

Tabby SS Term, 1897

Public Road  
Versus  
Lawrence and Rice  
Townships.

Contents:

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X

To the Honorable, The Judge of the Court of Quarter Sessions  
of Clearfield County:-

The petition of the undersigned, citizens of said county,  
would respectfully represent,

That your petitioners labor under great inconvenience  
by reason of the present location of the road leading from  
the road from Clearfield to Bloomington at a point on the town-  
ship line between Lawrence and Pike townships, and thence  
through lands of S. Brown, J. Rowles, M. Reed, and D. Brown by  
Bloomington Mining Company's No. 4 mine to a point on lands of  
D. Brown;

That the said Bloomington Mining Company is about put-  
ting in a haulage plant at their said No. 4 mine by reason of  
which the said road, as now located, will become dangerous to  
travel.

Your petitioners therefore pray that the part of said  
road leading from a point on lands of J. Rowles to a point on  
lands of D. Brown, be vacated and supplied so as to avoid the  
danger from said mining operation.

And they will ever pray, etc.

<u>H. J. Dunlap</u>	<u>W. A. Peeler</u>
<u>Robt. Rowles</u>	<u>Jonathan Brown</u>
<u>J. R. Dunlap</u>	<u>John R. Lister</u>
<u>W. H. Smith</u>	<u>John H. Lister</u>
<u>M. Scopis</u>	<u>Adam Smith</u>
<u>A. B. Brown</u>	<u>W. H. Smith</u>
<u>J. A. Woods</u>	<u>John Smith</u>
<u>A. A. Bloom</u>	<u>John Powers</u>
<u>R. A. Long</u>	<u>J. A. Brown</u>

Abram H. Bloom.  
D. L. Rowles  
Harry Rowles  
W. C. Long  
John S. Peoples  
W. H. McDonald

No. 2 *Index* ss., 1896.

In re Vacation and Supply of  
Road in Lawrence and Pike  
Townships.

Petition.

Now, Dec. 14<sup>th</sup> 1896, Peti-  
tion read and considered, and  
thereupon Samuel F. McClosky  
Samuel F. McClosky and  
Samuel F. McClosky and  
appointed viewers to view  
and report upon the propriety  
of said Petition. Returnable  
to next term.

*Justice Court  
Lyman Sinton  
P.M.*

FILED DEC 14 1896

*Ordered to viewers 14 Dec  
14 Dec 18*

*SWOOP & PATTON,  
ATTORNEYS & COUNSELORS AT LAW,  
CUMBERLAND & CLEARFIELD, PA.*

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.

AMOUNT.	
3 1/2 Miles <sup>1/2</sup>	Days 3 } 168 1/2 } Miles 1 1/2
3 1/2 Miles <sup>1/2</sup>	Days 2 } 168 1/2 } Miles 1 1/2
3 1/2 Miles <sup>1/2</sup>	Days 2 } 168 1/2 } Miles 1 1/2
3 1/2 Miles <sup>1/2</sup>	Days 1 } 168 1/2 } Miles 1 1/2
3 1/2 Miles <sup>1/2</sup>	Days 1 } 168 1/2 } Miles 1 1/2
3 1/2 Miles <sup>1/2</sup>	Days 1 } 168 1/2 } Miles 1 1/2
3 1/2 Miles <sup>1/2</sup>	Days 1 } 168 1/2 } Miles 1 1/2

J. C.

No. 1000, *July Sessions, 1897.*



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

July 1<sup>st</sup> Sessions 1897.  
Road and confirmed by 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.

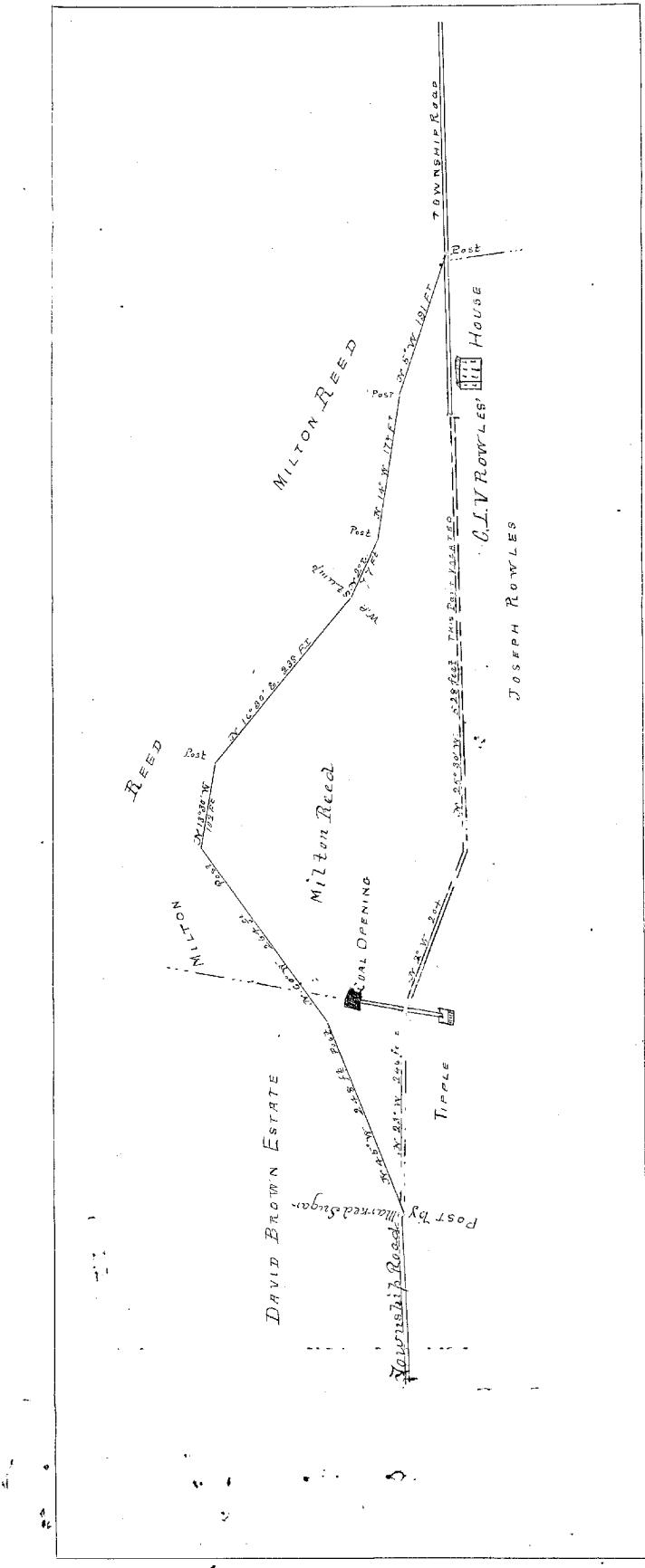
By the Court  
John W. Gandy  
J. C.

FILED JAN 14 1897

Filed 189  
Fees \$1 paid by  
John Brown, Attorney 1 1/2

Now March 29, 1897, it is a Hagey Atty. for Supervisors and citizens of  
Rice township except to the Corporation of said road and assigns  
the following reasons—First.—Because the jury was not sworn  
according to law. Second.—Because no notice was served on the  
County Commissioners. Third.—Because the road passes through  
improved property and no legal notice was served on the occu-  
pants of the same.

W. A. Hagey Atty.  
for Supervisors Rice Co.



To the Hon Judge of Court of Quarter Sessions of Clearfield County

We the undersigned Viewers, Appointed by the within Order of Court, to View, Vacate and Supply the Road therein named. respectfully report. That having given notice of the time, and place of meeting, according to the Act of Assembly, and being all present at the view of the ground proposed for the said Road. And being all sworn, or affirmed in pursuance of the said Order of Court, We have viewed, and laid out; and do return the following road. To wit Beginning at a Post in the Township Road by a marked Sugar tree, in land belonging to David Brown's Heirs. Hence through their land North forty five degrees West two hundred and forty eight feet to a Post. Hence through land of the said David Brown's Heirs and land of Milton Reed, North Sixty degrees West two hundred and fifty four feet to a Post. Hence North Thirteen and a half degrees West one hundred and two feet to a Post. Hence North Sixteen and a half degrees East two hundred and thirty eight feet to a white pine stump. Hence North two degrees East, Seventy seven feet to a Post; thence still through land of Milton Reed, North fourteen degrees West one hundred and Seventy eight feet to a Post.

Hence North five degrees West, one hundred and ninety one feet to the Township by a marked White oak. Which said road we are of opinion is necessary for public use. a Plot, or draft whereof is hereunto annexed. And that part of the Lys road. Beginning at the Post by the Marked Sugar in land of David Brown Heis and running, North twenty three degrees West two hundred and forty six feet. North two degrees West two hundred and four feet Hence North twenty five and a half degrees West. five hundred and twenty eight feet to a point in the Road near C. L. V. Rowles House, the remaining 198 feet We do not vacate on account of said Rowles, needing it for his use. All of which is shown on the annexed draft. Damages assessed as shown within

Witness our hands the 4<sup>th</sup> day  
of January A.D. 1897. *67 Mercer*

A.D. 1871. B. F. McClosky } Viewers  
Daniel Faust }  
A.D. 1871.

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 14<sup>th</sup> day of December, A. D. 1896, before Judge of said Court, upon a petition of sundry inhabitants of the townships of Lawrence and Rice, in said county, setting forth that

they labor under great inconvenience by reason of the present location of the road leading from the road from Clearfield to Bloomington at a point on the township line between Lawrence & Pine towns and thence through lands of S Brown, J Paules, M Reed, and D Brown to Bloomington Mining Cos No 4 or until to a point on lands of D Brown. Your petitioners pray that the part of said road leading from a point on lands of J Paules to a point on lands of D Brown be vacated and supplied.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, and report to next term of Court whereupon the Court, upon due consideration had of the premises, do order and appoint J. McClossey, Daniel Farrelly, Peter Gilligan 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. B Y THE COURT.

D. J. Gingery

.....  
**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

## 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 Milton Reed ..... the sum of Sixty Dollars  
To David Brown's Estate ..... the sum of Five Dollars.  
To ..... the sum of .....

Witness our hands this ..... day of ..... , A. D. 189 .....

S. J. McClosky

Daniel Faust

Sam. Foyard