
and Jack Ogden
are apprehended to have
been and remain
subject to next term
of Court

At the Court
Clymerburg
Pa

May 28 May 1894

S. V. Wilson
At the Court
CLEARFIELD, PA.

In Re Public Road in) In the Court of Quarter Sessions of
Jordon Township) Clearfield County, Penna.

No 9 May SS, 1894.

Exceptions are filed to the proceedings had in the above stated road case for the following reasons:-

First:- Because it was the duty of the viewers "to endeavor to procure from the persons over whose land the road is located" releases from all claims for damages", and the report of the viewers does not show that the viewers did so endeavor to procure releases, and in truth and in fact, they did not.

Second:- That the report fails to show that ten days notice of the time and place of the view was given as is required by the road laws in force in this county.

Third:- That the original report of viewers, contains inter alia " We believe no owner of land through which " the road passes is entitled to damages by reason of opening " said road", and that this report of the viewers as to the question of damages is final and conclusive, and could not be referred back to the same viewers to report upon again.

Fourth:- That the Court has no jurisdiction to order the report" back to the viewers for the purpose of " passing upon the question of damages". That the only proceeding recognized by law, was for the party dissatisfied with the assessment of damages to petition for a re-review, or appeal as provided for by the Act 26 May 1891.

Fifth:- That if it be within the jurisdiction of the Court to refer any report of viewers back to them it is only for the correction of matters omitted from their report, of that which does not fully or correctly appear therein, and this can only be done by referring it to the same board of viewers.

Sixth:- That if the reference back was for a proper matter (which is denied) the Court had no power to substitute a new viewer for any cause whatsoever, the Statute of 7th May 1844 P.L.570-571 expressly provide " and no view or re-view of any road or bridge in said counties (that is Green and Clearfield) shall be valid unless the whole number of such viewers or re-viewers shall personally examine the premises.

Seventh:- That the termini are not set out in the petition as required by the Act of Assembly, they being recited as follows " to begin at a point on the Public Road leading from Kerrmoore to Marron in Jordon Township and to end at Bretzerville in said township of Jordon in said township, where Public road from Gazzam leads to Ansonville in said township".

That the termini as set forth are too indefinite and vague and not in conformity with the requirements of the law.

Krebs, Palmer

No 9 May Sessions 1894

In Re Public Road in Jordon

Township.

Exceptions to Report of

Viewers.

July 3 July 1895

D G Geary
P. O.

Krebs & Paterson

In Re-Public Road in) In the Court of Quater Sessions
Jordon Township) of Clearfield County, Penna.

No 9 May Sessions, 1894

To the Honorable Cyrus Gordon, President Judge of the several
Courts of Clearfield County, Pa.

The remonstrance of the petitioners respectfully re-
present:-

That they are tax payers of said township of Jordon, and
join in asking the Court to refuse to confirm the report of
viewers appointed by your Court in the laying out of a cer-
tain public road in Jordon township, leading from Gazzam to
Bretzinville, both places being in the said township of Jor-
don, for the following reasons.

The road asked for is entirely unnecessary, there being
now a good public road constructed and open between the points
mentioned; and if the proposed road was constructed there ~~would~~ ^{now}
would be two public roads running parellel, leading from Gazzam
to Bretzinville aforesaid, and they will not be more than
twenty or twenty five rods apart at the point of greatest
divergence.

The said road now open between the points mentioned
could not be vacated for the reason that there are improvements,
(and dwellings erected on said improvements) all along
the line of the road, and if the petition for the proposed
road was confirmed the taxpayers would not only be at the
cost and expense of making said road, but ~~there~~ would be two
roads between the same points to keep in condition for travel
which would be a burden on the taxpayers.

The undersigned therefore pray your Honorable Court to refuse to confirm the petition, and view.

And they will ever pray, etc.

W. C. Spalding
John McAlister
W. Smith
William Green
William Wise
Seth Patterson
C. H. Morris
John McKeon
James Irvin
Samuel McKeon
W. D. Brown
S. P. Frederick
James McKeon
W. McKeon
J. G. C. Johnson
W. D. McKeon
Parker Stevens
G. S. McKeon

W. B. Egler
James Tracy
Harry May
Ed. C. S. S. S.
James McKeon
W. F. Tozer
A. W. Thaxter
A. B. Stew
Ruben Johnson
Ruben Starr
John G. Brown
G. S. McKeon
A. J. McKeon
J. C. McKeon
W. C. McKeon
O. A. McKeon
Anson Swan
Abraham Brown

John Gibbons
Marten Hale
Peter Johnson
John Mc. A. Stover
J. A. Nelson
H. D. McKeever
John Wise
G. M. M. D. & N.
H. Patterson
R. T. Monroe
G. A. Summers
John Mc. G. D.
W. J. Klingler
John Smith
W. H. Witterman
J. G. Pittman
John Pittman
John W. Dickey

S. M. B.
John Klingler
Jos Ballinout
W. P. Bickford
R. S. Glasgow
Se M. Johnston
J. H. Johnson
d. C. Stevens
Wm Wise
Alf Maharg
Geo. Higgins
Isaac Sharpen
Wm H. Morris
W. C. Pearce
John B. Garbett
Geo. S. Capelin
W. B. Newell
Geo. W. Pearce
C. L. & W. Grange
R. J. G. G.
Jos Lamborn
Wm Neeling
S. S. Lamborn
R. Q. Lamborn

J. G. Bloom
D. G. Brown
A. L. Johnston
E. G. Johnson
John H. Hunter
S. H. H. H.
J. D. Laddie
D. L. Mowse
W. D. Morris
John Morris
Ed C. Morris
L. P. Morris
James Morris
Edwin Morris
Mydell Morris
J. M. Morris
James Morris
David Morris
H. W. Morris
James R. Johnston
John Mayo
John S. Wilson
James Hunter, Jr
C. G. S. M. H.

W. H. Thompson
J. C. Thompson
Lloyd Thompson
John M. Hall
Samuel Scammon
G. A. M. M. H. H.
Lewis M. H. H.
Joseph H. H. H.
Harry H. H. H.
J. S. H. H. H.
John B. Thompson
G. M. Wagner
B. R. M. M.
J. C. Wise
John H. Wise
Cal Scammon
Linn. Bell
W. H. Scammon
J. A. May
John Wiley, Jr
L. W. Strain
Chas. Scammon.

No 9 May Sessions 1894.

In Re-Public Road in

Jordon Township.

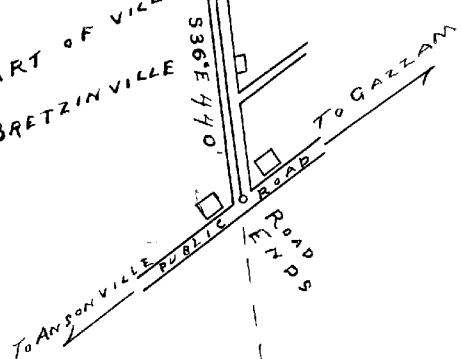
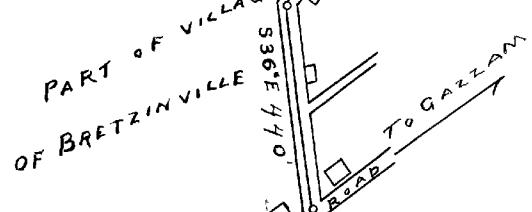
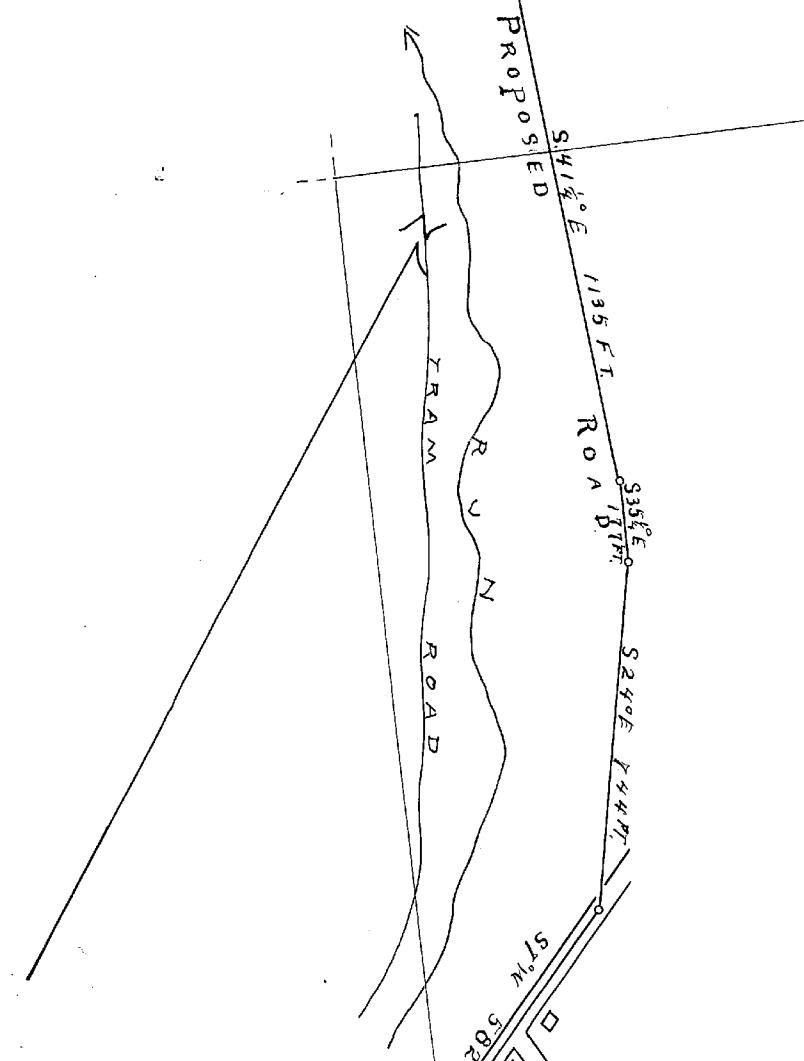
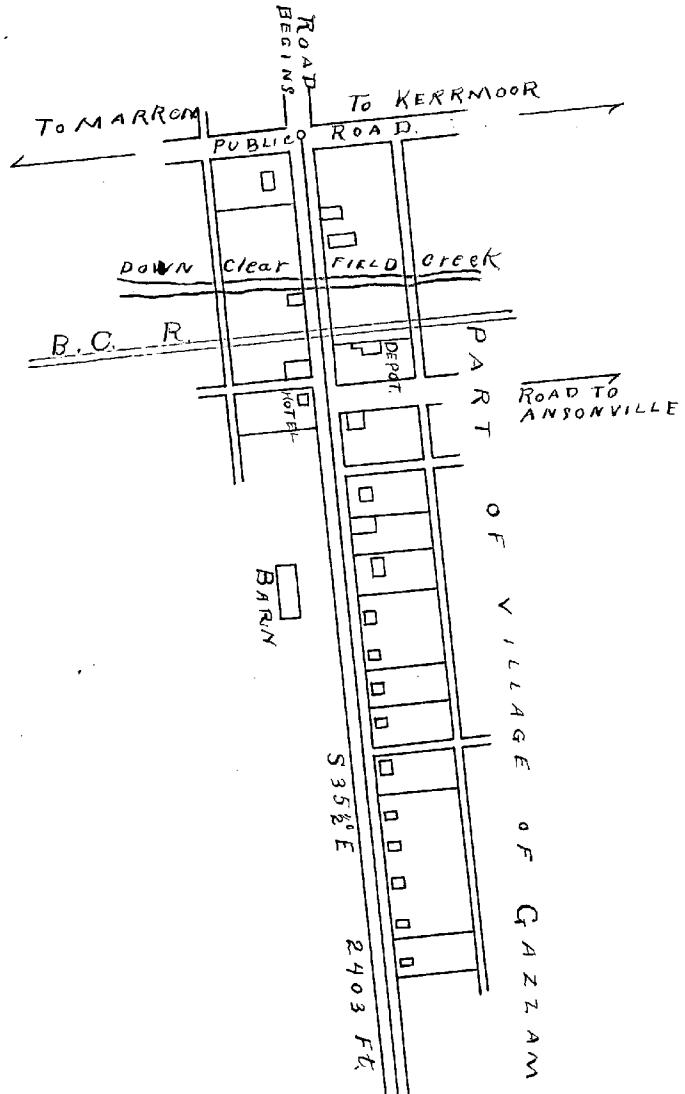
R-E-M-O-N-S-T-R-A-N-C-E.

File a Cuy 6 1895.

J. H. Daugerry

Jr

Krabis & Patterson,
Attorneys at Law,
Clearfield, Pa.



To The Honorable Cyrus Gordon, Pres-
ident Judge of The court of Quarter Ses-
sions of Clearfield County Pa, we the un-
dersigned viewers to whom was referred back
the aforesaid report of said laid out to assess the
Damage caused by opening of said road
(being No 9 may 55 1894 on which C. Kowale
Esq was a viewer but he being sick and
unable to attend appraisement and J A Moore
Esq having been appointed in his stead we)
respectfully report that we gave five or
more days notice of said view and
appraisement to Commissioners of Clearfield
County and gave further notice by posting
notices five or more days before day
appointed for view in public places near
road to be viewed and met agreeable to said
notices on the 26th day of April ad 1895 and hav-
ing been first severally sworn or affirmed we
have viewed the ground on which road aforesaid
was laid out and have appraised the damage theron
as follows: to George Straw to sum of one hundred
and sixty dollars (\$160.00) a plot or draft of road
showing courses distances improvements and
lines - (which were not pointed out when road was laid
out) is hereto annexed. Witness our hands this
twenty-fifth day of April ad 1895

Harry Byers
Viewers Fack Ogden
 James A. Moore

ROAD VIEWERS' NOTICE.

NOTICE IS HEREBY GIVEN that the undersigned
Viewers, appointed by the Court of Quarter Sessions of
Clearfield county, Pennsylvania, to view public
Road leading from point on public road
leading from Perrinor to Marron

in Jordan Township, to Bretziville
where public road from Sogyan leads
to Ansonville

in Jordan Township, in the county aforesaid,
will meet at the house of Genas Ardery, in
Jordan Township, on Friday, the
26th day of April, A. D.
1895, at 1 o'clock P. M., to attend to the duty assigned
them, of which time and place aforesaid all parties interested will please take notice.

Harry Byers
Zach Ogden { Per B
James A. Moore { VIEWERS.

Clearfield Pa Apr 19, 1895.

✓ N 13 July 1895 Exceptions file

May 2000
1855 Report
Continued Miss.

service of witness no.
tice accepted this 14th
day of April 1895.

Mr. C. W. Wren
for 6. amts

Mo 9 May Term 1894

Mr. Wm. C. Clark
No. 9 May Ter
Osses, Conn
J. Ordon, Jr.
Arch.

Hang Papers 1 day 2 \$1.00
1 mile 2.60

Jack Oden } Days 1 2.00
 } Miles 30 3.00

Gas & More 2.00
miles 26 2.60

Wednesday May 1875
John D. Moore