

No. 1 May ss Term, 191 20

#5

Fr Re-view of public Road in

Ferguson and Jordan Townships,

Versus

R. S. #5 - Page 449

Part Twp. Rd. 17424 & 17423

ROAD VIEWERS' NOTICE

NOTICE IS HEREBY GIVEN that the undersigned Viewers, ~~appointed~~ by the Court of Quarter Sessions of Clearfield ~~County~~, Pennsylvania, to view a Public Road

Road leading from a point at the foot of what is known as Ames Hill

in Ferguson Township to a point on Public Road leading from La Jose to Berwinsdale, at or near John McKeekans

in Jordan Township, in the county aforesaid, will meet at the house of At foot of Ames Hill

in Ferguson Township, on WEDNESDAY

the 25th day of August A. D. 19120, at 9-30

o'clock A. M., to attend to the duty assigned them, of

which time and place aforesaid all parties interested

will take notice. And a hearing on the above re-view will be held in the Arbitration Room of the Court House at Clearfield on Tuesday August 31st 1920 at 11 o'clock A.M.

A. L. Edwards

Harry Reese

James Spangle.

VIEWERS

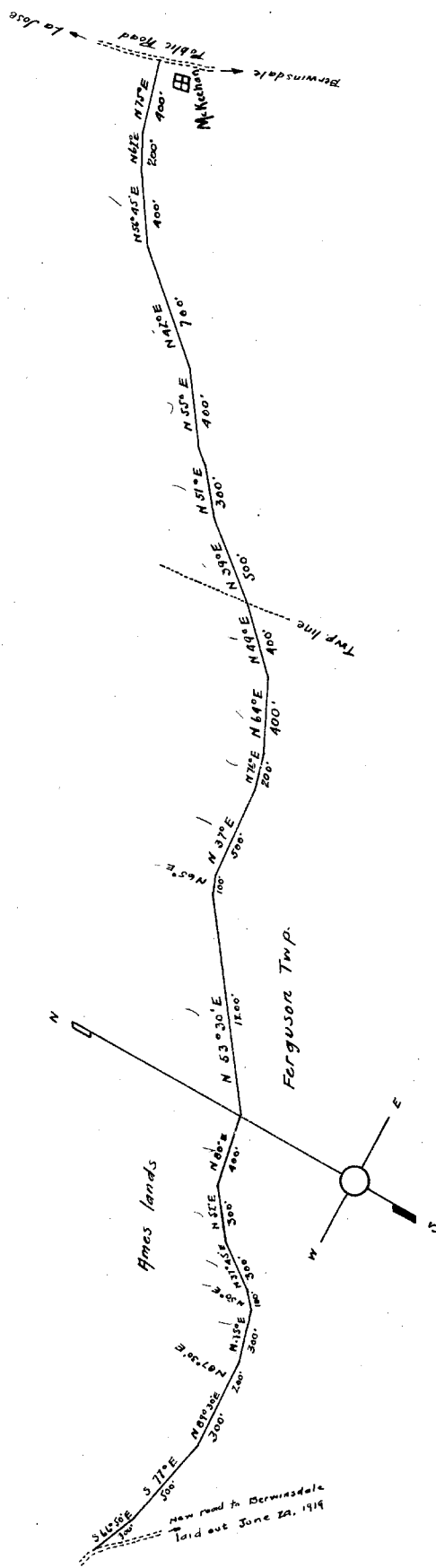
August 9th, 19120.

Kindly sign return
for three copies
P. G.

Now August ninth 1920 service of the within notice is hereby
accepted for the Commissioners of Clearfield County.

L. L. Morris

Attest



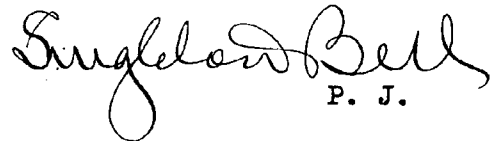
No. 5. May 1920.

In the Court of Quarter Sessions of Clearfield County, Penna.
In Re. Vacation of road in Ferguson) No. 1 February Sessions 1920
and Jordan Townships.)

At May Sessions, 1920, the Report in this case was confirmed absolutely, the attention of the Court not being brought to the fact that a review was then pending.

And now, September 8th, 1920, the order made at May Sessions, 1920, was made by inadvertence and pending proceeding to vacate is itself stricken off and this proceeding ordered placed on the Argument List.

By the Court,


P. J.

No. 1 February Sessions, 1920.

In Re. Vacation of Road in
Ferguson and Jordan Townships.

14

2.

ORDER.

FILED
SEP 9 1920
GEO. W. RALSTON
CLERK

KNOW ALL MEN BY THESE PRESENTS that we S. H. Ames,
and J. B. McMechan of Ferguson and Jordan Township,
Clearfield County are held and firmly bound unto the Commonwealth
of Pennsylvania in the sum of Two Hundred (\$200.) Dollars, lawful
money of the United States, to be paid to said Commonwealth or
its certain Attorneys or assigns, to which payment well and truly
to be made, we and each of us do bind ourselves severally, and
our heirs, executors and administrators and every of them, jointly
by these presents.

Sealed with our seals and dated the 25th day of March, 1920.

The condition of this obligation is such that if the above
bounden S. H. Ames, and J. B. McMechan
their heirs, executors or administrators, or any of them, shall
well and truly pay or cause to be paid unto the Court of Quarter
Sessions of Clearfield County, Pennsylvania, all of the costs and
in a certain proceedings brought in the said Court # May
Sessions, 1920, being a proceedings for the re-view of a certain
public road in Ferguson and Jordan Townships, Clearfield County,
Pennsylvania; said road on which said review is held being spe-
cifically described in #1 February Sessions, 1920, without fraud
or further delay; when the same shall be due and payable then this
obligation to be void and of no effect; otherwise to be and remain
in full force and virtue.

Signed, sealed and delivered

in the presence of.

Thomas Lewis
J. B. McMechan

COURT OF QUARTER SESSIONS
OF CLEARFIELD COUNTY
May Sessions, 1920

In Re Re-view of road
in Ferguson and Jordan
Townships, Clearfield
County, being the same
road recommended for
vacation to #1 February
Sessions 1920.

BOND *for* ROOSTER

*Apr 3: 1920. Bond
approved.*

*Myrtle Couch
Sugden Ave
17.*

FILED
APR 5 1920
GEO. W. RALSTON
CLERK
CHASE & CHASE
ATTORNEYS AT LAW
CLEARFIELD, PA.

X
No. 5 May Sessions, 1920

ORDER

To view _____ a
road for _____ use in the
township of _____
Clearfield County

Sept Session, 1921,
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
Engelhart Bell
Dec. 25 1921, Clearfield
absolutely
By the Court
Engelhart Bell
Filed _____ 19 ____

Fees \$1.25 paid by _____
Chase & Chan Atty.

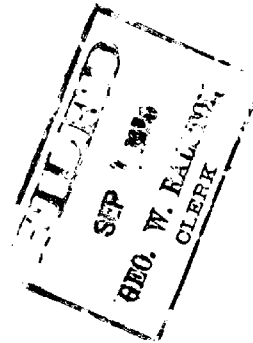
NOTE.—In case of a private road, the release must be executed in favor of the petitioner for said road.

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. H.—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.
A. R. G. L. 4	162.38/10
W. C. Spangle 2	1/4 19.70



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 _____



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 see map hereto attached.

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 this road has been a public Road for upward of 40 years & was recommended for location to the February Term 1920 & therefore there are no damages to be assessed

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: (none)

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

WITNESS our hands and seals this 31st day of August
A. D. 1920.

A. L. Edwards
James W. Spangle



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 Townships of Ferguson & Jordan and that six notices thereof were posted along the route of the proposed road, that the said view would be held on the 25th day of August, A. D. 1920, and the hearing to be held in the Arbitration room, at the Court House, in Clearfield, Pa., on the 31st day of August, 1920, at 11 o'clock A. M. That two viewers appointed by the said order viewed the ground proposed for the above mentioned road, and that there were present at the view James Spangle and A. L. Edwards viewers, Steve Ames, Chas. Bennett, Lemoyne Hile

parties in interest. That the hearing was held in the Arbitration Room, in the Court House, at Clearfield, Pa., on the 31st day of August A. D. 1920, when the following appearances were noted: James Spangle and A. L. Edwards viewers, A. R. Chase Esq. for petitioners, John M. Keehan, Steve Ames, Charles Bennett, H. S. Barrett & Lemoyne Hile. No appearance was entered for protestants except Lemoyne Hile Supr. of Ferguson Twp. & no protest was entered by him.

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 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 at a point in the Public Road leading from Lapeer to Berwinstale at the foot of Ames Hill in Ferguson Township thence over land of Hilde as follows: South 66 degrees 30 minutes East 300 feet; thence South 77° East 500 feet; thence North 89° 30' East 300 feet; thence North 87° 30' East 200 feet; thence North 75° East 300 feet; thence North 50° East 100 feet; thence North 37° 45' East 300 feet; thence North 52° East 300 feet; thence North 80° East 400 feet to Ames House; thence North 58° 30' East 1200 feet; thence North 65° East 100 feet; thence North 87° East 500 feet thence North 76° East 200 feet; thence North 64 degrees East 400 feet; thence North 49 degrees East 400 feet to the Jordan Township line, thence through Jordan Twp the following courses & distances to wit: North 39 degrees East 500 feet thence North 51° East 300 feet thence North 43 degrees East 100 feet; thence North 55 degrees East 400 feet; thence North 42° East 700 feet thence North 56 degrees 45' East 400 feet; thence North 62° East 200 feet; thence North 75° East 400 feet to the Public Road leading from Lapeer to Berwinstale at the residence of John M. Keehan in Jordan Township.

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 5th day of April in the year of our Lord one thousand nine hundred Twenty Four,

Judge of the same Court: Upon the petition of sundry inhabitants of the Township of Ferguson and Jordan in said County, setting forth that:

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. Edwards, Harry Fessenden and James Spanio

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 or 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.

Geo. M. Paley, Clerk.

1st: That in proceedings in said Court to #1 February Sessions 1920, upon petition presented, viewers were appointed to view and vacate a section of public road in said Townships, and described as follows; to wit: Beginning at a point at the foot of what is known as Ames Hill and extending to a point on public road leading from La Jose to Berwindsdale, at or near John McKeeshans. A draft of said road which was recommended for vacation, together with the metes and ~~size~~ there being fully set out by the viewers by draft attached to their report in #1 February Sessions, 1920.

2nd: That the aforesaid appointed viewers, namely A. G. Kramer, Esq., E. D. Billet and J. S. Michaels, reported said road useless, inconvenient and burdensome, and recommended vacating the same, said report of the viewers being confirmed ~~ni si~~ by your Honorable Court at February Sessions, 1920 and now on file in the Clerk's office final confirmation at the next term of Court.

3rd: That said road is necessary to the traveling pub^y and convenient, and would be very injurious to your petit^r and and burdensome to the inhabitants of the Township of ~~F~~^{ft} of the Jordon and to the traveling public in general if the viewers recommending vacation was confirmed.

Your petitioners therefore pray your Honorable Court to ar proper persons to re-view said road and parts adjacent and report to the Court according to law.

And they will ever pray, etc.

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3rd: That said road is necessary to the traveling public, and convenient, and would be very injurious to your petitioners and burdensome to the inhabitants of the Township of Ferguson and Jordon and to the traveling public in general if the report of the viewers recommending vacation was confirmed.

Your petitioners therefore pray your Honorable Court to appoint proper persons to re-view said road and parts adjacent and make a report to the Court according to law.

And they will ever pray, etc.

TO THE HONORABLE SINGLETON BELL, PRESIDENT JUDGE OF THE
COURT OF QUARTER SESSIONS OF CLEARFIELD COUNTY, PENNSYLVANIA.

The petition of the Supervisors of ^{and Jordan} Ferguson Township
Clearfield County, respectfully represents:-

That a certain public road in said Township, beginning at
a point at the foot of what is known as "Ames Hill" and extending
to a point on public road leading from LaJose to Berwindale, at
or near John McKeehans, has become burdensome, of little, if any
use, and very expensive for the Township to maintain in proper
condition.

In the opinion of your petitioners said road should be
vacated.

They, therefore, pray the court to appoint viewers to
vacate said road. And they will ever pray, etc.

<u>E. E. Harrison</u>	<u>L. W. Bell</u>
<u>A. W. Harrison</u>	<u>Gurney Heile</u>
<u>Supervisors of Jordan Township.</u>	<u>Wm. H. Young</u>
	Supervisors of Ferguson Township.

Clearfield County, ss

L. W. Bell, one of the Supervisors of Ferguson Township,
being duly sworn according to law, says that the facts set forth
in the foregoing petition, he believes to be true.

L. W. Bell

Sworn and Subscribed before me
this 25th day of ~~June~~ ^{August} A. D. 1919.

Chas. D. Strong, J. P.

Road

1 Feb, 1920
Petition for appointment of Viewers to vacate public road in Ferguson Township from a point at foot of Allen Hill to a point on public road leading from Laforest to Ber- windale at or near John McKeehan.
Now Jan'y 6 th 1920. A. G. Kraemer, S. D., Billings & S. S. Michaels are appointed viewers to report to the County at the next session.
By the Court Singleton Bell C. J.
MILLER & HARTSWICK ATTORNEYS AT LAW CLEARFIELD, PA.
BALTIMORE OFFICE SUPPLY CO., BALTO., MD.