

3, May ~~Perm~~, 1891

Public Road

Persios

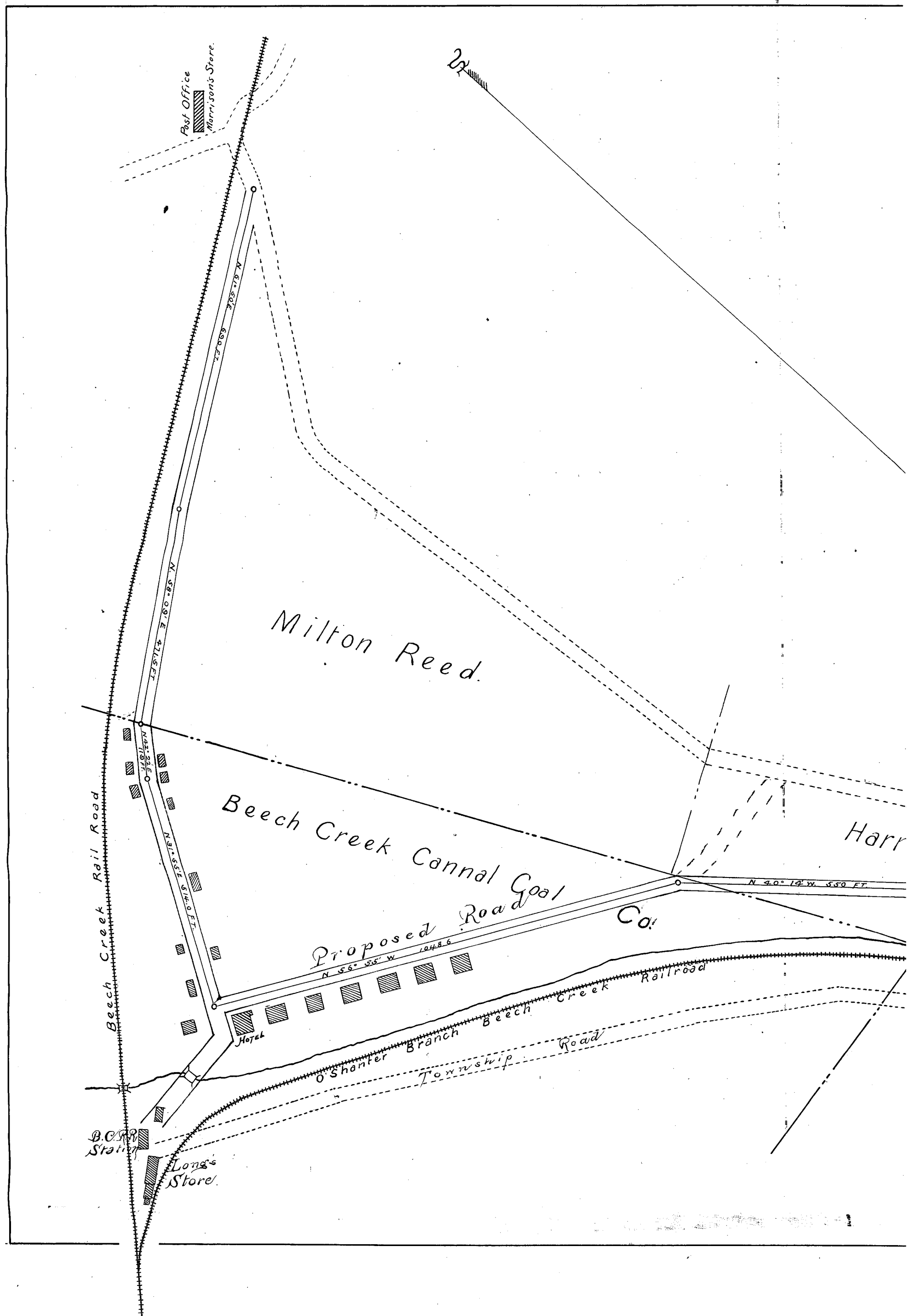
Lawrence Township

Contents:

Set aside

No road

X



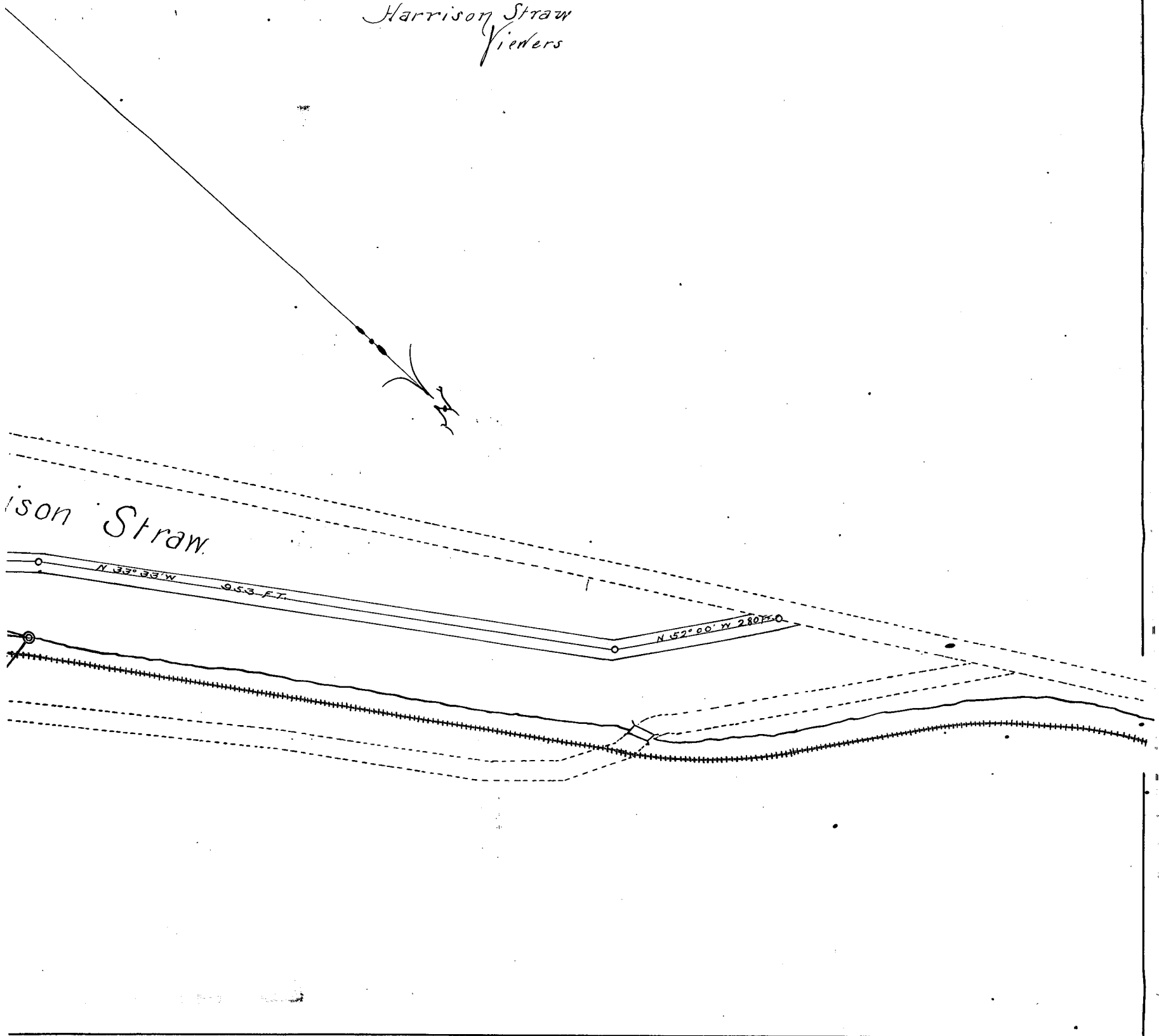
Road View in Lawarance Township
From the

O'Shanter Post Office ^{road point near the} Ross Reed Saw Mill

Aug 24, 1891.

SCALE 200 FT PER INCH.

H. M. Kurtz
A. J. Jackson
Harrison Straw
Vieders



In the Court of Quarter Sessions of Clearfield
County Pennsylvania

In Re public road in Lawrence Township to lead
from a point near the old Ross Road Sawmill
to the O'Shaunter post office via Mitchell Station on
the Beech-Creek rail-road.

No 3 May Sessions 1891

And now January 23rd A D 1892 H. A.
Chase Atty for exceptants, excepts to the con-
firmation of the report of the Viewers appointed
to view and lay out said road for the following
reason:

That ~~the~~ both the petition presented to the
Court for the appointment of Viewers, to view
and lay out said road, and also the order issued
by the Prothonotary to view the road, state that they,
the said Viewers are to view and lay out a road
"to lead from a point near the old Ross Road saw-mill
to the O'Shaunter Post office via Mitchell's Station
on the Beech-Creek Rail-Road" thereby naming
an intermediate ^{point} between the extreme termini of
the road, as the route between the extreme termini
of a road is exclusively for the Viewers; the Court is
not authorized, in their order, to designate any
intermediate point.

I hereby certify that there are legal reasons
why report of Viewers should not be confirmed
which reasons are stated above

H. A. Chase
Atty for Exceptants

No 3 May Seco 1891

June 23rd Published Record in
Lawrence being 1/2 hour from
a point near the old Cross Road
some miles
to
the Ocean in Port Office or in
Muttell Station on Beebe
Creek RR.

Expositions

Dec 23rd Jan 1893

W. A. Chase

TO THE HONORABLE THE JUDGE OF THE COURT OF QUARTER SESSIONS
OF THE COUNTY OF CLEARFIELD, STATE OF PENNSYLVANIA:

The petition of the undersigned, inhabitants of the Township
of Lawrence, in the said County, respectfully represents:

That your petitioners labor under great inconveniences for
want of a public road or highway, to lead from a point near
the old Ross Road saw mill to the O'Shanter Post Office, via
Mitchells Station on the Beech Creek railroad:

Your petitioners therefore pray the Court to appoint proper
persons to view and lay out the same, and they will ever ~~xxx~~
pray &c.

M^{rs} Read James M Read
J Roll Brown John A Read
Chas Long John Whitman
Reuben Bloom J Maurer Hoff
H. Sinclair Al W. Van
Jos. R. Chase Thos Jackson
William Snodden J. M. Chase
James Runnings

C. B. Hillen
Lynn Hoyt
H. Twitner, M.D.
J. E. Lewis
Samuel Fitchell
Samuel Brown

No 3 May Sem. 1891

Petition for Public road
in Lawrence Township
to lead from a point
near the old Road Road
Saw mill to the Discharge
Post Office

Memo. 11th May 1891, within
petition presented to H. M. King,
Shannon Station. For a Road
are appointed Messrs. &
over the same & make
report there to Dept. Secy.

By M^{rs} Court

Given May 1st 1891

Approved June 1891 H. M. King, Appointed
in place of Jas. A. Rice as witness
By M^{rs} Court

❖ RULE TO TAKE DEPOSITIONS. ❖

Clearfield County, ss:

Quarto Session
❖ In the Court of ~~Common Pleas~~
of Clearfield County, Pa.

In Re Public Road
VERSUS
in Lawrence Lutz

No. *3 May Sess* Term, *1891*.

And Now, to wit, the *16th* day of *Janu*, in the year of our
Lord one thousand eight hundred and ninety-*two*
the *Exceptants* enter a Rule to take the
Depositions of ancient, infirm and going witnesses,
to be read in evidence on the *Argument* of
this case. Ex parte Rule of *Exceptants* on
Five days' notice.

A M Bloome
Prothonotary.

To *Howard B Hartwick*, Esq.:
Atty for Petitioners

You will please take notice that, in pursuance of the foregoing Rule, depositions
will be taken before *Daniel Connelly J.P.*, or some other
person authorized to administer an oath or affirmation in Pennsylvania, in and
for the county of *Clearfield*, at the office of *Daniel Connelly*
in the *Borough* of *Clearfield*, in the county of *Clearfield*
and State of Pennsylvania, on the *23rd* day of *January*, A. D.
1892, between the hours of *10* o'clock *A* M. and *5* o'clock *P* M., when
and where you may attend and cross-examine.

Clearfield, Pa., *Janu 16*, 1892. *H. A. Phas*
Atty for Exceptants

In the County of Quaketo Secours
Clearfield Co.

No 3 May Secours 1891

In the Public Road in
Lawrence Stuf

Rule

Lawrence 16. 1892
Lawrence Secours
of this rule.

James D. Macomber
Attorney at Law

J. A. Khan
Attorney at Law

Clearfield County, ss: (C)

At a Court of Quarter Sessions of the Peace of the county of Clearfield, Pennsylvania, held at Clearfield, in and for said county, on the 11th day of May, A. D. 1887, before Judges of said Court, upon a petition of sundry inhabitants of the township of Laurel, in said county, setting forth that they labor under

great inconvenience for want of a public road or
highway to lead from a point near the old Ross
Road Saw Mill to the O'Shaughnessy Post Office via
Mulberry Station on the Bush Creek Railroad

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, Make report at next term of Court
whereupon the Court, upon due consideration had of the premises, do order and appoint Wm McKurtz Harrison Orvas & J. Jackson who, after being respectively sworn or affirmed to perform the duties of their appointment with impartiality and fidelity, are to view the grounds proposed for said road, and if they view the same and any two of the actual viewers agree that there is occasion for such road, they shall proceed to lay out the same agreeable to the desire of the petitioners, as may be, having respect to the best ground for a road and the shortest distance, and in such manner as to do least injury to private property, and state particularly whether they judge the same necessary for a PUBLIC or PRIVATE road, together with a plot or draft of the same, with the courses and distances and reference to the improvements through which it passes, and shall also procure releases of damages from persons through whose lands said road may pass, or failing to procure such releases, shall assess the same, if any sustained, and shall make report thereof to the next Court of Quarter Sessions to be held for said county, in which report they shall state that they have been sworn and affirmed according to law. Notice is directed to be given to the owners or occupants of seated lands through which the within road is intended to pass, of the time of the view, according to the 147th Rule of Court.

BY THE COURT.

Am Blum
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 the _____ 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. 188 _____



Assessment of Damages.

The following persons, having refused to release the damages to which they respectively may be entitled by reason of the location and the opening of the said road in the annexed return described, we, the undersigned viewers, under oath in pursuance of our duty, under the Act of Assembly, do assess their damages and make report thereof, as follows:

To Milton Reed the sum of Fifteen Dollars
To Beck Creek Canal Coal Company the sum of one "
To Harrison Straw the sum of " "

Witness our hands this 24th day of August, A. D. ~~188~~ 1891

H. M. Kurtz
Harrison Straw

No. 3 May Sessions, 1891

ORDER

To view and lay out a road for

Public use in the township of
Lawrence, Clearfield Co.

Sept 1891, Confirmed in Sec.
to be opened 33 feet wide &
apart between center &
embankment there to be
16 feet wide

By No Court

Dec 1891, Continued to
next court
By No Court

May 1892, Continued
By No Court

Filed, 188

Fees \$1, paid by

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 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	Amount
A. J. Jack	Days 2	4.00
(Cent # 982)	Miles 2	20
Harris on Street	Days 2	4.00
(Cent # 967)	Miles 2	20
A. M. Clark	Days 2	4.00
(Cent # 966)	Miles 2	20
	Days	18.60
	Miles	

1 In the Court of Quarter Sessions of Clearfield
2 County Pennsylvania

3
4 In Re public road in Lawrence Township to lead from
5 a point near the old Ross Road Saw-mill to the O. Shantz
6 post office via Mitchell Station on the Beech Creek
7 rail-road. No 3. May Sesssion 1891

8
9 And now Dec 23rd 1891 H. A. Chase attorney for
10 J. Roll Brown Jrs, M. Chase Jr and others
11 residents citizens and inhabitants of Lawrence Town-
12 ship in said County except to the confirmation of
13 the report of the Viewers, appointed to view and lay
14 out said road for the following reasons:

15 First: Because the draft annexed to report of Viewers appoint-
16 ed to view and lay out said road and the written
17 report of said Viewers do not agree as the draft does
18 not show courses and distances from intersections
19 of streets, the names of which are not given, to
20 Mitchell's Station on the Beech Creek Rail-road, in-
21 fact the draft does not show that the part of the
22 road above mentioned was viewed at all.

23
24 Second: Because of the interest of the Viewers in
25 having the road granted A. J. Jackson and H. M.
26 Kurtz being employees of the Beech Creek Canal Coal
27 Co. through whose lands the road runs for a consider-
28 able distance A. J. Jackson being Superintendent and
29 H. M. Kurtz Civil engineer for said Coal Co., and
30 that Harrison Straw another viewer is the owner of
31 a part of the land through which the proposed road
32 will run and is pecuniarily interested in having

the proposed road opened as it will increase the value of his property.

Third: The deems state in their report that "the only on the 21st day of August A.D. 1891 at 8 O'clock A.M. at the Oshtemo post office which was the time and place as named in the notice of view and after each having been duly sworn or affirmed according to law and all the deems being present and having agreed that such road was necessary as a public road proceeded to lay it out" showing that the deems had decided to accept in favor of the road before viewing the ground on which said road was to pass.

Fourth: There are now two public roads running parallel with the road as laid out by the deems, nearly the entire length of the proposed road, one leading from Mitchell's station on the Rock Creek Rail-road and leading to the old Oso Road Saw-mill which is not over three hundred feet distant from the proposed road, as laid out by the deems, at any point from Mitchell's station on the Rock Creek Rail-road until it intersects the public road leading from Josiah H. Thompson's to the Oshtemo Post office a distance, as shown by the draft of proposed new road, of 2831 feet and the other road leading from Josiah H. Thompson's to Oshtemo Post office which is within one hundred feet of said proposed road for a distance of 1783 feet when it diverges and the distance becomes greater, the road as proposed by the deems being situated between the two public roads above

mentioned; therefore the proposed road is not necessary for the use of the public the roads above mentioned being both public roads kept up at the expense of the Taxpayers of Lawrence Township and being ample and convenient for all public travel and use and all needs of the people in that vicinity.

Fifth; The proposed road as laid out would be expensive and burdensome to the Taxpayers of Lawrence Township in case they should be compelled to open the same and it is not necessary for public use as there are now sufficient roads in the vicinity of Mitchell's Station to meet all the needs of the people.

Sixth; At the time the petition for proposed road was circulated it was not known to the signers of said petition that there had ~~been~~ already been a road laid out from Mitchell's Station on the Beech Creek Rail-road to the Old Ross Road Saw mill on road leading from Josiah H. Thompson's to Oshanter Post office which road has since been opened, at the expense of Lawrence Township for public use, and is travelled by the public generally thereby rendering said proposed road useless and unnecessary.

H. A. Whaser
Atty for ex'ptants.

State of Pennsylvania }
Clearfield County } ss

No 5 May Session 1891

Public Sent Law

Lawrence University

Exposition is report of

Heaven

Wm. A. Chase

His Grace 1891

Wm. A. Chase

Before me a Justice of the Peace in and for said County and State personally came Joel Bloom and John M. Chase and who being duly sworn according to law do depose and say that the back set for the in the above mentioned case has been delivered to the lot of their inventory and

Subscribed before me
The 23rd day of May A.D. 1891 J. M. Chase, Jr.

Deposition of Witnesses produced
Sworn and Affirmed & Examined
by me at the time and place
stated in Rule of Court hereto
attached in Case of Re Public
Road in Lawrence Township
No 3 May Term 1891

Reuben Bloom produced and
Affirmed. I am 42 years old
reside in Lawrence Twp Clarifield
Co. Pa. I signed a petition for
a Public Road to lead from
the old Ross Road Saw Mill
to the Oshanter Post office
via Mitchell Station on the
Beck Creek Rail Road. At
the time I signed that Petition
I did not know that there
had been a Road granted
by the Court to lead from
Mitchell Station to the old
Ross Road Saw Mill. The
Road leading from Mitchell
Station to the ~~old~~ Ross Road Saw

will have been opened by the
disposition and is traded
by the public generally. The
road to which they have
been tied was parallel with
a short distance from
the road lately opened by the
disposition. I think the new
road would be an improvement
but not necessary since the
other road has been opened
I know Andrew Jackson he
was Superintendent of the Rock
Creek Canal Co. & at the
time this road was opened
this road passed through the
lands of Jackson & now on
of the Bureau
any more people
but it would not accommodate
than the road just opened
an earlier road to travel
in my opinion it would be
double and one single horse
a row of three horses for
passers near to and back of
Camp by the proposed road

In my opinion the road if opened
would be an easier road
to keep up than the one just
opened

Re Ex Those minor houses
that the proposed road will
pass are owned by the Beech
Creek Canal Coal Co.

I do not think this would
be an expensive road to
build it being a gradual
grade running through the
woods a greater portion
of the way along the side
hill

Cross Ex

As far as I know
the Beech Creek Coal Co
are heavy tax payers. I
have no particular objections
to the opening of this road only
it will put additional
expense on the tax payers
Paulin Bloom

Henry Dear Mya
I write in Lawrence 2/10

am 30 years old. I was
one of the owners of the road
leading from the Oklahoma
first after by way of Musk
Alston 13.2.12.2. I am
lands along the line of the
Geophora Road. It runs
through my land about
1/2 mile. It would not
increase the value of my
land

Love By
The road would
be of use to me in case
and also to other property
owners near me

It is It would benefit
James White Stone Nelson
Dr Jerry Harris Dr Johnson
Shad Shobackman Homer Bond
D. P. Morrison & J. P. Bonds
and all the citizens of this
vicinity
Of course I want

Joseph R. Chase Affd

I am 25 years old I reside in Lawrence Gp I was one of the signers to the Petition for the Road to which exceptions are filed at the time I signed the Petition I did not know that a road had been granted by the Court from Mitchell Station to the old Ross Road Saw Mill. If I had known the road had been granted I would not have signed the Petition as another Road is not necessary as it runs parallel with and a short distance from the other road. The road already opened is ample for the accommodation of the Public and the new road would be expensive to build.

Cross Ex. I have resided in Lawrence Gp I don't own Real Estate in the Township. I am engaged in the Merchantile business and with a man

who does own Bear Estate
in the Township, I have
had experience in Road
building, I have been
over the ground of the proposed
road I don't consider it
would be any greater
accommodation than the
old road. I at a good
deal of hauling from the
road, there is no many
houses in the old road for
in the ~~new~~ road and on
the new road they belong
to the Company.

J. R. Chase.

I do hereby certify that the
above signed petition was duly
qualified and examined and
agrees then deposited in my
presence
John Mayhew this 28th
day of June AD 1899
J. R. Chase

Nov 3 May Session 1891

Depositors in
the Public Road in
Lawrence Townships

David Connolly

Lawrence \$2.00

Benjamin Brown

Lawrence \$1.00

John Brown

Benjamin Brown

Thomas Brown

J. R. Brown

To the Hon. Judge of the Court of-
Clearfield County State of Pennsyl-
vania-

In accordance with the accompany-
ing order of Court to view the Site for
a Public Road in Lawrence Town-
ship, we the undersigned viewers
appointed to view and lay out the
the same, do respectfully report:-

That having given due and public
notice of the time and place of
said view by printed hand bills
as required by act of Assembly
we met on the 24th day of August
1891, at 8 o'clock am. at the
O'Shafter Post Office which was
the ^{time and} place as named in the notice
of view, and after each having been
duly sworn or affirmed according
to law - and all the viewers being
present, and having agreed that
such road was necessary as a
public road proceed to lay it out
according to the following description
to wit:-

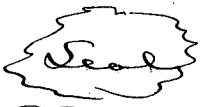
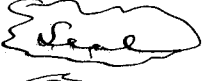
Beginning at a point in the Township
Road near the O'Shafter Post Office
thence through the lands of

Milton Reed. $N 61^{\circ} 50' E$ - 690 ft
thence $N 58^{\circ} 09' E$ 471.5 feet to a
point in the division line between
the lands of Milton Reed and the
Beech Creek Cannal Coal Company.
Thence along a street 40 ft wide, as
laid out on the plat of the Beech Creek
Cannal Coal Co. through the lands of the said
Company $N 42^{\circ} 22' E$ 119 feet, thence
along said street $N 51^{\circ} 55' E$ 514 feet
to a point which is the intersection
of the center lines of said street and
another street - as laid out on the
plat of said company - From
this point along a street as laid out
on the plat of the ^{said} Beech Creek
Cannal Coal Co. a distance of
300 feet to the Beech Creek
Railroad Station.

Then beginning at above point of
intersection of streets again -
 $N 56^{\circ} 55' W$ 1048.6 feet, thence
 $N 40^{\circ} 14' W$ 550. feet, which
line crosses the division line between
the ^{lands of the} Beech Creek Cannal
Coal Co and Harrison Straw
at a distance of 10 feet
thence through the lands of -

Harrison Straw N 33° 33' W
 953 feet Thence N 52° W 280
 feet to the intersection with
 the center line of Township
 Road near the old Ross
 Reed Saw Mill which was
 the place of starting as laid
 down in the order of Court -

Witness Our hands and seals
 the 24th day of August, 1891

H. M. Kurtz 
 A. J. Jackson 
 Harrison Straw 