

No. 15, Dec. Sessions, 1906

COMMONWEALTH

versus

Public Road
in
Decatur Twp.

charge

WILLIAM I. SWOOP,
DISTRICT ATTORNEY.

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY.
you are hereby notified that an application has been made
to the Court of Quarter Sessions of Clearfield county for
appointment of viewers on Monday, the 3rd day of September, 1906,
at 1:30 o'clock P.M. to view a public road in the township of
Decatur, county of Clearfield, and state of Pennsylvania, to lead
from or begin at a point on township road at line fence be-
tween Jacob McLarren and David Goss and ending on Houtzdale
road at Forks of road known as Boughman's corner, at which time
you may be present if you see fit.

Open until 11
At 1:30 P.M.

Now 21st August 1906, I hereby accept service on this
notice.

Jacob McLarren.

Now, 21st August 1906, I hereby accept service on this
notice.

G.M. Hughes

Now, 21st August 1906, I hereby accept service on this
notice.

George Lupton

House of Representatives
Harrisburg

To the Honorable the Judge of the
Court of Quarter Sessions of the
Peace in and for the County of
Bearfield

The Petition of the undersigned
Inhabitants of Township of Decatur
in the said County, Pa.

Respectfully sheweth that your
Petitioners labor under great
inconveniences for want of public
Road or highway.

To lead from or beginning at a pond
on Township road at line fence between
Jacob McLarue and Daniel Yoss
and ending on Houndsdale road at
forks of road known as Baughmans
corner. Your Petitioners therefore pray the
Court to appoint proper persons to
view and lay out the same.

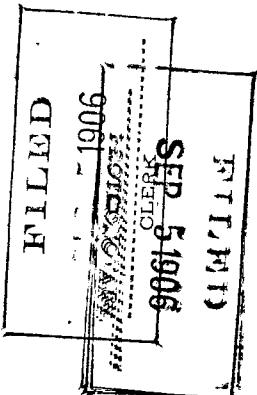
House of Representatives
Harrisburg

Horner B. Walker Burley John Jacobs
Harrison Klinger " Charles Phillips
James M. Goss " Mr. Hanmer
Chas. Kephart " James Kephart
Walker Goss " Jacob William
David Hallman C. W. Kizer
Benzymon Hallman Dr. D. L. Kephart
Elmer Hoover J. A. Kephart -
H. C. Harry Sam Kephart
F. R. McElroy G. W. Kephart
P. L. McLaren J. W. Kephart
Jacob McElroy Elmer E. Hoover
Elmer E. Hoover P. A. Kephart
Joseph Kephart J. C. Green
Daniel Goss Jas Davis
W. H. Goss W. H. Green
C. L. Green Charles Warren
J. W. Kephart
John C. Green
John C. Green
John C. Green
John C. Green

Mr / Dec 1906

Repetition Public
Road in Decatur
Township

Sept 21, 1906 Motion presented to
Township C. O. Commissioners, by Mr
S. Smith, Esq and John W. Frazee
are appointed Surveyors to view said
Roads, and make report of them
to next Session of Council
Allison J. Smith
D.



Deatuhell

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 5th day of September, A. D. 1906, before the Judge of said Court, upon a petition of sundry inhabitants of the township of ~~Heather~~

, in said county, setting forth that they labor under great inconvenience for want of a public road or highway to lead from or beginning at a point on Township road at line of fence between Jacob McCarren & Daniel Ross and ending on Hinkdale road of Forks of road known as Daughman's Corner.

and therefore praying the Court to appoint proper persons to view the same according to law, whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Syers, Frank Ross, & John W. Housh, 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

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.

Roll R. 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.....

Homer B. Weller

Seal

Hugh Kellogg

Seal

Chas. Phelps

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 Hon A. O. Smith
Judge Court Inter Ses
Clearfield County.

The undersigned viewer
by written order of court be
at view with other viewer
stated in their report, is of op
a road should be laid out as per
for in petition. Beginning at starting
point named in aforesaid order thence
SS.W about 100 feet to old road now in
use thence by said road and Public
road to point named as end of road in
said order to view, which road is necessary
for a public road in opinion of the undersigned
viewer. Said road would be about 180 rods
in length and would accommodate about travel
to some clay mines and be of use to
several families living near it.

Witness my hand This 30th day of
November A.D 1906,

Harry Byers.

To the Honorable Allison O. Smith. President Judge of the court of Quarter Sessions of Clearfield County:

We the undersigned viewers appointed by the within order of court to view and lay out the road herein mentioned respectfully report.

That we gave lawful notice of the said road view and meet agreeable thereto, and having been severly sworn or affirmed, we viewed the place where the road was proposed to be laid out, and considering the small number of taxpayers benefited, and the fact that there is now a public road running parallel with the proposed road at an average distance of less than 100 rods, and that partitioners are at present provided with a private road, which appears to be agreeable to the owners of land through which said private road passes. That the first part of the proposed road is through a swamp separate and a part from the private road now in use, and that the road would be of use only to the said taxpayers, and not much to the general public, and that it would be an expensive road to make, we are of opinion that the same is not necessary for a public road, and therefore report against laying out a public road as within prayed for. It seems to be the general opinion of the taxpayers, in the vicinity of this proposed public road, that the parties residing along the present private road should be allowed to apply their road tax on the same. ^{we believe} The Supervisors concur in this opinion as well as those who oppose a public road. We believe this a fair proposition, as the situation now exists, and if legal we recommend that your Honor grant the said parties this privilege. Witness our hands this 30th day of Nov. 1906.

G. J. Goss, (Viewer)

J. E. Gardner (viewer)

NOTE:—In case of a private trial, the releases must be executed in favor of the petitioner for said trial.
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 charged 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 trial, they will report to that effect.

No. 1000 Sessions, 1906

ORDER

To view ~~the~~^a road for ~~the~~^a use in the township of ~~the~~^a *Clearfield County*

At Sessions, 1905
read and confirmed Ni. Si.
~~Book to be opened 33 feet~~
wide, except where there is
side hill cutting or embank-
ment and bridging, there to
be 16 feet wide.

William G. Smith
Editor of the *Journal of
Sociology and Anthropology*

190
Filed 1/25/2013
Fees \$1.25 paid by John

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 17 day of Sept^r, A. D. 1906, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Lawrence

, in said county, setting forth that there has long since been laid out for the use as a public road a certain road in said Twp. a certain road known as the Boggs road beginning at a point in public road near the works of the Standard Brick & Tile Co. thence running in a southerly direction to the intersection thereof with public road known as Ridge Road, being about one mile in length. That said road is inconvenient & burdensome & useless. That it is no public benefit and should be vacated.

and therefore praying the Court to appoint proper persons to view ^{up} ~~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, Miles R. Porter, D. H. Woolridge 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~~ ~~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.

Robert B. 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 sealing 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 A O Smith President Judge of
The court of Quarter Sessions of Clearfield County
Re. the undersigned viewers appointed by the within
order of court to view and vacate the roads herein
mentioned respectfully report, that we gave good
and lawful notice of the said view, all being pres-
ent and having been severally sworn or affirmed we
have viewed the road proposed for vacation, to wit be-
ginning at point opposite E side of Standard Brick & Tile Co of
ffice on public road thence $S 48 \frac{3}{4}^{\circ} E$ 6.3 perches thence $S 71^{\circ} E$
39 perches thence $S 45 \frac{3}{4}^{\circ} E$ 27.4 perches thence $S 35^{\circ} 10' E$ 37.8 perches
thence $S 88 \frac{1}{2}^{\circ} E$ 13.5 perches thence $S 65^{\circ} E$ 16 perches thence $S 55^{\circ} 6' E$
39.4 perches thence $S 64 \frac{1}{2}^{\circ} E$ 30.1 perches thence $S 66 \frac{1}{4}^{\circ} E$ 35.1 perches
thence $S 46 \frac{1}{4}^{\circ} E$ crossing Public road old Brick yard to stone house 78
perches to the "Ridge" Road which road aforesaid is in our
opinion useless, inconvenient and burdensome and should
therefore be vacated. Witness our hands this 25th
day of October A D 1906.

Harry Byers
Miles R. Postle
D. T. Woolridge.

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.

No. 3 Dec Sessions, 1906

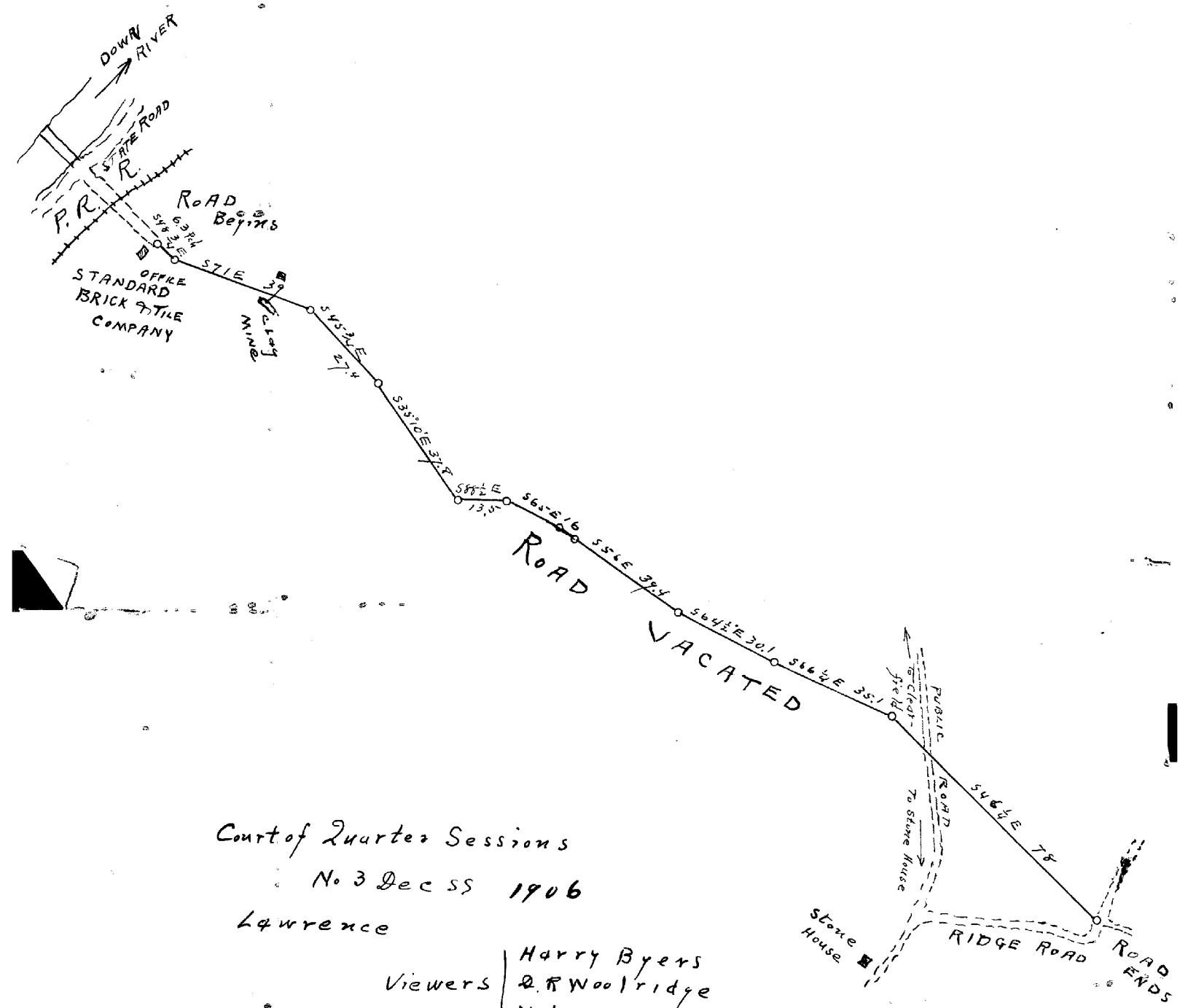
ORDER

To view and locate a road for use in the township of Lawrence, Clearfield County.

~~Session, 1905~~
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, the cause to
be at Milburn C. J. month of
July 1905 confirmed above
abreast - Bridge land of

卷之三

Filed 190 Ch. 25 13 J.J.
Fees \$1.25



Court of Quarter Sessions

No 3 Dec 25 1906

Lawrence

| | |
|---------|---|
| Viewers | Harry Byers Q. R. Woolridge Miles R. Porter |
|---------|---|

1" = 30 ft ch

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PA.

The petition of the undersigned citizens and tax payers of Lawrence Township, in the County aforesaid respectfully represents:-

That there has long since been laid out for the use as a public road a certain road in said Township & certain road known as the Boggs road, beginning at a point in public road near the works of the Standard Brick & Tile Company; thence running in a Southerly direction to the intersection thereof, with public road known as Ridge road, being about one mile in length. That said road is inconvenient, useless and burdensome, that it is of no public benefit and should be vacated. They therefore pray that viewers be appointed to report to the Court as to the propriety of vacating said road.

W. F. Weber
Peter Garhart *J. D. Bailey*
J. Maes, Ready, Jacob Westcott
Das Spackman *O. L. Thompson*
Thos. Shemphill *J. G. Hline*
Geo. a. Dossard *P. G. McPherson*
7210 Lawhead *W. L. Carter*
J. H. Lawhead *Alfred Graham*
J. H. Hinde
U. S. Mowaghman *Frank Agoston*
E. Schmaes *J. H. D. Wright*
J. A. Lawhead *J. Reynolds Fullerton*
George Riddiger *Ray Sanderson*

No. 3 December 1906

Petition for vacating
of road in Lawrence
Township.

Now this 15th day
of September, 1906, petition
presented and *Henry Byers*
Miles A. Porter and S. P.
Brattigan

are appointed viewers to
report to the Court as to the
propriety of vacating the
road in said petition
described ~~as follows~~

By the Court
William K. Smith
FILED
17 1906
BELL & HARTSWICK,
ATTORNEYS FOR PLAINTIFF,
CLEARFIELD, PA.