

No.

5 Feb

Term, 189

1892

Public Road  
~~Versus~~ in  
Morrison's Sup.

Contents:

Part 1 - 1892

Part 2 - 1892

In re Public road in } No 5 Feby Sess 1892.  
Morris Township }

To the Honorable N. L. Krebs (President Judge  
of the Court of Quarter Sessions of  
Clearfield County Pa-

In the matter  
of the above mentioned public road  
in Morris Township to the Confirma-  
tion of which I as attorney for some  
of the citizens of Morris Township  
filed exceptions on the 11<sup>th</sup> day of May  
A.D. 1892 and also filed a remonstrance  
on the 5<sup>th</sup> day of Sept A.D. 1892 would  
respectfully request your Honor to permit  
me to withdraw said exceptions and  
remonstrance as there are now no  
objections existing to the absolute con-  
firmation of said road

Respectfully submitted

Samuel D. Bull  
Atty for Exceplants

In the Court of Quarter  
Sessions of the County of  
Down & Pa

1890 25 Feb 22 1891

In or Public Road  
in Morris Street

Withdrawal of Joseph  
- in numerous cases

# Wm. H. C. Garrison

Robt Scott

W. P. Jackson

Samuel Bailey

P. H. Lynn

W. H. Walker

David L. Ray

Jacob F. Hall

Geo. W. Ball

J. H. Hall

Lara Childs

August Moore

P. H. Hall

P. H. Hall

George R. Turner

John Jensen

Thomas Laff

Frank Pettor

Isaac T. Lott

Thomas White

John Mc Clement

William Wray

Frank Washburn

Wm. Washburn

Dana H. Gully

Samuel J. Washburn

Daniel Gray

Michael Holmberg

W. M. Pelton

George Waring

H. H. Washburn

J. A. Hall

H. C. Shingert

Angus Jensen

Nicholas Graue

Wm. Phelps

D. M. Harris

Charles Magee

Meiles Pelton

E. S. Pelton

No 5 July 28 1892

Road in Mono Mts

Rebecca Howe

Aug 5 Sept 1892

Wm. B. Coon  
alt

To the Honorable Court of Quarter Sessions of the County  
of Chester.

The petition of the undersigned citizens  
of Morris Township in said County respectfully  
sheweth: That a road has lately been laid  
out from Munson's Station to Ashcroft in  
said County (to No 1891) which  
will be <sup>unnecessary and</sup> very expensive and burdensome to the  
Township. They therefore pray your Hon-  
orable Court to refuse confirmation of the  
said road. And they will ever pray,

Austin Dillon

William Hering

John Shields

A. G. Shlager

James Irwin

Richard Shields

W. H. McDonald

Lewis Bogner

...

S. Watkins

...

E. Durney

S. P. Dargatzian

Peter Stromson

John Pitterman

Samuel Shields

James Ardrey

E. S. Beck

W. H. Long

H. Waschen

J. B. Hill

O. J. Hummel

Jacob Maurer

H. Nolt

Chas. L. Levy

D. H. Wainwright

Elmer Craigie

J. H. Nicholson

Joseph Nicholson

W. W. Howes

John Richards

Patrick Gilday

E. C. Emerson

S. T. Zeldbach

*Petitioners vs*

No. 5 Feb Term, 1892

The Commonwealth

VERSUS  
*In the Matter of a Public  
Road in Morris Twp*

Constable's Return.

Constable ..... Services, \$ .....

..... Miles direct .....

Total, - - - \$ .....

CLEARFIELD COUNTY, SS:

Personally appeared before me the subscriber, who being duly sworn, doth depose and say that he made the number of services and traveled the number of miles set out above in making service of this Subpoena.

Sworn and subscribed before me this

..... day of ..... 189 .....

.....  
Clerk.

Public Spirit Print, Clearfield, Pa.

*W. A. Chase  
atty pro Petitioners*

CLEARFIELD COUNTY, ss:

The Commonwealth of Pennsylvania to

*John Hobbs - Michael McGuire*

*John Ham - Mathias Wolter - John Sh - Lewis*

*Wm H. Subst - Wm H. Subst - Wm H. Subst*

*Wm H. Subst - Wm H. Subst - Wm H. Subst*

*Wm H. Subst - Wm H. Subst - Wm H. Subst*

*Whereas the said John Hobbs and Michael McGuire are the owners of the Clearfield County Court of Quarter Sessions, there to be held for Clearfield County, on the 15th day of January next, there to testify the*

truth according to your knowledge in a certain case now pending in our said Court, and then and there to be tried, wherein the Commonwealth of Pennsylvania is Plaintiff and *On the Motion of the Public Room in Morris vop* Defendant, and that on the part of the *petitioners* And this you

are not to omit under the penalty of five hundred pounds.

*Witness* the Hon. David L. Krebs, President of our said Court, at Clearfield, the 18 day of *January* 1894.

*Amos*  
Clerk.



To the Hon<sup>ble</sup> Judge of the Court of Clearfield  
County, State of Pennsylvania:—

In accordance with the accompanying  
Order of Court to view the site for a Public  
Road in Morris Township, Clearfield County,  
we, the undersigned viewers appointed to view  
and lay out the same, do respectfully report:—

That having given due and public notice  
of the time and place of holding said view  
by printed hand bills as required by act  
of Assembly; we met on the 12<sup>th</sup> day of  
April at 8 o'clock A.M. at the Mohawgon  
Hotel, which was the time and place named in  
the notices of said view and after each hav-  
ing been duly sworn or affirmed according  
to law and all the viewers being present  
and having agreed that such road was  
necessary for the convenience of the public  
proceeded to lay it out according to the following  
description, to wit:—

Beginning at a point in the Road leading  
from Kylestown to Hawk Run near the house  
of Jno Jenny thence along the division  
line of John Jenny & Charles O'Neil on  
the one side and Peter Moyer on the other  
side S 85° 30' E 1006 feet, thence along the  
line dividing John McNew, John Dixon,  
Thos. Dixon, Thos. McCliment Wm Low, James

And now 11<sup>th</sup> May A.D. 1892 Singleton Bell as attorney for Dr. Bailey, John H. Brown and other citizens and tax payers of Morris Township, filed the following exceptions viz:—

First. — That the road is not laid out with respect to the best ground for a road and the shortest distance.

Second. — That a public road is not needed along the line as laid out for a public road there being now good roads connecting Munsen Station and Hawk Run and only a very few persons being specially accommodated by the proposed road.

Third. — That on account of the large number of roads now in Morris Township the tax levy is insufficient to keep them in reasonable condition and the road district is already in debt, which will be increased by the erection of the buttment at Troy's Bridge as ordered by the Grand Jury and Court at May 8<sup>th</sup> '92. making it practically impossible to build such a road as here proposed, except by a disadvantageous contract.

Fourth:— Because the interest of Morris Township requires a decrease rather than an increase of the number of roads in said Township.

Singleton Bell  
Atty for exceptions

Mulloy on the East side and Chas O'Neil  
John Critchley and Wm Hutchison on the  
West side N  $3^{\circ} 05' E$  818.5 feet, thence  
through the lands of John Holmes along  
the division line between said John Holmes  
and Wm Lowe, S  $87^{\circ} E$  825 feet, thence  
S  $62\frac{1}{2}^{\circ} E$  165 feet, thence S  $86^{\circ} 15' E$  403  
feet, thence N  $39^{\circ} 45' E$  511 feet thence  
N  $27^{\circ} 20' E$  624.5 feet, thence N  $17^{\circ} 15' E$   
297 feet to the intersection with the  
road leading from Munson's Station to  
Allport. See Draft attached

Witness our hands and seals this  
the 23<sup>d</sup> day of April, A.D. 1892.

Wm M. Kirtz [Seal]  
H. J. Koffer [Seal]  
James Savage [Seal]

Clearfield County, ss.

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 3<sup>rd</sup> day of May, A. D. 1892, before Judge of said Court, upon a petition of sundry inhabitants of the township of Morris, in said county, setting forth that

*They have under great inconvenience for want of a public road or highway to lead from a point on the public road leading from Keyserman to Hawks Run at or near the residence of John Jenny in Morris Township to a point on public road leading from Munson Station to airport at or near the Mohannon Hotel in Morris Twp.*

and therefore praying the Court to appoint proper persons to view and lay out the same according to law, *Make report at next Court*

whereupon the Court, upon due consideration had of the premises, do order and appoint *H. M. Kurtz, W. J. Hoffer & J. L. Farago*

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 the 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.

*A. M. Blount*  
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, or and in consideration of the sum of ONE DOLLAR to us respectively paid by the \_\_\_\_\_ at and before the enrolling and delivery hereof, have remised, released and forever quit-claimed, and do hereby remise, release and forever quit-claim to the said Clearfield County 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 12<sup>th</sup> day of April, A. D. 189 2.

Thomas Dickson (Seal)  
Thos X McBliment (Seal)  
Jas Mulloy (Seal)

Peter Meyer (Seal)  
John McKeen (Seal)  
William Hean (Seal)

William Hutchinson (Seal)  
William Lave (Seal)

Jas X Dillen (Seal)  
M Maguire (Seal)

John Holmes (Seal) ASSESSMENT OF DAMAGES J. H. Curtis (Seal)  
Wm Keller

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 \_\_\_\_\_ the sum of \_\_\_\_\_

To \_\_\_\_\_ the sum of \_\_\_\_\_

To \_\_\_\_\_ the sum of \_\_\_\_\_

Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 189 .

Nov 11 May 1892 Exp review for 4 Lexington Pass

NO. 5 *July* SESSIONS, 1892

ORDER

To view and lay out a road for  
Public use in the township of  
*Morris*, Clearfield Co.  
*May* Sessions 1892,  
read and confirmed Ni. Si.  
Road to be opened *3* wide,  
except where there is side hill  
cutting or embankment and  
bridging, there to be 16 feet  
wide. *By the Court*

*Anonowabay* Sess 1893. After hearing  
had and atty representing *Deception* and  
remonstrance having filed a paper asking  
leave to withdraw said exception &  
remonstrance. This report is thereupon  
confirmed absolute By the Court

Filed *26 April*, 1892  
Fees \$ *1.25* paid by *W. Chase*

PUBLIC SPIRIT PRINT.

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
<i>Hy McKurtz</i>	2	8.00
<i>Cert #1099</i>	18	1.80 9.80
<i>W. J. Hoffer</i>	2	4.00
<i>Cert #1095</i>	18	1.80 5.80
<i>Gas Savage</i>	2	4.00
<i>Cert #1094</i>	18	1.80 5.80
	Days	
	Miles	
	Days	
	Miles	

To The Honorable W L Krebs President Judge  
 of the Court of Quarter Sessions of Clearfield  
 County

The petition of the undersigned inhabitants of  
 the township of Morris respectfully shows th:  
 That your petitioners labor under great inconve-  
 niences for want of a public road or highway to lead  
 from a point on the public road, leading from  
 Tyler Town to Hawk Run, at or near the residence  
 of John Jenny, in Morris Township, to a point  
 on public road leading from Muncora Station  
 to Ellport at or near the Moshanicon Hotel  
 in Morris township. Your petitioners therefore  
 pray the Court to appoint proper persons  
 to view and lay out the same according  
 to law. And they will ever pray &c

Matthew Whittaker

William Herbert

Henry Herbert

John McKeown

Thomas McElinment

John Holmes

Albert Wilkinson

William Wilkinson

Henry Herbert

Chas. Bessinger

Joseph M. Smith

James Mulligan

E. L. Remsingder

Mr. Maguire

Vaigous, Lucas

E. J. Roan

James Forey

Oliver Shaw

Ed. Grantor

Thomas Hart

Thomas Dixon

James Hartman

D. E. Meadler

Mr. Lushy

Ed. L. Walsh

C. E. Belders

W. E. Peterson

Mr. Keller

R. L. Joneson

W. W. Divinsky

No 5 ~~May~~ Dec 1892  
Pelly

Petition for Public Road  
in Yukon Township

To lead from a point on  
Public Road leading from Upper  
known to Hank's River at  
our residence of the primary

to

a point on public road  
leading from Hudson Station  
to Airport at or near the  
Hudson Hotel

And now by 5<sup>th</sup> 1892  
the within petition read  
and considered and it was  
unanimously passed and it was  
ordered that the

petition be  
referred to the  
Committee on  
Public Roads

W. M. Grant  
J. M. Grant  
J. M. Grant

W. M. Grant