

No. 17, Sept. Sessions, 190-3

COMMONWEALTH

versus

Vacate Public Road

in

Pike Township

Charge

X

WILLIAM I. SWOOP,
District Attorney.

In the Court of Quarter Sessions of Clearfield County,
Pennsylvania.

The petitioners of the undersigned, who are citizens,
residents on property owners of the Township of Pitt and
adjoining neighborhood in the County and State
aforesaid, respectfully represents,

That the proceeding has
in said Court to No. 3 before Dennis, Esq., a legally
road was laid out and was subsequently compromised
by the Clerk.

The greater part of said road was opened and
has ever since been used by the public.

That part thereof, viz: - Beginning at a point
on land of Zachariah McDonald, thence North eight and
three fourths degrees East four hundred and eleven feet to a point
on land of Fred S. Bloom, thence North seventeen and one
half degrees East four hundred and sixty four feet to a
point on land of Fred S. Bloom, has never been opened
as each end thereof was in the then existing public
road, which was never vacated and has ever been
used by the public.

That the part of the road hereinbefore described is
useless, inconvenient and burdensome, will be expen-
sive to build and in the view of the now thickly
settled character of that region, dangerous to private
property, and will spoil the regularity of the streets
being there laid out.

That the aforesaid part of said road should be
vacated.

They pray the Court to appoint suitable
persons to view the said road and report to the Court
at the proper time.

True,

W. H. Thompson, Esq., C. C.

J. H. Ward.

J. G. ———

Ashley McDowell.

Charles J. Cooke.

Samuel Smith.

W. Brown.

Wm. Allumba.

O. L. Morris.

Joe Smay.

J. H. Eickert.

O. J. Eickert.

William Post.

John W. Tinker.

O. J. ———

J. H. Bloom.

J. ———

J. T. ———

John A. Bloom.

J. H. Katrich.

J. S. ———

of Tracy's
G. W. Anderson

L. E. Bailey.

John G. Bennett

John G. Bennett
G. W. Tracy

G. W. Tracy
John G. Bennett

John G. Bennett
G. W. Tracy

12 Sept. 22, 1908

Petition for injunction
of public road in Duke
Territory.

Nov 14 May 1908,
Belum received and
Henry Peters, James
Savage, J. H. Johnson
are appointed commissioners
to report to the court at 12th
Mo 1908.

By the Amst

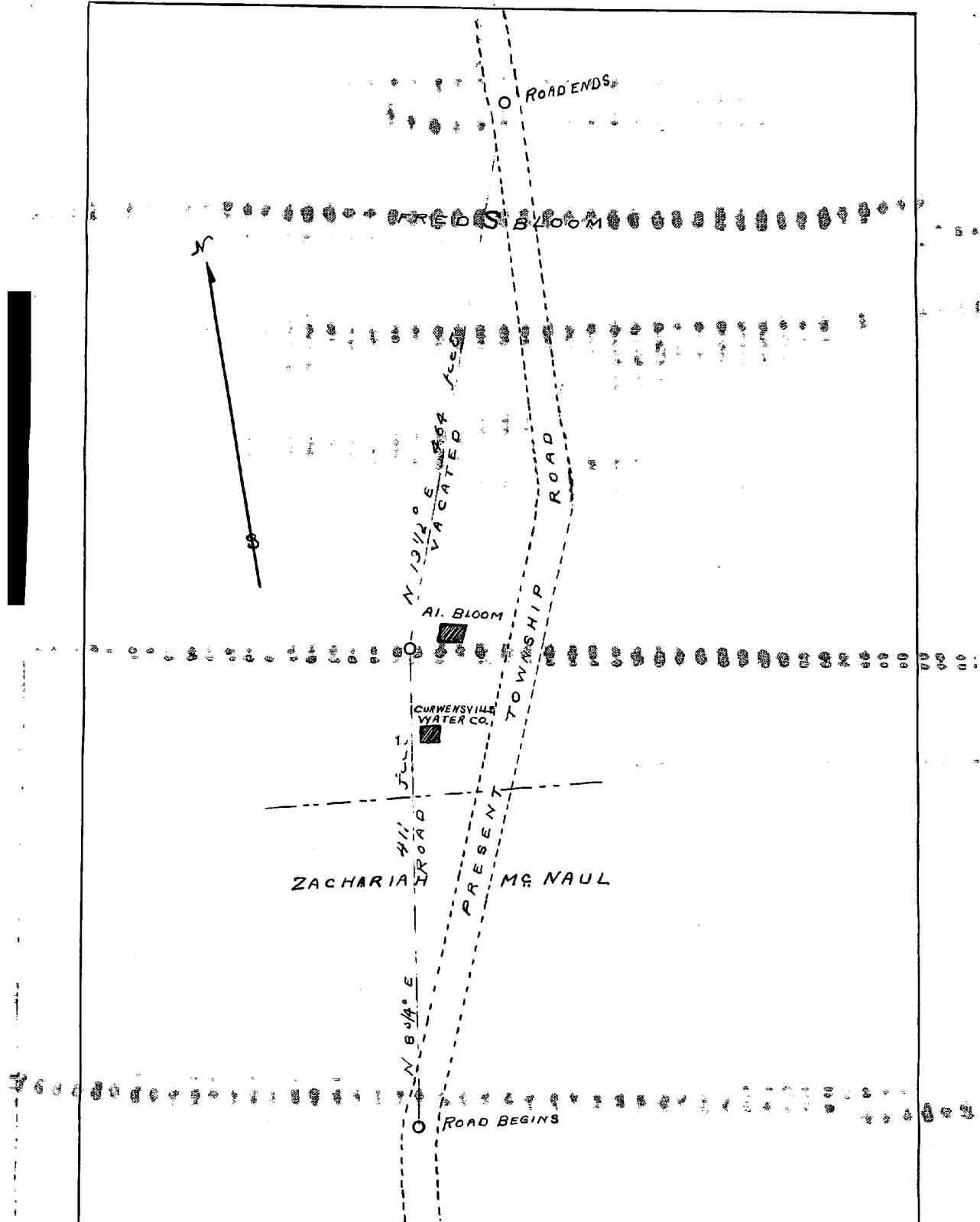
James G. Scott

FILED

MAY 18 1908

Grant H. Thompson,
Prothonotary.

See



No. 12, SEPTEMBER 55, 1903

VIEWERS { Harry Byers
 James Savage
 J. K. Johnson

Scale - 100 feet = 1"

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 May, A. D. 1903, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Talle

, in said county, setting forth that by proceedings had in said Court to no. 3 Sept 11, 1892 a public road was laid out and was subsequently confirmed by the Court. That the greater part of said road was opened and has been since been used by the public.

That part thereof, viz: Beginning at a point on land of Zacheriah MacNeil, Hence North 8 $\frac{1}{2}$ ° East 41 feet to a post on land of Fred S. Bloom, Hence North North 19 $\frac{1}{2}$ ° East 464 feet to a point on land of Fred A. Bloom has never been opened as each end thereof was in the then existing public road, which was never vacated and has ever since been used by the public. That the part of the road hereinbefore described is useless, inconvenient and burdensome, will be expensive to build and in the view of the now thickly settled character of that region, injurious to private property and therefore praying the Court to appoint proper persons to view Vacate

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, James Savage, J. K. Johnson 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 Vacate

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 S. Thompson

Clerk.

and will spoil the regularity of the streets being there laid out.

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 President Judge of the
Court of Quarter Sessions of Clearfield County, Pa, we
The undersigned, viewers, appointed by the written
order of court to view and vacate the road therein
mentioned respectfully report, that we gave good
and lawful notice of the said roadview, all being
present and having been severally sworn or af-
firmed we have viewed the road aforesaid laid
out but not opened, to wit, Beginning at a point
on public road now in use on land of 3 acharies
Mc Neal, Thence North eight and three-fourth degrees
East four hundred and eleven feet to post on land of Fred
S. Bloom Thence North Ninety and one-half degrees East
four hundred and sixty-four feet to junction land of
Fred S. Bloom at Township road aforesaid. A plot
or draft of the road aforesaid and the road now
in use is hereto annexed showing improvements, which
road laid out but not opened is in our opinion useless
inconvenient and burdensome, and should therefore
be vacated, and the road now in use continue as
the route to be kept up. Witness our hands
This twelfth day of August A D 1903

Harry Byers
J. R. Johnston
James Savage

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.
Viewers 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.

No. 12 Sept Sessions, 1903

ORDER

To view, locate a

road for use in the
township of Pike,
Clearfield County

Sept. Sessions, 1903,
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

/ copy /

VIEWER	Days	Miles	AMOUNT
Hairy Byers	2	8	\$ 8.80
J. H. Johnson	1	8	\$ 2.80
James Savage	1	8	\$ 2.80

Filed 190
Fees \$ 1.25 *paid by* *Grant H. Thompson*

Recd

Aug 18 1903
Grant H. Thompson