

No. 4, May Sessions, 1907

COMMONWEALTH

VERSUS

Yocato Public Road

vs.  
Pew. Law

Charge

X

JAMES H. KELLEY,  
DISTRICT ATTORNEY

In 2 winter sessions of Clear  
field Co. Pa.

Mo 4 May 1907

Delaware to vacate road in

Seven townships leading from the  
Cleary and to James McNamee.

Now February sessions  
1907 without petition read  
and considered and  
thereupon J. McNamey  
J. G. Dale & No. C. Rafferty  
are appointed Delegates  
to view said premises  
and report at the next  
sessions

By the Court

John C. Smith

J. G.

Woodward

John Mackenzie  
Jos. Walcott, Jr. Inglesworth  
John Oliva or Jr. Shemley  
John Davidson

(C. 18) Wilson -

Al Williams

Joe A. Moore

John R. Spencer

Wm. J. Smith

John Wadsworth

Edward Bloom

M. G. Bloom

John B. Conant

Reston

John C. Conant

Fred Bent

John & Overduff

J. B. Clark

John C. Clark

Reush Scott

Taylor & Mahan -  
Dobson & Chen.

John Haly

Penn Twp. Pa. Sept 21<sup>st</sup> 1906  
We the undersigned citizens and taxpayers  
of Penn Twp. Clearfield Co. Pa. hereby  
Petition and ask the Hon. Allison O.  
Smith Pres. Judge of the Courts of  
Clearfield Co. Pa. to issue an order  
vacating the <sup>public</sup> <sup>in Penn Twp.</sup> Road leading from  
the Clearf<sup>d</sup> Road to Jas. McKeown's  
and for the granting of this petition  
we will ever pray,

signed  
D. M. Hippo Superior  
J. J. Weisgarber  
- 1000 - 1000

S. L. Kesten Jr.

John, David  
Tarkington

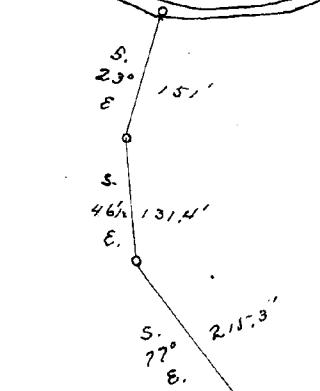
St. P. Rafferty  
H. H. Hether

1.05 Color R  
1.05 ~~Color~~ ~~Color~~

J. E. W. Keown  
J. W. H. Keown

✓ *Leather*

Clary Road



S. 72° E. 215.3'

S. 78° E. 125'

S. 49° E. 318'

S. 40° E. 168.5'

S. 42° E. 133'

S. 52° E. 136.6'

S. 36 $\frac{1}{2}$ ° E. 109'

S. 35° E. 116.5'

S. 40° E. 75'

S. 27 $\frac{1}{2}$ ° E. 127.3'

S. 47° E. 111'

S. 74° E. 73'

S. 75° E. 70'

Line  
McKeown  
Jas

Unimproved

Unimproved

Survey made April 22, 1907. Performed May 1907.  
Surveying Road.  
Scaling Scale 200' = 1" McCleery Eng'g.

# 4 May Sessions

# 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 *The Cleary road*

in *Penn* Township, to *James*  
*M Neowns*

in *Penn* Township, in the county aforesaid, will meet at the house of *Harry*  
*Bennett*, in *Penn* Township, on *Tuesday*, the *23* day of *April*, A. D. 1907, at  $\frac{2}{3}$  o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

*J. W. Greeny*  
*D. Dale*  
*X. Y. Rafferty*

Viewers.

*Norman Pa 4/8, 1907.*

Service of this notice accepted for County  
April 15<sup>th</sup> '07

W. P. Roske

B. F. Wilhelm

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 10 day of March, A. D. 1907, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Penna

, in said county, setting forth that

in order issue vacating the Public Road in  
Penna Twp leading from the Cleary Road to  
Jas M Reoons and for the granting of this petition  
we will ever pray

and therefore praying the Court to appoint proper persons to view and vacate the same according to law, Report to next term whereupon the Court, upon due consideration had of the premises, do order and appoint J. S. McCaugh, Jas A. Dale and Jas G. Rofferty 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 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 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 Court of Quarter Sessions  
of Clearfield County

Granison Pa  
April 23-07

We the undersigned Viewers appointed by your  
Honorable Court to view and vacate the Road  
in Penn Township described in the within order  
having met this day according to notices duly  
posted and served according to law, and  
being severally affirmed, proceeded to view  
said road, and hear all the testimony  
for and against vacating. We therefore report  
as follows. That said road is not used  
by the general public - that it is not in a  
fit or safe condition to travel - That in our  
opinion it should be vacated as a public  
road, ~~no objections having been presented~~  
to its ~~road~~ <sup>length</sup> conforms to the following  
dimensions beginning at a large Chestnut tree  
at the "Clay Road" in said Township, 5.23° E.  
151' - 5.46° E. 131.4' 5.77° E. 215.3' 5.78° E. 125' 5.49° E. 318'  
5.40° E. 168.5' 5.42° E. 133' - 5.52° E. 136.6' 5.36° 30' E. 109'  
5.33° E. 116.5' - 5.40° E. 75' - 5.27° 30' E. 127.3' 5.47° E. 141'  
5.74° E. 78' 5.38° E. 70' to James McNeown line in  
said Township.

Respectfully submitted.

Draft attached.

J. M. Treacy }  
John A. Dale } Viewers  
John J. Roffey }

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.

<p>No. 11 May Sessions, 1907</p>	<p>ORDER</p>	<p>To view <u>Yeact</u> a road for public use in the township of <u>Beeson</u>, Clearfield County</p>	<p>May Sessions, 1907, read and confirmed <u>Ni. Si.</u> Root to be opened 33 feet wide, except where there is side toll cutting or embankment and bridging, there to be 16 feet wide. By the County Clerk, 1st of Oct. A.D. 1907. O. C. Conrad, Auditor of the County of Clearfield, Pa.</p>	<p>John S. Smith, Clerk</p>	<p>PR 26 Oct. 1907</p>
<p>Filed</p>	<p>190</p>	<p>Fees \$1.25 paid by</p>	<p><u>Woodward</u> <u>W. M. W.</u></p>		