

No. 6, Dec. Sessions, 1907

COMMONWEALTH

VERSUS

Road in
Greenwood
Township

Charge

Road.

JAMES H. KELLEY,
DISTRICT ATTORNEY

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 2nd day of October, A. D. 1907, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Greenwood

, in said county, setting forth that a public road known as the Poplar Run Road has long since been laid out beginning at a public road near the old Wollen Factory in said Township and ending at the Township line between Greenwood and Penn Townships, part of which road beginning at a point near the house of Dr. Currier and ending at said Township line, has become useless, inconvenient and burdensome. Your petitioners therefore pray the Court to enquire and vacate said road and for that purpose to appoint three persons qualified according to law

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 J. S. McCreary, E. E. Owens and Eli Hale 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 to view said road 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 J. 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

.....
.....
.....

November 15, 1907.

To the Honorable Court of Quarter Sessions
of Clearfield County:

We the undersigned Viewers appointed
by your Honor to view and vacate
a portion of the Poplar Run road
in Greenwood Township, as set forth
in attached order, having such as far
notices served and posted according
to law, and having been affirmed,
proceeded to view the said road, and
having heard all the available testimony
reprob that we do not feel justified
in vacating said road at this time,
a considerable number of tax payers
of Plum and Greenwood Townships
vigorously protesting against said
vacation. The road, if opened on
the view, being in our opinion, a neces-
sity. We therefore report adversely,

J. M. Tracy
E. C. Owers } Viewers
E. J. Hale }

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 outstanding 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.

NOTE, 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. 6 *Dec. Sessions, 1907*

ORDER

To view and vacate a road for public use in the township of Greenwood, Clearfield County

December Sessions, 1907
read and confirmed Ni. Si.
Road to be opened 22 feet
wide, except where there is
side hill cutting or embank-
ment and bridging, where to
be 16 feet wide.

2017
July 10th... Camp

Filed..... 190 v.
Fees \$1.25 paid by John Gandy

TO THE HONORABLE JUDGE OF THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA.

The petition of the undersigned, inhabitants of the Township of Greenwood in the county aforesaid, respectfully represents;

That a public road known as the Poplar Run Road has long since been laid out, beginning at a public road near the old Woolen Factory in said Township and ending at the Township line between Greenwood and Penn Township; part of which road (beginning at a point near the house of Dr. Currier and ending at said Township line), has become useless, inconvenient and burdensome.

Your petitioners therefore pray the Court to inquire and vacate said road, and for that purpose to appoint three persons qualified according to law, to view said road and inquire of the premises, make return of their proceedings at the next term of this Court.

Jno. F. Mitchell
James Blay
Arthur Bell
Elmer Hoover
Gerry Johnson
Perry Barthaus
Thomas Diehl
Gene Ross
Harry Bell
Lewis Haines
David Mitchell
Frank Diehl
Vernie Bell

J.W. Daugherty
Jan Passmore
Truman Young
James Young
Perry Gullien
O. A. Wiley
J. A. Johnson
J. M. Thompson
C. P. Barket
G. W. May
Robert Young
M. J. Hoover

Wayne Johnson
J.W. Gould Thread
Charlie M. Derrick
L.W. Bell
G.W.P. Dickey
Geo. W. Wild
W.C. Gurney
J. J. Bell
Jack McBracker
E. C. Sobers
B. B. McLean
E. C. Poorman
H. B. Johnston
P.P. Withuit
L.R. Gullikson
F.B. Johnston
B.F. Dickey
G.W. Campbell
G.W. Kell

Notice of notice of presentation a copy
& further & personal service
Warren,

G. W. Bell

G. W. Bell

G. W. Bell

No. 6 Dec. 22. 1907.

In the vacation of trout river
Bremerton, Wash.

Sept 11. 1897. At the time we
arrived in Washington
we found Mr. George E. C. Morris
of the U. S. Fish Commission
had been appointed
to direct the operations of the
new Bureau of Fisheries.
He is a man of great
ability and knowledge.

G. R. BIGGLER
ATTORNEY AT LAW
CLEARFIELD, PA.

Jewell & Co., Makers, Phila., Pa.