

No. 3

Dep't

Term, 1898

Vacate

Public Roads

versus

Deceatur Dwp

X

To the Court of Quarter Sessions of Cheshire County. The petition of the undersigned respectfully represents. That by virtue of certain proceedings in this court a public road was lately laid out in the Township of Decatur beginning at residence of James Combetto & ending at or near residence of Thomas Bateman, which road was duly approved by the court and an order for the opening thereof issued that under said order the said road has been partially opened by the supervisors. That, in the opinion of your petitioners, the opening of the remainder of said road as laid out will be attended with greater unnecessary expense, & the road will be inconvenient and burdensome. Your petitioners therefore pray the Court to appoint properly qualified persons to view & vacate said road and make report of their proceedings to the court; and your petitioners will ever pray.

E. Blankley
J. G. Kellander

E. J. Allen
George Radford

John Brandon

Leem Sticker
Charles Gibson

Wm. W. W. W.

James Patterson
Robert Wilson

Thomas Jackson
David H. H.

Thomas G. Bond
George Sticks

John W. W.

Dear Sir

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Dear Sir

To the Court of Quarter Session of Clearfield
County

James Ashworth John Termini
Michael Aschworth John Neesack
John Mitchell
J. H. L. L. L.
J. D. Corber
John D. McKnight
Joseph L. L. L.
Frank M. L. L.
William L. L.
John L. L.
James L. L.
John L. L.
A. L. L.
John L. L.
Joseph L. L.
W. A. L. L.
William L. L.
Edward L. L.
R. L. L.
Adolf L. L.
James L. L.
Alex. L. L.
R. L. L.
H. L. L.
C. L. L.

James L. L.
James L. L.
Thos. L. L.
Mr. L. L.
D. L. L.
James L. L.
John L. L.
Russell L. L.
James L. L.
James L. L.
Samuel L. L.
R. L. L.
Charles L. L.
Patrick L. L.
James L. L.
Robert L. L.
James L. L.
Joseph L. L.
Jack L. L.
John L. L.
Boston L. L.
John L. L.
John L. L.
John L. L.
Peter L. L.
Thomas L. L.
Daniel L. L.
Ed. L. L.
W. L. L.

3 Sep 1898

Return to base
with great success
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beating up. Leaving
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to San Antonio.

From 9 May 1898. He
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by the Court
to the Court

July 27th 1898

1898

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 Twenty day of May, A. D. 1898, before Judge of said Court, upon a petition of sundry inhabitants of the township of Locust

in said county, setting forth that a public road was lately laid out in said township beginning at residence of Joseph Gambetta & ending at or near the residence of Thomas Pateman ^{2d} that the road will be inconvenient & burdensome

and therefore praying the Court to appoint proper persons to view and ^{vacate} ~~lay out~~ ^{supply} the same according to law,

whereupon the Court upon due consideration had of the premises, do order and appoint Asa Spencer Frank Bush & J. W. Skey 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 ^{no} occasion for such road, they shall proceed to ^{vacate & supply} ~~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.

L. J. Emery 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 Andrew Collander the sum of Fifty dollars.
To Geo Hick the sum of Twenty dollars.
To the sum of

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

Asa Spencer
Frank Bush
Grady

To The Honorable, The Court within mentioned;
We, the Undersigned appointed to view and vacate
the Public Road herewith described Report, that in
pursuance of said order, having been severally
shown as herein directed and having given accustomed
ten days notice and notice having been given County
Commissioners as required by Rule of Court, we have viewed
and decline to vacate the Public Road herewith described for the
following reasons. Beginning at a point at or near the
residence of Joseph C. Am. better three S 51° 30' E - 292 ft; thence
S 31° 30' E - 183 ft; thence S 20° 45' E - 769 ft; thence S 10° E - 712
ft; thence S 13° E - 173 ft; thence S 22° W - 284 ft; thence S 68° 15' E
314 ft; thence S 82° 15' E - 161 ft; thence S 85° 45' E - 457 ft; thence
S 70° 45' E - 153 ft; thence S 40° 30' E - 40 ft; thence S 44° 15' E - 986
ft; thence S 86° E - 175 ft; thence S 84° E - 303 ft; thence S 90° E - 477 ft;
thence S 29° 45' E - 257 ft. to point at or near residence of
Thomas Bateman. After carefully examining all
the citizens on the ground with respect to the Road
we find that almost without exception all are in
favor of a Road between the points named in the
view. After further conversation we discovered that
some of these present desired only a change of lo-
cation for the Road. After carefully considering all
points placed before us we have concluded that
it would be unwise to vacate the Road as we do
not feel warranted by the facts in subjecting the
Township to the additional expense of a new view and the
further expense of a new Road when much of the
present Road is partly completed and all of it
brushed out and one of the taxpayers offers to finish &
complete his end for twenty five dollars. And
as we have concluded the best location for the
Road is in its present position. We herewith recom-
mend that Andrew Colander be paid for damage
done to his property sixty (60) dollars and George
Hicks for damage to his property twenty (20) dollars.
A plan showing courses and distances
is hereto attached.

Asa Devere
Frank Bush
George

2010 9 Sept 1898, powers
of view enlarged and
improved to west line.
By the Court
Cyrus Gordon

✓ P

No 3 Sept Sessions, 1898

ORDER

To view and lay out a road for
public use in the township of
Lecatur, Clearfield Co.
14th Dec 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

Filed 5 Dec 1898
Fees \$1.50 paid by ~~Spencer~~

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.

		AMOUNT.
(1845)	Days 3	1500
Geo Spencer	Miles 32	320
		1820
(1846)	Days 1	200
Geo Bush	Miles 2.6	260
		460
(1847)	Days 1	200
Geo W Beck	Miles 16	160
		360
	Days	
	Miles	
	Days	
	Miles	

