

No. 9, Sept. Sessions, 1903

COMMONWEALTH

versus

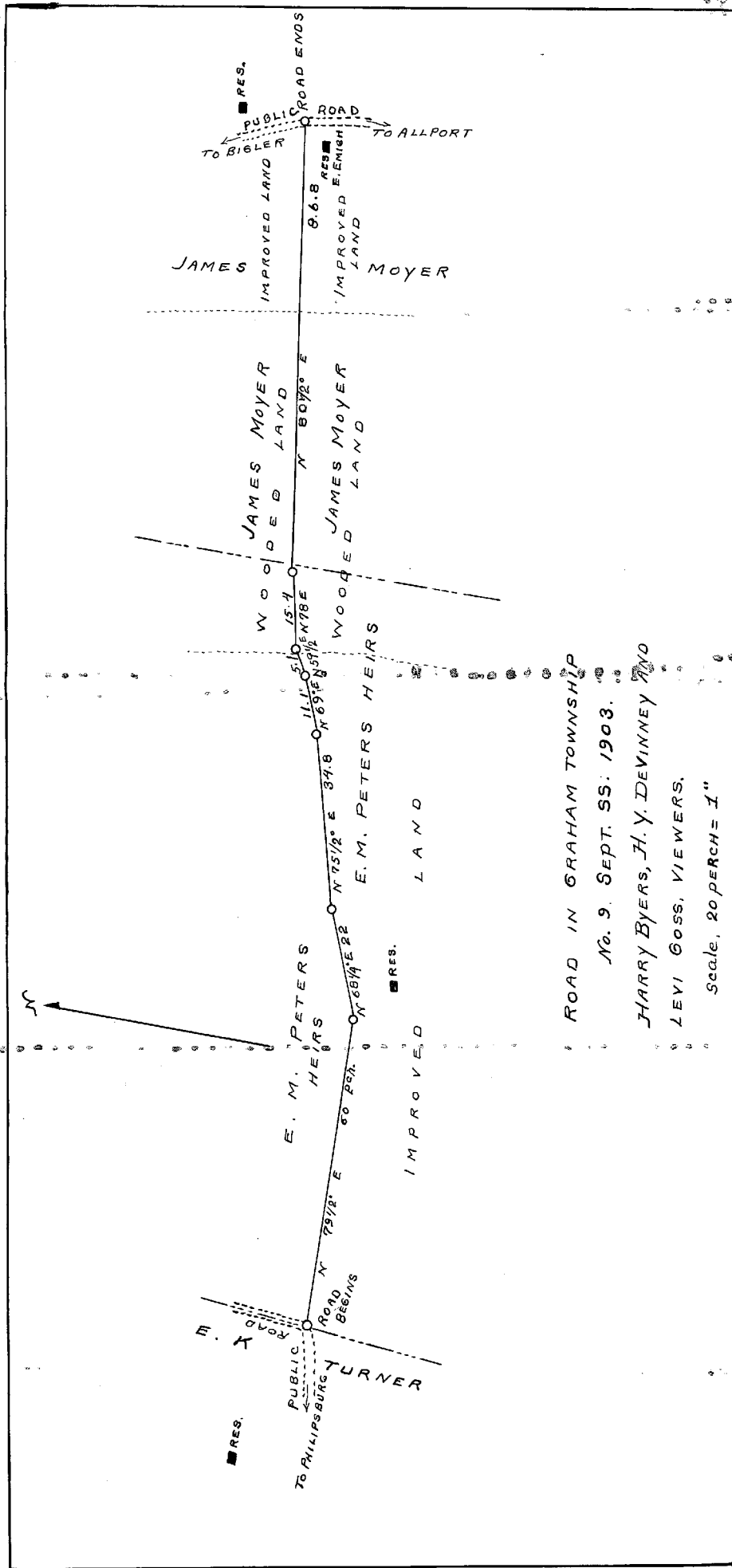
Public Road

vs  
Graham Turp

P.S. #4 - Page 420

Charge

*Attest*  
WILLIAM I. SWOOPE,  
District Attorney.



ROAD IN GRAHAM TOWNSHIP

No. 9. SEPT. 25. 1903.

HARRY BYERS, H. Y. DEVINNEY AND

LEVI GOSS, VIEWERS.

Scale, 20 PERCH = 1"

# Road Viewers' Notice!

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view Public Road leading from

point at or near E. H. Turner's house on the road leading from Wallaceton to Philipsburg

in Graham Township, to point near Alfred Enigh's house at Centre Hill on the main road or Pike leading from Bigler to Allport

in Graham Township, in the county aforesaid, will meet at the house of E. H. Turner, in Graham Township, on Thursday, the 20th day of August, A. D. 1903, at 9 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  
H. Y. Dwinney  
Levi Goss

Viewers.

Clearfield, Pa. Aug 10, 1903.

11-8-'01. 500-H.

Served on me this  
13th day of August 1903  
1903.  
Do. Commissioner  
By W. H. Stevens  
lls

# Road Viewers' Notice!

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view Public Road leading from

point at or near E. K. Turner's house on the road leading from Wallaceeton to Philipsburg

in Graham Township, to point near Alfred Brigher's house at Center Hill on the main road or Pike leading from Bigler to Allport

in Graham Township, in the county aforesaid, will meet at the house of E. K. Turner, in Graham

Township, on Thursday, the 20th day of August, A. D. 1903, at 9 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 Byer  
H. J. Devinney  
Levi Goss

Viewers.

Clearfield Pa Aug 10, 1903.

Served on us this 11 day of August  
AD 1903

P. N. Lamsberg

} Supervisors  
of  
Graham Trp.

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 14<sup>th</sup> day of May, A. D. 1903, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Graham, in said county, setting forth that

they labor under great inconvenience for want of a public road or highway, beginning at a point at or near E. N. Turner's house on the road leading from Wallacetown to Phillipsburg in Graham Township, and ending at a point near Alfred Emigh's house at Center Hill on the main road or pike leading from Bigler to Allport in the same Township of Graham.

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, Report to next term whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Byers, Hy. Dwinney and Levi Goss 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 View and lay out 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 Clearfield 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 County of Clearfield 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 27<sup>th</sup> day of August A. D. 1903.

Harrie Peters Seal  
Edward M. Peters Seal  
William Peters Seal  
Mr. Jas. A. Bock 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 James Moyer the sum of two hundred dollars  
To \_\_\_\_\_ the sum of \_\_\_\_\_  
To \_\_\_\_\_ the sum of \_\_\_\_\_

Witness our hands this 27<sup>th</sup> day of August A. D. 1903

Harry Byers  
H. J. Viney  
Levi Gall

To the Honorable Cyrus Gordon Justice  
Chief Judge of the Court of Clearfield County  
Pa, we, the undersigned, viewers appointed  
by the within order of court to view and lay out  
the road therein mentioned, respectfully report  
that we gave good and lawful notice of said  
road view and met agreeable juries on the  
20th day of August A.D. 1903 two viewers being present  
The meeting was adjourned to Aug. 27 1903 when all  
the undersigned were present, and having been sever-  
ally sworn or affirmed we viewed and laid out  
and do return for public use the following  
road to wit: beginning at a point near E. K.  
Turner's house on the road leading from Hallac-  
ton to Philipsburg, at a post on line of land of  
said E. K. Turner thence through improved land  
of E. M. Petrie's heirs North seventy-nine and one half  
degrees East sixty perches to a post thence through  
same North eighty-eight and one-fourth degrees  
East twenty-two perches to post, thence continuing through  
same North seventy-five and one half degrees East  
thirty-four and eight-tenth perches to a post thence  
through same North sixty-nine degrees East eleven  
and one-tenth perches to a post, thence through  
wooded land of of same North fifty-nine and one  
half degrees East five and one tenth perches to post  
thence through same North seventy-eight degrees East  
fifteen and four-tenth feet to a Hickory, thence  
through same and through wooded and improved  
land of James Mayers North eighty and one half de-  
grees East eighty-six and eight-tenth perches to  
fence post by side of road near Alfred Enigh's house  
on the main road or pike leading from Bigler to All-  
port, which road so as aforesaid laid out is nec-  
essary for a public road, A plot or draft of  
the road as laid out is hereto annexed showing  
courses distances and improvements, Witness  
our hands this twenty-seventh day of August  
A.D. 1903

Harry Byers Junr.  
H. J. Kinney  
Levi Galt

No. 9 Sept. Sessions, 1903

ORDER

To view and lay out a  
road for public use in the  
township of Graham,  
Clearfield County

Sept. Sessions, 1903  
read and confirmed N. S.  
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  
Dec. 1903 Confirmed  
absolutely. By the Court

FILED  
SEP 8 1903  
Grant H. Thompson  
Prothonotary

Fees \$1.25 paid by

Chg. to Murray Smith

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 origi-  
nal 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 dam-  
ages, 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	26	\$14.60	
H. Y. Delaney	Days	6		2.60
	Miles	6		
Levi Jones	Days	2		
	Miles	10	5.00	
Joe Myers	Days	1		
	Miles			1.50
Wm. Peters	Days	1		
	Miles			1.50
Edward Peters	Days	1		
	Miles			1.50

Singleton, Tenn

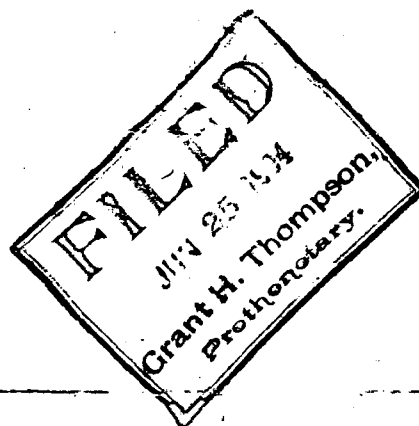
Jan 25 1904

Grant H. Thompson, Hon.

The road in Graham  
township through James  
Moyers' land is opened  
ready for public use.

O. H. Williams.

Supervisor



To the Honorable Cyrus Gordon, President Judge of the Court of  
Quarter Sessions of Clearfield County, Pennsylvania:

The petition of the undersigned, inhabitants of Graham Town-  
ship, Clearfield County, Pennsylvania respectfully represent: that they  
labor under great inconvenience for want of a public road or highway  
beginning at a point at or near E. K. Turner's house on the road leading  
from Wallaceeton to Philipsburg in Graham Township, and ending at a point  
near Alfred Emigh's house at Center Hill on the main road or pike  
leading from Bigler to Allport in the same Township of Graham.

Your petitioners, therefore, pray the Court to appoint viewers  
qualified according to law to view the ground proposed for such road,  
and if they see occasion to lay out the same and make report of their  
proceedings at next Court.

And they will ever pray &c.

Names

Otis Williams  
P. W. Lunsford  
James A. Bock  
E. K. Turner

Grant Smeal  
Samuel Smeal

E. H. Smeal

R. H. Hark

B. O. Conner

Aaron Flegal  
Abigail Smeal  
Henry Thomas

Names.

G. J. Rathrock  
J. J. Rathrock  
A. Grummel  
J. E. Smeal

Wm. C. Smeal  
Thos. Smeal

J. W. Smeal

Samuel Sprague

E. H. Smeal

Frank Smeal

James B. Smeal

George W. Hummel

John Hummel

Wm. Smeal

E. M. Smeal  
A. D. Barger  
J. C. Hubler  
J. L. Maad.

R. T. Ward  
G. J. Dale  
Fred. Goble  
L. L. Lanning

James Maguire  
J. D. Maguire  
H. Hamilton

A. L. Torrey  
W. W. Warehood  
J. W. Smeal

G. W. Smith  
John G. Ytli  
H. L. Dale  
Ellis Smeal  
Wm. Hamilton  
W. H. Hubler  
Bruce Hurley  
H. L. Torrey  
Gen. R. J. Funnell

Wm. Gise White  
Jacob Williams  
Lease Wilson  
James Hummel  
E. W. Peters

Geo. W. Peters  
G. Smeal  
Harry Hummel  
W. H. Snowmaker  
C. M. Rhine  
H. L. Loomer  
J. C. Smeal  
C. C. Snowmaker  
Franklin Kelly  
Harris Peters

9 Sept. 1903

Public Road in  
Graham Township

1/4 May 1903 volume  
Public Road, and 1/4  
Acres of land, owned  
by the State of  
Pennsylvania  
and the  
County of  
York, and  
the  
Township of  
Graham.

By the Court  
Filed

MAY 14 1903  
Grant H. Thompson,  
Prothonotary.