

No. 1

Leiby v. 190th Term, 189

Vacate
Public Road in

versus

Goshen Township

X

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

The petition of the undersigned inhabitants of the township of Goshen, in said county, respectfully sheweth; That they have a piece of a public road in said township running from a point on the river road near Lick Run bridge at Lick Run Mills to a point on the public road leading from Archie Reed's to Clearfield said point being in Lawrence Township and near to Lick Run. It being the purpose of this petition to vacate that portion of said road lying and being in Goshen Township, which your petitioners believe has become useless, inconvenient and burdensome.

Your petitioners therefore pray the court that the said piece of road may be vacated agreeably to the Act of General Assembly in such case made and provided.

And they will ever pray, etc.

A. R. Mead
H. J. Miller
Peter J. Shaw
H. B. Miller
H. J. Miller
G. W. Murray
Ed. H. Shirey
Edgar Shaw
H. C. Shirey
McCullough
Frank T. Miller

C. H. Shirey
John C. Smith
Harvey C. Smith
J. H. Megal
C. J. T. T. of
J. W. Shirey
A. D. Shirey
Harold Shirey
J. H. Miller
A. H. Miller
Ellis Shaw
Thompson Graham
Edward Graham

P. L. Shum

H. L. Shum

H. L. Shum

P. L. Shum

Joe Leonard,

C. W. Spence

G. H. Spence

Austin E. legal

P. L. Shum

H. L. Shum.

No. 1 July Sess. 1890

Petition to vacate part of
Public Road in Goshen Township.

FILED

DEC 5 1890

GRANT H. THOMAS,
Prothonotary.

Now, be it stated, that
within forty days, having
been presented and read,
read Samuel P. McCloskey,
John Patchin and Frank
Gullion are appointed
rivers to view the width
in described road and
report upon it vaca-
tione.

By the Clerk

HARRIS & UREY,
Attorneys at Law,
CLEARFIELD, PA.

John C. Clark, Sons, 230 Dock Street, Philadelphia.

order issued

To the Hon. the Judge of Court of
Quarter Sessions of Clearfield Co Pa.

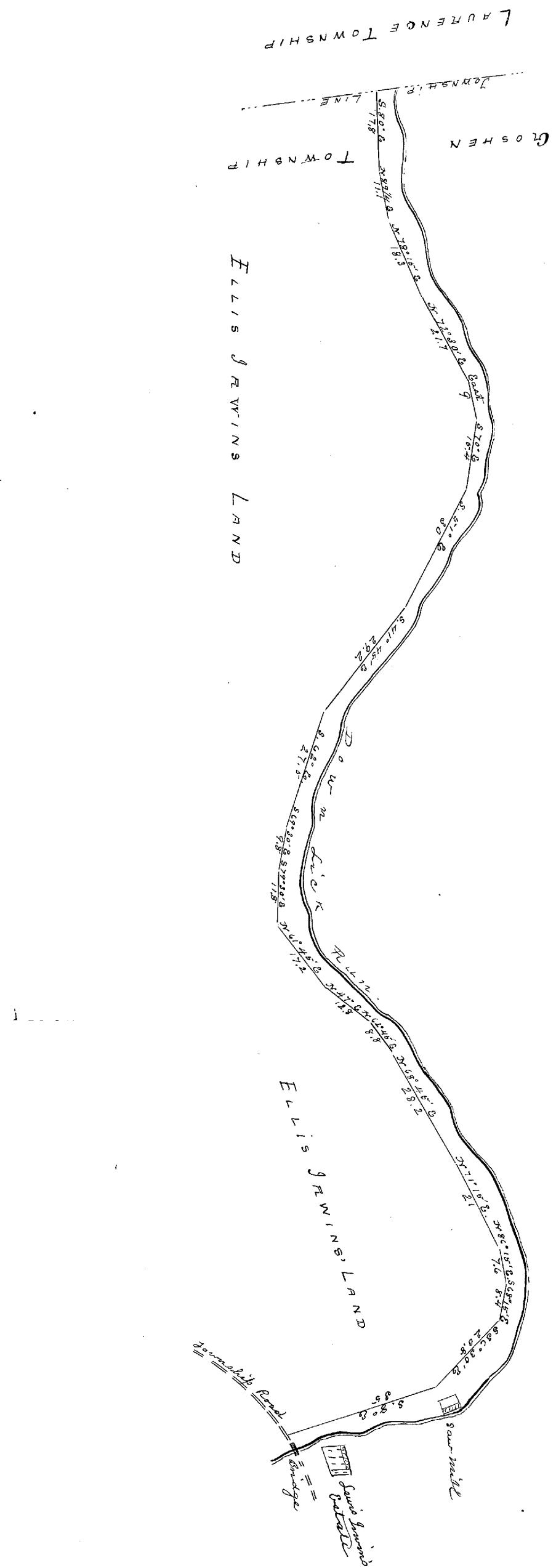
We, the undersigned Viewers appointed by
the Annexed Order of Court, to View, and
Vacate the Road therein Mentioned, respectfully
report. That having given notice of the time,
and place of meeting, according to the act of
Assembly, and being all present at the view
of the Road proposed to be Vacated, and be-
ing all sworn, or affirmed in pursuance of the
said Order. We have viewed the said Road,
and do return the same by Courses, and distances
Viz. Beginning, where the said Road crosses,
the line between, Lawrence, and Goshen Town-
ships, thence along the said Road, and through
land of Ellis Irvin. South Eighty degrees
East. seventeen and eight tenths perches. thence
North Eighty nine and a quarter degrees East Eleven,
and one tenth perches. North seventy eight and a
quarter degrees East, eighteen, and three tenths per-
ches. thence North seventy two and a half degrees
East, ^{one} Twenty and seven tenths perches. thence East,
Nine perches perches, thence South seventy degrees
East, Fifteen and four tenths perches. South fifty
One degrees East, Fifty perches, South forty
One and three quarter degrees East Twenty nine
and two tenths perches, South sixty degrees East
Twenty seven, and five tenths perches, South six-

ty nine and a half degrees East nine and
Eight-tenths perches. South Seventy nine and a
half degrees East. Eleven and Eight-tenths perches.
North Sixty one and three quarter degrees east, sev-
en-teen and two tenths perches. North forty seven
degrees East, twelve and eight-tenths perches. North
Sixty two and three quarter degrees East, eight and
Eight tenths perches, North Sixty Eight and three quan-
ters East. Twenty Eight, and two tenths perches. North
Seventy One and a quarter degrees East, Twenty one
perches. Thence North Eighty six and a quarter degrees
East, Seven and six tenths perches. South Sixty Eight
and a quarter degrees East, Eight and four tenths perches
South Thirty six and a half degrees East, Twenty and
Eight-tenths perches. Thence South Eight degrees East
Thirty five perches to the River Road near the
Lick Run Bridge. A Plot or draft whereof is hereto
Attached. Which said Road, as above described,
We are of opinion is not necessary, for Public use.
And would be burthensome for the Township to keep
in repair. And we therefore declare it vacated
Witness our hands this 26th day of December
A.D. 1899

B. F. McClosky
John W. Patchen
T. W. Fulton
Viewers.

ELLSWIRNS, LAND

Ellis Brewster Ward.



H 0
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 15th day of December, A. D. 1899, before

Judge of said Court, upon a petition of sundry inhabitants of the township of Joshua

, in said county, setting forth that they have a piece of a public road in said township running from a point on the river road near Lick Run bridge at Lick Run mills to a point on the public road leading from Archie Reeds to Clearfield said point being in Lawrence Township near to Lick Run.

and therefore praying the Court to appoint proper persons to view and ~~lay out~~ ^{vacate} the same according to law, that portion lying ~~between~~ ^{vacate} Joshua and Lick Run, whereupon the Court, upon due consideration had of the premises, do order and appoint ~~James~~ ^{James} J. Mccluskey, John Pablin, ~~Nov~~ ^{Nov} Fullam 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~~ ^{to be vacated} ~~said road~~, and if they view the same and any two of the actual viewers agree that there is occasion ~~for such road~~ ^{to vacate the same}, they shall proceed to ~~lay out the same~~ ^{vacate} agreeable to the desire of the petitioners, as may be, ~~having respect to the best~~ ^{vacate} ~~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~~ ^{vacate} ~~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.


David 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 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

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 the sum of

To the sum of

To the sum of

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

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. Viewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the viewers.

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.

<i>S. T. McLostry</i>	<i>Cost of Days 3</i>	<i>Miles 11 \$13.10</i>
<i>John Patcham (1944)</i>	<i>Days 2</i>	<i>Miles 5 \$4.50</i>
<i>J. H. Linton (1944)</i>	<i>Days 1</i>	<i>Miles 5 \$2.50</i>
<i>Geo. Union</i>	<i>Days 1</i>	<i>Miles 1 \$1.00</i>

No 1 *John Sessions, 1890*

ORDER 

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

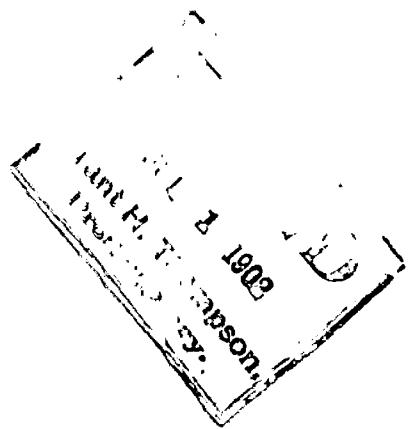
~~July 15, 1890~~
July 15, 1890
Read and confirmed *Ni. Si.*
Road to be opened 30 feet
wide, except where there is
side hill cutting or embank-
ment and bridging, there to
be 16 feet wide.

Ray K. Smith
Cyrus Sunday

Filed 189
Fee \$1 paid by *John Sunday*

DEC 20 1890
Grant H. Thompson,
Prothonotary.

Cloud
6 May 1900:

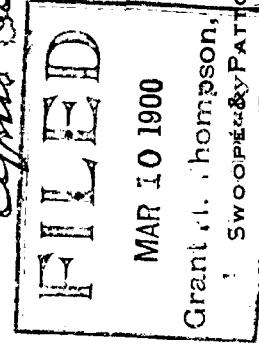


No. 6 May Sessions, 1900.

Petition for Public Road in
Pike Township.

High March 2nd 1900 and partition
Beers, John and Harry
appointed viewers to view the
proposed road, and make report
according to law.

John C. and
Harry



To the Honorable the Judge of the Court of Quarter Sessions of the county of Clearfield:-

The petition of the undersigned inhabitants of the township of Pike in said county would respectfully represent:-That your petitioners labor under great inconvenience for want of a public road or highway in the township of Pike in said county, to begin at a point on the road leading from Robins School House to Blooms bridge, at the proposed location of the Bridge across the Susquehanna river, from Curwensville Borough to Pike township as recommended by the Viwers and Grand Jury and approved by the Court to No. Feby. Sess. 1900, said point being on lands of James R. Norris, and extending thence to a point on road leading from Curwensville to Bloomington on lands of John I. Bloom, at or near the watering trough on said road to Bloomington. Your petitioners therefore pray the Court to appoint proper persons to view and lay out said road according to law. And they will ever pray &c.

<u>J. P. Caldwell</u>	<u>John Blaine</u>
<u>J. W. Hough</u>	<u>John Caldwell</u>
<u>D. P. Dyer</u>	<u>William Dyer</u>
<u>Dr. R. McMurtry</u>	<u>S. J. Pike</u>
<u>H. A. Scott</u>	<u>W. Caldwell</u>
<u>John J. Linn</u>	<u>J. J. Blaine</u>
<u>William Anderson</u>	<u>A. T. Blaine</u>
<u>Mrs. C. Harris</u>	<u>Samuel Sigafoos</u>
<u>John Passmore</u>	<u>John Blaine</u>
<u>R. B. Henderson</u>	<u>Harry Pendleton</u>
	<u>Adis. 1000000</u>

The Supervisors of Pike Township, by their atty
Geo. R. Bigler, except to the proceedings in this case
for the following reasons:

First. That the terminus of said road would not be at a public place or public road as required by law.

That one of the terminals called for in said road is the proposed location of the Bridge across the Susquehanna River from Cressonville Borough to Pike Twp. as recommended by the Engineers and Grand Jury and approved by the Court to No. 4 Feb'y Dec. 1900.

That the proceedings to locate the proposed Bridge
across the Susquehanna River, to No. 4. Feby 1860
have been set aside by the Court.

have been set aside by the Court.

See. R. Bigler
atty for Espeuta

No. 6 May Sessions, 1905
a. ORDER
To view and layout a
road for public use in the
township of Peck
Clearfield County

W. H. S. Sessions 1905
read and confirmed Mr. 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.

W. H. S.
James Goss
J. G.

File No. 140
Filed 1. 1. 1900
Fees \$1.25 paid by
Grant H. Thompson
Prothonotary

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 dam. ages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

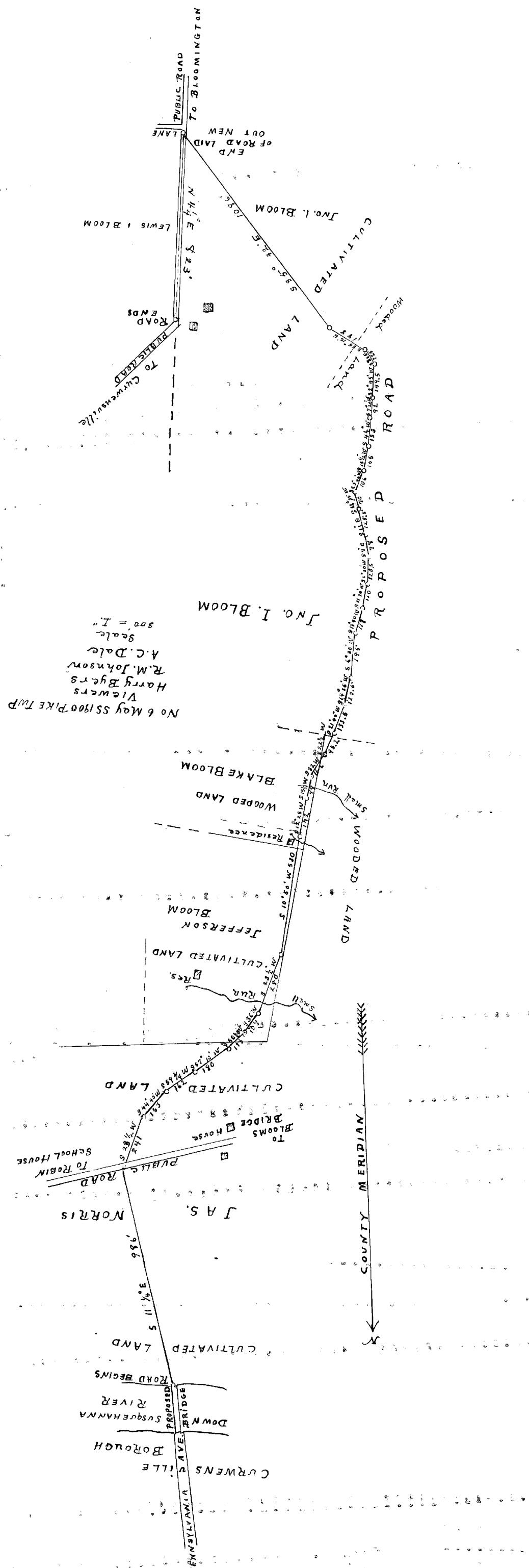
Flaing Park	Days 3	Amount.
John S. Dale	Days 1	Miles 8 18 80
R. M. Johnson	Days 1	Miles 2.1 \$41.00
John Morris	Days 1	Miles 11 \$31.00
John Morris	Days 1	Miles 8 15.00
Jefferson Blom	Days 1	Miles 15.00
Jefferson Blom	Days 1	Miles 15.00
Blakeiform	1 day	\$15.00
John S. Blome		
Delivery notes		\$3.80

To the Honorable Lyres Gordon president Judge of the Court of Common Pleas of Clearfield County, Pa., we, the undersigned viewers appointed by the within order of court to view and lay out the road herein mentioned respectfully report that we gave good and lawful notice of the said view and met in accordance with said notice (copies of which are hereto attached and made a part of this report) and having been first severally sworn or affirmed we viewed the ground for the proposed road and have laid out and do return for public use the following road to wit: Beginning at a post at Smrynhanna river at the proposed location of bridge across the same to Curwenville Borough thence through improved land of James Morris South eleven and one fourth degrees East nine hundred and eighty six feet to a post, thence south twenty three and one half degrees West two hundred and forty one feet to a post thence South forty four degrees forty minutes West one hundred fifty three feet to a post thence South fifty nine and three fourth degrees West one hundred and sixty two feet to a post thence South fifty seven degrees ten minutes West one hundred and eighty feet to a post, thence still by improved land of Jas Morris and Jefferson Bloom South fifty and one half degrees West one hundred and thirteen feet to a post thence through improved land of Jefferson Bloom aforesaid South thirty six degrees West one hundred and seven feet to a post. thence by the same South twenty three and one half degrees West two hundred and eighty feet to post at or near line of Jas Morris aforesaid thence by wooded land of Jas Morris aforesaid and unimproved land of Jefferson Bloom aforesaid and Blase Bloom South ten degrees and fifty minutes West five hundred and thirty feet to a post thence through wooded land of Blase Bloom aforesaid South twelve degrees twenty five minutes West one hundred and seventy two feet to a post thence by the same South fifteen degrees thirty minutes West ninety nine feet to a post thence by same and land of Jas Morris aforesaid South thirty two degrees West one hundred and sixteen feet to a post thence by land of Jas Morris and John J Bloom South twenty two and one half degrees West ninety five and two tenth feet to post thence by wooded land of John J Bloom aforesaid South twenty one degrees forty five minutes West one hundred thirty three and five tenths feet to a post thence South fourteen degrees thirty five minutes West one hundred twenty three and five tenth feet to a post thence South six degrees thirty minutes West one hundred and ninety five feet to a post thence South eighteen degrees forty minutes West one hundred and seventeen feet to a post thence South eleven degrees twenty minutes West one hundred and ten feet to a post thence South one degree thirty minutes West one hundred twenty three and five tenth feet to a post thence South seven degrees East ninety eight feet to a post thence South eleven degrees East one hundred and twenty five and five tenth feet to a post thence South eleven degrees thirty five minutes West twenty five feet to a post thence South twenty three degrees forty minutes West one hundred and six feet to a post thence South thirteen and one half degrees West one hundred and five feet to a post thence South four and one half degrees West one hundred and thirty three feet to a post thence South seven degrees twenty minutes West ninety two feet to a post thence South two degrees and forty five minutes West one hundred forty nine and five tenth feet to a post thence South thirty two degrees East seventy seven and five tenth feet to a post, thence by same and cultivated land of said Jas Morris South fifty five degrees ten minutes East one hundred and eighty eight feet to a post in field thence through cultivated lands of the same South thirty five degrees forty two minutes East one hundred and eighty six feet to a point in Township road near Lewis J. Bloom's home thence by the said road North four and one fourth degrees East eight hundred and twenty three feet to a post at Watering trough on road leading from Curwenville to Bloomington a plot or draft of which road as laid out showing course, bearings and improvements is herewith annexed as also lesser amount of damages and releases, which road so as aforesaid laid out is necessary in our opinion for a public road. Witness our hands this twelfth day of November A D 1900

Viewers

Harry Byers:

A. G. Dale
R. M. Johnston



Road Viewers' Notice.

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view Public Road leading from point on road leading from Robin's School house to Bloom's Bridge at the proposed location of the bridge across the Susquehanna River from Curwensville Borough to Pike Twp. as recommended by viewers, Board Jury & approved by Court to say Feb 5 1900, on lands of Jas R. Morris in Pike Township, to ~~near~~ on road leading from Curwensville to Bloomington on lands of John J. Bloom at or near the waterings through on said road to Bloomington in Pike Township, in the county aforesaid, will meet at the house of Jas R. Morris, in Pike Township, on Monday, the twelfth day of November, A. D. 1900, at 1 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Harry Byers

R. M. Johnson

A. C. Dale

Viewers.

Clearfield Pa Nov 2, 1900.

Served on me this
1st day of November
A.D. 1900
J. J. Dray.
age.

Road Viewers' Notice.

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view Public Road leading from point on road leading from Robin's School-house to Blawie's Bridge at the proposed location of the bridge across the Susquehanna River from Curwenville Borough to Pike Township as recommended by viewers, Grand Jury & approved by Court to No. 4. Feb. 88. 1900. on lands of Jas. Morris. in Pike Township, to point on road leading from Curwenville to Bloomington on lands of John F. Blawie at or near the watering-trough on said road to Bloomington.

in Pike Township, in the county aforesaid, will meet at the house of James R. Morris, in Pike Township, on Monday, the twelfth day of November, A. D. 1900, at 1 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Harry Byers
R. M. Johnson
A. C. Dale

Viewers.

Clearfield, Pa. Nov. 1, 1900 D.

Served on me that

6

day of November

A.D. 1900

J. H. McElroy } Supervisor

Geo. W. Brown } Clerk

Al Brown.

J. H. Horner Townshf

Costs 3.00

John J. McLean
const

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 twelfth day of November
A. D. 1900. 1216 121

Blake Bloom Seal
Trix Reborus Seal
Jefferson Bloom 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 John J. Bloom the sum of Seventy-two Dollars
To _____ the sum of _____
To _____ the sum of _____

Witness our hands this twelfth day of November A. D. 1900.

Harry Rogers.

Al Dale

See ill, Johnston

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 10th day of March, A. D. 1900, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Pike

, in said county, setting forth that your petitioners labor under great inconvenience for want of a public road or highway in the Township of Pike in said County to begin at a point on the road leading from Robins School House to Blooms Bridge at the proposed location of the Bridge across the Susquehanna River from Cuviersville Borough to Pike Township as recommended by the Surveyors and Grand Jury and approved by the Court to No 4 Feby 2nd 1900 said point being on lands of James R. Morris and extending thence to a point on road leading from Cuviersville to Bloomington on lands of John D. Bloom at or near the watering trough on said road to Bloomington

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, and report to next term of Court whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Byers, R. M. Johnson and A. C. Dale 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 view and 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.

Grant H. Thompson
Clerk.