

No. 13 Dec 1897 SS. 193

COMMONWEALTH

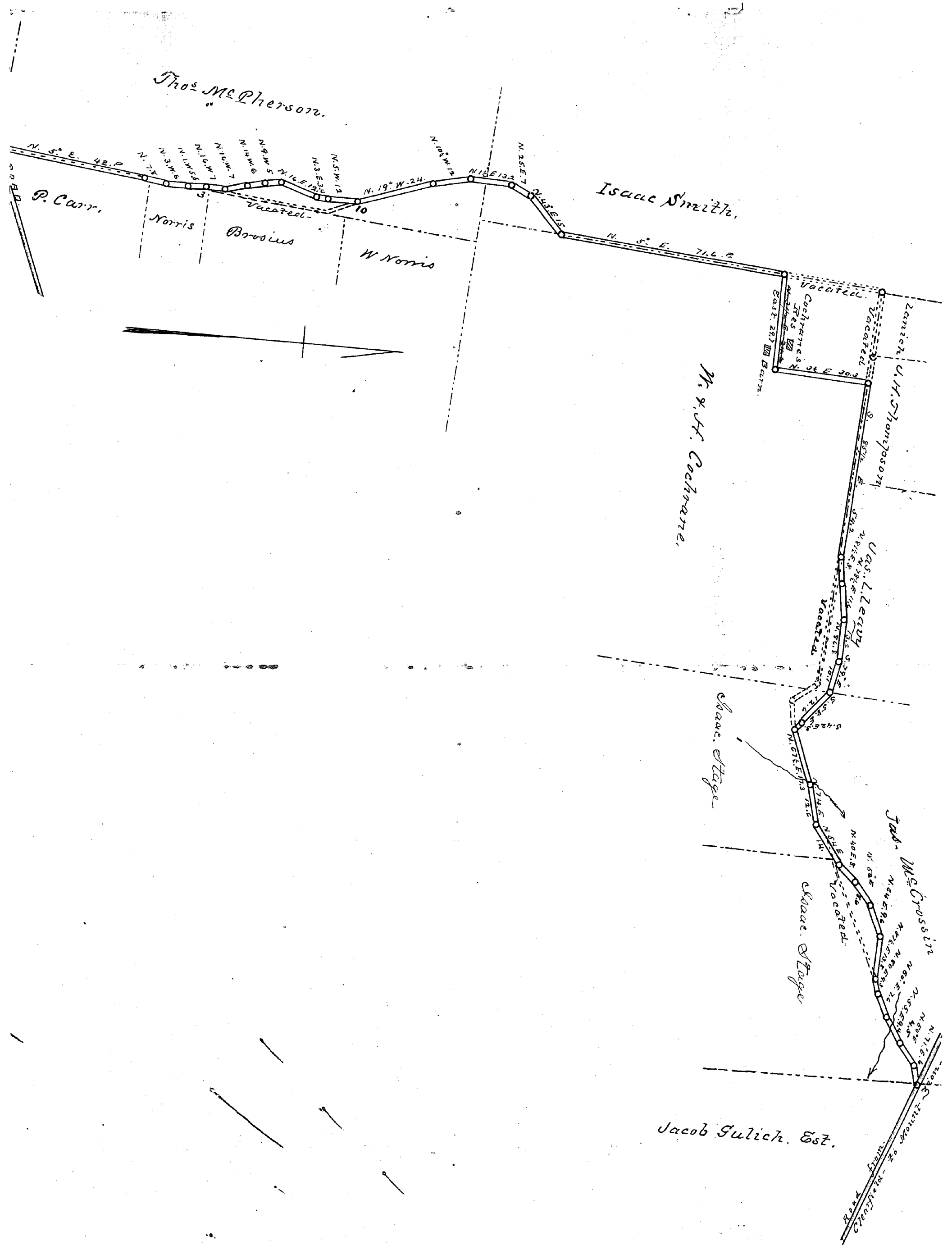
Versus

Road m
Lumaine and
Folce

R.D. #4 - Page 200

Charge

Typ. Bd. 17521



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

We the undersigned Viewers appointed by the foregoing order of Court to View the Road therein described. Do Report: That having first given ten days notice of the time and place of meeting by notices put up in the vicinity of said intended View and also having given notice to the Owners and occupants of lands through which said road was intended to pass of the same. We all met and first having been duly sworn and affirmed we have viewed and laid out the same by the following courses and distances. To wit:

Beginning at the point of intersection of the public road leading from Coal Hill to Pleasant Grove School House and road leading from aforesaid intersection to a point on the Township road leading from Clearfield to Mount Zion near where the line of James McCrossin and Jacob Gulick Estate crosses said road. Thence along the Township road North five (5°) degrees East forty two (42) perches to a post. Thence North seven and eight tenths (7.8) Perches to a Post. Thence North three (3°) west six (6) Perches. North One (1°) degree West Five and one half (5.5) perches. Thence North sixteen (16°) west seven (7) Perches. Thence North fourteen (14°) degrees west six (6) Perches. Thence North nine (9°) Degrees West five (5) perches North sixteen (16°) East twelve (12) Perches. North three (3°)

degrees East. three and four-tenths. (3.4) perches. Thence
 North five (5°) degrees West. twelve (12) perches. to intersect
 old Road. Thence along the same. North nineteen (19°) West
 twenty four (24) perches. North ten & one half ($10\frac{1}{2}^{\circ}$) West. twelve (12)
 perches. North one & one half. ($1\frac{1}{2}^{\circ}$) East. thirteen & two-tenths (13.2)
 perches. North twenty five (25°) East. seven (7) perches. North
 forty three (43°) degrees East. fifteen perches. thence. North. five
 (5°) East. seventy one & six tenths (71.6) perches to private land of
 W & H. Cochrane. thence through land of said Cochrane
 East twenty nine and seven-tenths (29.7) perches. thence North
 three & one half. ($3\frac{1}{2}^{\circ}$) degrees East. thirty & three-tenths (30.3)
 perches to point in Township Road. thence along the same. South
 eighty five ($85\frac{1}{2}^{\circ}$) East. fifty four & two-tenths. (54.2) perches. Thence
 through land of Jas L Leary. North $81\frac{1}{2}^{\circ}$ East. 8 perches. North $78\frac{1}{2}^{\circ}$ E
 11.6 perches. North 86° East. 13.2 perches. South. 79° East. 10.1
 perches to a Post on line of Jas. L. Leary Thence still through
 Learys land South 58° East. twelve & six tenths perches.
 and South 42° East. three perches to Point in Township
 road. Thence along the old road North $67\frac{1}{2}^{\circ}$ East
 seventeen & three tenths perches. North 74° East twelve
 & six-tenths perches. North 54° East. fourteen perches
 to a Post. Thence along line of Land sold by James M. Crossin
 to Isaac Stage. North 40° East eight perches to a post.
 North fifty degrees East. 8.6 perches to a Post. North 64° East
 9.6 perches to a Post. N. $87\frac{1}{2}^{\circ}$ East. thirteen & $\frac{9}{10}$ perches to a
 Post. North 80° East. $4\frac{3}{10}$ perches to a post. North 60° East
 seven & $\frac{9}{10}$ perches to a post. N. 55° E - $9\frac{4}{10}$ perches to a
 Post. North 50° East $4\frac{5}{10}$ perches and North seventy
 one degrees East six perches to the Township road
 leading from Clearfield to Mount Zion

And we also vacate parts of the Road which the foregoing describes courses and distances ~~are~~ intended to supply as follows. First - through land of Thomas & M. Pherson from station 3 to sta. 10 - N. $4\frac{1}{2}^{\circ}$ E. 40 perches and N 19° W. 12 perches
2nd - from Cochranes line N. - $4\frac{1}{2}^{\circ}$ E 32 Per. Then S $85\frac{1}{2}^{\circ}$ E. $20\frac{1}{2}$ Perches to corner of. Linnick & J. H. Thompson
3rd From a point on line between Cochranes & Jas L. Leavy thence S. $85\frac{1}{2}^{\circ}$ E. 40. per. S. 38° E. 9 Perches & N 80° E. 9 Perches - to intersection of new Road
4th From point in Road on land of Jas McCrossin thence ~~along~~ same north easterly. 42 perches to intersection of new location for said road - A Plot or Map of which we herewith annex - And we having endeavored to and failed to obtain releases from parties affected by the location of said road. have assessed damages as herein set forth.

In witness whereof we have hereunto set our hands this 14th day of May 1898

Viewers { J. W. Moore
 E. O. Brown
 Zach Olsen

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the
county of Clearfield, Pennsylvania, held at Clear-
field, in and for said county, on the 7th
day of Dec, A. D. 1897, before
Judge of said Court, upon a petition of sundry
inhabitants of the township of Lancaster

, in said county, setting forth that
a public road was long since laid out and
opened, leading from a parish on road leading
from Clearfield to Mount Zion near where
this belongs the lands of James McGowan
and Jacob Gulick Estate Cross Oak road, to
Mount Zion in Lancaster Twp. to a parish at
residence of Parin Carr on the road leading from
Cone Hill to Pleasant Wood School House, in
Lancaster Township

and therefore praying the Court to appoint proper persons to view and lay out
the same according to law, vacate and suppress the same
whereupon the Court, upon due consideration had of the premises, do order and
appoint J. M. Moore, Elmer Brown & J. J. Rogers
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 improve-
ments 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 accord-
ing 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.

J. J. Rogers

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 ensembling 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 James A. Leary	the sum of	Sixty six (66) Dollars
To Mrs M. Pherson	the sum of	00 —
To James McBurnin	the sum of	00 —
To W. A. Cochran	the sum of	00 —

Witness our hands this 14 day of May, A. D. 1898.

Thos W. Brown

E. W. Brown

Jack Ogden

Nov 2 May 1898. Upon application of Knecht & Palmer, former viewers enlarged
and continued until Sep term 1898

By the Court.
Cyrus Gordon

ORDER
of the Board of Supervisors
To view and lay out a road for
Public use in the township of
Clearfield Co.
Order Sessions, 1898,
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 the Court,
Cyrus Gordon
3 Sept. 1898
Nov 18th 1898
Confirmed by the Board of Supervisors
Filed 1898
Fees \$1, paid by

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 pri-
mal viewers, except so far as the location may be changed by
reviewers.
N. B.—If the viewers believe the parties are not entitled to dam-
ages, taking into consideration the advantages as well as the
disadvantages of the road, they will report to that effect.

Curlew	Days 4	16.60
1825	Days 2	4.30
1828	Days 2	4.00
Connon Smith	Days 2	3.00
Nov 18 th 1898	Days 1	1.50
Nov 18 th 1898	Days 1	1.50
More this tenth day of Feb. persons of view enlarged and contin- ued to next term		
By the Court Cyrus Gordon		

In the Court of Quarter Sessions of Clearfield County, Penn'a.

In the matter of the petition # No.13 Dec. Sessions 1897.

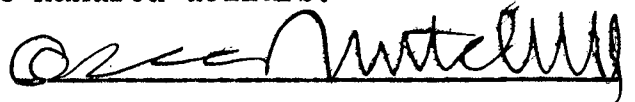
to vacate and supply public road in Lawrence Township.

James L. Leavy by his attorney, Oscar Mitchell, files the following exceptions to the confirmation absolute of the public road above designated, being No.13 Dec. Term, 1897.

1. That the majority of the viewers, as appears by the report filed, did not sign the report, and that the report is only signed by one of the viewers, "T.W. Moore."

3. That the petition in this case is not sufficient to give the court jurisdiction, in that it does not designate the parts of the road to be vacated.

2. That the damages allowed by the viewers to James L. Leavy is not enough for the damages done his land by reason of the change of the location of the road, as the road as re located cuts off a piece of land from the larger piece, and makes the piece cut off, practically of no value. That the damages so done to the land of James L. Leavy is believed to be by the exceptant to be one hundred dollars.

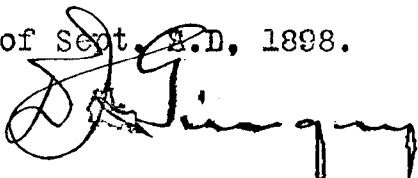
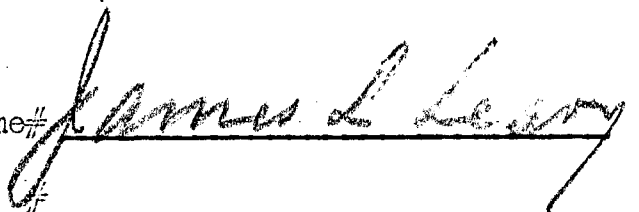


Atty. for exceptant

Clearfield County, ss:-

James L. Leavy the above named except, being duly sworn says that the facts set forth in the foregoing exceptions are true and correct according to the best of his knowledge and belief.

Sworn and subscribed before me
this 3d day of Sept. A.D. 1898.



13 Dec 1897

Russell
Nov 2 & Dec. 1897
these exceptions
withdrawn.
as indicated
by James
Leary.

To the Court of Quarter Sessions of Clearfield County.

The petition of the undersigned respectfully represents, that a public road was long since laid out and opened, leading from a point on road leading from Clearfield to Mt. Zion near where line between the lands of James McCrossin and Jacob Gulich estate cross said road to Mount Zion, in Lawrence Twp. to a point at residence of Paine Carr on the road leading from Coal Hill to Pleasant Grove school-house, in Lawrence Twp:

That said road was laid out over hills so steep that it is unsafe for travel, and only the smallest loads can be hauled on it:

That said road has become inconvenient and burdensome and would be much improved by a change of its route between said points.

Your petitioners therefore pray the court to appoint qualified persons to view the premises and to inquire into the expediency of ^{by vacating and supplying said road} making said change, and otherwise proceed as directed by the act of Assembly in such case made and provided.

And they will, &c.

William Cochran
Harry Cochran
G. Bowman Smith
James Brown
J. G. Kline
J. L. Martin
J. J. Miller
John D. Beaumont
L. L. Thompson
W. H. Beaumont

Howard Orr
Albion Orr
H. L. Orr
Daniel H. Orr
Hugh Miller
J. H. Miller
J. A. Peters
Samuel Linder
Frank Harris
L. L. Kline

~~W. V. Watson~~

H. L. Antes

H. B. Lanthier

Joseph Woods

W. E. Lanthier

Chas. P. Kelton

Elmer A. Goss

A. Roy Smith

J. J. Lanthier

A. H. Lanthier

Roy Lanthier

Milton Lanthier

P. A. Rowe

Isaac Stager

Wad Smith

Mo Dec Term 1897

Petition to vacate &
Supply road in Lawrence
Twp.

And now 8th Dec 1897
The within petitioned and
considered and therefor
H. W. Moore - Clerk of Court
The additional Order
are appointed referees to
view the premises and
if necessary to vacate and
highly the same for public
use and make report to the
Court of next term Court
Clerk of Court

Kurtz, Bros. Stationers & Printers, Clearfield, Pa.

Dec 7 1897

12/13/97 - Moore & Moore