

No. 8, ~~xxx~~ Sessions, 1901.

COMMONWEALTH

versus

Vacate Public Road
in
Chest M'ld Gordon
Townships

Pl 4 Page 353

Charge

W G

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WILLIAM I. SWOOPES,
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 townships of Chestnd and Gordon, in said county, setting forth that a road was laid out but not yet opened in Chest and Gordon Townships. Beginning at a point on public road leading from Bemisdale to McPherson in Chest Township and extending from said point through said Townships to a point on public road in Gordon Township commonly called the Witmer Road. That said road was duly confirmed February 14th 1901. That said road as laid out is to 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 ^{the} ~~the~~ ^{Md. 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. and M. F. Curtis 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 ^{to} ~~the~~ ^{Md. 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.

Frank 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 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. 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 -

John W. Moore
J. W. Harrell
G. L. 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 ~~and Vacate~~ Road leading from a point on Public road from Benvinale to McPherson in Chest Township

in Chest Township, to a point on Public road in Jordan Township commonly called The Water Road.

in Jordan Township, in the county aforesaid, will meet at the house of Hotel, in Benvinale Township, on Thursday, the Twenty first day of November, A. D. 1901, at 10 o'clock a.M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

John H. Moore
John H. Moore
F. Curtis Bell
VIEWERS.

Nov 13th 1901, 10

No. 8 Dec Sessions, 1901

ORDER

To view and locate a road for public use in the township of Chest^l Jordan, Clearfield County

Allc — Sessions, 1901,
(6 Dec 1901)
read and confirmed M. 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.

By the County

14 " Cheby, 1901
Cyrus Gordon
Confirmed absolutely
attest By the County
Grant A. Thompson

1901

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 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.
John Moore	Days 2 - 8.00
	Miles 51. 5.10
J. Costard	Days 1 2.00
	Miles 7 .70
G. B. Bell	Days 1 2.00
	Miles 8 .80
	Days
	Miles
	Days
	Miles

6

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 begining at a point on public road leading from Berwins
dale to McPherron 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 to 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 therfore pray your Honorable Court to appoint viewers
to vacate the same

And they will ever pray &c

Mo 8 Dec 1901

LAP-OVER MARGIN

Petition to Vacate
Public Roads in
Chester Gordon Twp
The within petition was
and Considered and by
W. Morris John W. Hink
and appointed viewers to
view and Vacate said
road and make report
thereof to the next term
Court
At the Court
Chester Gordon
Twp

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