

No. 3 May Sessions Term, 1913.

Petition for review to vacate road

Road in Lawrence Township.

Sheeps Rocks Road.

**VERSUS**

X

KNOW ALL MEN BY THESE PRESENTS That we,-----

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are held and firmly bound unto the Commonwealth of Pennsylvania  
for the use of Clearfield County, in the sum of one hundred dollars  
lawful money of the United States, for which payment well and truly  
to be made, we do bind ourselves, our and each of our heirs firm-  
ly by these presents. Sealed with our seals and dated the  
day of March 1913.

WHEREAS, a petition has been presented to the Court of  
Quarter Sessions of Clearfield County, asking for a vacation of a  
certain road in Lawrence Township, which petition has been  
filed to No. . . . . May Session 1913.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH, that in  
case of the failure of the petitioners to sustain said petition ,  
if the above bounden shall save and keep harmless the County of  
Clearfield from any and all costs connected therewith, then this  
obligation to be void, or else to be and retain in full force  
and virtue.

R.H. Thompson . . . . . (SEAL)

Howard G. Lewis . . . . . (SEAL)

W.A.C. Colline . . . . . (SEAL)

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

The undersigned petitioners respectfully represent that upon proceedings had in your Honorable Court to No. 1 May Sessions 1912, a certain road has been laid out and confirmed, which confirmation absolute was on the 3rd day of February 1913, and no part of which said road has been opened under this proceeding.

That your petitioners are a majority of the said petitioners for the said road resident within the said County.

That as appears by the proceeding in the said case the damages to property owners and payable by County of Clearfield amount to Eight hundred thirty-two dollars. That said road has a length of over 3400 feet of which over 700 feet extend beyond the point where said proposed new road crosses the public road, in which extension it is necessary to build bridge across Moose-Creek and to pay damages of upwards to three hundred dollars to property owners.

That your petitioners are informed and believe that said road so laid out would be expensive to construct, probably not less than \$2500.00 and that the financial condition of the Township is not such at this time as to justify this large expenditure, as the township has various other roads the improvement of which demand imperative attention.

That in the opinion of your petitioners the said road so laid out should be vacated because too burdensome for the Township, and they pray that viewers be appointed as is provided by the Act of Assembly.

And they will ever pray.

- ✓ G.B. Peasey M.D.
- ✓ S. D. & Son 2011
- ✓ W.H. Rallie
- ✓ E. W. Springer
- ✓ C. C. Sturtevant
- ✓ J. Waterworth M.D.
- ✓ N. Riley M.D.
- ✓ J. R. Stewart
- ✓ A. J. Swain
- ✓ T. V. Fulton
- ✓ R. H. Ogden
- ✓ E. J. Roseman
- ✓ E. J. Bird
- ✓ Walter J. Harry
- ✓ W. H. Mason
- ✓ Prentiss & Co. Inc.
- ✓ East Boston
- ✓ George Rice
- ✓ J. H. Mason
- ✓ George W. Fulton
- ✓ Frank W. Paesman

The undersigned residents or tax payers within the Township of Lawrence, aforesaid, who were not original petitioners for the road join in the prayer of the foregoing petitioners that the said road be vacated.

Road.

Mo. 3 May 1913

Petition to vacate Road  
in Lawrence Street to  
land out and confluence  
such not opened.

Some of us  
are not  
so fortunate  
as to have  
the opportunity  
of learning  
the language  
of the country  
in which we  
live.

in November, 1913.

Nov 6th 1913.  
Belton presented and  
Carroll and Parker  
Welch, G.S. as Min  
and G.A. Dease  
an affiance between the  
two cities and road and  
make report as arranged by

By <sup>the</sup> ~~the~~  
Alfred A. Smith  
of

Breitbacherey

KURTZ BROS., CLEARFIELD, PA.

# Clearfield County, ss:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, held at Clearfield, Pa., in and for said County, on the 17 day of February in the year of our Lord one thousand nine hundred Thirteen, Orion Kern Allison D. Bruce Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Lawrence

in said County, setting forth that A Road has been laid out and confirmed absolute No 1 May SS, 1912. and no part of said road has been laid out. Beginning at point about one mile below Clearfield Boro. at a point of intersection at the mouth of Moose Creek of the present road along the river with the road running along Moose creek. and it is the belief of the petitioners that the said road so laid out should be vacated.

and therefore, praying the Court to appoint proper persons to view and lay out the road between the points mentioned, whereupon the Court upon due consideration had of the premises, do order and appoint from and among the County Board of Viewers Walter Welsh, H. S. Max Munn & R. A. Reese

who have been duly appointed by the Court and filed their oaths of office and are duly qualified to perform the duties of their appointment with impartiality and according to the best of their judgment, are to view the ground proposed for the said road, and if they view the same, and a majority of the actual viewers agree that there is occasion for such road, they shall proceed to lay out the same, as agreeable to the desire of the petitioner as may be, having respect to the best ground for a road and the shortest distance, in such a manner as to do the least injury to private property; and shall make report thereof, stating particularly whether they judge the same necessary for a public or private road, together with a plot or draft thereof, and the courses and distances and references to the improvements through which the same may pass; (and wherever practicable, the viewers shall lay out the said road at an elevation not exceeding five degrees, except at the crossing of ravines and streams, when by moderate filling and bridging the declination of the road may be preserved within that limit,) to the next Court of Quarter Sessions to be held for the-said County.

And if the viewers aforesaid shall decide in favor of locating a public road, they shall obtain from the persons through whose lands the said road shall pass, releases from any damages that may arise to them on opening the same; but if the owner or owners of such land refuse to release their claim to damages, the said viewers shall assess the same, taking into view the advantages as well as disadvantages arising from said location, and make report of such assessments; which report they shall in like manner transmit to the next Court of Quarter Sessions, with the draft or plot aforesaid. In which said reports they shall state that they have been sworn or affirmed according to law, and that due and legal notice was given of the time when, and place where, they should meet, to view and lay out said road, and the time and place of hearing

By order of the Court.

*John H. Moore*, Clerk.

## RETURN OF VIEWERS.

To the Honorable the Judge of the Court of Quarter Sessions of the Peace for the County of Clearfield:

We, the undersigned viewers, duly appointed by your Honorable Court by the foregoing order, from and among the County Board of Viewers who have been duly appointed by your Honorable Court and have filed their oaths of office in the Court of Common Pleas of Clearfield County, beg leave to report as follows:

That notice of the time of view and of the hearing day was duly served according to law upon the Commissioners of Clearfield County and the Board of Supervisors of the Township of Lawrence and that four notices thereof were posted along the route of the proposed road, that the said view would be held on the 11th day of April, A. D. 1913, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 11th day of April, 1913, at 3.00 o'clock P. M. That all the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view H. S. MacMinn, H. A. Reese and Walter Welch, Viewers, all of the Supervisors of Lawrence Township J. S. Richards and H. L. Bowman, County Commissioners, H. B. Woodward Atty for original petitioners and about 25 or 30 witnesses, parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 11th day of April A. D. 1913, when the following appearances were noted: all the parties above named and said witnesses included W. G. Brown, James Condon and other petitioners.

After the view and hearing above mentioned, the undersigned, the majority of the said viewers, do agree that there is no occasion for a road as desired by the petitioner, and that the same is unnecessary for a public road: And having had respect to the shortest distance and the best ground for such road we have laid out in such manner as shall do the least injury to private property and as far as practicable agreeably to the desire of the petitioner, and do return for xxxxxxxxxxxxxxxx use the following described road to witness Beginning xxxxxxxx because of the great expense involved in the building of the road as laid out by the original Viewers in this case and therefore the Board of Viewers whose names are signed hereto are of the opinion that the proposed road as laid out be vacated and the old river road be used until such time as the Township is in such financial condition as to have laid out and built a public road as will provide for the traveling public at which time a new view is recommended.

# ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, appointed by the Court of Quarter Sessions of Clearfield County, Pennsylvania, to <sup>REVIEW</sup> view

Road leading from A POINT ABOUT ONE MILE BELOW CLEARFIELD BOROUGH

AT A POINT OF INTERSECTION AT THE MOUTH OF MOOSE CREEK OF THE PRESENT ROAD  
RUNNING ALONG MOOSE CREEK, IT BEING THE BELIEF OF THE PETITIONERS THAT  
THE SAID ROAD SO LAID OUT SHOULD BE VACATED

in ~~XXXXXX~~ Township to ~~XXXXXX~~

in LAWRENCE Township, in the county aforesaid, will meet at the ~~house of~~ SITE OF THE PROPOSED ROAD,

in LAWRENCE Township, on FRIDAY,

the 11th day of APRIL A. D. 191 at 1.00

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

H. S. MACMINN

H. A. REESE

WALTER WELCH

**VIEWERS**

APRIL 4th, 191 3.

Now April 5th, 1913, service of the notice of the within Road Re-view  
is hereby accepted on behalf of the County Commissioners of Clearfield  
County.

By. L. G. Morris  
Lawrence

Now April 5th, 1913, Service of the notice is hereby accepted on behalf  
of the Supervisors of Sandy Township.

Road Supervisors of Lawrence Township  
By Bell of Hartshorn

Now April 5th, 1913, Service of the notice is hereby accepted on behalf  
of the petitioners for Re-View of said road.

Bell of Hartshorn  
Aug 1st Bellshorn

and that a plan or draft of said road showing courses and distances and the properties affected is hereto attached and made a part hereof, said road being at an elevation not exceeding five degrees excepting is attached to the original view

xx when it was not practicable to preserve it within that limit

The undersigned further report that they endeavored to procure from all the owners of the land over which the said road passes releases in writing of all claims to damages that may arise from opening the same, and that they procured such releases from

the following persons having refused to release the damages to which they respectfully may be entitled by the reason of the location and opening of the said road, we, the undersigned viewers, after having considered the advantages to be derived to them, do assess them damages and make report thereof as follows:

and we herewith return releases obtained and copy of the notices.

WITNESS our hands and seals this 11th day of April

A. D. 1913.

Walter Welch  
H. MacPherson  
D. A. Reese



No 3 May Sessions, 19/3,

**ORDER**

To view Vacate a road for Cattle use in the township of Lawrence, Clearfield County, Pennsylvania

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 the damages assessed by the original viewers, except so far as the location may be changed by the reviewers.

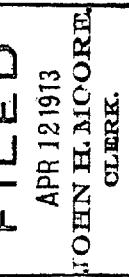
N. B.—If the viewers believe the parties are not entitled to damages, taking into consideration the advantages as well as the disadvantages of the road, they will report to that effect.

	Days	Miles A.M.T.
Walter Hobley	3	1 16.10
John Maguire	1.32	8.20
John C. Beer	1 27	7.70

May Session, 19/3, read and confirmed N. S. Road to be opened 33 feet wide, except where there is side hill cutting or embankment and bridging, there to be 16 feet wide. By the Committee of All the J. Smith

Now left day 19/3 confirmed absolute

By the County Clerk  
All the J. Smith



Filed 19  
Fees \$1.25 paid by C.R.H.

**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

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. 1911.

