

No. 4

May

Sessions, 1907

COMMONWEALTH

VERSUS

Vocate Public Road

in

Penn. Zw

Charge

X

JAMES H. KELLEY,
DISTRICT ATTORNEY

In Quarter Session of Court,
Juniata Co. Pa.

Mo 4 May 20 1907

Delivered to record clerk in

June township, leading from the
Clary road to James McNamee.

Now February Session
1907, within petition read
and considered, and
thereupon J. S. McNamee
J. A. Dale & Geo. C. Rafferty
are appointed Viewers
to view said premises
and report at the next
Session

By the Court

William S. Smith

D. S.

-Woodward

John Dankenise
 Jos Walker J R Wagesworth
 John Olson J R Shively
 Wm Davidson

C. B. Williams
 Al Williams
 Joe Moore
 R. Spencer
 Ed Widemire
 Edward Bloom
 M. G. Bloom

Restaurante
 Fred Bentz
 John & Overdurf
 J B Clark
 J. Cassin
 Rush Scott
 Taylor Mahlen-
 Decker
 John Walz

Penn Twp. Pa. Sept 21 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 ^{public} Road ^{in Penn Twp} leading from
the Clearf. Road to Jas. McKeon's
and for the granting of this petition
we will ever pray

Signed
D. N. Hipps, Supervisor
J. J. Newgarber

S. L. Kester Jr

J. E. M. Davis
Laurel, Bt.

H. S. Rappley
H. Elyer
J. A. Black
J. & A. B. C.
T. E. M. Keown
J. W. McKewen
L. A. H.

David Threlkeld
to Mr. Henry & Mr. Rafter
From Mr. Threlkeld. James & Rafter

H. J. Hall
 D. G. Spruice, George Dunt
 H. C. C. and Wesley Dunt
 and E. D. Dunt
 Wm. H. Dunt
 H. J. Hall

John E. Guire James McKinnick
Calvin Guire Jos. Davis

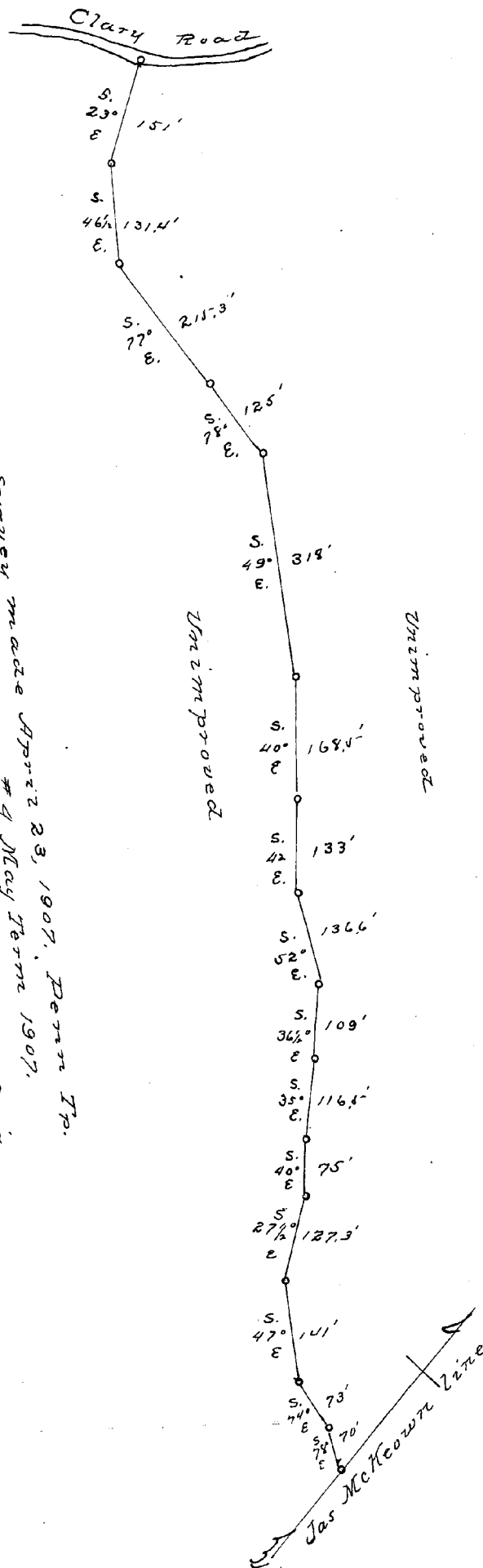
A. King
D. L. Brown
J. L. Brown

1771 Brannell

B. B. ...

1 of Overhoff

Survey made April 23, 1907. Penn. Tp.
 Vacating Road. #4 May Term 1907.
 Scale 200' = 1" McCreery Eng'r.



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. Steouns*

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.

Will Greer
J. Dale
Wm. R. Raftery
Viewers.

Kerrmoor Pa 4/8, 1907.

Service of this notice accepted for County

April 15 '07

W. F. Roubt

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 18 day of March, A. D. 1907, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Penn, in said county, setting forth that

an order issue vacating the Public Road in Penn Twp. leading from the Cleary Road to Jas McKeon 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. McCree, 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 enrolling 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 Fairfield County

Graffham Pa
April 28-07

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 notice duly
posted and served according to law, and
being severally affirmed, proceeded to view
said road, and hear all the testimony
for and against vacation. 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 us; ~~The road conforms to the following~~
~~survey beginning at a large Chestnut tree~~
~~at the "Clay Road" in said Township, S. 23° E.~~
151' - S. 46° E. 131.4' S. 77° 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° 30' E. 109'
S. 35° E. 116.5' - S. 40° E. 75' - S. 27° 30' E. 127.3' S. 47° E. 141'
S. 74° E. 73' S. 58° E. 70' to James McKeown line in
said Township.

Respectfully Submitted.

Draft attached,

J. M. Treney
John A. Dale
John J. Rafferty } Viewers

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. 11 May Sessions, 1907

ORDER

To view *Varcity* a road for *Public* use in the township of *Pearson*, Clearfield County

May Sessions, 1907, read and confirmed N. S. Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide. By the Court Sept. 18, 1907 Ad. J. P. Confirmed absolutely by the Court

William O. Smith
CLERK

Filed 190
 Fees \$1.25 paid by

ward
W

		AMOUNT.
<i>J. M. Tamm</i>	Days	
	Miles 10	50
<i>Jas. Sale</i>	Days	
	Miles 10	50
<i>J. P. Rafferty</i>	Days	
	Miles 10	50
		150
	Days	
	Miles	
	Days	
	Miles	