

No. 2 Dec Term, 1906

Vacated Supply
Public Road

versus

Lawrence Farp

x

In Re Road
in
Lawrence Hop

In the Court of Quarter Sessions
Clearfield Co Pa

N^o 2 Dec Term 1900

It is hereby agreed that the Court shall sustain
the exactions filed to the report of viewers to vacate
and supply the ~~road~~ ^{road originally} view and laid out
to 7 Sept Sep, 1899. And that "new or amended petition
may be presented, to review the road laid out, to deter-
mine what parts of any of the road reported and
confirmed to N^o 7 Sept Sep 1899, should be vacated
and supplied, ^{so far as relating to} ~~and particularly~~ the portions crossing
the lands of Joseph Porter and A. M. Anderson.
and Ed Swartworth.

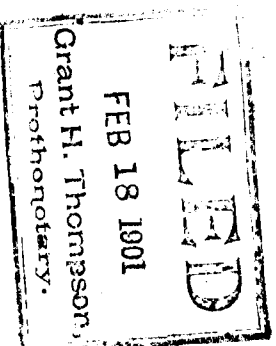
Singleton Bell
Atty for petitioners

Shesb Leighton for Respondents
Receipts.

No 2 Dec 1900

La Re Reat

Laurena Huf



In the Court of Quarter Sessions of Clearfield County, Pa.

Public Road in :
Lawrence Township. : No. 2 December sessions 1900.
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To the Honorable Cyrus Gordon, President Judge.

The undersigned citizens and inhabitants of Lawrence township respectfully represent that to Number 7 ~~September~~ sessions 18(99 after due and legal proceedings had a public road was laid out from a point on the township road leading to ~~Olanta~~ at the house of Joseph Foster, thence by various courses and distances to a point in the township road leading to William Morgan's near the house of A.M. Anderson; that the said road was reported for public use and confirmed absolutely 4 June 1900; that subsequently an opening order was issued and about one-half of said road beginning at the house of Anderson and leading towards the terminus at Joseph Foster's was opened for public use at an expenditure of fifty dollars more or less; and that to open the remainder of said road as laid out would cost approximately the sum of sixty dollars. That after said road was laid out and after the same was opened in part as aforesaid a number of your petitioners presented a petition which was filed to Number 2 December SS. 1900 representing that the road laid out in number 7 September SS. 1899 had been opened in part and that the same was useless, inconvenient and burdensome, and that the petitioners thereto were made to represent that they believed said road should be vacated and supplied. That subsequently on 30 November 1900 a report was filed vacating the whole of said road and supplying the same by a new road with entirely different termini.

The undersigned therefore remonstrate against the confirmation of said re-view for the following reasons:-

That the petitioners to number 2 December term 1900 did

not desire to have the whole of the road laid out to No. 7 September term 1899 vacated, but they did desire and it was their purpose in asking for the re-view to have vacated that part of the road which led through the lot or ground of Joseph Foster containing one acre and to supply that portion of the road which might become necessary by such vacation.

Your remonstrants further allege that it is not true that the road laid out by the re-view is upon a much easier and a better location but that where the same crosses Crooked Run in order to make it passable so that a load can be hauled it will require a fill of not less than thirty feet in length with a depth at the heaviest point of at least ten feet.

That in addition thereto it cuts the land of A.M. Anderson so as to injure him to a considerable extent and also the land of James Norman.

That it is not true as set out in said report that no damages are claimed by any one according to the information of your remonstrators, but both James Norman and A.M. Anderson claim a very considerable amount of damages.

The viewers made no effort to obtain any release of damages from either of said land owners.

Your remonstrators further allege that the road now laid out if confirmed will be on the opposite side of the stream from where the original road was laid out and inaccessible to the persons and petitioners at whose instance the original road was laid out and for whose accommodation it was mainly to be opened as a public road. That to open the road as newly laid out would not only be a waste of the money already expended on the former location, but will also cost twice as much additional to open this new road as it would have to open the old one.

Wherefore we respectfully protest against the confirmation of No. 2 December session 1900.

W. D. Dusenbury

C. P. Rowles

A. S. Hutchinson

Calvin Bauman

Harry Seibert -

A. M. Thompson

J. J. McKee

Roy S. Thompson

J. P. Howell

John Lytle

Edward Johnson

L. H. Engdahl

L. J. Bederhousen

Ed W. Carlson

Andrew Laurie

William Englis

Charles Lewis

E. H. Lewis

Chas. Johnson

Edward Sigrell

Lars Anderson

Andrew Larson
E. Denton

Leona. (Pemi)

Andrew Erikson

Glugh Kline

Andrew E. Fisk

(Andrew Nelson?)

John Wilson

Robert Hutchison

William Emery

Abraham Emery

J. P. Rice

A. Campbell

R. A. Norris

No. 2 December 25, 1910
In the public
road in
Lawrence Park,

Remains of

James & Peterson
Attorneys at Law,
Cleveland, Pa.

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 3rd day of September, A. D. 1900, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Lawrence

 , in said county, setting forth that a road has recently been laid out by authority of law in said Township to No 7 September Sess 1899 beginning at a point in the public road near barn of A.M. Anderson and ending at point in the public road at house of Joseph Foster. which road has been opened in part and which road is useless inconvenient and burdensome. That petitioners believe that said road should be vacated and supplied.

and therefore praying the Court to appoint proper persons to view vacatend supply the same according to law, nd report to next term whereupon the Court, upon due consideration had of the premises, do order and appoint Thos. W. Moore. Henry Kernnd A.A. Long 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 vacate and supply 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 N. 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 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. 190.....

..... 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. 190.....

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.....

.....

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

We the undersigned Viewers appointed by the foregoing Order of Court: to view the Road therein described. Do Report: that in pursuance of said Order and appointment: after first having given notice of the time and place of meeting - by written and printed advertisements. put up - more than five days. previous to time of said meeting - in the vicinity of said Road. and also having notified the owners and occupants of lands. through which said road was intended to pass of the same also notice given to Supervisors of Lawrence Township and. to the County Commissioners. of Clearfield County. We. all. met - and first being duly Sworn and Affirmed. - We have viewed the ground upon which said road had been laid out. and opened in part: we are of the opinion. taking into consideration the great damage done to private properties. by reason of the opening of said road. and that a much easier and better location can be found. for the same. and which in our opinion will be much less expensive to the citizens of said Township to mark and maintain - and no damages. being claimed by anyone. we have viewed and laid out. and do return for Public use the following Road viz. Beginning at a point in the Public road leading from Eschanter. to Glanville. about three hundred and fifty feet. north east of Joseph Fosters House and on land of James Norman. Thence through the same. North Fifty Eight (58°) degrees West. twenty two and one half (22.5) perches. to a Post. Thence North forty seven & one half ($47\frac{1}{2}$) degrees West. nine and one half. (9.5) perches

To a post. Thence North thirty eight (38°) degrees west-
 twelve and one half (12.5) perches to a post. Thence North
 forty two and three fourths $(42\frac{3}{4})$ degrees west Eighteen
 (18) perches to a Post. Thence through the same and land
 of James S Reed North thirty one and one half $(31\frac{1}{2})$
 degrees West thirty three (33) perches to a Birch. Thence
 North thirty five (35°) degrees West fifty eight and six-tenths
 (58.6) perches to a Post on line of Jas S Reed and A.M.
 Anderson. Thence through land of A.M. Anderson North
 eighteen (18) degrees west eight and three-tenths (8.3) perches to
 a Post. North thirty five and three fourths $(35\frac{3}{4})$ West-
 thirty nine perches to a post. Thence North fifty eight (58)
 degrees West three and four-tenths (3.4) perches to a Post
 in the Township road leading from Oskanite to the
 townships road near W. R. Morgans. near the Barn of
 A.M. Anderson. And we have also and do hereby
 Vacate the following Road. Beginning at a post in the
 Road leading from W. R. Morgans in Lawrence Township to James Reeds
 near A.M. Andersons House. Thence S. 60° W. 12.3 perches - S $48\frac{1}{2}^{\circ}$ W
 6.4 perches. S. 50° E. 29.9 perches - N 40° E. 30.1 perches. S $34\frac{1}{2}^{\circ}$ E. 24.6
 perches. S. 26° E. 32 perches. S. $33\frac{1}{2}^{\circ}$ E. 30 perches. S. $40\frac{1}{2}^{\circ}$ E. 14.4 perches
 S. 43° E 33 perches. S 44° E 20.2 perches to a Post in Township
 road leading from Oskanite to Olanite at Joseph Forters
 House. a plot or Draft of which said Roads we have
 herewith Annexed

Witness our hands this 20 day of November
 AD 1900 -

{
 Thoreman
 A. C. Lury
 H. Kerns
 Viewers.

Ed Swartsworth

A.M. Anderson

A.M. Anderson

James S. Reed

James Norman

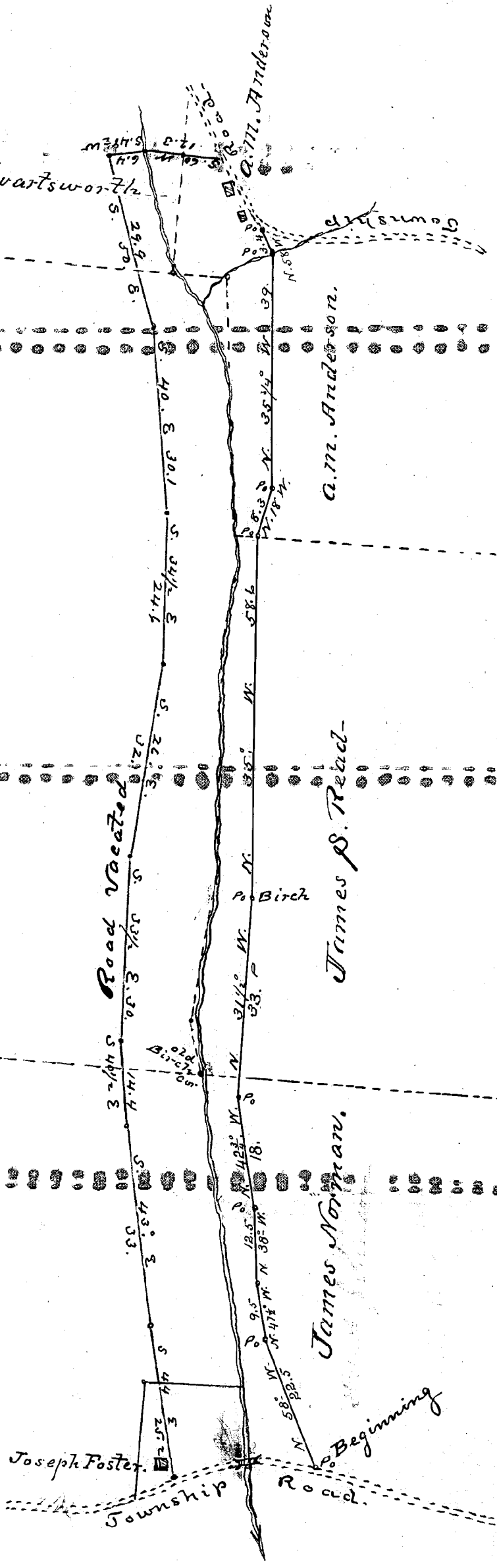
Beginning

Joseph Foster

Township

Road vacated

P. Birch



And now 1 Dec 1900. the following exceptions are filed to the proceedings had in this application No 2 Dec Sess. 1900.

- 1st That the petition upon which the order to view. for the purpose of vacating and supplying the road laid out in No 7 Sept Sep 1899. is fatally defective in that it does not set forth in a clear and distinct manner the situation and other circumstances of such road or highway, or the part thereof which the applicants may desire to have vacated as aforesaid.
- 2^d That the petition does not set out what part of the road in No 7 Sept Sep 1899. should be supplied, and how the same should be supplied.
- 3^d That the road returned by the Viewers is between different points of termini and is not laid out as required by law, as the petition does not indicate the termini of the supply at all.
- 4th That the report is untrue, that no damages were claimed. - The Viewers did not ~~seek~~ release of damages from either A.M. Andersen or James Norman - that ~~they~~ ^{these land owners} stated on the day of view that they were damaged and expected to be allowed damages.
- 5th Because the Report of the Viewers is wholly illegal and unauthorised in law, or by the petition asking for their appointment.

Krebs Livingston

Atty for Petitioners for
Road in No 7 Sept 1899 and
Petitioners for Review in No 2 Dec Sess
1900 -

No 2 Dec Sessions, 1900	
ORDER	
To view vacate & supply in road for public use in the township of Lawrence Clearfield County Alle	
with Sessions 1900 read and confirmed N. S. Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.	
FILED	
NOV 30 1900	
Filed Grant H. Thompson, 1900	
Fees \$1.25 paid by	

NOTE - In case of a private road, the release must be in favor of the petitioner or 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 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.		
William	Days 2	Amount
	Miles 2 1/2 10.10	
Henry Olsen	Days 1	
	Miles 21 4.10	
A. A. Smith	Days 1	
	Miles 21 4.10	
James Norman	Days 1	
	Miles 21 4.10	
	Days 1	
	Miles 21 4.10	

In the Court of Quarter Sessions of Clearfield County Pa

The petition of the undersigned citizens of the Township of Lawrence in said County respectfully sheweth:

That a road has recently been laid out by authority of law, in said Township to No. 7 September Term 1899, beginning at point in the public road near house of A. M. Anderson and ending at point in the public road at house of Joseph Foster, which road has been opened in part, and which road is useless, inconvenient and burdensome.

That petitioners believe that said road should be vacated and supplied.

They pray the Court to appoint viewers to view said road to consider the necessity of vacating and supplying it as aforesaid and they well so pray.

P. J. Rowles

E. P. Rowles

Calvin Rowles

Calvin Bauman

E. P. Rowles

John Bloom

Harmon Brown

Joseph Foster

Osceola Longing
Jas A Reed

A Campbell

Peter Eyerley

James William

Thomas McLaughlin

John McLaughlin

James Dwyer

John A Rowles

Chas Thompson

Wm Wilson

Jas Madden

James R. Brown

Amos F. Brown

Hugh Collins

Ed. Seibert

Richard Seibert

Robert Seibert

John Seibert

Ed. Seibert

B. B. Diller

A. M. Anderson

Robert Seibert

Richard Bennett

John Black

Hugh M. White

James Running
William Running
T. A. S. P. P.

No. , F., 120

No 2 Dec 1900

Petition to Vacate and
Supply Road in Lawrence Twp
Clearford County, Pennsylvania

vs.

Now 8 Sept 20 1900. This
Petition presented and read
W Moore, Henry Loomis
and J. J. Moore
are appointed viewers to report to
the Court at Dec 20 1900.

Read the Court

Expenses bearing

FILED

PAID H. J. BELL
SINGLETON BELL, ATTORNEY

SINGLETON BELL,
Attorney.

Henry Bell