

No. 5

Sept.

Term, 1902

Vacate Public Road

versus in

Penn Township

380

X

TO THE HONORABLE JUDGE OF, THE COURT OF QUARTER SESSIONS
OF CLEARFIELD COUNTY.

The petition of the undersigned inhabitants of the Town-
ship of Penn, in the County aforesaid, respectfully repre-
sents;

That a public road has long since been laid out, beginning
at a point on the public road leading from Grampian to
Luthersburg, at or near the residence of George Dursch,
thence in a southerly direction, through lands of, for-
merly Wm. Bigler, to bridge on Curry Run, about eighty per-
ches below the main forks of said run, thence down Curry
Run to the southern line of Penn Township, being the bound-
ary line between Penn and Greenwood Township, which road
has become useless, inconvenient and burdensome.

Your petitioners therefore pray the Court to inquire of
and vacate said road and for that purpose to appoint three
persons qualified according to law, to view said road and
inquire of the premises and make return of their proceed-
ings at the next term of Court.

Martin J. Flynn
Edward J. Flynn
Robert G. Beckert
John W. McKinnon
G. A. Hurlow
W. R. Danner
George H. Darr
Wm. Hadden
Jos. Clark
H. B. Hubbs
James D. Dingley

Ed. Farrell
John S. Michelson
James R. Michelson
H. P. Rafferty
J. A. Rafferty
L. L. Black
D. B. Glover
Ancient Flynn
J. W. Rafferty
B. J. Kinross
Joseph Davis
W. P. Davis

Frank. Powell
J. W. Spencer
Geo. D. Underwood
Taylor McKlon
W. G. Spencer
D. D. Miller
P. J. Spencer
H. J. Hall
T. J. Womner

Edward Spencer
James Deychard
E. M. Davis
W. D. Denty
Edward Bloom
W. G. Rawles
G. M. Passmore
Charles H. Hux

No. 5 Sept: Dec. 1902

Petition to create
public road in
Farm 5 up.

Geo. Peaty, Rodney Charles
+ Geo. W. Moore.

Nov. 12th 1902. The
within petition read &
considered and Geo. Peaty,
Rodney Charles & Geo.
W. Moore. were appointed
a committee to inquire into
the matter and report to the
next meeting of the
Town of Court.

Prothonotary.

John H. Dyer
with bearing

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 12 day of May, A. D. 1902, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Penn

_____, in said county, setting forth that a public road has long since been laid out, beginning at a point on the public road leading from Grampian to Luthersburg, at or near the residence of George Dursch. Thence in a southerly direction through lands of formerly Wm. Bigler, to Bridge on Curry Run about 80 perches below the main forks of said run, thence down Curry Run to the southern line of Penn Township, being the boundary line between Penn and Greenwood Township, which road has become useless inconvenient and burdensome.

and therefore praying the Court to appoint proper persons to view and 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 Oertz, and Rodney Charles 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 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 .

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.....
.....

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

We the undersigned Viewers appointed by the foregoing
Order of Court. to View and Vacate the Road therein
described. Do Report: that in pursuance of said
appointment. after first having given due notice
of the time and place of meeting as required by act of As-
sembly. and also to the Supervisors of said township of
Penn. we all met and being duly affirmed we
have viewed. said Road. and in our opinion no
necessity exists. for a Public road between the Points
named in the foregoing Order we therefore vacate
the same. by the following. Beginning at the intersection
of said road with the Grampian & Authersburg road. - Thence
N 85° W. 20 per. to a stake. S. 86° W. 40 per. - S 45° W 40 per
S. 57° W 51 per. S 82° W 24 per. S 62° W 16 per -
S 34° W. 30 per. S 10° W 73 perches S 24° W. 22 per
S 64° W 23 per. N 83° W. 11 per. N 63° W 8 per
N 30° W. 13 per. N 57° W. 14. N 65° W 56 per
N 80° W 28^{per} S 80° W. 63 per. S 63° W 36 per
West 10. per. N 62° W. 24. S 66° W 60 perches
S. 45° W. 20. per S 75° W 24. S. 65° W. 18 per
West 12 per. N 60° W. 40. S 77° W 6. per.
S 19° W 8 per. S 7° E. 15 per to Bridge. over Curry
Run. Thence down said Run South
27° East. 38 perches. South 19° East 55 perches
South 11° East 18 perches. South 27° E 20 perches
South 37° East 20 perches. South 48° East
9 perches. South 66° East 9 Perches. South
54° East. 23 perches. South 71° East 14 per
South 58° East. 14 perches. Same course
12 perches. S. 63° E. 32. perches. East 45.
Perches. North 86° East 22 perches. South
69° East. 16 perches. South 52° East

Thirty eight 38 perches. South 67° E 36 per. South
 40° E. 39 perches. South 33° East. 45 per. to old Kittinging
Road. thence S. 14° E. 48 per. South 26° East Twenty
four perches. S 31° E. 28 per. S 45° E. 16 per. S.
 37° E. 24 per. South. 24 per. S 13° W. 14 perches
S 15° E. 57. perches. South 5° East 39 perches to
the line between Penn & Greenwood Townships -
a Plot or Draft of which we hereunto
annex. —

In Testimony whereof we have hereunto
set our hands this 11th day of ~~September~~ ^{August}
AD 1902 —

{ Thos. W. Moore
John Renty
Rodney Charles
Viewers 11

No. 5 Sept. Sessions, 1902

ORDER

To view 1/4 acre a
road for public use in the
township of Leann,
Clearfield County

Sept Sessions, 1902
read and confirmed, N. B. Si.

~~Road to be opened 33 feet~~
wide, except where there is
side hill cutting or embank-
ment and bridging, there to
be 10 feet wide.

By the Court
Cyrus Gordon

Dec. 5, 1902 confirmed 10/10/02
By the Court
Grant H. Thompson
 clerk

Filed 190
Fees \$1.25 paid by
AUG 18 1902

Grant H. Thompson,
Clerk

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.

Chas. W. Wilson } Days 3
Miles 16. 13.60

John Bantz } Days 1
Miles 12 3.00

Ordinary Shute } Days 1
Miles 12 3.20

Days
Miles

Days
Miles