

No. *5*

Moy

Sessions: 190 *7*

COMMONWEALTH

VERSUS

Vacate Public Road

in

Penn Lwp

Charge

4

JAMES H. KELLEY,

DISTRICT ATTORNEY

Penn Prop. Pa. Sept 21" 1906

We the undersigned citizens and Taxpayers of Penn Prop. 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 ^{the Penn Pa.} leading from the Crowsville and Grampian road (road passing Belle Stronachs) ~~to~~ to road that leads to Cyprus Woods. As the road is of little use and costs a good amount to keep it up and for the granting of this petition we would ever pray

signed

~~A. H. Hippo~~ supervisor

J. J. Hiesinger

~~J. J. Hiesinger~~

P. H. Hiesinger

~~S. J. Hiesinger~~

~~S. J. Hiesinger~~

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~~S. J. Hiesinger~~

~~S. J. Hiesinger~~

signed

J. J. Hiesinger

L. J. Hiesinger

J. J. Hiesinger

~~J. J. Hiesinger~~

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J. J. Hiesinger

J. J. Hiesinger

John J. Conkling
 Joe Walker
 Wm Davidson
 Wm Davidson

Abel Allen
 East Moore
 Walter B. Spencer
 L. H. Widemire
 Edwards Bloom
 M. A. Bloom
 W. H. Bloom
 R. H. Bloom

John J. Conkling
 Fred Pentz
 John J. Conkling
 J. R. Wriglesworth
 Rush Scott
 Taylor Maitland
 J. R. Spencey
 Dr. Mc. G. W. W. W.
 John Healy

Nov 5. May 20 1907

Petition to view and vacate
public road in Lane Twp. leading
from Cummings view and Georgian
road (road passing Belle Shomach's)
to road that leads to Cymus Woods
place in Bloom Twp.

Now February Sessions
1907 within petition read
and considered, and
hereupon J.S. McCreary
vs Dale vs Geo. Y. Rafferty
are appointed Viewers
to view said premises
and report at the next
Sessions

By the Court
Wm. H. Smith
P.J.

- Woodward -

#5 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 *Cumminsville and Graupian road*

in *Penn* Township, to *road* leading to *Cyrus Woods*

in *Penn* Township, in the county aforesaid, will meet at the ~~house of~~ *Belle Stronach*, in *Penn* Township, on *Monday*, the *22* day of *April*, A. D. 1907, 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.

J. M. Green
J. D. Dale
J. W. R. Afferty

Viewers.

per
Hermon Pal 4/8, 1907.

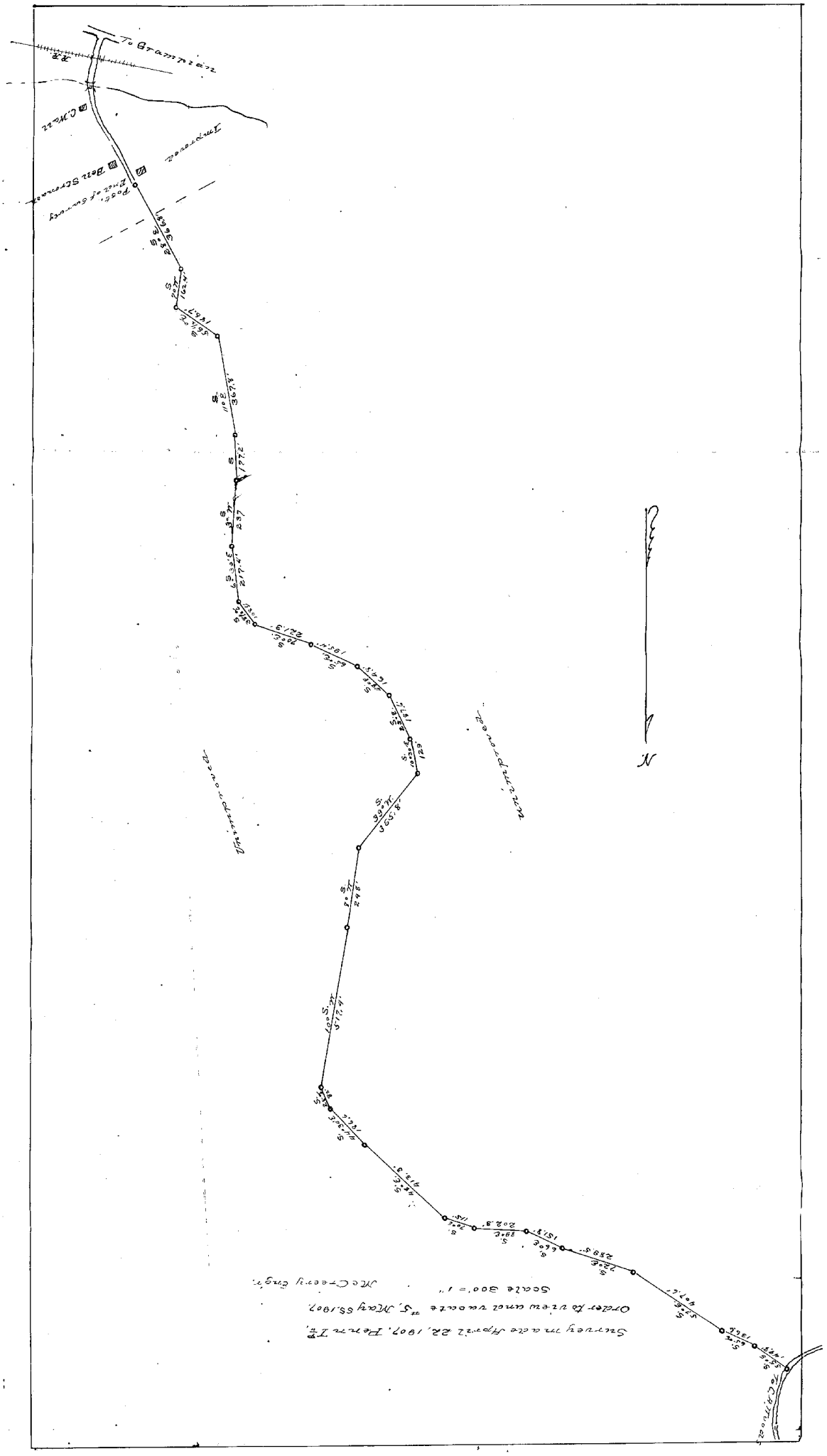
(over)

I hereby certify that
I this day served notice personally
on Miss Belle Stronach and Curtis
Hall, landowners situated on the
within described road,
April 12, 1907 J. M. Cressy

These parties refused to sign acceptance
of notice or anything else J. M.

Service of this notice accepted for County
Apr 15 "07

W. J. T. Probes
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 13th 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 Crenwells
and Champion Road (road passing Belle Stronach)
to road that leads to Cyrus Woods, as the road
is of little use and costs a good amount to
keep it up and for the granting of this petition
we would ever pray.

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 J. S. M. Creary, Jas. A. Dale, and Jas. Y. Rafferty
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 particu-
larly, 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 pro-
cure 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 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.

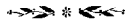
Witness our hands and seals this..... day of.....
A. D. 190.....

.....
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 Court of Quarter Sessions
of Clearfield County,

We the undersigned Viewers appointed by your
Honorable Court to View and Vacate a Certain road
described in attached order #5 May Session 1907
having met (as per notices duly posted and
served according to law) this day, ~~and~~ having
been affirmed according to law proceeded to
hear testimony for and against said vacation,
and after viewing ^{the} road, agreed that said
road from the C.A. Road to Belle Stronachs barn
is useless, in very bad condition, and could not
be made fit to travel without great expense. We
therefore unanimously recommend that said Road
be vacated in accordance with the following survey
Beginning at the Public Road in Penn Township, that leads
from Grampian to C.A. Woods Shuman S. 55° E. 148.9' S. 65° E.
136.6' - S. 57° E. 407.6' - S. 72° E. 289.5' S. 66° E. 151.8' - S. 87° E. 222.3'
S. 71° E. 115' - S. 48° E. 413.3' - S. 44° 30' E. 186.6' - S. 25° E. 82' - S. 10° W.
517.4' S. 8° W. 248' - S. 39° W. 365.8' - S. 10 1/2° E. 128.9' - S. 25° E. 187.6'
S. 48° E. 164.8' - S. 65° E. 195.4' - S. 70° E. 221.3' - S. 38° 30' E. 108.6'
S. 6° 30' E. 217.4' - S. 3° W. 237' - S. 17 1/2° - S. 11° E. 367.8' -
S. 56 1/2° E. 186.7' - S. 7° W. 192.4' - S. 28° E. 366.8' to post near
Belle Stronachs Barn, and there being a very strong
protest against the vacation of the portion of this road
from this point to the Curwensville road, a distance
of about 500 ft, we feel that an injustice would be
done to at least 3 families by such vacation. We
therefore recommend the road vacated to the point above
designated. See draft attached.

Respectfully submitted

Apr 22, 1907.

Drafts attached.

Wm. Trieny
John A. Dale
John Y. Rafferty } Viewers

10. St. Louis, 22, 9, am

No. 5 May Sessions, 1907

ORDER

To view and vacate a road for Public use in the township of Clearfield, Clearfield County, Pa.

May Sessions, 1907, read and confirmed N. Smith.

~~Read 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
Highway 1907, N. Smith confirmed absolutely.

Attest: O. Smith

Filed 1907
Fees \$1.25 paid by woodward

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.

		AMOUNT.	
<u>James</u>	Days 2	10.00	
	Miles 20	1.00	
		11.00	
<u>John</u>	Days 1	3.00	
	Miles 13	1.30	
		4.30	
<u>Jay R. R. R.</u>	Days 1	3.00	
	Miles 10	1.00	
		4.00	
	Days 1	3.00	
	Miles 10	1.00	
		4.00	
	Days 1	3.00	
	Miles 10	1.00	
		4.00	