

No.

7 May

Sessions, 190

COMMONWEALTH

VERSUS

Tacote Public Road

in

Penn Twp

Charge

X

JAMES H. KELLEY,

DISTRICT ATTORNEY

No. 7 May 22 1907

Petition to revise and amend

road in Sunnyside, leading
from Spencer Hill across bridge
road leading from Sunnyside City
to Beech Landing.

Now February session
1907 with petition
read and considered,
and thereupon J. S.
McCreary, State Atty. Gen.
Geo. C. Bennett are
appointed, referees to
hear said petition
and report at the
next session

By the Court
J. S. McCreary
Geo. C. Bennett

- Woodward -

John S. Anderson
Geo. H. H. H.
Chas. D. Wall
James McKinnick
J. R. Mighsworth
J. V. Shender
John Dealy

Joseph Davis
Joe Walker
John Chan
Wm Davidson
Thomas Davidson
A B Williams
A B Williams
C. B. B. B.

J. C. Givens
 Last Move
 Walter R. Spencer
 M. H. Wall
 Leroy B. Widemire
 Edward Bloom
 M. G. Bloom
 H. H. Fineman
 R. S. Arnold
 J. H. Givens
 Fred Bent
 John F. Oberdahl
 J. B. Clark
 E. H. Cassidy
 Rush Scott
 Taylor Mahler

~~Signers~~

[Handwritten signature]

Wm. B. Rappert
Wm. Helbert
Wm. Bower

#7 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 *Spencer Hill School House*

in *Penn* Township, to *Susquehanna River road near Lumber City*

in *Lumber City Boro* Township, in the county aforesaid, will meet at the house of *Drostaley*, in *Penn*

Township, on *Wednesday*, the *24th* day of *April*, A. D. 1907, at 2 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

J. M. Crum
J. A. Dale
Geo. R. Rafferty
Viewers.

Kermoo Pa 418, 1907.

April 12 1907

We the undersigned Supervisors
of Penn Township hereby accept
service of notices to view and vacate
the different roads described in
orders # 2-3-4-5-6 & 7 May Sessions
1907. Views to be held April 22-23-24-07

G. C. Passmore
J. F. Cleaver
J. J. Weisgarber

} Supervisors

attest J. M. Trump

7 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

Spencer Hill School-house

in *Penn* Township, to *Susquehanna*
River road near Lumber City

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

Township, on *Wednesday*, the *24th*
day of *April*, A. D. 1907, at 2 o'clock
P. M., to attend to the duty assigned them, of
which time and place aforesaid all parties inter-
ested will please take notice.

J. M. Treng
J. A. Dale
John Rafferty
Viewers.

Kerr Moor Pa 4/8, 1907.

April ~~May~~ 12, 1907

We the undersigned property owners
interested immediately in land ad-
joining or adjacent to roads under
orders # 2-3-4-5-6 & 7 May session
1907 to be viewed for vacation
April 22, 23 & 24, 1907 hereby accept
service of notice for said views.

Served on Miss Belle Stronach by
J. M. Tracy April 12, 1907

Served same day on Curtis Hall
J. M. Tracy

Served on John S. McKenrick
by J. L. Rafferty on Apr 12, 1907

Served same day on Jas Donahue,
M. D. Flynn, Ed Flynn,

Served same day on James McKenon
and J. L. Rafferty.

Property owners

7 May Sessions 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

John Haley's

in *Penru* Township, to Road leading from *Spencer Hill School house to the river*

in *Penru* 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 1 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

J. M. Cross
J. A. Dale
Wm. Rafferty
Viewers.

Terrence 4/12, 1907.

Notice served by me personally
on John Haley - Land owner interested
in road herein described, this 12th
day of April 1907

J. M. Loring

Service of this notice accepted for County
April 15th 07

C. P. Rowles
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. vacating from Spencer
Hill School House to the road leading from
Lumber City to Beels Landing as the Road
is not much traveled and there are two
other roads running parallel within a
radius of Two miles for the granting of
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. McCreey, Jno. A. Dalton and 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 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.

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

.....
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 Clearfield
County.

We the undersigned Viewers appointed by
your Honorable Court to View and vacate a
Road in Penn Township leading from Spencers
Hill School House to River Road, this day
met as per notices posted and served in accord-
ance with act of Assembly, and being affirm-
ed, proceeded to view same. We find as follows:-
The road in question is used by a considerable
number of people, that the road is in fair con-
dition, not difficult to maintain, and a very
strong protest against its vacation, both by
representation, Citizens of Penn Township and
practically every elector in Lumber City Boro, in
which Boro a considerable part of said ^{road} is
located, we feel that it would work injustice
to vacate same, and therefore report adversely
to petitioners.

Respectfully submitted
April 24 1907

J. M. Green }
John A. Dale } viewers
John Y. Rafferty }

1917 4 21

No. 7 May Sessions, 1907

ORDER

To view and locate a road for Public use in the township of Benar, 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 center~~

Sept. 19 07. Attest
Confirmed & authorized by
By the Court
as Attest: O. Smith

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. | |
|----------------------|------------|------------|--|
| <u>Jo M. Trimmer</u> | Days 1 | <u>500</u> | |
| | Miles 6 | <u>30</u> | |
| | | <u>530</u> | |
| <u>Jasale</u> | Days 1 | <u>300</u> | |
| | Miles 6 | <u>30</u> | |
| | | <u>330</u> | |
| <u>Jay Roffey</u> | Days 1 | <u>300</u> | |
| | Miles 6 | <u>30</u> | |
| | | <u>330</u> | |
| | Days 11,90 | | |
| | Miles | | |
| | Days | | |
| | Miles | | |

J. H. Stearns
 H. A. Norrville
 J. C. Caldwell
 J. S. McQuinn
 B. M. Yeager
 A. C. Charn
 W. C. Hall
 Thomas O. Way
 R. P. Lester
 E. B. Spencer
 J. R. Wignworth
 J. P. Seashart
 R. G. Harrison
 C. W. Caldwell

No. 7 May ss 1907

J. R. Seashart
 W. C. Seashart
 J. B. Seashart
 J. C. Kirk
 R. E. McQuinn
 J. E. Cupples
 W. C. Seashart
 J. M. Seashart
 J. M. Seashart
 J. M. Seashart

J.S.McCreery, J.A.Dale, and J.Y.Rafferty, Board of Viewers,
sitting April 24th, 1907.

Gentlemen - We the undersigned citizens of Lumber City
Borough and vicinity, do hereby protest against the
vacation of highway situated, part in Lumber City Borough
leading from river road in said Borough to highways near
Spencer Hill school house in Penn. Township.

Wm H. H. H. H.
J. A. Jansison
H. J. Porman
E. H. Hile
Wm. Schitzinger
Wilson M. Clare
J. A. Jansison
Lester Caldwell
G. W. Coughenbough
G. V. Caldwell
E. A. Hile
E. J. Young
A. S. Hile
Jesse E. Linger
L. B. Hile
Andrew Murphy
J. L. Spencer
B. F. Heffer
C. E. Owens
Stewart Heffer
H. E. Heffer
W. C. Hinger