

ROAD DOCKET

No. 10 SEPTEMBER 18 Term,

PETITION OF SUPERVISORS AND
CITIZENS OF GRAHAM FOR VIEWERS TO
VACATE AND SUPPLY ROAD

Versus

17061

Road Docket #5- Page 263

OK/SRH

TO THE HONORABLE PRESIDENT JUDGE OF THE COURT OF QUARTER
SESSIONS OF CLEARFIELD COUNTY.

The petition of the undersigned supervisors of Graham Township as also citizens of Graham Township respectfully represent;

That a certain portion of public road in said Township known as the Deer Creek road leading from a point at or near the residence of Mrs. J. S. Jury to the Deer Creek Bridge, by reason of its location is of such a grade as to make it very inconvenient for public travel as also very expensive to maintain.

Your petitioners represent that a public road could be laid out to begin at a point at Deer Creek Bridge and thence by lands of Kelly and Crider and Mrs. J. S. Jury to a point on Deer Creek road about three hundred feet west of residence of Mrs. J. S. Jury, being about one mile in length which would obviate the steep grade and would be less expensive to maintain and a much better and safer road for travel.

Your petitioners, therefore, pray the court to appoint viewers to vacate the said portion of the road and to supply the same as hereinbefore set forth.

And they will ever pray etc.

Names

John Bryant

L. Baschard

J. P. Knobles

W. J. Burley

B. D. Tyler

Names

I. F. English
G. A. Bigelow
J. C. Richard
W. Evans
J. C. Evans
W. W. Marshford
P. C. Lansbury
W. A. Smeal
D. Smeal
W. Smeal
J. G. Smeal
E. J. Longster
E. B. Hubler
L. M. Hubler
L. W. Marshford
G. L. Lansbury
J. L. Ward
John Ward
Floyd Pelton
Mrs. Beveridge
James Bevridge
Mrs. Turner
Ovis Hobbs
E. O. Barr
Francis Howell

Names

R R Greene }
P E Howell
H B Morehead }
J B Howell
Ellis Somel
J C Egwize
George Rinehart
Alfred Dimmick }
W G Shubley
A D Darger
R H Lee
E J Williams }
G W Merle
J P Williams }
F W Evans
G J Covens
M Budmeal }
K Harvey
C G Shubley }

KNOW ALL MEN BY THESE PRESENTS: that we,

are held and firmly bound unto the County of Clearfield, in the sum of fifty dollars, to which payment to be made we do bind ourselves, our heirs, executors and administrators firmly by these presents.

Sealed with our seals and dated the day of July 1914;

WHEREAS, the supervisors as also the citizens of Graham Township have petitioned the Court of Quarter Sessions to appoint viewers to vacate and supply a certain portion of a public road in said Township as shown by the petition hereto attached.

NOW THE CONDITION OF THIS OBLIGATION IS SUCH that if in case the said petition for vacation and supply is denied by the Court of Quarter Sessions, then the above bounden shall save and keep harmless the County of Clearfield from any and all expenses connected therewith, then this obligation to be void or else to be and remain in full force and virtue.

----- (SEAL)

Prof R. Small

----- (SEAL)

et J. H. Wallace

----- (SEAL)

10 Decr. 21 1914

Petition of Schlesinger & Clegg
of Pittsburgh for appointment
of Commissioner to review certain
portion of Pennsylvania road leading
from Penns. to or near the St.
John to clear Creek bridge

Mar 22d 1914. Petition
presented by the Court Officers
A. S. Kinner, C. S. Billotte
of Pittsburgh
as executors to clear the same
roads referred to next above

With thanks
S. J. H. Cole

LAW OFFICES
COLE & HARTSWICK
OPERA HOUSE BLOCK
CLEARFIELD, PA.

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 Graham and that three notices thereof were posted along the route of the proposed road, that the said view would be held on the third day of September, A. D. 1914, ~~and the hearing to be held in the Arbitration room at the Court House in Clearfield, Pa. on the 11th day of September, 1914, at 12 o'clock M. & M.~~ That the viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view S. W. Pace one of the Supervisors and Frank P Hubler Road master in favor of the road and

~~parties in interest. That the hearing was held in the Arbitration room in the Court House at Clearfield, Pa. on the 11th day of September, 1914, at 12 o'clock M. & M. and the following affidavits were produced.~~

That there being no contest in the matter it was not considered necessary to hold a public hearing, the public hearing was therefore dispensed with.

After the view ~~and hearing~~ above mentioned, the undersigned ~~and the Commissioners of Clearfield County~~ viewers, do agree that there is an occasion for a road as desired by the petitioner, and that the same is not necessary 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 public use the following described road, to-wit: Beginning Beginning at a point in the road known as the Deer Creek road near the Deer Creek Bridge; thence, running north thirty five (35) degrees east one hundred and forty (140) feet, thence north forty three (43) degrees, east one hundred (100) feet, thence north fifty six (56) degrees thirty (30) minutes east one hundred (100) feet, thence north sixty eight (68) degrees thirty (30) minutes east one hundred (100) feet, thence north eighty nine (89) degrees east one hundred (100) feet, thence north eighty seven (87) degrees east one hundred (100) feet, thence south eighty (80) degrees east one hundred (100) feet, thence south eighty three (83) degrees east one hundred (100) feet, thence south eighty three (83) degrees east one hundred (100) feet, thence south seventy five (75) degrees east one hundred (100) feet, thence south seventy one (71) degrees east three hundred (300) feet, thence south sixty three (63) degrees east one hundred (100) feet, thence south sixty one (61) degrees east two hundred (200) feet, thence south fifty six (56) degrees fifteen (15) minutes east two hundred (200) feet, thence south fifty two (52) degrees east two hundred (200) feet, thence south thirty five (35) east one hundred (100) feet, thence south thirty (30) degrees thirty (30) minutes east one hundred (100) feet, thence south thirty (30) degrees thirty (30) minutes east three hundred (300) feet, thence south twenty four (24) degrees east two hundred (200) feet, thence south nineteen (19) degrees east one hundred (100) feet, thence south fifteen (15) degrees east one hundred (100) feet, thence south eight (8) degrees east

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 10 day of August in the year of our Lord one thousand nine hundred fourteen,

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Graham

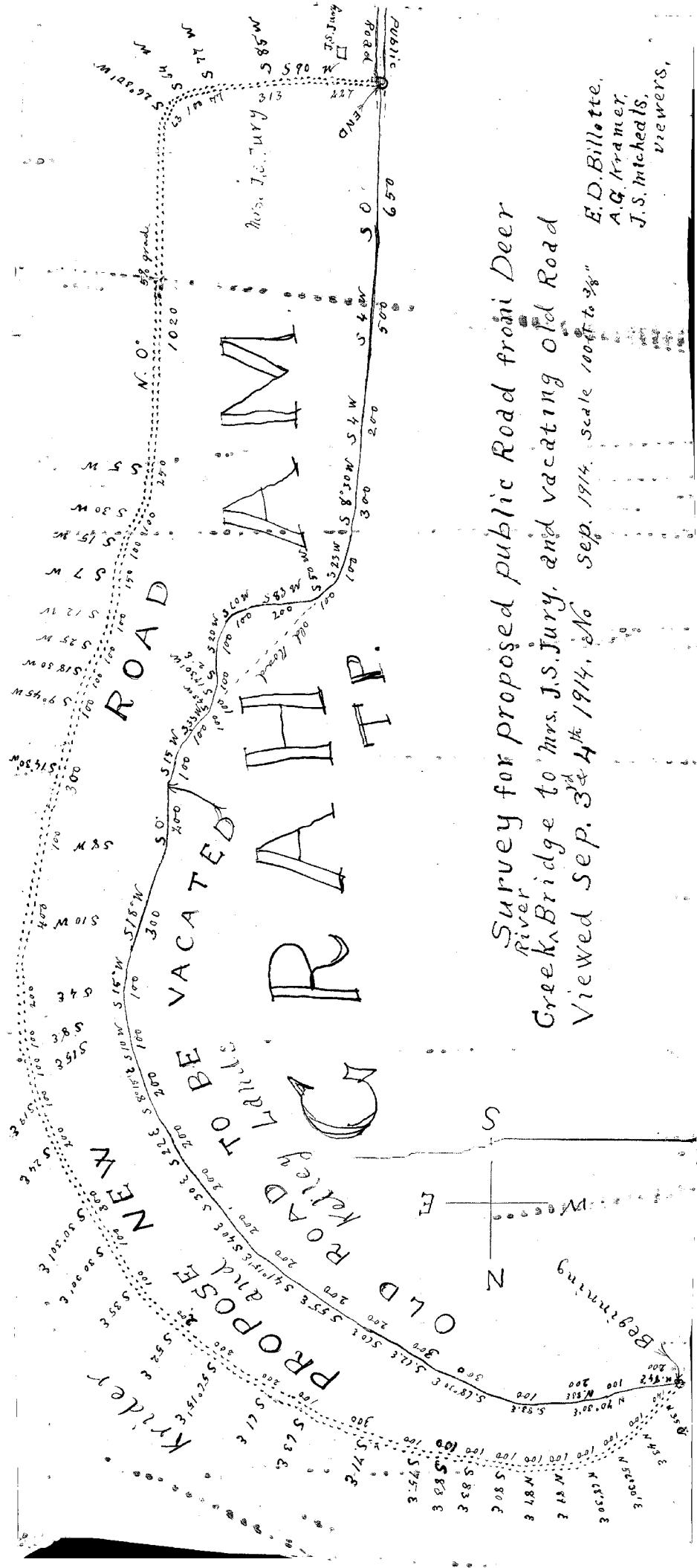
in said County, setting forth that a certain portion of public road in said Township known as the Deer Creek road leading from a point at or near the residence of Mrs. J.S. Jury to the Deer Creek Bridge, by reason of its location is of such a grade as to make it very inconvenient and for public travel as also very expensive to maintain. Your petitioner represent that a public road could be laid out to begin at a point at Deer Creek Bridge and thence by lands of Kelly and Crider and Mrs. J.S. Jury to a point on Deer Creek road about three hundred feet west of residence of Mrs. J.S. Jury, being about one mile in length which would obviate the steep grade and could be less expensive to maintain and much better to and safer for travel 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 A.G. Kramer, T.D. Billotte and J.S. Michaels

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.



To; W. C. Langford, J. S. Richards, and H. L. Bowman.
County Commissioners of Clearfield County Pa.

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Sessions of Clearfield County Pa, upon the petition of sundry citizens of Graham township in said county, setting forth, the necessity of a change in the public road known as the Deer Creek Road on account of the heavy grade from a point at the south end of the bridge across the West Branch of the Susquehanna River to a point in the said Deer CREEK Road about 300 feet west of the residence of Mrs J S Jury in Graham township about one mile in length and if said new road is laid out to vacate that part of the said Deer Creek Road supplied by the said new road.

You are therefore hereby notified, that the said viewers will meet for the discharge of the duties of their appointment, at the south end of the said Deer Creek Bridge across the River in Graham township on

September , 1914 at 1 o'clock P. M. when and where all parties interested may attend if they see proper.

A G Kramer
E R Billotte
J S Michaels

Viewers.

Now August 22 1914 service of the above notice accepted,
COUNTY COMMISSIONERS OF CLEARFIELD COUNTY PA.

L. B. Morris
Clerk.

TO: Supervisors of Graham Township

Supervisors of Graham Township Clearfield County Pa.

You are hereby notified, that the undersigned viewers appointed by the Court of Quarter Session of Clearfield County Pa, upon the petition of sundry citizens of Graham township in said County, setting forth, the necessity of a change in the public road known as the Deer Creek Road on account of the heavy grade, from a point at the south end of the bridge across the West Branch of the Susquehanna River, to a point in the said Deer Creek Road about 300 feet west of the residence of Mrs J. S. Jury in Graham township about one mile in length, and if said new road is laid out, to vacate that part of said Deer Creek Road supplied by the said new road.

You are therefore hereby notified, that the said viewers will meet for the discharge of the duties of their appointment, at the south end of the said Deer Creek Bridge, across the River in Graham township on, Thursday September 3, 1914 at 1, o'clock P. M. when and where all parties interested may attend if they see proper.

A. J. Kramer
E. D. Billotte
J. S. Michaels

Viewers.

Now August 20th 1914 served this notice on C. K. Smeal & W. F. Rae

A. J. H. Williams

the Supervisors of Graham Township personally by handing each of them a copy of same.

A. J. Smeal

C. K. Rae
Aug 20 1914

C. K. Rae
Aug 20 1914

one hundred (100) feet, thence south four (4) degrees east two hundred (200) feet, thence south ten (10) degrees west four hundred (400) feet, thence south eight (8) degrees west one hundred (100) feet, thence south sixteen (16) degrees thirty (30) minutes west three hundred (300) feet, thence south nine (9) degrees forty five (45) minutes west one hundred (100) feet, thence south eighteen (18) degrees thirty (30) minutes west one hundred (100) feet, thence south twenty five (25) degrees west one hundred (100) feet; thence south twelve (12) degrees west one hundred (100) feet, thence south seven (7) degrees west one hundred and fifty (150) feet, thence south fifteen (15) degrees west one hundred (100) feet, thence south thirty (30) degrees west one hundred (100) feet, thence south five (5) degrees west two hundred and fifty (250) feet, thence south five (5) degrees west one thousand and twenty (1020) feet, thence south twenty six (26) degrees thirty (30) minutes west sixty three (63) feet, thence south sixty four (64) degrees west one hundred (100) feet, thence south seventy seven (77) degrees west seventy seven (77) feet, thence south eighty five (85) degrees west three hundred and thirteen (313) feet, thence south ninety (90) degrees west two hundred and twenty seven (227) feet, to a point in the said Deer Creek road near the residence of Mrs J S Jury. And vacate that portion of the said road known as the Deer Creek road, from a point where this road intersects with the said Deer Creek road near the south end of the river bridge known as the Deer Creek bridge to where this road intersects with the said Deer Creek road near the residence of Mrs J S Jury, supplied by this road as laid out and will there become useless and burdensome, as shown by the draft attached.

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,

~~Exhibit~~

which was impracticable to preserve the titles that will

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: Kelley & Crider one (\$1.00) dollar
Mrs J S Jury one (\$1.00) dollar

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

WITNESS our hands and seals this 7th day of September

A. D. 191.

A. G. Kramer 
E. J. Billotte 
J. A. Michaels 

No. 10 Dept. Sessions, 1914

ORDER

To view ~~lay out~~ ~~and~~ a road for ~~public~~ use in the township of ~~Nebraska~~, Clearfield County

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 and
A. G. Marzler	3	4 1/2 1/4 0
Eh. G. Abbott	3	1 1/4 1/5 30
J. W. McDonald	2	1 1/4 15 30

Sept. Session, 1914,
read and confirmed Ni. Si.
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
Signed and filed

Sept. 9th
Dec. 9th 1914 Compound
absolutely ~~by the Court~~
by the Court
Filed

Fees \$1.25 paid by ~~lot~~

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. 1914.

SEAL
SEAL
SEAL
SEAL