

No. 6 Dec 1888, Term, 1900.

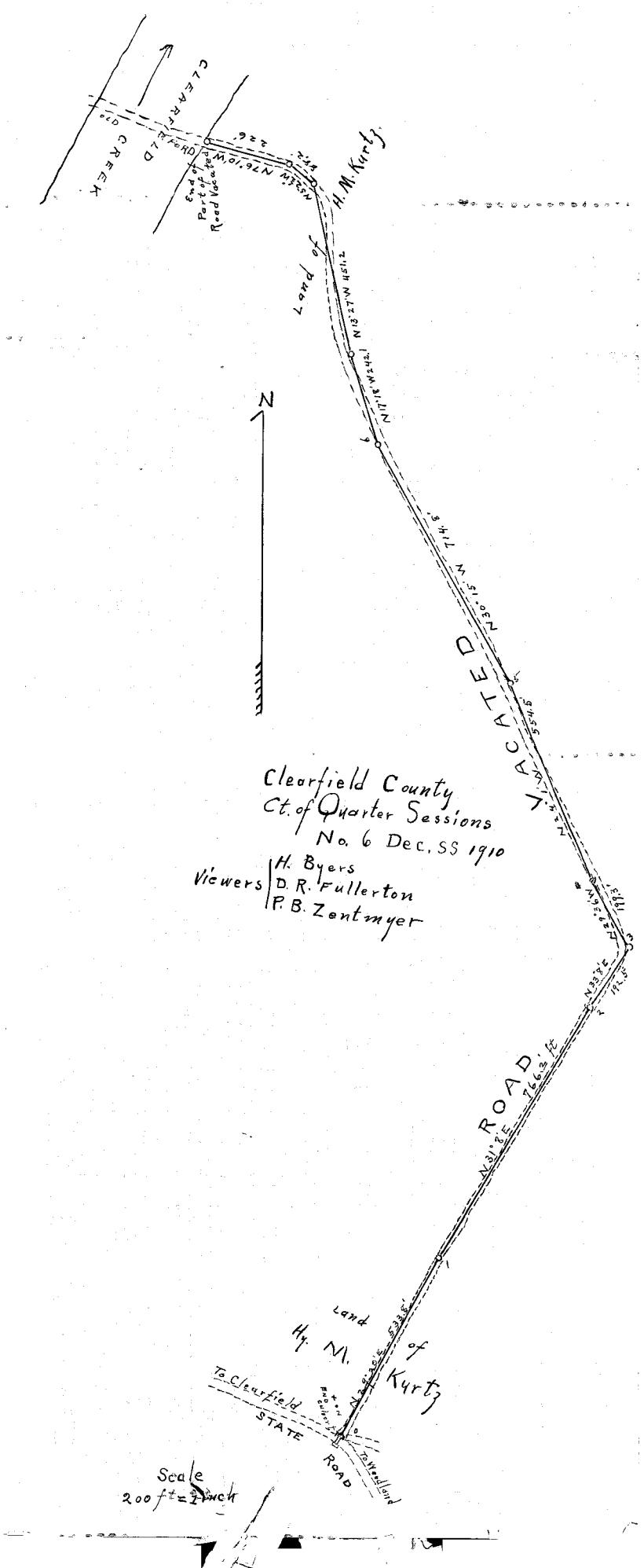
Vacate Public Rec

versus

Lawrence Township

in Road

X



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 28 day of Sept., A. D. 1904, before the Judge of said Court, upon a petition of sundry inhabitants of the township of Lawrence, in said county, setting forth that

A public road in Lawrence Township beginning at a point on the State road near to and East of the farm building of the farm formerly Robt. Mitchell East and running through said farm to a point at Clearfield Creek where formerly there was a fording to a road which has already been vacated passing through the County Park ground, has become impracticable for use and the maintenance & care of same would be an unnecessary burden on the tax payers of the Township. That the road passed through lands owned by H. M. Kurtz & is absolutely unnecessary to one of its terminus as near the left bank where formerly there was a fording but said fording has been abandoned and the road opposite there to vacated - your petitioners therefore pray the Court to appoint viewers to vacate said portion of public road.

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 Harry Byers, D. R. Deelerton and P. B. Gantmeyer, 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 vacate the same agreeable to the desire of the petitioners, as may be, having respect to the best ground for a road and the shortest distance, and in such manner as to do the least injury to private property, and state 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 said 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.

Role P. Thompson, Clerk.

## RELEASE OF DAMAGES.

Know all Men by These Presents, That we, the undersigned owners of lands through which the road located by the viewers, under the annexed order, passes for and in consideration of the sum of ONE DOLLAR to us respectively paid by the ..... at and before the ensealing and delivery hereof, have remised, released and forever quit-claimed; and do hereby remise, release and forever quit-claim to the said ..... all damages that may arise to us respectively by reason of the location and opening of the said road, so that neither we nor any of us, nor any person claiming under us, can or may hereafter ask, sue for, demand, have or receive any damages for injuries arising or growing out of the location and opening of the road aforesaid.

Witness our hands and seals this ..... day of .....  
A. D. 190 .....

Seal

Seal

Seal

Seal

## ASSESSMENT OF DAMAGES.

The following persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned viewers, under oath in pursuance of our duty, under the Act of Assembly, do assess their damages and make report thereof, as follows:

To ..... the sum of .....

To ..... the sum of .....

To ..... the sum of .....

Witness our hands this ..... day of ..... A. D. 190 .....

To The Honorable Allison O. Smith President  
Judge of the Court of Quarter Sessions of Clear-  
field County. The undersigned, viewers appointed  
by the within order of Court to view and vacate  
the road therein mentioned respectfully report,  
That we gave notice of said view as required by law  
and met agreeable thereto on the 18<sup>th</sup> day of October 1910 all  
being present and having been sworn we viewed  
the road proposed for vacating, and no person appeared  
against vacating the said road and H M Kutz through  
whose land the entire road passes was present at  
the view, which road to wit beginning at a point on  
the State road next to and East of the farm Building of the  
farm formerly Robert Mitchell Est, and running through  
said farm to a point at Clearfield Creek where formerly there  
was a fording to a road which already has been vacated pass-  
ing through the County Home ground, has in our opinion be-  
come useless inconvenient and burdensome and should  
therefore be vacated, which road as set forth is shown on  
draft hereto attached and made a part of this report.  
Witness our hands this 27<sup>th</sup> day of October  
A D 1910

Harry Byers,  
D. P. Fullerton  
Byers

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.

NOTE.—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. 46, Dec. Sessions, 1900.

## ORDER

To view water, a road for ~~the~~ the in the township of Lawrence, Clearfield County Pa.

December Sessions, 1900,  
read and confirmed N. S.  
~~Resolved to be opened 23 feet~~  
~~wide, except where there is~~  
~~side hill cutting or embank-~~  
~~ment and bridging, there to~~

Non-Baccalaureate 190  
Corporation 190  
By the Clerk's Office 190  
Collusive Bidding 190  
Non-Subsidary Sessions 190  
Conflicting Abrecomite  
Officer 190  
Allison v. Smith 190  
Filed 190  
Fees \$1.25 paid by 190

Days..... Miles.....

TO THE HONORABLE ALLISON O. SMITH, PRESIDENT JUDGE OF THE  
COURT OF QUARTER SESSIONS.

The petition of the undersigned Supervisors and Citizens  
of Lawrence township respectfully represents:

That a public road in Lawrence township beginning  
at a point on the State road near to and East of the farm  
building of the farm formerly Robert Mitchell estate and  
running through said farm to a point at Clearfield Creek, where  
formerly there was a fording, to a road which has already been  
vacated passing through the County Home ground, has become  
impracticable for use and the maintenance and care of same  
would be an unnecessary burden <sup>on</sup> the tax payers of the  
Township. That the road passes through lands now owned  
by H. M. Kurtz and is absolutely unnecessary and one of its  
terminis is now the Clearfield Creek, where formerly there  
was a fording. but said fording has been abandoned and  
the road opposite thereto vacated.

Your petitioners therefore pray the Court to  
appoint viewers to vacate said portion of public road.

And they will ever pray etc,

NAMES	NAMES
Ed Howard	J. Bush, Stewart
C. S. & Rowles	Harry L. Stoner
Dr. G. Gentes	M. S. Quinn
G. W. Rowles	
C. Bannon	M. V. Mapes
E. English	J. P. Jordan
John Flynn	
J. Henrichsberger	Frank P. Pitt
O. P. Corbin	George M. Banas

Raid  
No. 6, date, 22, 1910,

In Re  
Vacation of Land for  
Farmers' forewings

Nov 27, 1910.

Petition considered and  
Signed by D. B. Fullerton  
and P. B. Zimmerman

An application is  
made as new terrain  
by the bank

William Smith  
D.

Received and