

No.

6 May

Sessions, 1907

COMMONWEALTH

VERSUS

Vacate Public Road

in

Penn Top

Charge

JAMES H. KELLEY,
DISTRICT ATTORNEY

No. 6 May 1907

Solution to arise and vacate but
be read in same jurisdiction
from John H. H. H. to Shuman and
read.

Now February, 1907
1907 within petition read
and considered, and
thereupon J. J. McCreary
Madale and G. A. Hafferty
are appointed receivers
to give said proceeds
and report at the next
session

By the Court
Missouri St. South
MAY 12 1907
Clerk

Woodward

signed

Sealey East
 J. E. G. Anvin
 W. C. Damm
 C. E. S. Kentish

signed

Trille M. H. H.
 J. & S. H. H.
 D. H. A. H. H.
 John H. H.

Thos. S. H. H.

James H. H. H.
 J. H. H. H.

J. H. H. H.

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Penn Twp Pa Sept 21st 1906

We the undersigned Citizens & Taxpayers of Penn Twp Clearfield Co. Pa hereby petition and ask the Hon Allison O. Sprick Pres. Judge of the Courts of Clearfield Co. Pa to issue a order vacating the following ^{public} road situated in Penn Twp Road leading from Jno. Naleys to Spencer Hill Road. As the Road is never traveled and will cost the said Twp. a considerable sum to maintain same as a Road which is a benefit to no one. And for the granting of this petition we will ever pray.

signers

signers

signers

A. H. Kipp (superintendent)

J. J. Wiegman

James W. Myers

R. P. Kester

F. L. Kester Jr

E. Johnson Perry

Geo. D. Darrow

H. P. Kester

Wm. Helper

W. R. Darrow

David V. Shand

C. M. Henry

Frank C. E. ...

Wm. ...

W. J. Hall

...

A. C. ...

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J. C. ...

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G. W. ...

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Survey made April 24, 1907.
Vacating Road in Penn. I.P.
No 6 May. 1907 - 200' 11"
McCree Eng'g.

Jno. Haley

Mrs. Bonisall

Improved

Improved

5.78°
232.5'

N 235'

N 715'

N 18° E
80'

N 35° E
492'

N 34° E
187'

to River

6 May 1907

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 *Spencer Hill School-house*

in *Penru* Township, to *the road leading from Lumber City to Bells' Landing*

in *Lumber City Boro* Township, in the county aforesaid, will meet at the house of *John Haley*, in *Penru*

Township, on *Wednesday*, the *24* 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 Lenny

J A Dale

Harry Rafferty

Viewers.

Kerrison Pa 4/13 1907.

Service of this Notice accepted for County
Apr 15 '07

W. P. Cowles

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 13 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 following Public Road situated in Penn Twp., Road leading from John Holey to Spencer Hill Road, as the road is never traveled and will cost the said Twp a considerable sum to maintain same as a Road which is a benefit to no one 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 May Term whereupon the Court, upon due consideration had of the premises, do order and appoint J. S. McCreary, J. A. Sale and J. G. 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 View and 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 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.

Roe 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

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Seal

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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.....

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To the Court of Quarter Sessions of Chesford County.
We the undersigned Viewers appointed by your
Honorable Court to view and vacate a road in
Parr Township and described in the attached
order met in accordance with notices legally
posted and served, and being affirmed according
to law, proceeded to view said road, and finding
it abandoned for many years as a highway
and entirely unnecessary and impractical,
we therefore unanimously recommend its vaca-
tion, following the course & distances as follows
Beginning at the Public Road leading from
Spencer Hill school house to Lumber City near
The Robbins place, thence N. 34° E. 187' - N. 35° E.
492.2' - N. 18° E. 80' - N. 71° - S. 78° E. 232.8' - N. 62° -
N. 3° E. 109' to Joe Staley's Barn.
Respectfully submitted this 24th day of April 1907.

J. M. Truitt
John A. Dale
John Y. Rafferty } Viewers

Prostate 4, 1907

No. 6 May Sessions, 1907

ORDER

To view and locate a road for Public use in the township of *Cen*, 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 Clerk

Sep. 24, 1907 confirmed absolutely. By the Clerk

William C. Smith

FILED

Filed 190

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.

J. M. Brown } Days *1* 5.00
Miles *3* 15

J. A. Sale } Days *3* N—
Miles *3*

J. M. Affly } Days *13* 65—
Miles *13*

Days
Miles

Days
Miles