

No. 4.

Dec

Term, 1898

Vacate ~~and~~ Supply  
Public Road

versus

Lawrence D. W. F.

R. S. #4 - Page 231

Part of R. 17602

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.

No. 4 Dec Sessions, 1898

## ORDER

To view and lay out a road for  
public use in the township of  
Lawrence, Clearfield Co.  
12<sup>th</sup> Dec. 1898.

2 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. /

of the farm  
and garden

Dear Grandpa  
3 "July 9th  
Absolutely  
Count of horses

Filed 22 Oct: 1898.  
Fees \$1, ~~25~~ <sup>25</sup> ~~Oct~~ <sup>Aug</sup> 1900.

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 29 day of Sept<sup>r</sup>, A. D. 1898, before Judge of said Court, upon a petition of sundry inhabitants of the township of Lawrence

, in said county, setting forth that

the road has been long since laid out from Clearfield through lands late of A. S. Shaw deceased to an old fording below the old Shaw Grist Mill a part of which road leading from the right of way of the Beach City Railroad Company running past the old Shaw Grist Mill to the said Reeds fording has become useless movement and hindrance because a part of said road has been washed away new ground would have to be taken to maintain the same also that a new road may be located from W. A. D. Myers to a point in old road from Clif<sup>r</sup> pike to the said Reeds fording place and therefore praying the Court to appoint proper persons to view and lay out the same according to law,

whereupon the Court, upon due consideration had of the premises, do order and appoint Donald J. Dugay & Mitchel Shope 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.

*Dugay*

## 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.

Seals,

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 ..... the sum of .....

*To* ..... *the sum of* .....

*To* ..... *the sum of* .....

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

Clearfield Pa October 22<sup>o</sup> 1898

To the Honorable Cyrus Gordon, President Judge  
of Clearfield Co. Pennsylvania.

We the undersigned, appointed by the annexed  
order, do report. That having all been present at  
the view of, said road, and having all been  
severally affirmed in persuance of said order,  
we have viewed the said road, and report as  
follows,

The road proposed to be vacated we find in  
very bad condition. In its course along the river  
from the fording to above Shans mill, the floods  
in the river have washed away the banks, and  
in several places there is not room for two teams  
to pass without going on private property.  
At the west end, where it turns from the river,  
the crossing is near the middle of the Beech  
Creek rail road yard, with three tracks to cross.  
The necessary shifting of cars to make up trains  
causes great delay to teams wanting to cross.  
besides making it dangerous to teamsters and  
trainmen alike. The Beech Creek company  
proposes to lay four more tracks, which will  
increase the danger.

The new road, as proposed, crosses the  
Beech Creek tracks nearly opposite the fording,  
and at the extreme eastern limits of the  
shifting tracks, as is shown by the plot herewith.

upended; thereby, avoiding the great danger that always menaces teams at the present crossing.

The proposed new road, runs from the fording of the river, nearly in a straight line to the north side of the Clearfield and Tyrone rail road; thence following line of R.R. (without crossing it) intersects the old road at the residence of W. A. Doney.

The right of way through property taken, is secured and the Beech Creek R. R. Co. will build the road <sup>without</sup> cost to the taxpayers of Lawrence Township.

For the reasons above given, we recommend that the present road be vacated, and the new road allowed. The distance will not be increased,

Viewers      {      N. McDonald  
                    S. J. Briss &  
                    Mitchell Slope

To the Honorable Cyrus Gordon President Judge of the Court of Quarter Sessions of Clearfield County, Pa.

The petition of the undersigned inhabitants of the township of Lawrence in said County respectfully showeth:

That a road has been long since laid out from Clearfield through lands late of A.H. Shaw deceased, to and old fording below the A.H. Shaw Grist Mill, a part of which road leading from the right of way of the Beech Creek Railroad Company, running past the old Shaw Grist Mill to the said Reed's fording, has become useless, inconvenient and burdensome to the inhabitants of said township because a part of said road has been washed away and new ground would have to be taken to maintain the same.

Your petitioners further respectfully represent that a new road to supply the said old road may be located from the public road at the residence of W.A. Doney to a point on the old public road leading from the Clearfield Pike to the said Reed's old fording.

Your petitioners, therefore, pray that viewers may be appointed to vacate and supply the road aforesaid, agreeably to the Act of Assembly in such cases made and provided.

And they will ever pray etc.,

Names

Henry J. Smith  
Jas. A. Hines  
R. C. Peacock  
J. C. Smith  
John Sawyer Jr.

Names

Thomas S. Keeler  
Alfred Graham  
Wm. Shantz

4 Dec. 1, 1898

Rosedale

New York 29 1898

Westerfield seen  
near N. McDonald

St. George and Nichols

Blodget

an apparently dead

tried to catch it

had seen no adult

before the November

thrust's came.

By the tenth

Cyrus Lord

other names 30th or 31st

McDonald 29

29.



CLEARING

