

No.

5

May

Sessions, 190

COMMONWEALTH

VERSUS

Public Road in
Pike Township

A.S. #5 Page 44

Charge

[REDACTED]

JAMES H. KELLEY,
DISTRICT ATTORNEY

Part Twp. Rd
17475
17474

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 ^{or supply} Road leading from the watering trough near Jno R McClure on the road leading from Lewisville to Lumber City.

in Pike Township, to a point in said Road on land of Jno R Caldwell Estate.

in Pike Township, in the county aforesaid, will meet at the house of Watering Trough aforesaid, in Pike Township, on Friday, the 17 day of July, A. D. 1908, 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. Treacy
G. M. Bell
J. A. Dale

Viewers.

Test meoos Pa 7/1, 1908.

Served on Supervision of Pike Trip
July 6, 1988, J. A. Dale

#5711ay 1908

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 the watering trough near *Jno R McEluris* on the Road leading from *Lewistown* to *Lumber City*

in *Pike* Township, to a point on said Road on land of *James R. Caldwell Estate*

in *Pike* Township, in the county aforesaid, will meet at the house of *watering trough aforesaid*, in *Pike* Township, on *Friday*, the *17* day of *July*, A. D. 1908, 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. Treary
J. W. Bell
J. A. Dale

Viewers.

Kessmoor Pa 7/1, 1908.

Sum accepted for the County
Commissioners this 3^d day of July 1908

County Commissioners { Com.
per L. C. Brown

5 May 22 1908

BRIDGE 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 the watering trough near J R McClure's on the road leading from Leumsville to Lumber City

in Pike Township, to a point on land of Jas R Caldwell Estate

in Pike Township, in the county aforesaid, will meet at the house of Watering Trough aforesaid, in Pike Township, on Friday, the 17 day of July A. D. 1908, 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 Treney
G W Bell
Jas Dale

Viewers.

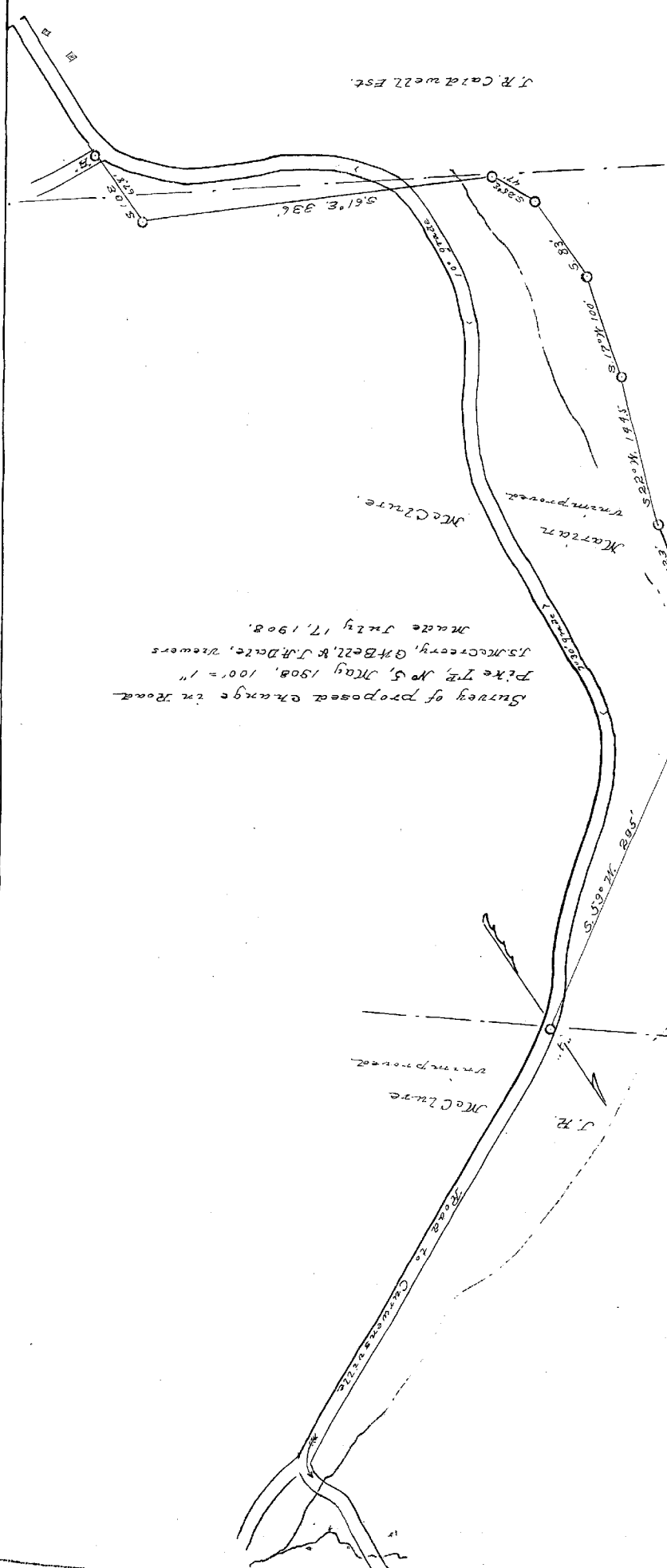
Kerrmoor Pa. 7/1, 1908.

Amended

We the undersigned Supervisors of
Pike Co hereby accept service of the
within notice this 6th day of July 1908

David Way
Vern Bell
R B Henderson } Supervisors

Survey of proposed change in Road
 Pike Tr. No 5, May 1908, 100' = 1"
 J.S. McCrory, G.M. Bezel, & J.R. Darte, Viewers
 Made July 17, 1908.



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 April, A. D. 1908, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Pike

_____ in said county, setting forth that

A road has long since been laid out for public use from Corwensville to Lumber City; that part of said road beginning at a point at the watering-trough on the land of John R. McShure in the Twp. of Pike and running to a point on the public road on land of James R. Caldwell estate in said Twp. being a distance of about 60 rods. The petitioners believe it to be inconvenient and burdensome on account of the heavy grade and bad condition of the ground on that part of the road above referred to. The petitioners therefore pray the Court that said portion of said road may be vacated and supplanted by a new road to be laid out from a point at the watering-trough on the land of John McShure of Pike Twp. to a point on land of James Caldwell estate, both points being on the part of said road leading from Mike Cassidy's land to where said road joins the road leading from Crampian to Lumber City.

and therefore praying the Court to appoint proper persons to view and report to September Term of Court the same according to law,

whereupon the Court, upon due consideration had of the premises, do order and appoint J. S. McCreery, S. W. Bell and John A. Dale 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

_____ 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 enseatling 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 Miss Marian McClure the sum of Twenty-four dollars
To..... the sum of ..
To..... the sum of ..

Witness our hands this 17 day of July A. D. 1908.

James Green
G. W. Bell
John A. Dale

NO 5, MAY ss. 1908.

Report of Viewers.

In re petition of citizens of Pike Township, for vacation and supply of public Road, as set forth in accompanying order;

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

We the undersigned viewers appointed by Your Honor to view, vacate and supply, if in our judgement we found advisable, a portion of the Road leading from Lumber City to Curwensville, in Pike Township, as shown in attached order, report as follows:-

That we find that the road now used, from the property line of J.R. McClure and Marian McClure, to the line of J.R. Caldwell Estate, was not opened on the view, and in two places is of excessive grade, equalling at one point, 10° for some considerable distance. That this road is necessary for public travel, and that the change proposed, conforming to the original survey as nearly as possible, will not involve expense out of proportion to the advantages of a grade (not exceeding anywhere) of 5°. We therefore recommend that that part of this road from J.R. McClure's line to J.R. Caldwell's line be vacated, and supplied by a road beginning at J.R. McClure's line, thence South, 59° West, 295', South, 50° West, 55', South 15° West, 123', South, 22° West, 144.5', South 17° West, 100', South, 83', South, 25° East, 47', South, 61° East, 336', South, 10° East, 67.8' to a point in road at "B", as shown on draft attached, which is a part of this report. A total distance of 1245'.

We further report that notices were legally served and posted, as to the time and place of meeting, your viewers were all present, and were affirmed according to law before proceeding to make the view, and that all available testimony was secured.

Witness our hands this 17, day of July, 1908.

Respectfully submitted.

J. S. McClure
W. B. Bell
John A. Dale } Viewers

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. 8.—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. M. Lerman</i> | Days <i>2</i> | <i>10.00</i> | |
| | Miles <i>1.0</i> | <i>1.00</i> | |
| <i>G. M. Bull</i> | Days <i>1</i> | <i>3.00</i> | |
| | Miles <i>1.2</i> | <i>1.20</i> | |
| <i>J. A. Dale</i> | Days <i>2</i> | <i>6.00</i> | |
| | Miles <i>1.5</i> | <i>1.50</i> | |
| | Days | | |
| | Miles | | |
| | Days | | |
| | Miles | | |

No. *5* May Sessions, 1908

ORDER

To view _____
 road for Public use in the
 township of *Pike*,
 Clearfield County _____

September 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.
Reviewed with

1908

December Sessions 1908
Confirmed absolutely
By the Court with
William V. Smith
 Filed _____
 Fees \$1.25 paid by *Wm. V. Smith*

December Sessions 1908
Confirmed absolutely
By the Court with
William V. Smith
 Filed _____
 Fees \$1.25 paid by *Wm. V. Smith*

TO THE HONORABLE THE JUDGE OF THE COURT OF QUARTER SESSIONS
IN AND FOR THE COUNTY OF CLEARFIELD, PENNSYLVANIA

The petition of the undersigned inhabitants of the
Township of Pike respectfully sheweth; that a road has been
long since laid out, for public use, from Curwensville to
Lumber City; that a part of said road beginning at a point
at the watering-trough on the land of John R. McClure in the
Township of Pike and running to a point on the present road,
on land of James Caldwell Estate in the said Township of Pike,
being a distance of about 60 rods, your petitioners believe
to be inconvenient and burdensome on account of the heavy
grade and bad condition of the ground on that part of the
road above referred to.

Your petitioners therefore pray the Court that said
portion of said road may be vacated and supplied by a new
road to be laid out from a point at the watering-trough on
the land of John McClure of Pike Township aforesaid to a
point on land of James Caldwell Estate in said Township,
both points being on the part of the said road leading
from Mike Cassidy's land to where said road joins the road
leading from Grampian to Lumber City.

Your petitioners therefore pray the Court to appoint
proper persons to view, vacate, and supply said portion of
said road according to law.

And they will ever pray, &c.

| NAME | NAME |
|----------------|----------------|
| Robert Carter | Wm M. G. G. G. |
| John P. G. G. | J. N. P. G. G. |
| Wm. P. G. G. | Wm. P. G. G. |
| Brook P. G. G. | Thomas Morris |

Allen Morris
Jas. Christen
Jas. B. Smith
W. H. H. H.
Milton McClure.
John M. Brown
Miles Wisor
A. J. Freeman
Thos. L. Booth
W. C. McClure
Joseph L. Dale
Lafayette McClure
L. B. Brier

CLEARFIELD COUNTY SS

John Porter being duly sworn according to law doth
depose and say that the facts set forth in the foregoing
petition are true and correct; that the parties signing the
said petition are inhabitants and citizens of the Township
of Pike in the County of Clearfield and State of Pennsylvania.

Sworn and subscribed before me)
this 4th day of April, 1908.)

John A. Dale
Justice of the Peace.

John Porter

*My Commission expires
first Monday in May 1910.*

TO THE SUPERVISORS OF PIKE TOWNSHIP, DAVID WAY,
VERNE BELL and R. B. HENDERSON.

Take notice that an application will be presented to
the Court of Quarter Sessions of Clearfield County, on Monday
April 13, 1908 at 10 o'clock A.M. for the appointment of
viewers to vacate and supply a certain public road in Pike
Township, Clearfield County, Pennsylvania, beginning at a
point at watering trough on the land of John R. McClure and
running to a point on the present road on land of James
Caldwell Estate, being a distance of about 60 rods.

Roland R. Savage.

Attorney for Petitioners.

Service of notice accepted

Rolla Hartman

*Atty for Pike Tn
Supervisor*

TO S. R. HAMILTON, C. P. ROWLES and B. F. WILHELM,
COMMISSIONERS OF CLEARFIELD COUNTY.

Take notice that an application will be presented to the Court of Quarter Sessions of Clearfield County, on Monday April 13, 1908, at 10 o'clock A. M. for the appointment of viewers to vacate and supply a certain public road in Pike Township, Clearfield County, Pennsylvania, beginning at a point at watering trough on the land of John R. McClure and running to a point on the present road on land of James Caldwell Estate, being a distance of about 60 rods.

Roland A. Swoope.

Attorney for Petitioners

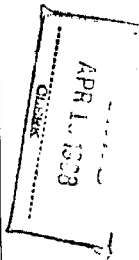
See acceptance of service
on back of this notice

April 8" 1908

being accepted by
the County Commission
J. H. Adams
Chair.

NO. 5 MAY SESSIONS, 1908.

In re Road in Pike Township



Petition to vacate and
supply.

*Now due 13.1908 - Petition
presented by J. D. Sweeney
H. M. Bell and John R. Hale*

*are appointed new
men and report to be
made by Council*

*By the Court
Alfred A. Smith*

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

Baltimore Office Supply Co., Balt., Md.

On Re Vacated & Supply No 5 May 22 1908
Public Road in Pike
Swp.

I hereby certify that the road
from Jno M C Cline's land to the
James Caldwell. Estate is
opened and ready for travel

November 9, 1910

David H. Ray
one of Pike Swp Supervisors