

No. 6 Dec Sessions, 190 7

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 2<sup>nd</sup> 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 inquire 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~~ <sup>vacate</sup> the same according to law, whereupon the Court, upon due consideration had of the premises, do order and appoint J. S. McCreery, E. E. Owens and Eli Hile 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 <sup>an</sup> occasion for such road, they shall proceed to ~~vacate~~ <sup>vacate</sup> 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.

*Rolland 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 ensembling 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.

... *Scat*

... 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 .

[illegible]

.....

\*\*\*\*\*

November 13, 1907.  
To the Honorable Court of Quarter Sessions  
of Cleaveland 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 per  
notices served and posted according  
to law, and having been affirmed,  
proceeded to view the said road, and  
having heard all the available testimony  
report that we do not feel justified  
in vacating said road at this time,  
a considerable number of taxpayers  
of Run 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. Treney }  
E. E. Owens } Viewers  
Eli Hale }

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 N. Si. Road to be opened 22 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

By the County  
W. H. Smith  
 Clerk

FILED  
 DEC 2 1907

July 11, 1908 Confirmed at meeting of the township  
Wm. C. Smith  
 190 00

Filed 190 00

Fees \$1.25 paid by J. M. Gray

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. S.—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.

<u>J. M. Gray</u>	Days <u>2</u>	Amount <u>10.00</u>
	Miles <u>8</u>	<u>.80</u>
<u>E. E. Owens</u>	Days <u>1</u>	Amount <u>2.50</u>
	Miles <u>6</u>	<u>.60</u>
<u>Elvin Hale</u>	Days <u>1</u>	Amount <u>2.50</u>
	Miles <u>6</u>	<u>.60</u>
	Days	
	Miles	
	Days	
	Miles	

TO THE HONORABLE JUDGE OF THE COURT OF QUARTER SESSIONS OF CLEAR-  
FIELD COUNTY, PENNSYLVANIA.

The petition of the undersigned, inhabitants of the Town-  
ship 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 <sup>point on the</sup> public road near the old Wool-  
len Factory in said Township and ending at the Township line be-  
tween Greenwood and Penn Townships; (part of) which road (beginning  
at a point near the house of Dr. Currier and ending at said Town-  
ship 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.

J. W. Mitchell  
James Lelay  
Arthur Bell

Elmer Hoover

Gorry Johnson

Perry Anthony

Thomas Diehl

George Rast

Harry Bell

Lewis Haines

David Mitchell

Frank Diehl

Gene Bell

J. W. Daugherty  
Jan Passmore

Truman Young

James Young

Perry Sullivan

O. A. Wiley

J. A. Johnson

J. M. Hampton

L. P. Barrett

Dr. W. W. W.

Robert Young

W. J. Hoover

Wayne Johnson  
J. W. Gouldthread  
Charlie M. Derrick  
E. W. Bell  
G. W. Dickey  
Geo. W. Wilby  
W. E. Larrin  
J. J. Bell  
Jack W. Cracker  
E. G. Sobers  
C. B. Mc...  
E. C. Parnum  
H. B. Johnston  
P. R. Withrill  
H. R. Lullikere  
F. B. Johnston  
B. F. Diehl  
G. W. Campbell  
G. W. Hess

Service of notice of presentation accepted  
& further & personal service  
waived.

J. J. Bell  
J. W. Bell  
G. W. Hess



