

No. 13 Dec 1877
SS. 193

COMMONWEALTH

Road vs
Versus

Lawrence and
Felicie

P.D. #4 - Page 201

Charge

Page 13 of 17521

Thos McPherson.

P. Cas.-

Brosius

W Morris

Isaac Mizrahi

Mr. & Mrs. Cochrane,

Jacob Gulich, Est.

class. stages

1000

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 McTrossin and Jacob Gulich Estate crosses said road. Hence along the Township road North five (5°) degrees East forty two (42) perches to a post. Hence North seven and eight-tenths (7.8) Perches to a Post. Hence North three (3°) west six (6) Perches. North one (1°) degree West five and one half (5.5) perches. Hence North sixteen (16°) West seven (7) Perches. Hence North fourteen (14°) degrees West six (6) Perches. Hence 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. Then
North five (5°) degrees West. twelve. (12) perches to intersect
old road. Then along the same. North nineteen (19°) West
Twenty four (24) per. North ten & one half ($10\frac{1}{2}$) West. twelve (12)
perches. North one & one half. ($1\frac{1}{2}$) East. thirteen & two-tenths (13.2)
perches. North twenty five (25°) East. Seven (7) perches. North
forty three (43°) degrees East. fifteen perches. Then. North. five
(5°) East. seventy one & six-tenths (71.6) per to private land of
W. & H. Cochrane. Then through land of said Cochrane
East twenty nine and seven-tenths (29.7) perches. Then North
three & one half. ($3\frac{1}{2}$) degrees East. Thirty & three-tenths (30.3)
per to point in Township road. Then along the same. South
eighty five ($85\frac{1}{2}$) East. fifty four & two-tenths. (54.2) per. Then
through land of Jas. & Leary. North $81\frac{1}{2}$ East. 8 perches. North $78\frac{1}{2}$ E
11.6 perches. North 86° East. 13.2 perches. South. 79° East. 10.1
per to a Post on line of Jas. & Leary. Then still through
Learys land. North 58° East. twelve & six-tenths per.
and South 42° East. three perches to Point in Township
road. Then along the old road. North $67\frac{1}{2}$ East
seventeen & three-tenths perches. North 74° East. twelve
& six-tenths per. North 54° East. Fourteen perches
to a Post. Then along line of land sold by James M. Crossin
to Isaac Stager. North 40° East. eight perches to a post.
North fifty degrees East. 8.6 per to a Post. North 64° East
9.6 perches to a Post. N. $87\frac{1}{2}$ East. thirteen & $\frac{8}{10}$ perches to a
Post. North 80° East. $4\frac{3}{10}$ perches to a post. North 60° East
seven & $\frac{4}{10}$ 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
described 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 Cochrane line N. $4\frac{1}{2}^{\circ}$ E. 32 perches then S $85\frac{1}{2}^{\circ}$ E. 20 $\frac{1}{2}$
perches to corner of Lainch & J. H. Thompson.
3rd From a point on line between Cochrane & Jas L. Leavy
thence S. $85\frac{1}{2}^{\circ}$ E. 40 per. S. 38° E. 9 Perches & N 80° E. 9 Perches - to inter
section of new road
4th From point in road on land of Jas McEwan then
along same north easterly 42 perches to intersection of new
location for said road - A Plot or Map of which we
hereunto 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 { F. W. Moore
E. O. Brown
Frank Ogle

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 7th day of December, A. D. 1897, before Judge of said Court, upon a petition of sundry inhabitants of the township of ~~Barren~~

, in said county, setting forth that a public road was long since laid out and apportioned, leading from a parish or road leading from Clearfield to Mount Zion, near where being belonging the lands of James McGroarty and Jacob Shultz Estate Cross Daia road, to Mount Zion in barren trip. to a parish at residence of Parin Ban on the road leading from Coal Hill to Pleasantwood School House, in Lawrence Township.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, ~~Make Report to next Session~~
whereupon the Court, upon due consideration had of the premises, do order and appoint ~~J. J. Moore~~ ~~James Bress~~ ~~J. D. Danner~~ 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.

CLERK.

J. D. Danner

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

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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 L. Deury the sum of Sixty six (66.) dollars
To This M. Pherson the sum of 00 -
To James McGowan the sum of 00 -
To W. & H. Cochrane the sum of 00 -

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

John W. Brown

E. W. Brown

Jack O'gorman

Now 2 May 1898, upon application of Andrew Gordon, former of views enlarged
and continued until Sep 1st 1898

By the Court
Andrew Gordon

N.D. of Sessions, 1897

ORDER

To view and lay out a road for

Public use in the township of

Clearfield, Clearfield Co.

Open Sessions, 1898,

read and confirmed N. S.

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 corner

of this my Day

3 Sept. 1898

Open Sessions, 1898

Done by the 1st of Sept. 1898

Conformed to by the 1st of Sept. 1898

Filed

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
original viewers, except so far as the location may be changed.

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.

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

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

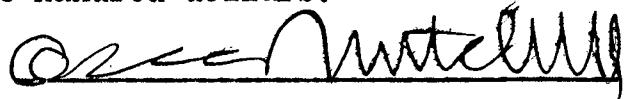
to vacate and supply public road in Lawrence Township.

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."

2. 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.

3. 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.

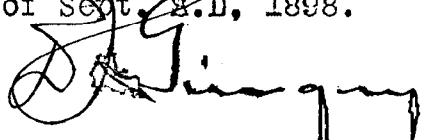


Atty. for exceptant

Clearfield County, ss:-

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

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



13 Dec 1977

Reindeer
Nov 2 & 3rd. 1877
seen excepting
withdrawn.
Oz. antlered
only 1 young
seen.

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 Cochrane
Harry Cochrane
G. Bowman Smith
James Bowman
J. G. Kline
Dr. Martin Sillie
J. J. Wood
John D. Beaumont
L. L. Thompson
W. H. Beaumont

Howard Carr
Allen Carr
H. S. Orr
Davidson Dawson
Hugh Miller
D. J. Miller
J. J. Dawson
J. C. Peters
Samuel Linder
Frank Harris
S. L. Kline

W. V. Watson,
W. L. Antes
H. B. Farhead
Joseph Woods
W. E. Lanich
Chas. P. Wilson
Elmer Wilson
R. Roy Smith
W. P. Farhead
H. H. Lampard
Roy Lawhead
Hilton J. Lawhead
P. A. Rawles
Isaac Stage
Isaac Smith.

Nov 2 Dec Term 1897

Petition to Create &
Supply road in law-
rence Twp.

End now. On Dec 1897
The within petitioned and
considered and therefore
Resolved Motion - That hence
forward the Supervisor
and Assessors be directed to
make appointments whenever
needed. The Supervisor and
Assessor is necessary to make and
publish the same for public
use and make report to the
Court of Justice in the Circuit
Court of Justice.

John Gandy

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