

No. 4 May Term, 1899

Public Road

versus in

Bradford Scop

Rd 4 page 240

(NG)

Part Twp. Rd. 12605'

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

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

The petition of the undersigned citizens of Bradford Township, Clearfield Co, Pa., respectfully represents: That they labor under inconvenience for want of a public road in said township to begin at the west end of the garden of David Dale, on road leading from the Shiloh road, at David Dale's residence, to Woodland and ending on the said road leading to Woodland at a point twenty rods east of the Bradford M.E. Church. The petitioners therefore pray the court to appoint three persons qualified according to law, to view the ground proposed for such road, and if they should see occasion to lay out the same, to inquire of, and vacate the part of the public road now opened from the west end of the garden of David Dale to the said point twenty rods east of said Bradford M.E. Church, all of said road to be laid out and vacated being in Bradford township, which last mentioned part of public road will, by reason of the laying out of the proposed road, become useless, and make report of their proceedings to next term of court.

And they will ever pray, &c., &c.

Names
E Dale
H Peter
J. C. Fife
W E Jones
J. T. Protter
A W. Bowder
Edwd. Litz
Wm Mayhew

Names
J H Barger
Dw Kapinart
D B Williams
J. A. Forsey
E. McDowell
Grid Wilson
J A Stewart
J. Brewster
W R Shiref.

Names

Frank Graffis
W.H. Shirey
David Bunkbarger
Joseph Knapp
C. Wallin ^{and}
J. H. Pearce

John Livingstone
W. C. Knapp
Les Ross
H. J. Knapp
G. W. Hemphill
J. H. Stewart
Giff Gullerton
J. Hodson
John A. Thompson

1
Petition for Public
Rock & Sand
Stone Co., & the
vacating party
Public not ad.
21 May 1899

second order, this . . .

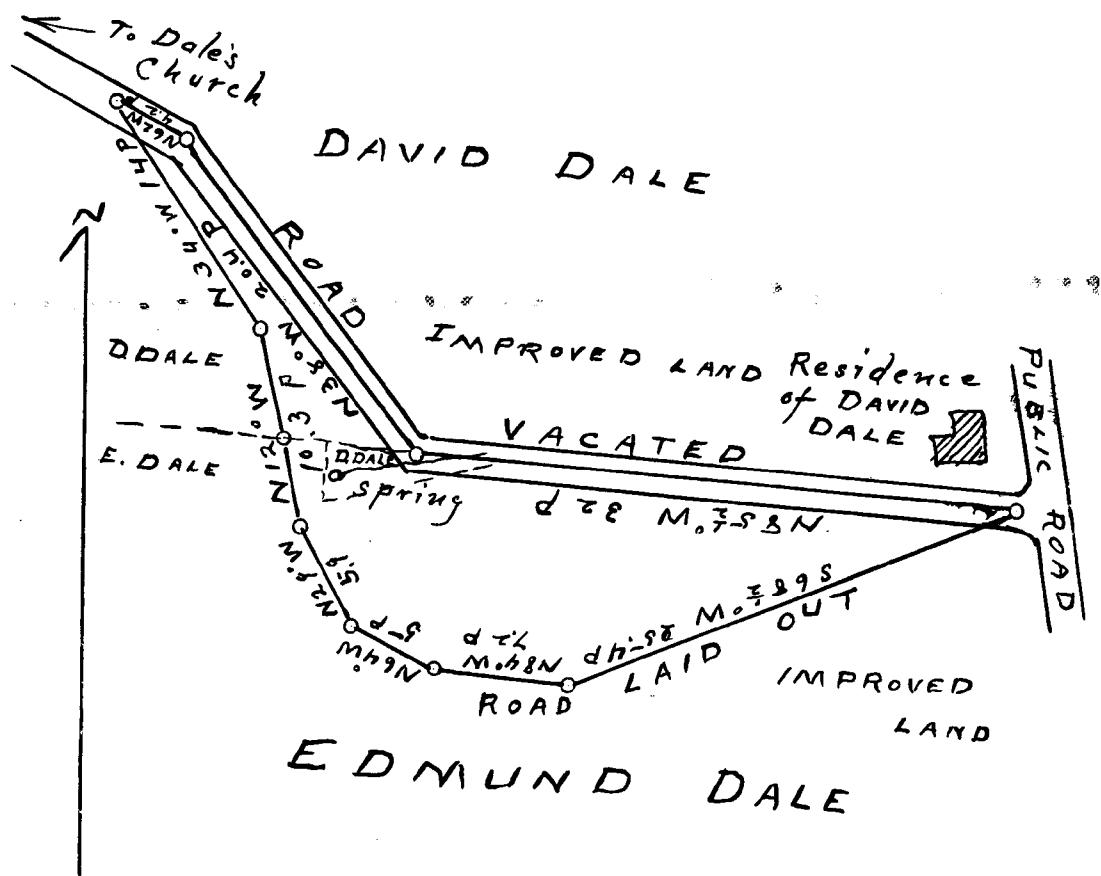
Now 27 February 1899
H. W. Bellin petition presented
and hearing had been had
a decree of injunction given
and appointed trustees
and appointed trustees
to whom the wet sand deposit
is supposed Public Rock
and Sand Co. and
John named Charles
Seely, and Michael
John for next session
1899
Oscar Mitchell
Counselor

OSCAR MITCHELL,

ATTORNEY AT LAW,

CLEARFIELD, PA.

Feb 27, 1899
Oscar Mitchell
Counselor



To The Honorable Cyrus Gordon, President
Judge of the court of Quarter Sessions of Clear-
field County, Pa., we, the undersigned, viewers
appointed by the within order of court to
view, vacate and supply the road therein
mentioned, respectfully report that we
gave lawful notice of said road view with
notice to county Commissioners of Clearfield
County and having met at the time ap-
pointed in said notices, all being present
and having been first severally sworn
or affirmed in accordance with the said
order, we have viewed the road proposed
to be vacated, and the ground for road
which petitioners have prayed to be laid
out, and we find and report that the road
aforesaid now in use has for a distance
of more than twenty rods a gradient over
eight degrees, and is by reason of the steep
grade, unsafe and burdensome to travelers
and can be greatly improved by a change
of location, and therefore, we have laid out
and do return for public use the fol-
lowing road to wit: Beginning at a point
near the West End of the garden of David Dale,
on road leading from the Shiloh Road at Da-
vid Dale's residence to Woodland thence through
improved farm land of Edmund Dale South sixty-
eight and one-half degrees West Twenty-five

and four tenth perches to a post, thence North eighty-four degrees West seven and two tenth perches to a post, thence North Sixty-four degrees West five perches to a post, thence North twenty-nine degrees West five and nine tenth perches to a Maple Sapling thence North twelve degrees West through land of said Edmund Dale and improved farmland of David Dale ten and three tenth perches to a post, thence North Thirty-four degrees West fourteen perches to said road leading to Woodland at a point about twenty rods East of the Bradford M. E. Church, which road so as aforesaid laid out as necessary in our opinion for a public road, in pursuance of said order we have improved and vacated the road now open from point near West End of David Dale's Garden the following courses and distances, North eighty-five and one half degrees West Thirty-two perches thence North Thirty-eight degrees West twenty-and-four tenth perches thence North Sixty-two degrees West four and two tenth perches to point about twenty rods east of the Bradford m. E. Church aforesaid which road has become useless inconvenient and burdensome

and should therefore be vacated,
a plot or draft of which roads as vacated
and laid out as aforesaid is herewith
annexed showing courses distances and
improvements, damages sustained by
owners of land through which road ~~and~~
out passes are assessed elsewhere in this
report. Witness our hands this
thirty-first day of March A.D 1899

Harry Byers
A. L. Dale
Viewers } J. A. Woolridge

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 27 day of July, A. D. 1897, before Judge of said Court, upon a petition of sundry inhabitants of the township of Bradford

They labor under great inconvenience for want of a public road in said Township to begin at the west end of the garden of David Dale on road leading from the Shiloh road at David Dale's residence to Woodlands ending on the said road leading to Woodlands at a point twenty rods east of the Bradford M. E. Church if they should lay out the same to require to vacate the road now open from west end of David Dale's garden to said point 20 rods east of Bradford M. E. Church and therefore praying the Court to appoint proper persons to view and lay out the same according to law, make report to next term whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Peters Al Dale John Allardige 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.

Grace H. Thompson
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 County of Clearfield 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 County of Clearfield 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 31st day of March
A. D. 1899.

David Dale 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 Edmund Dale the sum of forty-six dollars

To the sum of

To the sum of

Witness our hands this 31st day of March, A. D. 1899.

Harry Byers

A. C. Dale

DeWolbridge

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, 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.

May Sessions, 1899

ORDER

To view and lay out a road for
public use in the township of
Baldford, Clearfield Co.

John Sessions 1899,
read and confirmed J. W. 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,

Mr. J. S. Morris, Esq.
Sessions 1899,
read and confirmed by J. S. 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 Clerk
of the Court
of Appeals
of the Commonwealth
of Massachusetts
18 Sept. 1899 confirmed and affirmed
by the Supreme Judicial Court
of the Commonwealth
of Massachusetts
29 Sept. 1899
FILED.

Filed....., 189.....
Fees \$1, paid by.....