

No. *9*

Sessions, *1900*

COMMONWEALTH

versus

*Public Road in*

*Chest 1<sup>st</sup> & 2<sup>nd</sup> Gordon  
Townships*

*P. S. 44 - Page 312*

Charge

*Part Twp. Rd. 17417*

A. H. WOODWARD,  
District Attorney.

To The Honorable Cyrus Gordon, President Judge of the Court of Quarter Sessions of Clearfield 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 good and lawful notice of said view including notices to County Commissioners and the supervisors of Chest and Jordan Townships, which notices are hereto attached and made a part of this report, that we met agreeable to the said notices the undersigned two viewers being present and having been severally sworn or affirmed we have viewed the said road and laid out and do ~~return~~ for public use the following road to wit: Beginning at top of Witmer hill on road commonly called The Witmer Road thence by road laid out to No 11 Sept 55 1843 now opened and traveled, the following course and distances: North forty-eight degrees thirty-five minutes West one hundred twenty-five and four tenths feet thence South forty-nine degrees fifty-four minutes West one thousand eighty-nine feet thence South twenty-nine degrees twenty-four minutes West fifteen perches to line of Chest Township, the aforesaid road made being in Jordan Township line said road no 11 Sept 55 1843 having been opened to said Chest Township line thence continuing on said course South twenty-nine degrees twenty-four ~~degrees~~ West the total distance of four hundred seventy-eight and five tenths feet to a post in Chest Township, about on line between land of P. Gilligan and David Bloom and also starting point of <sup>part of</sup> road laid out to no 11 Sept 55 1843 but hereinafter vacated. Thence continuing about on said line between farm land and wood land of David Bloom and improved land of P. Gilligan South forty-nine degrees West three hundred and ninety ~~and~~ feet to a post thence through land of David Bloom South sixty-three and one half degrees West seventy feet to a pine stump thence through land of same South thirty-four degrees forty minutes West seventy feet to post at or near line aforesaid thence approximately by said line with improved land of P. Gilligan to South and wooded land of David Bloom to the improved land of said P. Gilligan and Thomas Drinn South fourteen and three fourth degrees East two hundred and fifty-five feet to a post thence through Thos Drinn and David Drinn thence by said line through improved land of the parties aforesaid South forty-one degrees West five hundred and seventy-seven feet to a post thence through improved and wooded land of Thos Drinn and improved land of Robert Lewis North fifty-five degrees West sixteen hundred and forty-seven feet to point on road leading from Berwindale to McPherran Chest Township near North line of J. M. McCord which road is necessary for a public road which road having been laid out the following road laid out but not opened; to wit beginning at point marked on draft and also mentioned hereinbefore on line between Patrick Gilligan and David Bloom fourteen rods from Chest Township line thence by said property line South fifty-three degrees forty six minutes West seventy-four perches to a post thence South seventeen degrees thirty minutes West twenty and eight tenths perches being the land of Patrick Gilligan and Thos Drinn thence continuing through land of Thos Drinn South fifty degrees thirty minutes West twenty and eight tenths perches thence North fifty and one half degrees West eighty-nine perches thence North eighty-nine and one half degrees West nine and two tenths perches to point on road leading from Berwindale to McPherran near Northern line of J. M. McCord being ninety-eight feet toward McPherran from ending of road laid out, has become useless inconvenient and burdensome and should therefore be vacated. A Plot or draft showing roads as laid out and vacated with the courses distances and improvements is herewith annexed and releases and damages assessed appear elsewhere herein, Witness our hands this fourteenth day of November A D 1900

Viewers { John H. Paton  
Harry Byers.

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.	
Harry Byers	Days 3
	Miles 46 \$16.60
John H. Patchea	Days 1
	Miles 44 \$16.40
John Finkel	Days 1
Chairman	Miles \$15.0
P. Gallagher	Days 1
Chairman	Miles \$15.0
Thos. Drinn Ape	Days 1
	Miles \$15.0

No. 9 Dec Sessions, 1900

ORDER

To view and lay out a road for Public use in the township of Chest. & Jordan, Clearfield Co.

Viewers Sessions 1900, Louis & Alice 1900 read and confirmed N. Si.

Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

By Geo. Cerish  
 Cyrus Gordon

14<sup>th</sup> Febry 1901

Confirmed & certified by  
 Grant H. Thompson

Filed 189  
 FEB 21  
 Fees \$1, paid by  
 NOV 2 1900

Grant H. Thompson,  
 Prothonotary.

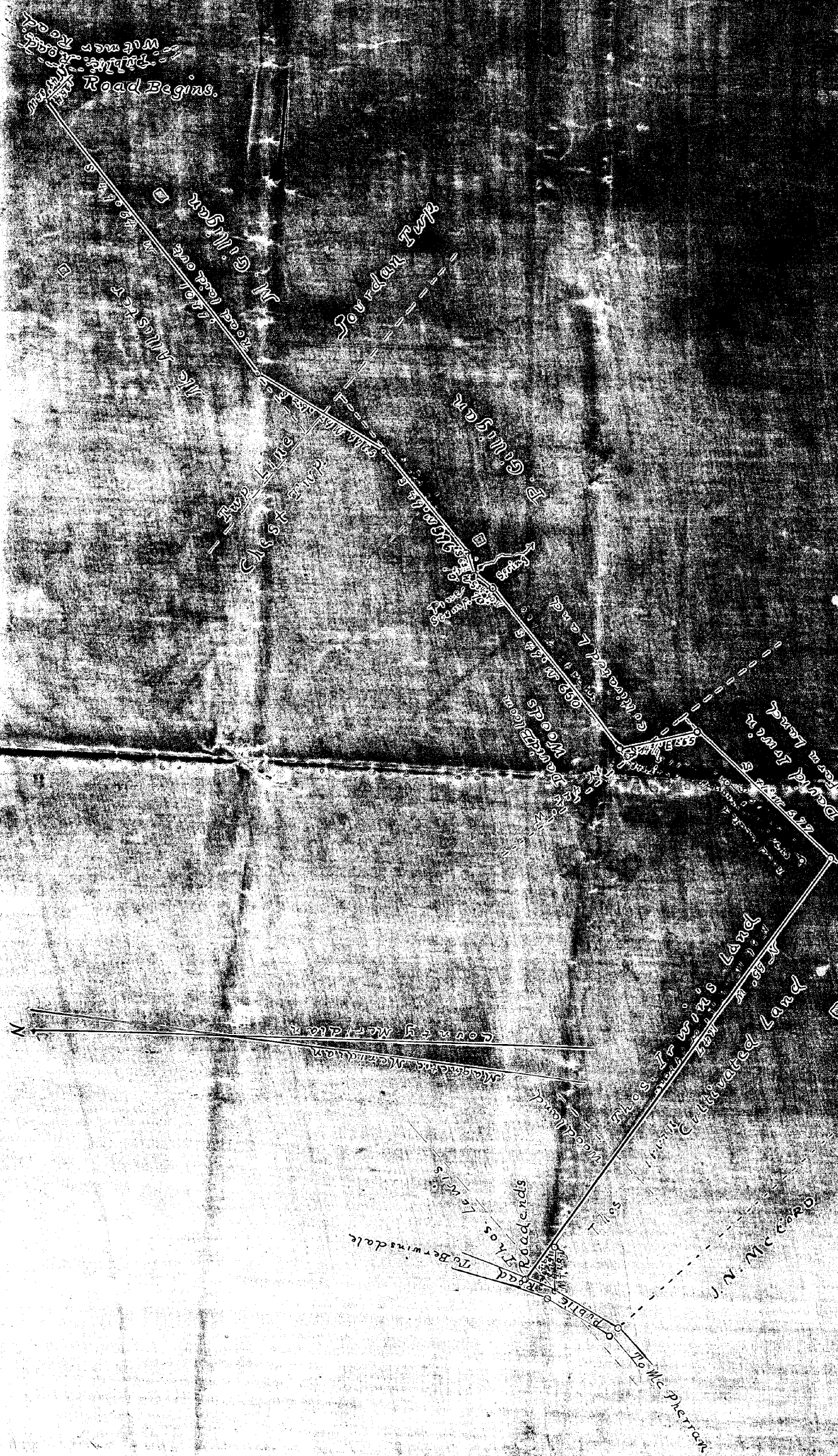
Berwinstale June 12-1902  
This is to show that the  
road leading through  
Thomas Drains land has  
been opened through  
above road in Cheat Twp.

Supervisor ~~But~~ Gilligan

**FILED**  
OCT. 8 1902  
Grant H. Thompson,  
Prothonotary.

9 Oct 1900





No. 9. Dec 25. 1900.

Viewers.  
Harry Byers.  
John Pateman.  
Geo. W. Jose.  
Seals, 100 ft. x 1 in.

# Road Viewers' Notice.

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view <sup>Public</sup> ~~Vacate & Supply~~ Road leading from

point on top of Witmer hill in Gordon Twp on road (public) commonly called Witmer road and extending to a point in public road leading from Berwin's Dale to McThurran in Chest Twp at a point near the Northern boundary ~~in~~ of land of J. ~~Township, to~~ Newton McCard said road having been laid out in 1893, and having been only partly opened. Said road being in Chest and Gordon Townships.

~~in~~ ~~Township,~~ in the county aforesaid, will meet at the ~~house of~~ First named point, in Gordon Township, on Wednesday, the fourteenth day of November, A. D. 1900, at 10.30 o'clock ~~A.M.~~, to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Harry Byers  
John Patchen  
Geo. W. Jose

Viewers.

Clearfield, Pa. Nov. 1, 1900.

Served on in this  
2nd day of Nov. 1900

*R. J. Davis*



# Road Viewers' Notice.

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view <sup>Public</sup> ~~Vacated & Supply~~ Road leading from

point on top of Witmer hill in Jordan Twp on road (public) commonly called <sup>public</sup> Witmer road and extending to point in road leading from Brownsdale to McPherran in Chest Twp. at a point near the Northern boundary of land ~~in~~ of J. Newton McCord ~~Township~~, to said road having been laid out in 1893, and having been only partly opened. Said road being in Chest and Jordan Townships.

~~In~~ \_\_\_\_\_ Township, in the county aforesaid, will meet at the house of ~~First~~ named point \_\_\_\_\_, in Jordan Township, on ~~Wednesday~~, the ~~fourteenth~~ day of ~~November~~, A. D. 1900, at 10.30 o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Harry Byers.

John Patchen,

Geo. W. Jones.

Viewers.

Clearfield, Pa. Nov. 1, 1900.

Served on us this 5 day of November a D 1900  
Wm Killion  
Simon Penigton } Supervisors of Chest Twp.

Served on us this 6 day of November a D 1900  
A W Barrett  
J. C. Rea } Supervisors of Jordan Twp.

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 21<sup>st</sup> day of September, A. D. 1900, before Judge of said Court, upon a petition of sundry inhabitants of the township of Chest and Jordan, in said county, setting forth that

a road was laid out in 1893 in Jordan and Chest Twp. beginning at a point on top of Witmer Hill in Jordan Twp. in public road commonly called the Witmer road and extending to a point in public road leading from Benwinedd to M. G. Herson in Chest Twp. at a point near the Northern boundary of land of J. Newton McCord. That only a portion of said road has ever been opened. That said road as laid out is entirely too steep to haul on, and is expensive to keep in good repair. That a good level road can be made between said points that will be of benefit to the traveling public and that the people who have to use the same. That the road as laid out is inconvenient and burdensome. We therefore pray your Honorable Court to appoint viewers to vacate and supply the above mentioned road between the 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, John Oatchin and Geo. W. Jones 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.

Grant 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 Chesterfield 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 County of Chesterfield 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 fourteenth day of November  
A. D. ~~189~~  
1900.

William J. Lilligan Seal

David B. Llewellyn 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 Thomas Irvin the sum of one hundred dollars

To Robert Lewis the sum of five dollars

To David Brown the sum of one dollar

Witness our hands this fourteenth day of November, A. D. ~~189~~  
1900.

John H. Patchin  
Harry Byers

To the Honorable the Judge of the Court of Quarter Sessions  
of the Peace for Clearfield County

We the undersigned citizens residing in Jordan and  
Chest townships respectfully represent that a road was laid out  
in 1893 in Jordan and Chest townships beginning at a point on  
top of Witmer Hill in Jordan township in public road commonly  
called the Witmer road and extending to a point in public road  
leading from Berwinsdale to McPherron in Chest township at a  
point near the northern boundaru of land of J. Newton McCord

That only a portion of said road has ever been opened .-

That said road as laad out is entirely to steep to haul on  
and is expensive to keep in good repair that a good level road  
can be made between said points that will be of benefit to the  
travelling public and the people who have to use the same .-

That the road as laid out is inconveient and burdensome we there-  
fore pray your Honorable Court to appoint viewers to vacate and  
supply the above mentioned road between the points named and to  
make return of same to the next term of Court

And we will ever pray &c

✓  
Newton M. Cross  
Thurman Cross

David McDonald  
Paul McGarvey

Walker Billings

W. D. McNeill

H. A. Hobbs

W. J. McGarvey

M. M. Chilley

Chas. Conley

John Ginn

John S. McTullough

John T. Tauler

William Fowler

John T. McBrown

Wm. Tillion

Laurence Tillion

Frank Campbell

Elmer McGarvey

Leslie Deason

Geo. Deason

✓ Alex. McWhorter

A. P. McCullough

Harry McCall

Edw. Fitzgerald

John Shaw

Harry Shaw



James Green	
Wm A Gorum	
S. J. Bloom	Robert Lewis
H. McNeil	David H. Kennedy
Barrett Mill	Easton Lewis
J. H. Brown	Abram Eagler
John A. Brown	Lewis S. H. H.
Dart Bratt	H. Patterson
J. L. Arden	Ed. Perry
J. H. Arden	Blakebury
S. P. Truitt	Reuben Johnston
N. H. Bagg	Abraham Bess
N. W. Bagg	James S. Mass
W. T. Bagg	Ed. Fulkerson
C. H. Bagg	J. H. Strong

Orris McNeal	J. W. Williams
W. H. Manning	John J. Horner
James F. Manning	M. L. Moore
Wm J. Hamer	S. H. H. H.
J. B. H. H.	
Ashley P. H.	
A. Hunter	
S. A. H.	

#9 Dec. 8, 1900

Read

Nov. 21, 1900

and tell us  
are current in

Henry Thompson

John Jackson

See the list in

Appendix now

and the same

are now up to

the new car

By the Clerk

Cyrus Gordon

Q

FILED

SEP 21 1900

Grant E. Thompson,  
Prothonotary.