

No. 2 Sept Sessions, 1900

~~COMMONWEALTH~~

~~VERMONT~~

*Vacate and Supply
Road in Bradford
Township.*

R.D. 75- Page 53

Use Re-service

Ref 17053

JAMES H. KELLEY,
DISTRICT ATTORNEY

To the Honorable Allison O. Smith, President judge of the Court of Quarter Sessions of Clearfield County Pennsylvania, we, the undersigned viewers appointed by the within order of Court to view, vacate and supply the road therein mentioned, respectfully report that we gave notice of date Etc. of said view for Aug 27 1908 and met agreeable thereto and spent some time in looking up and surveying routes for said road but did not get a complete location satisfactory to ourselves on account of lack of time, whereup on powers of viewers was extended by the Court to December Term, and a date fixed for ~~the~~ finishing the view and notice of said view was given and notice of first and last views are hereto attached. Last view was held according to notice on 15th of October and session on that date was adjourned with notice to those present to 20th of October on which date it was completed; George ~~Wilson~~ Stewart James Wilson, Milton Troxell and others property owners present at view in August, and Miss Lizzie Stewart Edwd Stewart and Mrs George Stewart and James Wilson Milton Troxell David Dale owners and representing property owners were present at view on Oct 15th; We further report that we carefully looked over different routes proposed to better grade the three hills mentioned and have laid out and do return for public use the following parts of road from Barret Station to Pleasant Valley church within mentioned;

First. Beginning at post by marked pole just below Barrett Station on Snowshoe and Packersville turnpike thence through old field of John M. Troxell S33E 5.2 perches to post, S2 1/2 E 5 perches to post, S17 1/4 degrees E 19 perches to post, S 22 E 3.9 perches to post, S 11 3/4 E 3.2 perches, S 46 1/4 E 6.2 perches, to post, S 60 1/2 degrees E 12.5 perches to post, S 89 1/2 E 8.3 perches to post, N 76 3/4 E 13.1 perches to post, N 89 1/4 degrees E 10.8 perches to post, N 84 3/4 degrees E 12.8 perches to post, E 9.6 perches to post, S 84 degrees E 40.6 perches to post at woods thence through woods of same N 82 1/4 E 6.8 perches to post, N 89 1/2 E 7.1 perches to post, N 87 1/2 E 8.9 perches to post, N 80 1/2 E 4 perches to post, N 65 1/2 E 4.9 perches to post, N 69 1/2 E 7.4 perches to post, N 66 E 7 perches to point in old public road now in use Barret Station to Pleasant Valley on Barrett hill at a marked pine.

Second beginning at a point on said road Barrett Station to P Pleasant Valley Church at culvert just below watertrough at Peters Buildings, thence through old Field of John Peters heirs, S 84 1/2 E 15.6 perches to post, S 64 1/4 E 11.5 perches to post, S 73 1/2 E 9.1 perches to post, S 85 1/4 E 36.7 perches to road Shiloh to Barrett Station, thence by said road(public) N 10 1/4 degrees E 10.2 perches to point in road Barrett Station to Pleasant Valley at end of Peters lane on their line.

Third. beginning at top ow what is called Wilson Hill at post thence through old brushy fields of James Wilson N84E 6.1 to post, S82 20 E 8 to post, S 86 50 E 14.9 to post, N 81 1/2 E 7 to post, N 54 E 8 to post, N 68 E 4.5 to post, S 89 E 7 to post, S 75 3/4 E 5.8 to post, S 63 1/4 E 6.7 to post, S 77 1/4 E 7 to post, S 70 E 11 to post, S 80 1/2 E 5 to post, N 80 E 6 to post, N 33 E 6.7 to Cherry at run, N36 1/2 E 2.5 to post, N 28 1/4 W 8 to post, N 18 1/2 W 21.4 to post, N 4 W 8.8 to post, N 15 1/2 E 8.2 to post in said road Barrett Station to Pleasant Valley church at point opposite Granary of James Wilson,

Fourth, to avoid grade of Stewart hill beginning at point on said road Barrett station to Pleasant Valley church at Corner of Stewart Cemetery thence by public road toward Jerome Wilsons N 5 1/2 E 46 to post, thence leaving said road and through improved land of John Stewart heirs, N 68 E 44 perches to post, N 64 1/2 E 18.1 to post, N 85 E 17 to post, N 74 1/2 E 5.7 perches to point in said Road Barrett Station to pleasant valley Church at a post near row of Cherry Trees, which ~~the~~ four parts of road leading from Barrett Station toward Pleasant Valley Church are necessary in our opinion

for parts of public road between the points aforesaid to avoid the steep hills on said road as now opened. The said parts of said road having been laid out the parts which they supply in said old road are in our opinion useless inconvenient and burdensome and should therefore be vacated, each part of said road vacated corresponding with parts hereinafore laid out as numbered, vacating First, Beginning at Snowshoe and Packersville turnpike thence S 60 1/2 E 8, S 86 E 25.4, N 83 1/4 E 26.8, S 89 E 73.2, N 66 E 30.6, N 57 1/2 E 9.4 to end of first part ~~#####~~ laid out.

Second, Beginning at starting point of Second part laid out, thence N 74 3/4 E 18.3, S 83 1/2 E 54 to end of Peter's land end of second part laid out.

Third, Beginning at top of Wilson hill starting point of third part laid out thence N 73 1/2 E 33, N 72 1/4 E 11.5, N 47 1/2 E 16, N 79 3/4 E 18, N 37 ~~##~~ 1/4 E 29 perches to end of third part of said road laid out.

Fourth Beginning at Stewart Cemetery at starting point of Fourth part of said road laid out thence N 41 1/2 E 14, N 49 1/2 E 97 perches to ending point of fourth part laid out.

A plot or draft of the parts of the said road Barrett Station to Pleasant Valley Church as vacated and laid out is hereunto annexed showing courses distances and improvements. Damage assessed else where in report.

Witness our hands this 20th day of October A.D. 1908.

Viewers.

Harry Byers
L. Cunningham
James A. McPherson

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view ~~Vacate and supply~~ Road leading from *point on the Snow Shoe and Packersville Turnpike at or near Barrett Station*

in *Bradford* Township, to *point on public road leading from Shawsville to Woodland at or near Pleasant Valley Church (on account of its heavy grades at what is known as the Stewart place and James Wilson hill*
in *Bradford* Township, in the county aforesaid, will meet at the ~~house of~~ *Barrett Station*, in *Bradford* Township, on *Thursday*, the *15th* day of *October* A. D. 1908, at *8³⁰* o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Harry Byers
Leander Deming
James A. McPherson
Viewers.

Clearfield Pa Oct 7, 1908.

Served on us this 9th
day of October 1908
Supervisors {

A. H. Jones (may)
James L. Jones
S. A. Gentry

Property Owners {

J. M. McDowell
Mrs. A.
H. O. Jones

Mrs. Harry Hoover (nee Roxie Stewart) notified of new
by registered letter. Miss Olive Stewart notified by
letter. Mrs. Carrie Sisk (nee Stewart) served by
by personal notice. Geo. Stewart served by making
known contents of notice & leaving copy. Jerome Wilson
notified personally.

J. M. McDowell

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view ~~vacate & supply~~ Road leading from point on the Snowshoe and Pockersville Turnpike at or near Barrett Station in Bradford Township

~~in~~ ~~Township~~, to point on the road leading from Shawville to Woodland at or near Pleasant Valley Church (on account of its heavy grades at what is known as the Stewart place and James Wilson hill in Bradford Township, in the county aforesaid, will meet at the ~~house of~~ Barrett Station, in Bradford Township, on Thursday, the 15th day of October A. D. 1908, at 8³⁰ o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Harry Byers
Leander Denning
James A. McPherson
Viewers.

Clearfield Pa Oct 7, 1908.

Death Service
This 9th day of Oct 1908
County Commission
Geo. S. Thompson
Clerk

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view ~~vacant & unimproved~~ public Road leading from point on the Snow Shoe and Jacksonville Turnpike at or near Barrett Station

in Bradford Township, to point on public road leading from Shawsville to Woodland at or near the Pleasant Valley Church (on account of the heavy grade at what is known as the Stewart place and the James Wilson Hill in Bradford Township, in the county aforesaid, will meet at the house of Barrett Station, in Bradford Township, on Thursday, the 27th day of August A. D. 1908, at 8³⁰ o'clock A. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Harry Byers
Leander Demming
James A. McPherson
Viewers.

Clearfield Pa. Aug. 15, 1908.

Accepted
Aug 17th 18
Ed. Brimmer

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to view ~~Vacated & Supply public~~ Road leading from *point on The Snowshoe and Packer'sville Turnpike at or Near Barrett Station*

in *Bradford* Township, to *point on public road leading from Shawsville to Woodland at or near Pleasant Valley Church (on account of its heavy grade at what is known as the Stewart place and James Wilson hill)*

in *Bradford* Township, in the county aforesaid, will meet at ~~the house of~~ *Barrett Station*, in *Bradford*

Township, on *Thursday*, the *27th* day of *August* A. D. 1908, at *8³⁰* o'clock *A M.*, to attend to the duty assigned them, of which time and place aforesaid all parties interested will please take notice.

Harry Byers

Leander Derringer

James A. McPherson

Viewers.

Clearfield Pa Aug 17, 1908.

Served on me this
19th day of August
A.D. 1908

D. H. Gungory

Superior
Bedford
Tut

James L. ...
A. W. ...

Land owners through
whose land road is likely to
pass

H. O. Barker

J. G. ...
P. O. Barker

Ed. ...
George Stewart
Ed. Stewart
J. M. ...

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 14th day of May, A. D. 1908, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Bradford,

in said county, setting forth that,

a road long since laid out and extending from a point on the Snow Shoe and Packville Turnpike, at or near Barrett Station and extending to a point on public road leading from Shawville to Woodland, at or near Pleasant Valley church, on account of its heavy grade at what is known as the Stewart Place and James Wilson hill ^{and Barrett Hill} makes it hard for the citizens of said Township to travel, and expensive to maintain and that a much better grade can be obtained for the same.

and therefore praying the Court to appoint proper persons to view and make report of the same according to law, whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Byers, Leander Denning and J. B. McCheson ~~and J. B. McCheson~~ 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 ^{locate and supply} and report 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.

Roll 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 John Peters Heins the sum of one hundred dollars
To J. M. Troxell the sum of one hundred dollars
To James Wilson the sum of one hundred dollars
To Jno Stewart Heins the sum of one hundred dollars

Witness our hands this 20th day of October A. D. 1908

Harry Byers
James A. Thurman
L. W. Herring

No. 2 Sept Sessions, 1908

ORDER

To view _____ a
road for Public use in the
township of Grandford,
Clearfield County _____

December Sessions, 1908,
read and confirmed. Ni. Si.
Road to be opened 33 feet
wide, except where there is
side hill cutting or embank-
ment and bridging, there to
be 16 feet wide. By the Court
Alfred C. Smith
Clk

Filed _____ 190 .

Fees \$1.25 paid by W. S. Daines

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.

3194
Harry Myers } Days 6
Miles 12 41.20
37 mph

Under Review } Days 6
Miles 12 14.20
37 mph

W. C. McPherson } Days 6
Miles 18 19.80
37 mph

W. C. McPherson } Days 5
Miles 7.50

Chairman } Days 5
Miles 7.50

William } Days 3
Miles 14.50

E. C. Curry } Days 2 3.00
Chairman

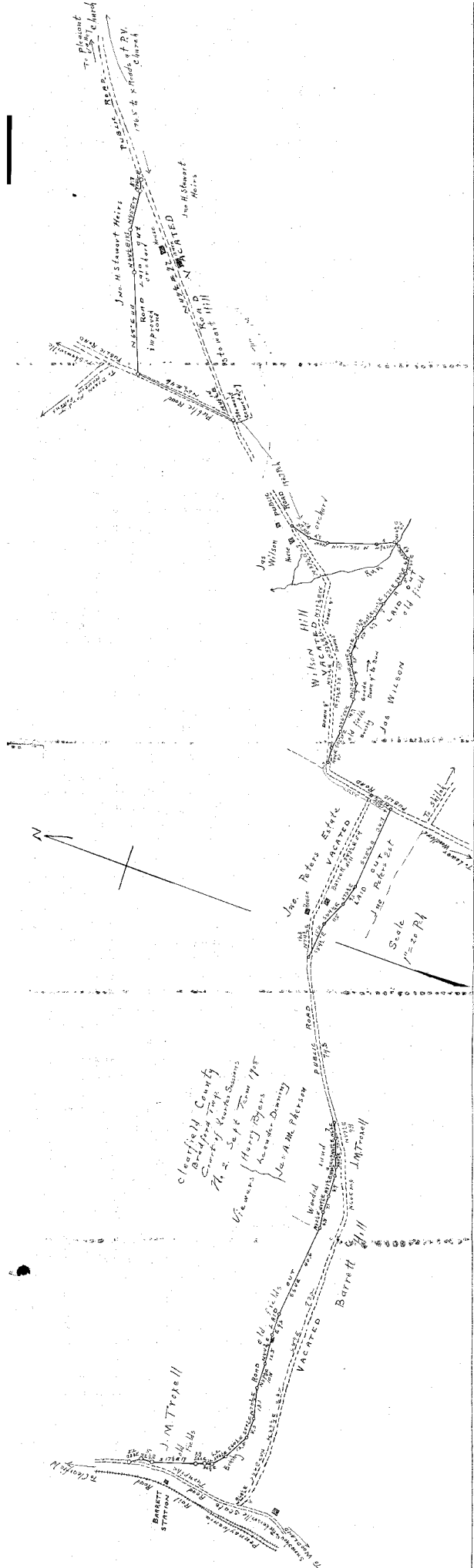
May ss. 1908 J. G. Horpenning, having refused to serve J. M. McPherson is substituted as viewer.

By the Court,

Allison P. Smith

Sept 22. 1908 powers of officers enlarged to next term.

By the Court,
Allison P. Smith



Report of Viewers on Review Sept 2 1908

To the Honorable Allison O. Smith Pres.
Judge of the Court of Quarter Sessions
of Clearfield County Pa.

We the undersigned Viewers appointed
by your Honorable Court to Review
a certain Road in Bradford Twp
with reference to changing the same
at the Jst. Stewart place on account
of the grade at the Stewart Hill, -
Report as follows. That while the ma-
jority of your viewers at former review did
not favor the lower route, yet on
the assurance of the Stewart heirs by
their representations and their attorney
that no damage would be demanded,

We recommend the vacation of the Stewart Hill from Barn
to Cemetery, supplying from a point in Road near Barn

S 20° W 10 1/2 pr S 26 1/2° W 22 pr S 40° W 30 pr S 50° W 14 pr S 62 1/2° W 14 pr

thence through woodland of E. J. J. S 75° W 13 1/2 pr S 80° W 6.7 pr

S 85° W 10 1/2 pr to Road leading to Clearfield. This

supplies to take the place of that recommended by your
former viewers through Stewart orchard, above buildings
draft attached. Viewers all present and affirmed.

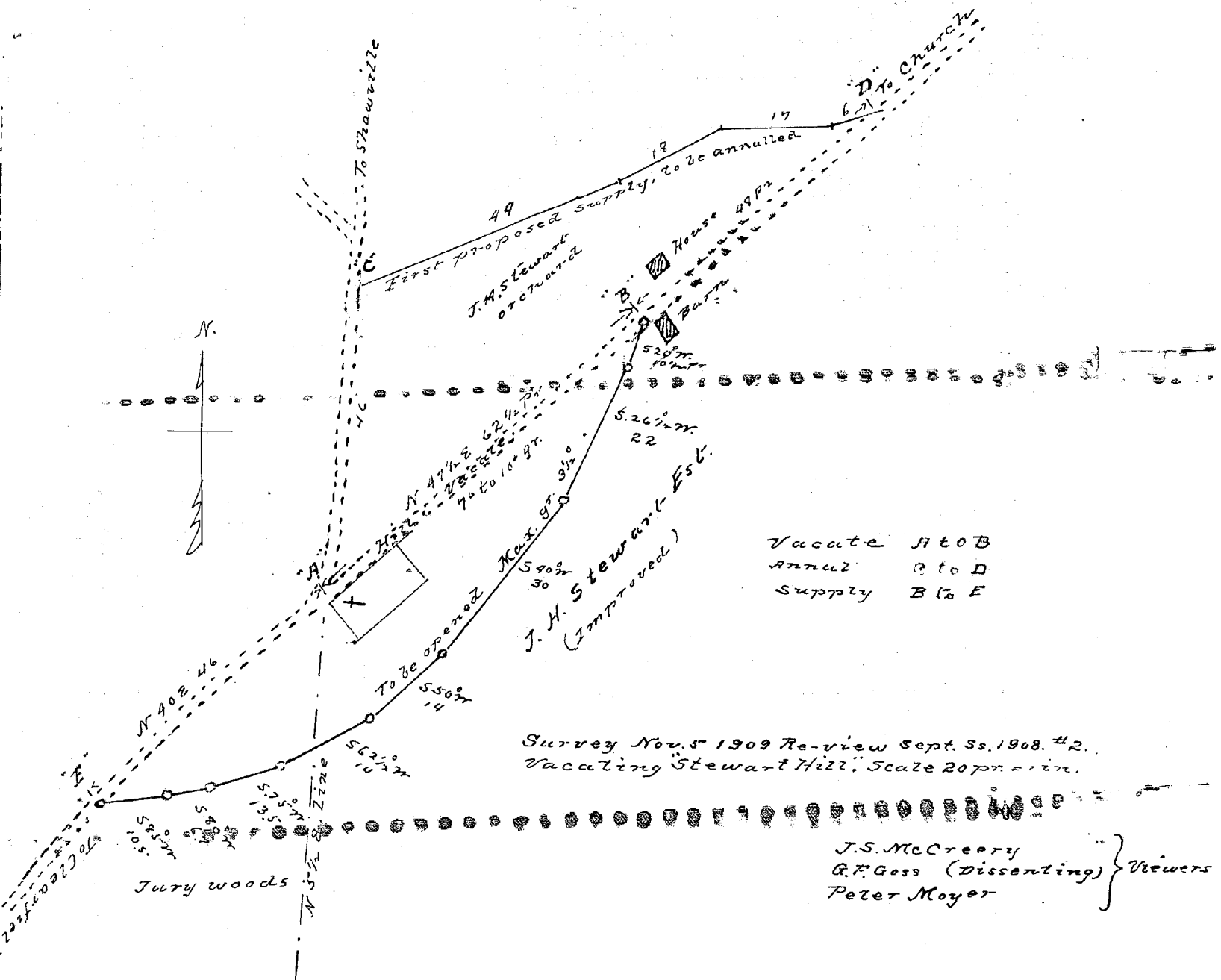
Submitted this J. M. Merroy

3rd day of Nov. 1909.

Peter M. Meyer

(G. F. Goos dissenting)

Viewers



Vacate A to B
Annul C to D
Supply B to E

Survey Nov. 5 1909 Re-view Sept. 25 1908. #2.
Vacating Stewart Hill. Scale 20 pr = 1 in.

J. S. McCreary
A. F. Goss (Dissenting)
Peter Moyer } Viewers

Road
BRIDGE VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield county, Pennsylvania, to ^{view} ~~view~~ *locate & supply* Road leading from a point at or near *Barrett station*

in *Bradford* Township, to a point at or near *Pleasant Valley Church* with special reference to change at the "Stewart place"

in *Bradford* Township, in the county aforesaid, will meet at the house of *Stewart Lewis*, in *Bradford* Township, on *Friday*, the *5* day of *November* A. D. 1909, at *10* 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. Hume
G. Frank Goss

Peter Moyer

Viewers.

Kerrwood Pa 10/23, 1909.

Service of within notice is hereby accepted
this 25th day of Oct 1909.

John W. McCracken } atty for petitioners

Service of within notice is hereby accepted
this 26th day of Oct 1909

L. C. Sporn's } For County Commissioner
Clerk

Service is hereby accepted of within notice
this 26th day of Oct 1909

Same as petitioners herein } property owners

Service of within notice accepted this
26th day of Oct. 1909

Thomas Swann
David Dale

} Supervisors of
Bradford Twp.

James Grappin

Service of within notice accepted this 26th
day of Oct. 1909.

} Attorney for original petitioners

In the Court of Quarter Sessions of Clearfield County.

In re, ROAD

In Bradford Township

No. 2 September Sessions, 1908.

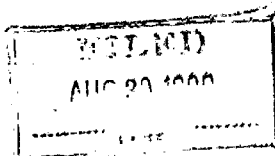
To the Honorable Allison O. Smith, President Judge of said Court:-

The petitioners for re-view in the above entitled case, except to the confirmation of the report of reviewers for the following reasons.

In the report as filed the reviewers state that they "are unable to agree on any change that we would make from the report of your viewers under No. 2 September Sessions, 1908, although a majority of your reviewers feel that a change at the Stewart place might be effected to advantage". The exceptants are informed and believe that a majority of the reviewers desired to make such change at the Stewart place and to run said road below the hill where it would not drift in winter, whereas the former view and report locates the road above the building where it will drift in winter and where it will do the most damage to the petitioners for review; and further that the reviewers acted under the mistaken idea that a change could only be recommended by the whole number of reviewers joining therein.

The exceptants would therefore pray the Court to refuse confirmation absolute, to enlarge the time of report and to refer the matter of review back to the same reviewers with directions to recommend such change at the Stewart place as a majority of said reviewers may deem proper.

John W. McCarlsen
Geo. M. Biegen
Attys. for Reviewers and exceptants.



N O W 12th day of Oct- A.D., 1909, the time
for report in this case is hereby enlarged to December Sessions
1909, and the matter of re-view is referred back to the same review-
ers to review that portion of the road at the Stewart place, and to
recommend such change at or near that point, as a majority of said
reviewers shall agree upon.

By the Court,

Allison O. Smith P.J.

o'clock A M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

J M Trum
Peter Moyer
G Frank Goss

VIEWERS.

Clearfield 4/28, 1909.

at or near 'Pleasant Valley Church,
on account of heavy grade at Jnost,
Stewart place and at James Wilson hill
in Bradford Township, in the county aforesaid, will
meet at the house of Jnost Stewart heirs,
in Bradford Township, on Tuesday,
the 11 day of May A. D. 1909, at 10

Survivor accepted this 4th day of ~~April~~^{May} 1909.

Thomas Dwin

{ Owners of land
on line of view

ROAD *Re-*VIEWERS' NOTICE



NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of *Clearfield county* Pennsylvania *to view* *Re* *local and public* *Publ*

Service accepted for County Commissioners this 28th
day of April 1909

L. C. Shorris

clerk

CLARK COUNTY, ILLINOIS, 1891

Road leading from a point at or near Barrett
Station

in Bradford Township, to a point on Public
Road leading from Shawville to Millers

Service accepted this 4th day of ~~April~~^{May} 1909.
James Grubbs
David Dale Road.
Thomas Curwin } Supervisors

and therefore praying the Court to appoint proper persons to view ^{and lay}
~~out~~ 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. McCree, Peter Moyer and G. Frank Loe}
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 ^{Review}
^{and locate 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.

Robt B. Thompson Clerk.



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 .

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

Review

Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the
county of Clearfield, Pennsylvania, held at Clear-
field, in and for said county, on the

day of *February*, A. D. 190*9*, before the

Judge of said Court, upon a petition of sundry
inhabitants of the township of *Bradford*

Vacate & supply _____, in said county, setting forth that a
road long since laid out and extending from
a point on the Snow Shoe and Packerville
Turnpike, at or near Barnett Station and
extending to a point on public road leading
from Shawville to Woodland, at or near
Pleasant Valley Church, on account of its
heavy grade at what is known as the Stewart place
and James Wilson Hill makes it hard for the
Citizens of said Twp. to travel and expensive to maintain
and that a much better grade can be obtained
for the same.

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

To the Honorable Court of Quarter Session
of Clearfield County:

We the undersigned Viewers appointed by
your Honor to Review a Road in Bradford
Twp as per attached order. Having met
in pursuance of notices legally served
and posted and having been duly affirm-
ed according to law, viewed the road
and the suggested changes made by your
former viewers, are unable to agree on
any change that we would make from
the report of your viewers under No 2 Sept
sessions 1908. Although a majority of your
reviewers feel that a change at the
Stewart place might be affected to
advantage.

Respectfully submitted
this 11th day of May 1909.

J. M. Dury

Peter Meyer

G. F. Goss

} Viewers

821.83.1909 within about 7 owners confirmed in N. S.
 by the Court
 New February 1910 confirmation absolute
 by the Court
 William L. Smith Jr.

Review

No. 2 Sept. Sessions, 1908

ORDER

To view and lay out a road for public use in the township of Bradford, Clearfield County

May Sessions, 1909, read and confirmed N. S. Road to be opened 88 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide.

By the Court
 J. O. Smith Jr.
 Vacated and dropped

FILED
 MAY 12 1909
 CLERK

Filed
 Fees \$1.25 paid by J. O. Smith Jr.

W. L. Smith

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.			
<i>J. O. Smith Jr.</i>	Days	2	10-00
	Miles	3	3-00
<i>Peter Meyer</i>	Days	1	3-00
	Miles	307	2-00
<i>J. J. Loo</i>	Days	1	3-00
	Miles	9	9-00
	Days		
	Miles		
	Days		
	Miles		

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view Public Road leading from a point in Snowshoe or Pacerville Turnpike at or near Barrett Station

in Bradford Township to a point in the public road leading from Shawsville to Woodland at or near Pleasant Valley Church

in Bradford Township, in the county aforesaid, will meet at the ~~house of~~ Stewart Place, in Bradford Township, on Tuesday, the 1st day of August A. D. 1911, at 1 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

W. A. Reese
John A. Dale
J. W. Barratt
VIEWERS

signed July 27, 1911.

July 19th 1911

Accepted service for the
County Commissioners.

of Clearfield County.

L. C. Morris

Clerk

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view Public Road leading from a point in Snowshoe & Packersville Turnpike at or near Barrett Station

in Bradford Township to a point in the public road leading from Shawville to Woodland at or near Pleasant Valley Church

in Bradford Township, in the county aforesaid, will meet at the ~~house of~~ Stewart Place, in Bradford Township, on Tuesday, the 1st day of August A. D. 1911, at 1 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

W. A. Reese
John A. Dale
J. W. Barratt
VIEWERS

Kylestown July 17, 1911.

Service Accepted

David Dale

R. E. Dale,

} Supervisors

To The Honorable
The Judge of the Court of Quarter
Sessions of Clearfield County
Penna.

We the undersigned persons
Appointed by the Within order of
Court to view the road therein
Mentioned respectfully report that
After having given due public notice
by three written and printed notices
put up near the location of the said
road of the time and place of meeting
to view the same and also having
given due notice to the County
Commissioners and the Supervisors
of Bradford Township of the said
time and place of meeting we
Met at the Stewart place in Bradford
Township on Tuesday the first day
of August A.D. 1911 at 1 o'clock P.M.
And after having been duly affirmed
in pursuance of the Within order
we proceeded to view the said road
Upon viewing the ground we found
that the road mentioned in the
within order is the same as that
previously acted upon by us and

We therefore return the within
order without acting upon the
same.

Respectfully submitted

H. A. Reese
John A. Daley
John W. Barrett

To the Honorable, the Judge of the Court of Quarter Sessions
Of Clearfield County,

The petition of the undersigned citizens of Bradford township said county, respectfully represents:— That at May Sess, 1908, there was presented to your Honorable Court, a petition of citizens of Bradford Township, representing that a road long since laid out and extending from a point on the Snowshoe and Jackerville turnpike, at or near Barrett Station, to a point on the public road leading from Shawville to Woodland, at or near Pleasant Valley Church, on account of its heavy grade, at what is known as the Stewart Place, James William Wilson Hill and Barrett Hill, made it hard for the citizens of said Bradford Township to travel and the road expensive to maintain and that a much better grade could be obtained for the same, and praying the Court to appoint viewers to view, vacate and supply said road, whereupon the Court appointed viewers, as appears of record to No. 2 September Sessions, 1908.

That at December Sessions, 1908, the report of the viewers was read and confirmed *ni si*.

That a review of the said road was ordered by the Court and two of the said re-viewers made a report changing the location of the road as reported by the original viewers and by laying out a new piece of road through other property and failing to secure releases of damages from all the property owners, and, also failing to assess any damages.

The said report of the re-viewers was read and confirmed *ni si*. at May Sessions 1909, but exceptions were filed thereto by the petitioners for the re-viewer and said report was referred back to the re-viewers.

That at December sessions 1909, the report of the re-viewers was confirmed *ni si* and at February Sessions, 1910, confirmed absolutely.

That no notice was given to some of the property owners of the proposed change of location of said road by the re-viewers and the proceedings were in other respects illegal.

That the said road, as finally confirmed absolutely, would be expensive to open and maintain and that by reason of the fact that the re-viewers only vacated a short distance of the road supplied, the greater part of the old road will still have to be kept open and maintained, making an undue and unreasonable burden on the taxpayers of said Township,

That the said road, as confirmed absolutely has not yet been opened.

Your petitioners therefore pray the Court that the said road as laid out and confirmed upon the report of the said re-viewers, but not yet opened, may be vacated and annulled.

And they will ever pray & c

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 5th day of May, A. D. 1901, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Bradford, in said county, setting forth that

see petition attached

and therefore praying the Court to appoint proper persons to view vacate the same according to law, whereupon the Court, upon due consideration had of the premises, do order and appoint H. A. Reese, John A. Dale, and P. W. Barnett, 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~~ ^{vacation}, and if they view the same and any two of the actual viewers agree that there is ^{no} occasion for such road, they shall proceed to vacate 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.

Roll 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_____.

*This is a duplicate
order*

No. 2 Sept Sessions, 1908	
ORDER	
To view Vacate a	
road for use in the	
township of <i>Braceford,</i>	
Clearfield County <i>Pa.</i>	
Sessions, 190 ,	
read and confirmed N. S.	
Road to be opened 33 feet	
wide, except where there is	
side hill cutting or embank-	
ment and bridging, there to	
be 16 feet wide.	
Filed SEP 11 1908	
Fees \$1.25 paid by <i>Ed. J. J. J.</i>	

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.
Also—Viewers cannot interfere with damages assessed by the original viewers, except so far as the location may be changed by the viewers.
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.

AMOUNT.

Days

Miles

Days

Miles

Days

Miles

Days

Miles

Days

Miles

IN THE COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PA.

IN RE VACATION OF PUBLIC ROAD § NO. 2, SEPTEMBER SESSIONS, 1908
IN BRADFORD TOWNSHIP § EXCEPTIONS TO REPORT OF
§ VIEWERS.

Now, *Made 18th* ~~January~~ 1912, the petitioners move the Court to dismiss the exceptions filed to the report of viewers in the matter of the vacation of the public road in Bradford Township, Clearfield County, Pa., to No. 2, September Sessions, 1908, for the following reasons:-

First: The exceptions are founded in part upon matters of fact not shown by the record, and they are not verified by affidavit, as required by Rule of Court No. 172.

Second:- So far as the exceptions are founded upon matters of fact shown by the record, they are defective in not having a certificate of counsel as required by Rule of Court No. 172.

Andrew S. [Signature]

Attorney for petitioners.

NO. 2, SEPTEMBER SESS. 1908.

IN RE VACATION OF PUBLIC ROAD
IN BRADFORD TOWNSHIP.

MOTION TO DISMISS EXCEPTIONS.

ROLAND D. STOOPE,
Attorney for petitioner.

Court of Quarter Sessions of Clearfield County, Pennsylvania.

To the Hon. Allison O. Smith, President Judge of the said Court:-

Your petitioners respectfully represent that:

To No. 2 September Sessions of the said Court, Road Docket, certain citizens of Bradford Township, Clearfield County Pennsylvania, presented a petition representing that "a road ling since laid out and extending from a point on the Snowshoe and Packerville Turnpike at or near Barrett Station and extending to a point on public road leading from Shawville to Woodland, at or near Pleasant Valley Church, on account of its heavy grade at what is known as the Stewart Place, James Wilson Hill and Barrett Hill, makes it hard for the citizens of said Township to travel and expensive to maintain and that a much better grade can be obtained for the same"

And praying that the Court appoint "viewers to view, vacate and supply said road and make return thereof to the next Court of Quarter Sessions" Etc.

Whereupon the said Court did appoint viewers for the said purpose. Said viewers did view the said road and make return thereof to the December Sessions of the said Court which report was confirmed "nisi" to be confirmed "absolute" at the coming February Sessions of the said court.

Your petitioners further represent: That ^{they} represent all the owners and are part owners themselves of the place designated in said petition as the "Stewart Place": That by their report said viewers vacate all that portion of said road from the Stewart Cemetery across the farm of your petitioners leaving them absolutely without an outlet to the public road: That the road proposed in place of the said part vacated runs across valuable lands of your petitioners not only as farm lands but the territory occupied by the said road is underlaid with valuable coal near the surface, so that it will not only do untold damage to the surface but will make impractical the removal of the said coal; That said road in along the hill side above the buildings and by its location it will be impossible to drain without damage to the valuable farm lands below and to the buildings as well: That said portion of road is and will be of no use to the petitioners: That parts of the said road is of very heavy grade: That it is so located that it cannot help but drift full in the winter time so that it will become impassible most all the time.

Further, they represent that a very much better grade can be obtained for said portion of road by another view: That a good road could be opened beginning at the public road in question at or near

Court of Quarter Sessions of Clearfield County, Pennsylvania.

To the Hon. Allison O. Smith, President Judge of the said Court:-

Your petitioners respectfully represent that:

To No. 2 September Sessions of the said Court, Road Docket, certain citizens of Bradford Township, Clearfield County Pennsylvania, presented a petition representing that "a road lying since laid out and extending from a point on the Snowshoe and Packerville Turnpike at or near Barrett Station and extending to a point on public road leading from Shawville to Woodland, at or near Pleasant Valley Church, on account of its heavy grade at what is known as the Stewart Place, James Wilson Hill and Barrett Hill, makes it hard for the citizens of said Township to travel and expensive to maintain and that a much better grade can be obtained for the same"

And praying that the Court appoint "viewers to view, vacate and supply said road and make return thereof to the next Court of Quarter Sessions" Etc.

Whereupon the said Court did appoint viewers for the said purpose. Said viewers did view the said road and make return thereof to the December Sessions of the said Court which report was confirmed "nisi" to be confirmed "absolute" at the coming February Sessions of the said court.

Your petitioners further represent: That ^{they} represent all the owners and are part owners themselves of the place designated in said petition as the "Stewart Place": That by their report said viewers vacate all that portion of said road from the Stewart Cemetery across the farm of your petitioners leaving them absolutely without an outlet to the public road: That the road proposed in place of the said part vacated runs across valuable lands of your petitioners not only as farm lands but the territory occupied by the said road is underlaid with valuable coal near the surface, so that it will not only do untold damage to the surface but will make impractical the removal of the said coal; That said road in along the hill side above the buildings and by its location it will be impossible to drain without damage to the valuable farm lands below and to the buildings as well: That said portion of road is and will be of no use to the petitioners: That parts of the said road is of very heavy grade: That it is so located that it cannot help but drift full in the winter time so that it will become impassible most all the time.

Further, they represent that a very much better grade can be obtained for said portion of road by another view: That a good road could be opened beginning at the public road in question at or near

the Independent School House passing to the south of your petitioner's buildings following water grade and reaching the other public road not far from the Pleasant Valley Church, thus reaching the same destination. Such a road could be easily reached by your petitioners: It would do far less damage to the land owners; would be very much better grade: would be much easier to maintain: would be very little if any longer than the one proposed: It could not drift in winter: it would be of more service to the citizens of the community; it would be in general a very much better road.

There are other routes besides the one mentioned which would be be very much better for that portion of the road than the one selected by the viewers.

Therefore, your petitioners pray that the Court grant a review of the said road with special reference to the portion designated in this petition, appointing a new set of viewers, for the purpose of viewing the the proposed road in all of its surroundings, and to locate a road that will not have the objectional features of the one proposed, or if in their opinion none can be found, then allowing the road to remain where it is at present, and thus they will ever pray.

E. L. Stewart
Geo. M. Stewart

Now, February 11 1909 at a session of the Court of Quarter Sessions held upon the above date, the said Court having duly considered the foregoing petition, do now appoint J. S. McCune

Peter Meyer of Ryeburn and G. Frank Goss - viewers

who after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to review the said road with special reference to the portion set out in this petition, and if they or any of them, review the same and any of the actual reviewers agree that the said portion of road should not be vacated they shall report the same to the Court, or if any of the actual viewers agree upon another route they shall proceed to lay out the same, as agreeably to the petitioners as may be, and in the location of said rout to have respect for the best grade for a road, and the shortest distance, and in such a place as to do the least injury to private property; and shall make report of their proceeding to the next Court of Quarter Sessions to be held for the said county, stating particularly whether they judge it necessary to vacate said portion of road; and furnish along with said report a plot or draft of the said road, or parts of road affected by the said review, and the courses and distances, together with references to the improvements through which it may pass.

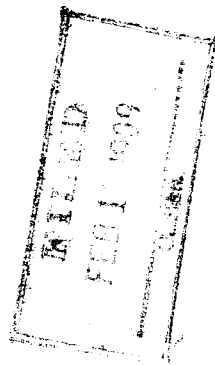
Said reviewers to be careful to give the legal notices of the time and place of review.

By the Court
Allison P. Smith
O. J.

No. 1. Sept. Session 1908.

Petition for
Review.

Bradford Twp.



JOHN W. McCracken,
ATTORNEY AT LAW,
ROOM NO. 42, TRUST CO. BUILDING,
CLEARFIELD, PA.

In the Matter of the Re-review
to vacate public road in Brad-
ford Township.

) In the Court of Quarter Ses-
sions of Clearfield County.
) No. 2 September Ss. 1908.
Sur Exceptions.

OPINION.

This re-review was directed by the Court on a general petition to vacate, presented at May Sessions, 1911, which petition, according to the affidavit attached thereto, has signed thereto a majority of the original petitioners for the road, filed to No. 2 September Sessions, 1908. Said petition sets forth, inter alia, that the original road as laid out and confirmed absolutely, was not yet open, hence the proceedings must have been under and by virtue of the Act of June 13, 1836, section 19, which provides that on petition of a majority of the original signers, a road not opened up although confirmed can be vacated, and providing for a view for that purpose.

The exceptions in this case, after setting forth the facts of the original view and the review, by which a portion of the road originally laid out was changed, excepts to the report of the re-reviewers on the ground that if confirmed absolutely as the case now stands the road vacated would leave no road to take its place and that there would be no road from the Pleasant Valley Church to Clearfield. It further appears by said exceptions that by some mistake, although the petition therefor covered the entire road, yet the order as it went out from the office of the Clerk of the Court of Quarter Sessions was an order for the vacation of only that portion out around the Stewart hill near the cemetery. That later, when attention was called to this defect, a new order went out and was placed in the hands of the same viewers, but that they misapprehended the tenor and breadth of the order made and reported that that order was simply a duplicate of the former order.

Now it is clear that the petition in this case was a petition under the 19th section of the Act of 13th June, 1836, and was intended by the petitioners to secure a view for the vacation of the entire road as originally laid out in the proceedings to No. 2 September Sessions 1908, from Barrett Station to the Pleasant Valley Church, and the order to view and vacate should have covered the entire road rather than just the small portion acted on by said viewers. As we understand the attorney for the Exceptants, there is no objection now on his part, either for himself or on behalf of the clients whom he represents, to have this whole matter referred back as a view to vacate the entire road. The exception, therefore, as to the report made by said viewers is sustained and said report is hereby set aside. We, however, enter a decree referring back this whole matter to the same board of re-reviewers, with direction that their powers are only to view the entire length of road as originally laid out and to

determine whether or not, after hearing evidence thereon of citizens interested, the entire road as laid out by Harry Byers, Leander Denning and James A. McPherson, viewers, should be annulled and vacated, except of course where said viewers adopted the old road theretofore opened. The duties of the viewers hereby appointed and designated, therefore, is to view the entire road and to make a report whether or not it is satisfactory in their judgment that the said whole road should be opened up as laid out. ^{or should be vacated, as may be} ~~as laid out~~. ^A ~~For~~ great many people being interested in this road, notices should be so given that they will have a full hearing of all the people interested therein.

DECREE.

Now, April 1st, 1912, the exceptions to the report of the re-reviewers H. A. Reese, John A. Dale and J. W. Barrett, are sustained for the reasons heretofore given.

It is further hereby ordered and directed that a new order of re-review or review to vacate shall be issued by the Clerk of the Court of Quarter Sessions covering the entire road as originally laid out but not opened, and the said viewers H. A. Reese, John A. Dale and J. W. Barrett shall view the said premises and report as to whether or not it is a proper case for vacation and annulment of the original road laid out. Said report to be made to the next Court of Quarter Sessions, after full hearing of all the parties interested.

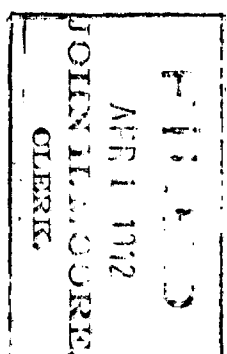
By the Court,

Allison O. Smith
P. J.

No. 2 September Sessions 1908.

In the matter of the Re-re-view to
Locate Public Road in Bradford
Township.

OPINION AND DECISION.



To the Honorable, the Judge of the Court of Quarter Sessions of Clearfield County.

The petition of the undersigned, citizens of Bradford township, respectfully represents that a road long since laid out and extending from a point on the Snowshoe and Packerville Turnpike, ^{between} at or near Barrett Station ^{& Bretz farm} and extending to a point on public road leading from Shawsville to Woodland, at or near Pleasant Valley Church, on account of its heavy grade at what is known as the Stewart place ^{James Wilson's place} and Barrett hill, makes it hard for the citizens of said township to travel and expensive to maintain and that a much better grade can be obtained, *for the same.*

They therefore pray your Honorable Court to appoint viewers to view, vacate and supply said road and make return thereof to the next Court of Quarter Sessions, and they will ever pray.

M. M. Dowell
Thomas Erwin
O. Wilson
W. H. Wilson
G. J. Dingus
A. D. Walker
W. D. Knepp
A. Grappis
Guy Grappis
Geo. Grappis

W. D. Downing
J. D. Dugan
C. J. Peters
A. B. Landberg
H. H. H.
W. B. Shiner
J. H. Miller
Chas. Watson
J. A. M. M.
W. M. M.

Alex J Graham

Chas. Wallace John A. Thompson

Herb Leight John Cowley

Isaac Graham

J. C. G. Smart

G. C. Forey

O. H. Shirey

W. L. Hoover

H. H. Wilson

Curtis Shirey

A. B. Shirey

William Shirey

James Muller

Harry Smart

E. L. Smart

A. C. Rogers

J. A. Rogers

C. E. Lonsberry

Ralph Lonsberry

Wm F. Grafton

H. T. Mitchell

Arthur Banger

R. H. Bangs

C. H. Bangs

J. F. Thompson

In the Court of Quarter Sessions of Clearfield County.

In the matter of the application of the citizens of Bradford township to vacate and supply a portion of a public road extending from a point at or near Barrett Station on the Snowshoe & Packerville Turnpike to a point on public road leading from Shawsville to Woodland, near Pleasant Valley Church.

To D. J. Gungy, H. B. Lansberry, James Hoffman
Superior

You are hereby notified that an application will be made to the Court of Quarter Sessions of Clearfield County on Monday the 11th day of May, 1908, at 10:00 o'clock A. M. for appointment of viewers to view, vacate and supply the above described lot at which time if you have any objections you can file the same.

M. H. Hay
Attorney for Petitioner

Now April 30th 1908, we hereby accept service of the foregoing notice.

D. J. Gungy
H. B. Lansberry
James Hoffman

In the Court of Quarter Sessions of Clearfield County.

In the matter of the application of the citizens of Bradford township to vacate and supply a portion of a public road extending from a point at or near Barrett Station on the Snowshoe & Packerville Turnpike to a point on public road leading from Shawsville to Woodland, near Pleasant Valley Church.

To Commonwealth of Pa

You are hereby notified that an application will be made to the Court of Quarter Sessions of Clearfield County on Monday the 11th day of May, 1908, at 10:00 o'clock A. M. for the appointment of viewers to view, vacate and supply the above described lot at which time if you have any objections you can file the same.

McHagerty
Attorney for Petitioners.

Now April 30th 1908, we hereby accept service of the foregoing notice.

County Commissioner
A. M.

1 1

Sho 2 Sept. ss 1908

Fishes located:

Supply a pattern
Row, in Morgan
Lumber

Sho 2 May 1908
within fishes row
and covered

and Harry Byers,
Landon Denning and
J. G. Chapman.

on opposite view

to see and make

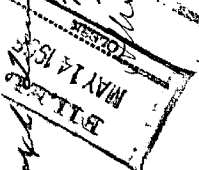
report on slope of the

road. Part of course

by the camp.

W. O. Smith

P-7



Know all men by these presents that we C. C. Stewart,

Geo. M. Stewart, G. B. Shiner and J. A. Stewart

of the county of Clearfield and State of Pennsylvania are held and firmly bound unto the Commonwealth of Pennsylvania, in the sum of one hundred dollars (\$100) lawful money of the United States to be apid unto the said Commonwealth: to which payment well and truly to be made, we bind ourselves, our heirs, executors and administrators and every of then firmly by these presents.

Sealed with our seals and dated this 2d day of February 1909.

Whereas, the above bonded C. C. Stewart & Geo. M. Stewart are presenting to the Court of Quarter Sessions of the said County asking for a re-view on a certain road in Bradford Township said county, or certain parts thereof, beginning at or near Barrett Station and extending to a point in the public road near the Pleasant Valley Church; there having already been a view to vacate and supply certain portions of the said road, made and reported to the said Court and confirmed Nisi to No. 2 September Sessions 1908.

And whereas, it is required by an Act of Assembly that a bond conditioned for the faithful ~~performance~~ payment of all the costs that may be ordered by the said Court to be paid by reason of this petition by the petitioners.

Now the condition of this bond is such that if the said petitioners shall and do pay all the costs ordered to be paid by them by the said court, then and in that case this bond to be null and void, otherwise it is to remain in full force and virtue.

Signed, sealed and delivered in the presence of

C. C. Stewart (seal)
Geo. M. Stewart (seal)
G. B. Shiner (seal)
J. A. Stewart (seal)

No. 2 Sept. ss. 1908

Bond for Costs

Feb. 11. 1909 And approved
Alphonse C. Smith
P.D.

JOHN W. McCracken,
ATTORNEY AT LAW,
ROOM NO. 42, TRUST CO. BUILDING,
CLEARFIELD, PA.

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

THE petition of the undersigned citizens of
Bradford Township, said County, respectfully represents;
that at May Sessions, 1908, there was presented to your
Honorable Court, a petition of citizens of Bradford Township,
representing that a road long since laid out and extending
from a point on the Snowshoe and Packerville Turnpike, at or
near Barrett Station, to a point on the public road leading
from Shawville to Woodland, at or near Pleasant Valley Church,
on account of its heavy grade, at what is known as the Ste-
wart Place, James Wilson Hill and Barrett Hill, made it hard
for the citizens of said Township to travel and the road
expensive to maintain and that a much better grade could be
obtained for the same, and praying the Court to appoint
viewers to view, vacate and supply said road, whereupon the
Court appointed viewers, as appears of record to No. 2,
September Sessions, 1908.

THAT at December Sessions, 1908, the report of the
viewers was read and confirmed ni. si.

THAT a review of the said road was ordered by the
Court and two of the said re-viewers made a report changing
the location of the road as reported by the original viewers
and laying out a new piece of road through other property
and failing to secure releases of damages from all the
property owners, and, also failing to assess any damages.

THE said report of the re-viewers was read and
confirmed ni. si. at May Sessions, 1909, but exceptions were
filed thereto by the petitioners for the re-viewer and said

report was referred back to the re-viewers.

THAT at December Sessions 1909, the report of the re-viewers was confirmed ni. si. and at February Sessions, 1910, confirmed absolutely.

THAT no notice was given to some of the property owners of the proposed change of location of said road by the re-viewers and the proceedings were in other respects illegal.

THAT the said road, as finally confirmed absolutely, would be expensive to open and maintain and that by reason of the fact that the reviewers only vacated a short distance of the road supplied, the greater part of the old road will still have to be kept open and maintained, making an undue and un-reasonable burden on the tax-payers of said Township.

THAT the said road, as confirmed absolutely has not yet been opened.

YOUR petitioners therefore pray the Court that the said road as laid out and confirmed upon the report of the said re-viewers, but not yet opened, may be vacated and annulled.

AND they will ever pray &c.

John C. Grohman

Ed Jany
A. B. Lansberry
C. E. Lansberry
W. G. Smith
Arnold Gaffus
Danill Green
C. J. Guelman
C. E. Grohman
H. J.

D. O. Wilson
Thomas J. J. J.
Ira Cuzens
W. B. Knepp
A. C. J. J.
J. H. J. J.
J. H. J. J.
H. M. M. J. J.
W. J. J. J.
A. J. J. J.
C. J. J. J.
H. J. J. J.
J. J. J. J.
J. J. J. J.
J. J. J. J.
J. J. J. J.

CLEARFIELD COUNTY§ss.

Edmund O. Guy being duly sworn according to law doth depose and say that he is one of the signers to the foregoing petition and that he was also one of the signers to the original petition in said case, filed to No. 2, September Sessions, 1908 and that a majority of the original petitioners have signed the foregoing petition and that the facts set forth in the said petition are true and correct as therein stated.

Sworn and subscribed before me
this 22 day of April A.D.
1911.

J. H. Chapin
J. H. Chapin

Edmund O. Guy

NO. 2 Sept 20, 1908

(Rec'd)

IN RE

PUBLIC ROAD IN BRADFORD

TOWNSHIP.

PETITION TO VACATE.

Now, May 5th 1911, petition presented and N. O. Rogers
John A. Ball and ~~others~~
J. W. Ostrom

petitioned for
to view and report upon the
vegetation of said road as
shown on.

By the Court
Alison A. Smith

ROLAND D. SWOOPÉ,
Attorney and Counselor at Law,
Curtisville, Pa. and Clearfield, Pa.

Baltimore Office Supply Co., Balto., Md.

In re vacation of a
public road laid out
but not opened in
Bradford Township

) In the Court of Quarter Sessions
Of Clearfield County, Penna.
) No. 2 September Sessions 1908.

To the Honorable the Judge of the said Court:

- Your petitioners do respectfully represent: -

First: That upon petition of certain residents of said township a public road was laid out in said township by vacation and supply, extending from a point on the Snow Shoe and Packersville Turnpike, at or near Barrett Station, to a point on the public road leading from Shawsville to Woodland, at or near the Pleasant Valley Church, the view and review thereof being legal in every respect and confirmed absolutely by the Court and an opening order was issued as appears of record to No. 2 September Sessions 1908, but said road has not been opened.

Second: That on May 5th, 1911, upon a petition of certain residents of said township alleged to be a majority of the signers of the original petition, the Court appointed H.A. Reese, John A. Dale and J.W. Barrett, viewers to view and report upon the vacation of said road as laid out.

Third: That on August 8th, 1911, the said viewers filed a report recommending the vacation of a portion of said road as laid out, namely: That portion extending "from a barn to the cemetery as follows: South 20° West 10½ perches; South 26½° West 22 perches; South 40° West 30 perches; South 50° West 14 perches; South 62½° West 14 perches; thence through Woodland of E. Jury South 75° West 13½ perches; South 80° West 6.7 perches; South 85° West 10½ perches to the road leading to Clearfield," and the said report was confirmed ni si by the Court at September Sessions 1911.

Fourth: That if the said report should be confirmed absolutely and the said portion of road vacated your petitioners and the traveling public generally will suffer very great inconvenience; the portion of road from the said barn to the said cemetery as opened, has already been vacated as appears by the report and draft of the reviewers, and there would be no road to take its place.

Fifth: That there would be no public road at all from the Pleasant Valley Church to Clearfield, if said report is confirmed, since a portion of said road has been vacated by the order of court aforesaid.

Sixth: That the said portion of road as laid out by the reviewers and confirmed absolutely by the Court, and which said view vacates is lawful grade maximum 3½°, while the road supplied by it is of unlawful grade shown by the draft to be from 7° to 10°.

Seventh: That the said portion of road which has been confirmed by the Court would be easily and cheaply opened and would be inexpensive to keep in repair and would not burden the tax payers of the said township, being only 121.2 rods in length.

Eighth: That the said portion of road which the said view vacates is absolutely indispensable to your petitioners and the traveling public in general.

Ninth: That in case said report should be confirmed absolutely it will be necessary for your petitioner or others to immediately ask the Court for another road to take the place of the part vacated.

Tenth: That the only purpose of said petition to vacate is to enable the signers thereof to present a new petition for another road, which would be equivalent to changing the location of the road already ordered, after having had their day in court. This is mere trifling with the Court and should not be permitted.

All of which said facts your petitioners are able and willing to prove by competent testimony.

Therefore, your petitioners hereby except to the confirmation absolute of the said report of said viewers for the above mentioned reasons and pray:

1. That confirmation absolute of said report be refused and said petition for vacation be dismissed at the cost of the petitioners.

2. That reviewers be appointed to review the said portion of road and make report to the Court.

James Lyoffin

E. C. Stewart (signed)

David Dale

R. E. Dale

Fred Graham

J. M. M. Duncanson

Wm. Livingston

Clarence W. Hemphill

Elwood Banner

J. A. McCreary

B. G. Dixon

Wm. Clarke

Chas. Watson

C. J. Peters

John C. Graham

Roland Peters

Isaac Graham

A. J. Fowler

Wm. D. Dyer

Wm. E. Enepp

Wm. Dyer

John C. Graham

Fred Kephart

J. D. Palmer

(Mrs)

Annie L. Wilson

J. N. Palmer

W. D. Knepp

Original petition to vacate road

Know all men by these presents, that we, Justus M. McDowell, and James William Thomas John R. Martin are held and firmly bound unto the Commonwealth of Pennsylvania, in the sum of One Hundred (\$100) Dollars to be paid unto the said Commonwealth, her certain Attorney or assigns, to which payment well and truly to be made and done, we do bind ourselves, jointly and severally, our and each of our heirs, Executors and Administrators, jointly and severally, firmly by these presents, sealed with our seals and dated the 4th day of May, A. D. 1908.

Whereas, Justus M. McDowell and other citizens of Bradford township, Clearfield County, Pa., have petitioned the Quarter Sessions Court of Clearfield County to appoint viewers to view and supply portions of a public road extending from the SnowShoe & Packerville Turnpike, near Barrett Station to a point in the public road leading from Shawsville to Woodland, near Pleasant Valley Church. And whereas, the Act of Assembly requires that a Bond shall be filed with said petition, conditioned for the payment of any costs that may be decreed by the said Court to be paid by said petitioner.

Now the condition of this obligation is such that if the said Justus M. McDowell shall well and truly pay or cause to be paid all costs decreed by said Court to be paid by him at the final hearing of the proceedings in the above mentioned petition, then this Bond to be void, else to be and remain in full force and virtue.

Signed, sealed and delivered,
in the presence of

John M. McDowell (SEAL)
James William Thomas (SEAL)
John R. Martin (SEAL)
John R. Martin (SEAL)

2 Sept 22 1908

Board in
Bradford
Twp.

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view Public Road leading from A barn on Stewarts Hill

in Bradford Township to The Cemetery Near the Said Stewarts Hill

in Bradford Township, in the county aforesaid, will meet at the house of First Named point, in Bradford Township, on Tuesday, the 31st day of August A. D. 1911, at 11 o'clock A M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

W. A. Reese
John A. Dale
J. W. Barratt
VIEWERS

Kylestown July 17, 1911.

July 19th 1911
Accepted service for the
County Commissioners of
Chenfeld County
L. C. Harris
Clerk

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to view Public Road leading from A. Burn on Stewart's Hill

in Bradford Township to The Cemetery near the said Stewart's Hill

in Bradford Township, in the county aforesaid, will meet at the house of first Named point, in Bradford Township, on Tuesday, the 1st day of August A. D. 1911, at 11 o'clock A M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

W. A. Reese
John A. Dale
J. W. Barratt
VIEWERS

July 17
Kyleston Aug 1, 1911.

Service Accepted of this Notice

David Dale

R. E. Dale

} Supervisors

To the Honorable
The Judge of the Court of Quarter
Sessions of Clearfield County
Penna.

We the undersigned persons
Appointed by the within order of
Court to view the road therein
mentioned respectfully report that
after having given due public
notice by three written and printed
notices put up near the location of
the said road of the time and
place of meeting to view the same
and having also given due notice
to the County Commissioners of
Clearfield County and the Super-
visors of Bradford Township of the
said time and place of meeting
we met at the barn on Stewarts hill
in Bradford Township on Tuesday
the first day of August A.D. 1911 at
Eleven o'clock A.M. and after having
been duly Affirmed in pursuance
of the within order we proceeded
to view the road therein mentioned
After a careful view had of the ground
for the said road we were of opinion

that the said road would be of so little benefit to the traveling public that Bradford Township would not be justified in constructing it and we therefore vacate the same.

Respectfully Submitted

W.A. Reese }
John A. Dale } Viewers
John W. Barrett }

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 5 day of May, A. D. 1901, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Bradford, in said county, setting forth that

a Road has been lately laid out on Stewart Hill from a barn to the Cemetery as follows: - South 20° W. $10\frac{1}{2}$ Perch, $26\frac{1}{2}$ W. 22 per, 40° W 30 per, 50° W. 14 per, $62\frac{1}{2}$ W. 14 per, thence through Woodland of E. Jerry 75° W. $13\frac{1}{2}$ per, 80° W 6.7 per, 85° W. $10\frac{1}{2}$ per, to road leading to Clearfield

and therefore praying the Court to appoint proper persons to view ^{and vacate} the same according to law, whereupon the Court, upon due consideration had of the premises, do order and appoint H. A. Reese, John Adair & B. W. Barrett, 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 ^{creation of} road, and if they view the same and any two of the actual viewers agree that there is ^{no} occasion for such road, they shall proceed ~~to vacate~~ 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.

Roll 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 ..

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

Re Review

No. 2 Sep Sessions, 1908

ORDER

Re and locate a
road for
township of Bradford,
Clearfield County Pa.

Sept Sessions, 1908,

read and confirmed N. S.

Road to be opened 24 feet

wide, except where there is

side hill cutting or embank-

ment and bridging there to

be 16 feet wide. By the Court

Alfred G. Smith

Filed 190

Fees \$1.25 paid by Ed. J. J.

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.

W. A. Reese } Days 2 10.00
Miles 2.2 2.30
12.30

Geo. A. Dale } Days 1 3.00
Miles 1.8 1.80
4.80

J. W. Barrett } Days 1 3.00
Miles 1.2 1.20
4.20

Days
Miles

Days
Miles

Done this 19th day of Sept. 1908