

No. 1, Dec. 1st Term, 1909.

Macate and Supply.

Public Road,

in
~~VERSUS~~

Lawrence Township,

P. S. #5 - Page 106

Ben 18

Rt. 1700-1

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

The Petition of the undersigned citizens of Lawrence Township, in said County, respectfully sheweth;

That by reason of the construction of the Water Dam on Moose Creek, the location of the public road was formerly changed for the purpose of avoiding contamination of said water.

That the construction of said new Reservoir on said stream at a different point has taken away the occasion for the change of said road, and it is to the advantage to the Township that the road should be restored to the original location, as the present location requires the maintainance of two bridges and is in part over ground, very difficult to keep in good condition, and is an expense to the Township.

That the present road should be vacated and supplied from the point where the present road leaves the old location near the watering trough to the point where the present road again reaches the old location just below the water dam.

They, therefore, pray that viewers may be appointed to report to the Court as to the advisability of vacating and supplying that portion of the public Highway.

And they will ever pray.

J. J. Person. Butler
He Welch

J. J. Person

J. J. Person

Henry C. Person
John Person

Thad Butler

M. Person

J. C. Person

Henry Cochrane

J. C. Person

James Person

H. C. Erwin

Isaac Pool

Isaac Pool

Isaac Pool

James W. Pool

Daniel A. Pool

H. H. Miller

James Pool

E. W. Riddle

Joseph. Young.
T. A. Duckitt.

H. H. H.
James Brown.

Aug Brown
W. A. Hembrough
J. W. Jordan
S. E. McQuinn
Y. A. Smith.

Know all men by these presents that the petitioners
and Singlebird Bell are hereby bound in the sum of
One hundred dollars. And demand that of the said
petitioners shall pay into the County Treasury such sum
as shall be hereafter ordered by the Court. This obligation
shall be void and of none effect otherwise to and means
of full force and virtue. Seal our hand and seal this
30 Aug ad 1909.

Jefferson Butler et al *Real*
Petitioner
Singlebird Bell *Cur*

Petition of citizens of Sumner Township to erect supply Public Road.	Now 30 Aug ad 1909, petitioners presented and Henry Rogers, E. Downing and John C. Barclay an appointed return to make up to the Court as next term By The Court William O. Smith C.J.	Bill of Haulmuth attys for Petrs
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Now this 30 Aug ad 1909. Notice of presentation of
this petition duly accepted for Supervision of
Sumner Twp and for County Commissioners

Bill Haulmuth
attys for Supervisors

Aug 30th 1909
accepted service for the
Commissioners of Clearfield County,
L. C. Shorris
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 ~~Vacate and supply public~~ Road leading from ~~the point where the present road leaves the old location near the watering-trough to the point where the present road again reaches the old location just below the abandoned water dam in Lawrence Township.~~ (The vacation and supply is desired because the erection of a new reservoir on Moose Creek has taken away the occasion for the former ~~in~~ change of said road Township, to and it is to the advantage of the said Township that the said road be restored to its original location because of 2 bridges to be kept up and the bad condition of ground for road maintenance in present location.) in Lawrence Township, in the county aforesaid, will meet at the ~~house of~~ South end of said road, in Lawrence Township, on Monday, the 8th day of November A. D. 1909, at 2 o'clock P. M., to attend to the duty assigned them, of which time and place aforesaid all parties interested will take notice.

Harry Byers
L. Leming
John C. Barclay
VIEWERS.

Clearfield Pa Oct 30, 1909.

Service accepted this
Saturday November 1909

S. W. Thompson
Jr Commissioner of
Chesapeake County

Superior Lawrence
Tomball

Accepted service of writ
in writte this Saturday
November 1909

W. H. Thompson
Ed Bowman

Accepted service of writ
in writte this Saturday
November 1909

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 4 day of Sept, A. D. 1909, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Lawrence, in said county, setting forth that

The petition of the undersigned citizens of Lawrence Township, in said County respectfully sheweth: That by reason of the construction of the water dam on Moose Creek, the location of the public road was formerly changed for the purpose of avoiding contamination of said new Reservoir on said stream at a different point had taken away the occasion for the change of said road, and it is to the advantage to the Township that the road should be restored to the original location as the present location requires the maintenance of two bridges and is in part over ground very difficult to keep in good condition and as an expense to the township. That the present road should be vacated and supplied from the point where the present road leaves the old location near the watering trough to the point where the present road again reaches the old location just below the water dam.

and therefore praying the Court to appoint proper persons to view Vacate & Supply the same according to law, whereupon the Court, upon due consideration had of the premises, do order and appoint Harry Byers, L. Denning, and John C. Barclay 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 Vacate & Supply 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 ..

We report further that J. A. Neuling Superintendent Charfield Water Co & E. Cowan Supervisor were present at view. We recommend that upper bridge on road vacated be allowed to remain as it now is by supervisor Lawrence Twp. for use Charfield Water Co.

Harry Ayers.
John C. Barclay

To The Honorable Allison Smith President Judge of the Court of Quarter Sessions of Charfield County 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 good and lawful notice of the said view and met agreeable thereto, all 3 being present and having been severally sworn or affirmed we viewed the road proposed to be vacated and supplied and have vacated the following road to wit. beginning at point where the present road leaves the old location near the watering trough Thence $N 83\frac{1}{2}^{\circ} E 9.2$ perches, $S 78^{\circ} E 18.5$ perches $S 81\frac{1}{2}^{\circ} E 32$ perches $S 59^{\circ} E 11.7$ perches to point where present road again intersects reaches the old location just below the water dam, which road aforesaid is in our opinion needless inconvenient and burdensome and should therefore be vacated, and to supply the road aforesaid we have laid out and do return for public use the following road to wit. beginning at the first named point near the watering trough Thence following old location $S 53\frac{1}{4}^{\circ} E 24$ perches to post, thence by same $S 72^{\circ} E 15.5$ perches to post, thence by the same $S 78\frac{1}{2}^{\circ} E 6$ perches to black Birch Sapling, thence by the same $S 85\frac{1}{4}^{\circ} E 5.3$ perches to Birch Sapling, thence by the same $N 78\frac{3}{4}^{\circ} E 6.8$ perches to Birch sapling thence by the same $N 72\frac{1}{4}^{\circ} E 18.4$ perches to end of road aforesaid vacated where road laid out reaches present road just below the water dam which road is necessary in our opinion for a public road. We are of opinion no owner of land is entitled to damages by reason of said vacation & supply, the roads both passing through unimproved land of Charfield Water Company. A plot or draft of roads aforesaid is herewith attached showing courses distances and improvements. Witness our hands this tenth day of November A.D. 1909.

Harry Byers.

L. Ringing
John C. Barclay

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.

<i>Harry Byers</i>	Days <i>1</i>	Miles <i>5</i>	Amount <i>10.50</i>
<i>L. Denning</i>	Days <i>1</i>	Miles <i>5</i>	Amount <i>3.50</i>
<i>J. C. Barakay</i>	Days <i>1</i>	Miles <i>5</i>	Amount <i>3.50</i>
<i>Ed. Cowan</i>	Days <i>1</i>	Miles <i>4</i>	Amount <i>14.50</i>
<i>Axeman</i>	Days	Miles	

No. *1,000* Sessions, 190*9*

ORDER

To view *Vacated* *the* *supply* *road* for *Public* use in the township of *Lawrence*, Clearfield County *Penna.*

At *Lawrence* Sessions, 190*9*, read and confirmed *Ni. Si.* Road to be opened *33* feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide. *179 ft. 2 in.*

Alvin G. Smith
Now February 24 1910
Confirmed Absolute
By the Court
Alvin G. Smith

Filed	190
Fees \$1.25 paid by	
<i>Chy Lawrence</i>	<i>24</i>

BTH