

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,-----

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 remain in full force
and virtue.

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

Howard G. Linn----- (SEAL)

W. A. 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.

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.

No. 3 May 26 1913

Petition to vacate Road
in Quince Township
last week and confusing
back not opened.

Read 6th May 26 1913.
Petition presented and
considered and Motion
made, 4:30 P.M. in
and A. A. Reese
an affirmative motion to
vacate the road and
make report accordingly.

By the Court
William A. Smith
Ct.

Greenfield

GREEN BRO. CLEARING, PA.

Notice is hereby given that this petition will be presented to the Court
on Monday, March 3rd 1913.

Deems acceptable for
Superior of Quince Twp
Bees & Associates
March 3rd 1913
L. K. Brown
Green

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 _____ day of _____

_____ in the year of our Lord one thousand nine hundred thirteen,
By Hon. Ellison O. Smith

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 Walsh,
H. S. MacMunn & H. 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. MacInn, H. A. Reese and Walter Welch, Viewers, all of the Supervisors of Lawrence Township J. S. Richards and E. 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 use the following described road, to wit: Beginning 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 ^{REVIEW} ~~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~~ LAWRENCE ~~XXXXXX~~ Township to

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. 1918, 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, 1918.

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. Spornis
Spornis

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

Road Supervisors of Lawrence Township
By Bell & Hartshorn

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

Bell & Hartshorn
attys for Bell & Hartshorn

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

~~xxwhen 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 en-
titled 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.

Charles Welch 
H. MacMillan 
W. D. Reese 

No 3 May Sessions, 1913,
ORDER
 To view Vacate a
 road for Public use in the
 township of Lawrence,
 Clearfield County, Penna

May Session, 1913,
 read and confirmed N. Si.
 Road to be opened 33 feet
 wide, except where there is
 side hill cutting or embank-
 ment and bridging, there to
 be 46 feet wide. By the Court
 Oliver D. Smith

Non Sept 22 1913 confirmed
 absolute
 By the Court
 Oliver D. Smith

Filed 19
 Fees \$1.25 paid by P.H.

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 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	AM'T.
Walter Updegraff	3	1	16.10
Walter Updegraff	1.32		8.20
Walter Updegraff	1	27	7.70

FILED
 APR 12 1913
 JOHN H. MOORE,
 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

_____ at and before the ensembling 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. 191 _____.

