

No. 11

88

Sept.

1893

Private Roads
versus in
Graham Township

Contents:

To the Honorable Cyrus Gordon

President Judge of the
Justices of Clearfield County Penna

The petition of John McDaniel
of Graham Township Clearfield County
respectfully represents: That your petitioner
labor under great inconvenience for
want of a private road to lead
from his dwelling place on said
Township of Graham to the Public
Road leading from Deer Creek
to Philipsburg.

He also pray
the court to appoint review not
only to review said private road but
also to review and pass upon the
question of the privilege of having
auinging gate on said private
road should the review determine
that a private road is necessary
to your petitioner.

John McDaniel

Ms. A. 1. 11 Sept. 28. 1895

Female Brad m.

Spanning Townships

From John McDowell

Donation of House No. 10
John Connelly Esq.

Public Road Company

Field 9 Sept 1894

Frequency

Dear Dr. Sept., 1895
Please return
Please send copies
and send Mr. Morris
& Dr. Dale and their
believeable are apparent
for members for the
expenses will be
published in
Mark the present to
Linen & Cloth

JOHN WILSON
ATTORNEY AT LAW
PHILADELPHIA,
Pennsylvania

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 11th

day of September, A. D. 1895, before

Judge of said Court, upon a petition of John

McDowell inhabitants of the township of Graham

, in said County, setting forth that

he labors under great inconvenience for want of a private road to lead from his dwelling house in said Township of Graham to Public Road leading from Deer Creek to Philipsburg - He also prays the Court to appoint viewers not only to view said private road but also to view & pass upon the question of the propriety of changing a swinging gate on said private road should the viewers determine that a private road is necessary to your petitionor

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, and report to Dec Term 1895

whereupon the Court upon due consideration had of the premises, do order and appoint Thos M. Moon John Dale Daniel Cearley

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~~ 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.

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. 1895.

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 No Damages assessed the sum of or allowed any
To one the sum of
To the sum of

Witness our hands this 6th day of November, A. D. 1895.

Geo. W. Moore
Geo. J. Dale
Daniel Lushay

To the Honorable Cyrus Gordon President Judge
of the Court of Quarter Sessions of Clearfield county
We the undersigned Viewers appointed by the fore-
going Order of Court to view the Road therein de-
scribed. Do Report that having first given due
Notice of the time and place of meeting - by adver-
tisements, put up according to Law. and having given
Notice to owners, and occupants of lands, through which
said Road was intended to pass, of the same. We
all met and being duly Affirmed - we have viewed
laid out and do return for the private use of John
McDowell the following Road. Viz. Beginning at
a Post being a corner of lands of Jacob Reinhart and
Hezekiah Lansberry - thence along the line of said
lands. South eighty six degrees and six minutes. East
ninety seven and one half perches. to the Phillipsburg &
Dress Creek road. said road to be of the width of Twenty
feet clear of fences. which are to be ten feet distant from
said line. and we further find that said Road is to
be made fenced and kept in repair at the expense of
the said John McDowell. And we shall also at his own
expense erect and maintain Gates at either end of said
road. And we hereby decree that the said John McDowell
shall be allowed said gate or gates. and to maintain the
same according to the act of assembly made and provided in
a. Plot or draft of which we herunto annex -

Witness our hands this 6th day of }
December AD 1890,

Thos. W. Moore
G. J. Dale
Daniel Curley.

HEZEKIAH LANSBERRY.

ROAD TO DEER CREEK

S. 86° 06' E. 97.5 PERCHES

POST.

PROPERTY LINE

JACOB REINHART.

JOHN McDOWELL..

Now May 31 1897 this report continued to
 Sept 1 1896 and at Sept 30 1896 to Dec
 1896 and at Dec 21 1896 to May
 1897 at Feb 1 1897 to May
 1897 there being no objections
 at May 3 1897 the Report is
 confirmed absolutely
 By the Court
 Cyrus Gordon P.

No. 11 Sept Sessions, 1895	
ORDER	
To view and lay out a road for	
Gatouse in the township of	
Mahawm, Clearfield Co.	
Sessions, 1895	
read and confirmed No. Six	
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.	
now as follows, viz:	
From May 1 1896, and at	
May 1896, continuing	
to May 18 1896 and	
extended to May	
18 1896, between 3 1/2	
southern limit of "log	
Company" and "M. & L."	
Fifteen miles	
Filed Cyrus Gordon P.	
Fee \$1.25 paid by McCloskey	

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.

Days.....	Miles.....	Days.....	Miles.....	Days.....	Miles.....
Days.....	Miles.....	Days.....	Miles.....	Days.....	Miles.....
Days.....	Miles.....	Days.....	Miles.....	Days.....	Miles.....

M. & L.