

No. 8

Sessions, 190 1

COMMONWEALTH

versus

Vacate Public Road

in

Chest Mt Jordan

Townships

Rd 4 Page 355

Charge

W G

X
WILLIAM I. SWOOPE,
District Attorney.

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 18th day of October, A. D. 1901, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Chestnd

Jordon, in said county, setting forth that a road was laid out but not yet opened in Chest and Jordon Townships beginning at a point on public road leading from Berwindale to McPherson in Chest Twp and extending from said point through said townships to a point on public road in Jordon Township commonly called the Whitner Road. That said road was duly confirmed February 14th 1901. That said road as laid out is too steep to be of any use it being in many places over 8° and would add a useless burden to the people of said Townships

and therefore praying the Court to appoint proper persons to view Ed Vacate the same according to law, and report to next term whereupon the Court, upon due consideration had of the premises, do order and appoint Thomas W. Moore, John W. Hurd, Ed. F. Corbett, Bell 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

Ed Vacate 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 A. 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

.....
.....
.....

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

We the undersigned
viewers appointed by the foregoing order of Court
to view and vacate the road therein described.
Do Report. That after having first given notice
of the time and place of meeting. according to the
Act of Assembly of more than five days, and also
having given notice of the same to the Supervisors
of Chest and Jordan townships. as also to the
Commissioners of said county - We all met
and being duly sworn & affirmed according
to law. proceeded to view the ground upon
which said Road had been laid out & located
and confirmed absolutely on 14th of February
1901. and after having viewed and examined
the same. it is our unanimous opinion that
said road. as laid out. should not be vacated

In witness whereof we have hereunto
set our hands this 27th day of November
AD 1901.

Thos. Moore
J. W. Hurd
G. C. Bell
Viewers

ROAD VIEWERS' NOTICE.

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view *the Vacate* Road leading from a point on Public road from *Berwinville to McPherson in Lehigh Township*

in *Lehigh* Township, to a point on Public road in *Lehigh Township* commonly *called the H. H. H. Road.*

in *Lehigh* Township, in the county aforesaid, will meet at the ~~house of~~ *Hotel*, in *Berwinville* Township, on *Thursday*, the *Twenty first* day of *November*, A. D. *1901*, at 10.0'clock A.M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Thos. W. H. H.
John W. H. H.
H. H. H. Bell

VIEWERS.

Nov 13th 1901, 18

No. 8 Dec Sessions, 1901

ORDER

To view Ed Vacate a
road for Public use in the
township of Chested Jordan,
Clearfield County

Nic Sessions, 1901,
(6 Dec 1901)
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.

By the Court
14 Feb 1902
Cyrus Gordon
Confirmed Absolutely
attest By the Court
Grant A. Thompson
Jus.

Filed 1901

Fees \$1.25 paid by

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.

Shawmunk } Days 2 - 8.00
Miles 5.1 - 5.10

J. W. Stuard } Days 1 - 2.00
Miles 7 - 7.0

F. C. Bell } Days 1 - 2.00
Miles 8 - 8.0

} Days
Miles

} Days
Miles

To the Honorable the Judge of the Court of Quarter Sessions
of Clearfield County .- We the undersigned citizens of Chest and Jordan
Townships respectfully represent that a road was laid out in Chest and
Jordan townships beginning at a point on public road leading from Berwins
dale to McPherron ^{in Chest Twp.} and extending from said point through said townships
to a point on public road in Jordan township commonly called the Witmer
Road. - That said road was duly confirmed February 14th 1901.- That said
road as laid out is too steep to be of any use it being in many places
over eight degrees and would add a useless burden to the people of said
townships .- They therefore pray your Honorable Court to appoint viewers
to vacate the same

And they will ever pray &c

David McPherson
Leona Bloom
W. J. McPherson
R. E. Lewis

John McPherson
John McPherson

L. McPherson
O. J. Smith
Fred Stahl
W. M. McPherson
C. B. McPherson

Leona Bloom
David McPherson
H. H. McPherson
B. K. McPherson
H. D. McPherson

W. J. McPherson
C. B. McPherson
O. J. Smith
Fred Stahl
W. M. McPherson
C. B. McPherson

A. H. McPherson
W. J. McPherson
C. B. McPherson
O. J. Smith
Fred Stahl
W. M. McPherson
C. B. McPherson

No 8 December 1901

Petition to Vacate
Public Road in
Charles Jordan Twp

The within petition read
and considered and Wm
Morgan John W. Ward
and John W. Ward
and appointed jurors to
view and vacate said
road and make report
thereof to the next term of
Court.

By the Court
Wm Morgan
John W. Ward

W. A. HAGERTY,
Attorney at Law,
CLEARFIELD, PA.