

No. 2 May Sessions, 1909

Vacate and Supply  
Public Road in  
Graham Twp.

R.S. #5 - Page 83

Charge

Roads

JAMES H. KELLEY,  
DISTRICT ATTORNEY.  
Part Two, R.R. 17902 & 17693

Petition to the Court of Quarter Sessions of the Peace

To the Court of Quarter Sessions of the Peace

The petition of the undersigned respectfully represents  
that a public road was long since laid out and agreed  
leading from Hellport to Wallacetown and generally known as  
the Pike road that a part of said road through the land  
of Jonathan Enright, George Williams and the other residents  
in the Township of Graham - said County - beginning at the  
forks of the roads east of Samuel Hill's brick and ending at  
or near Harry Reilly's an road leading from Wallacetown to Morrisdale  
was and is now inconvenient and burdensome and the said road  
would be much improved by a change of its route between said  
points.

Yours petitioners therefore pray the Court to appoint  
qualified persons to view the premises and to inquire into the  
expediency of making said change and otherwise proceed as directed  
by the Act of assembly in such case made and provided to the  
and people of this will ever pray

H. Peter  
Walter Wilfond  
M. P. Gleeson  
J. M. Enright  
James Cock  
Thos. Bowes Jr.  
John C. H. Williams  
R. Holt  
A. G. Hammel  
D. Smead  
J. G. Williams  
Mrs. W. Peter  
Cyrus Williams  
O. H. Enright  
S. G. Jones  
J. H. Harwood  
Ernest L. M. M.  
John Smeal  
W. S. Smeal  
W. R. Hammel  
W. W. Swanson  
Jonathan Enright  
Adam Enright

Clearfield, Pa. Feb. 1<sup>st</sup> 1909.

To Commissioners of Clearfield Co

You are hereby notified that a petition will be presented to the Court of Quarter Sessions of Clearfield County on Monday February 8<sup>th</sup> at 10:00 o'clock A. M. asking for the appointment of viewers to view, vacate and supply that portion of a public road leading from Allport to Wallaceton, usually known as the Pike, through lands of Jonothan Emigh, Cyrus Williams, and Walter Williams, in the township of said Graham, beginning at the forks of the road west of Summitt Hill Church and ending at or near Harry Reidy's on said road leading from Wallaceton to Morrisdale.

W. H. Morris  
Atty for petitioners

Do hereby accept service of said notice

Accepted service  
for Clearfield County  
Commissioners Feb 8/1908

L. C. Morris  
Atty

Clearfield, Pa. Feb. 1<sup>st</sup> 1909.

To Jonathan Emigh, Cyrus Williams,  
Walter Williams,

You are hereby notified that a petition will be presented to the Court of Quarter Sessions of Clearfield County on Monday February 8<sup>th</sup> at 10:00 o'clock A. M. asking for the appointment of viewers to view, vacate and supply that portion of a public road leading from Allport to Wallacetown, usually known as the Pike, through lands of Jonathan Emigh, Cyrus Williams, and Walter Williams, in the township of said Graham, beginning at the forks of the road west of Summitt Hill Church and ending at or near Harry Reidy's on said road leading from Wallacetown to Morrisdale.

W. A. Hagerty  
Atty for Petitioners

February 2<sup>nd</sup> 1909, Dr. Leedy and  
some of our voters

Ottis Williams  
Isaac G. Wilson  
G. J. Dale

Know all men by these presents that Walter Williams and Otto Williams of the County of Clearfield, State of Pennsylvania, are held and firmly bound unto the Commonwealth of Pennsylvania, in the sum of Fifty (\$50) Dollars, lawful money of the United States, to be paid to the said Commonwealth, its certain Attorney or assigns, to which payment well and truly to be made and done, we do bind ourselves, our heirs, Executors, and Administrators, and each of them firmly by these presents, sealed with our seals and dated the 2nd day of February A. D. 1909.

Whereas, the said Walter Williams and other citizens of Graham township, have presented a petition to the Court of Quarter Sessions of Clearfield for the appointment of viewers to view, vacate and supply a portion of a township road leading from Allport to Wallacetown.

And whereas, the law requires petitioners to give Bond for the payment of any portion of the costs that may be imposed upon them by the said Court.

Now the condition of this obligation is such that if the said Walter Williams shall pay, or cause to be paid, all costs imposed upon him by said Court in the above stated application to view, vacate and supply, then this obligation to be null and void, otherwise to be in full force and virtue.

Otto Williams (SEAL)

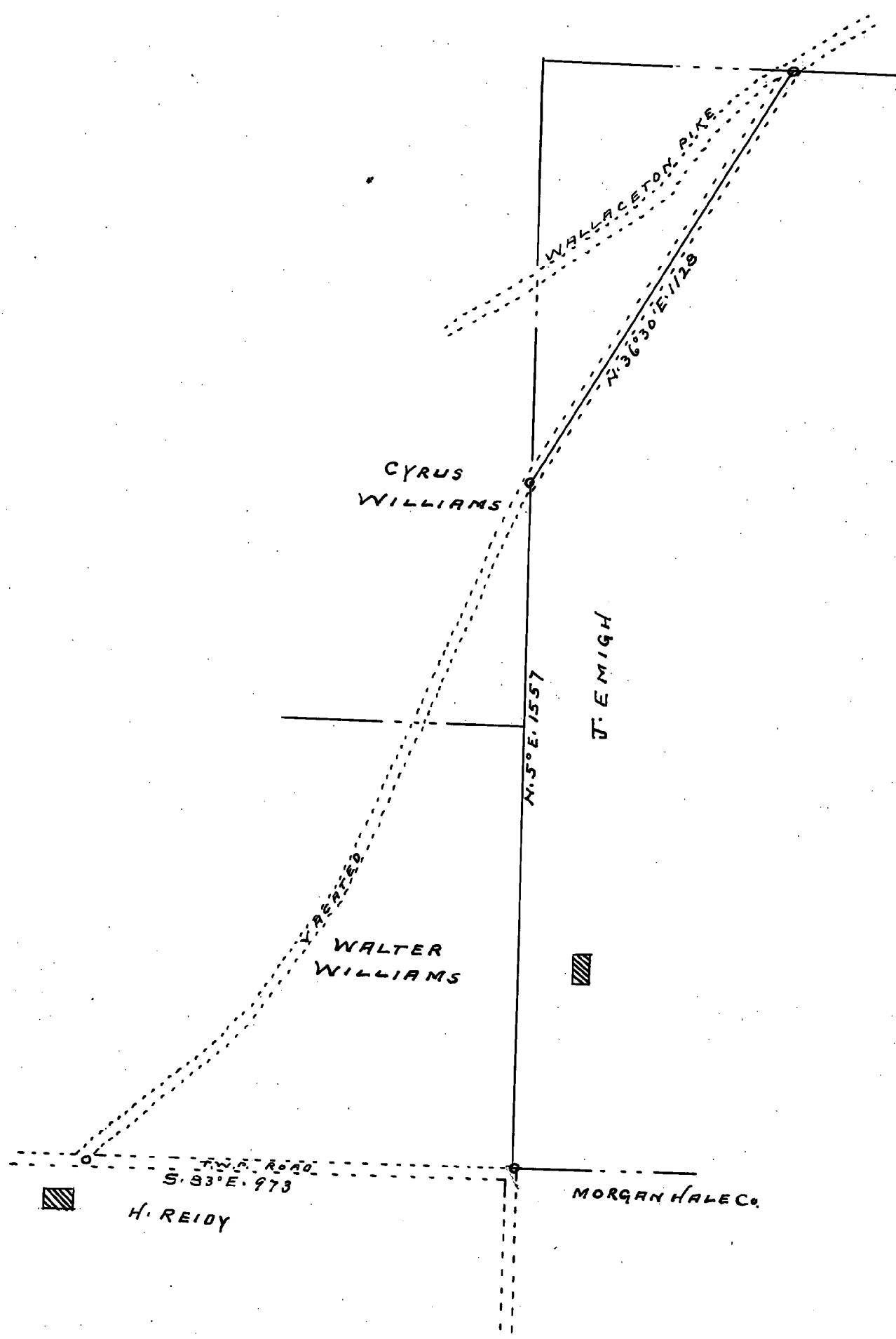
Walter Williams (SEAL)

2 May 1909

October. Present near  
Aybles. a portion of an  
Indian arrow was  
discovered near the  
old Indian encampment, known  
as Aybles

60. 12. 6. 1907

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UNIVERSITY OF TORONTO LIBRARIES  
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To the Honorable  
the Judge of the Court of Inferior  
Sessions of Clearfield County Penna.

We the undersigned persons appointed  
by the within order of Court to view and  
lay out 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 and lay out  
the same and also having given due  
Notice to the County Commissioners of  
Clearfield County and the supervisors  
of Graham Township of the said time  
and place of meeting we met at the  
house of Harry Reidy in Graham Town-  
ship on Monday the 12th day of April A.D.  
1909 and after having been duly affirmed  
in pursuance of the within order of Court  
we proceeded to view and lay out and do  
return for public use the following  
road to wit. Beginning at a point in  
the public road at the house of Harry  
Reidy. Thence South eighty-three degrees East  
along public road running to Morrisdale  
Nine hundred and seventy-three feet to  
the corner of lands of Harry Reidy and

Morgan Hale & Co thence by line between  
lands of J. Enigh and Cyrus and  
Walter Williams North five degrees  
East fifteen hundred and fifty seven  
feet. Thence along road now in use  
through unimproved lands of J. Enigh  
North thirty six and one half degrees East  
Eleven hundred and twenty eight feet  
to the point in the Wallaceton pike where  
the line of lands of J. Enigh running  
West crosses the said Wallaceton pike  
which said road so as aforesaid laid  
out by us we are of opinion is necessary  
for a public road.

We would further report that that  
part of the road running from the  
Summit Reil Church to Harry Reidy  
viz. From the point where the line of lands  
of J. Enigh running North crosses the  
said road to a point where the said road  
joins the road to Morrisdale at house  
of Harry Reidy will become useless and  
and burdensome to the tax payers of  
Graham Township and we therefore  
vacate the same.

Respectfully Submitted

(A. Reese)  
Parker Mayor } Surveyor  
G. Manning

time and place aforesaid all parties interested will take notice.

W. A. Reese  
Peter Moyer  
L. Denning

**VIEWERS.**

Kylestown Mar 30 1909

in Graham Township, in the county aforesaid, will  
meet at the house of Harry Reidy,  
in Graham Township, on Monday,  
the 12th day of April A. D. 1909, at 10  
o'clock A. M., to attend to the duty assigned them, of which

Clearfield county, Pennsylvania

Road leading from a point at forks of road west of  
Summitville Church

in Graham Township, to a point at or near  
Barry Ridg

# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of

~~Clearfield County, Pennsylvania,~~ On 12

Road leading from a point at fork of public roads  
west of Summit Dale Church

in Graham Township, to a point at or  
near house of Harry Reidy

in Graham Township, in the county aforesaid, will  
meet at the house of Harry Reidy,

in Graham Township, on Monday,  
the 12th day of April 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 take notice.

W. A. Reese  
Peter Mayer  
L. Denning

VIEWERS.

Kylesdon Mar 30, 1909.

Mar 31<sup>st</sup> 1909

Service Accepted  
J. S. Richards  
10300290

Attest, J. L. Morris  
Chair

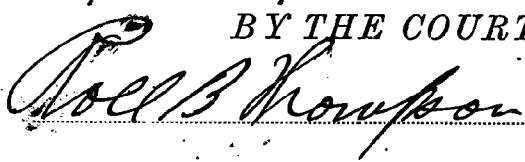
Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the county of Clearfield, Pennsylvania, held at Clearfield, in and for said county, on the 13<sup>th</sup> day of February, A. D. 1909, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Graham, in said county, setting forth that

a public road was long since laid out and opened leading from Ellport to Wallacetown and usually known as the Pike road, that a part of said road through the land of Jonathan Ensign Cyrus Williams and Walter Williams in the town of Graham in said County, beginning at the forks of the road west of Summit Hill church and ending at or near Harry Reidy on road leading from Wallacetown to Mountaineer Mine, has become inconvenient and burdensome and the said road would be much improved by a change of its route between said point.

and therefore praying the Court to appoint proper persons to view Yacts and Supply the same according to law, Report to next term whereupon the Court, upon due consideration had of the premises, do order and appoint A. H. Reese, Peter Mayer, and L. Denning 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 Yacts and 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 J. Ewing the sum of One Dollar  
To Walter Williams the sum of one dollar  
To Cyrus Williams the sum of one dollar

Witness our hands this 12th day of April A. D. 1909.

W. A. Reese  
Parker Moyer  
L. Remming

**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.

Viewers cannot interfere with damages assessed by the ~~min~~ viewers, except so far as the location may be changed reviewers.

X. 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.

No. V May Sessions, 1909

## ORDER

To view ~~most~~ ~~difficult~~ a  
road for public use in the  
township of ~~Georgetown~~<sup>13</sup>  
Clearfield County

May Sessions, 1909,  
read and confirmed. N.Y. 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.  
By the Court  
Wilson & Son the City  
Sup St 1909 certified absolutely  
by the Clerk  
Wilson & Son the City

Fees \$1.25 paid by John C. Williams