

No. 13 Sept 1 Term, 187 3

Review Vacate Supply
Public Road

vs.

Morris Township

Contents,

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Report set aside
Not confirmed

X

1873 & 1874
Return of all
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the Republic of
for a series of
Road from the
to the 1874

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and Viewers' Report

CLEARFIELD COUNTY, SS:

At a Court of Quarter Sessions of the Peace of the County of Clearfield, held at Clearfield, in and for said county, on the 27 day of Sept, A. D. 1873, before the Judges of the said Court, upon the petition of sundry inhabitants of the township of Morris, in said county, setting forth that they labor under great inconvenience for the want of a ^{change in} road or highway, leading from Kyler Lowri to Trays Bridge (which Road has been recently changed)—

To review and vacate and supply the said road at certain points re
Report as to Damages &c

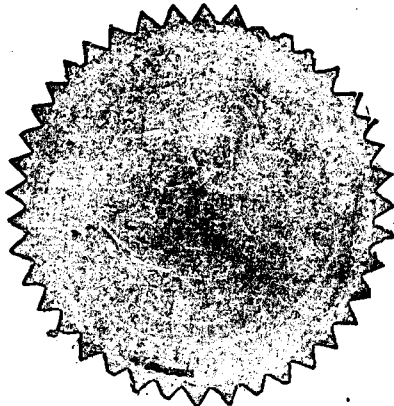
And therefore praying the Court to appoint proper persons to ^{re}view and lay out the same, according to law. Whereupon, the Court, upon due consideration had of the premises, do order and appoint

Thos W. Moore, C. M. Caldwell & Foster Lucas

who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to view the ground proposed for said ^{review} road; and if any two of them agree that there is occasion for such road, they shall proceed to lay out the same, as agreeably to the desire of the petitioners as may be, having respect for the best ground for a road, and the shortest distance, in such 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, with reference to the improvements through which it may pass, to the next Court of Quarter Sessions to be held for said county. In which report they shall state that they have been sworn or affirmed according to law.

BY THE COURT.



A. C. Sato
Clerk Quarter Sessions.

Mo. 13, Sep 1873

Order for Re-view
vacated and supply
public Road leading
from Kylerstown to
Jorge Bridge

\$125 Paid by O. L. Bremer
13 Oct 1873

H. L. J. J. J.
O. L. J. J. J.

Receipt

C. H. Moore
to. Goodwill
Industrious

Barrett

and Viewers' Report

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To review and vacate and supply the said road at certain points &c
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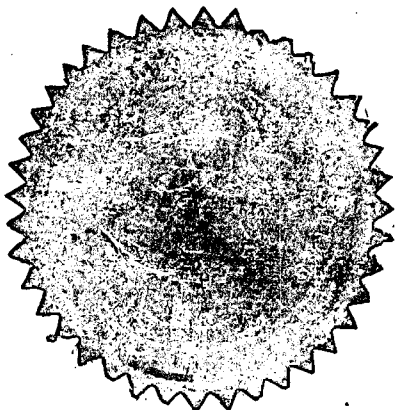
And therefore praying the Court to appoint proper persons to ^{re}view and lay out the same, according to law. Whereupon, the Court, upon due consideration had of the premises, do order and appoint

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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, with reference to the improvements through which it may pass, to the next Court of Quarter Sessions to be held for said county. In which report they shall state that they have been sworn or affirmed according to law.

BY THE COURT.



A. C. Tator
Clerk Quarter Sessions.

To the Honorable Judges of the Court of Common Pleas
of the county of Clarfield. Now holding a court of
General Quarter Sessions in and for said County

We the undersigned Viewers appointed
by the foregoing Order of Court to review Vacate
and Supply the road therein described. Do
Report: That in pursuance of said appointment
after first having given previous notice as re-
quired by law by advertisements put up, of the
time & place of said View, We all met and
being first duly Sworn and Affirmed, did
proceed to view said road and Submit the
following report: To Wit

Whereas, by an order of Court issued at
September Sessions ad 1872, to review the road
from Rybartown to Torps bridge in Morris
Township in said County, and a report thereon
made at January Sessions ad 1873. Changing said
road at the following points Viz. Through land of
the Estate of Andrew Hunter (deceased) beginning at
Station No 105+70. Thence North $72^{\circ}-40'$ West, 877 feet
thence North $88^{\circ}-55'$ West, 381 feet, thence South 2° West
977 feet, thence through land of J. L. Brenner South
 $1^{\circ}-15'$ East, 595 feet. — Through land of
Christian Emigh. Beginning at Station No 313+80
thence South $39^{\circ}-40'$ West 260 feet — thence South $40^{\circ}-40'$
West 200 feet — thence South $22^{\circ}-20'$ West 200 feet
thence South $17^{\circ}-43'$ East 100 feet — thence South
 37° East 408 feet — And through land of
John Orball or Indicator Coal Company Beginning

And now 14 July 1874. Exceptions filed to the within
report of reviewers for the following reasons.

- 1" That the petition is for a Review of the road previously laid out and opened between the points named and the report of reviewers have vacated the report, first made
2. The petition for review is irregular because not presented at or before the next term of the said court after the report upon the first view
- 3^d the petition for review was not presented until after the report ~~was~~ of first view was confirmed absolutely, and the road opened.
- 4" The order to review does not authorize the commissioners named to vacate the road opened.
- 5" For other irregularities and errors.

And now writ July 28, 1874 Frank Kilding
Attorney for ^{several} Citizens of Morris Township files
Exceptions to the within report viz:

1. Because the Reviewers did not notify owners of land by personal notice of the time of said re-view.
2. Because C. M. Caldwell one of the reviewers signed his name to the petition for review.
3. Because this report is not accompanied by any plot or draft of the proposed change, nor is described the character of the land through which the road passes, or that part of it they propose to vacate & supply.
4. Because no legal exception

Sold by
John C. Clark & Sons,
250 Dock Street,
Philadelphia.

Said as we are.
S: There is no report as to damage
yes -

at a Post on old road, thence South $3^{\circ}-10'$ East 200 ft
to Post; thence South $20^{\circ}-25'$ East, 100 feet to Post; thence
South $31^{\circ}-45'$ East, 200 feet to Post; thence South $32^{\circ}-50'$
East, 100 feet to Post; thence South $49^{\circ}-55'$ East, 100 feet
thence South $8^{\circ}-10'$ West, 207 feet to Post; thence South
 $25^{\circ}-10'$ West, 393 feet to Post; thence South $21^{\circ}-15'$ West
337 feet to a Post; thence South $50^{\circ}-55'$ East, 282 feet to a
Post; thence South $10^{\circ}-50'$ East, 181 feet to Post; thence South
 $22^{\circ}-55'$ East, 246 feet to Post; thence South $25^{\circ}-15'$ West 804
feet to a Post in Public road. All of which changes
in our opinion were unnecessary and do great
Damage to the owners and occupants of the land
where these changes have been made. Especially
to the Estate of Andrew Hunter (Decd.) where by cutting
& filling a few feet at an expense of not more than
100 dollars the road in its original location can be
made an easier grade than many places where no
change was made. Also that the report of the
Surveyor who assisted in making these changes
is erroneous where said road is changed
on land of Christian Emigh (Decd.) as the
distance of road vacated on said Emigh Estate
is 3700 feet, and is supplied by a distance of 1168
feet of new road. And we do further Report and
declare as vacated all changes of the location of
said road from Kylastown to Grap Bridge as con-
tained in said Report Dated 10th Novr 1872. All of
which we respectfully Submit. In witness whereof
we have hereunto set our hands this 15th day of December
A.D. 1873.

The W. Moore
Hester Lucas
J. W. Womersley
C. Macdowell

No. 13. Sept 1873

Order to review - vacate
and supply public Road
recently closed out
from Tyler town Co
large bridge

W2S paid by C. B. Brannon
23 Oct 1873

A. B. Gentry
J. B. Gentry

Report filed 5. Jan 1874

Confession of child by 17th 1874
Re a 16 lb. child 23 feet and
weight when taken to duty or
Bridging 13th Court

Warrant 14th 1874
10 days to file exceptions
By the Court

Barrett

June 8th 1874 Ex. 1874
Produced at Report at Court

By the Court