

No. 5 Fly Term, 1892  
1892

Public Road  
Versus in  
Morris Twp.

Contents:

W. H. V. 1892

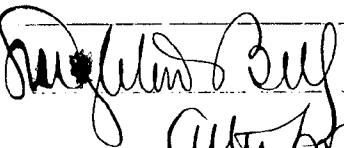
Part Two 177-1  
177-6

1 In re Public road in } No 5 Feby Sess 1892.  
2 Morris Township } 3  
3

4 To the Honorable N. L. Knobs President Judge  
5 of the Court of Quarter Sessions of  
6 Clarfield County Pa-  
7

8 In the matter  
9 of the above mentioned public road  
10 in Morris Township to the Confirmation  
11 of which I as attorney for some  
12 of the citizens of Morris Township  
13 filed exceptions on the 11<sup>th</sup> day of May  
14 A.D. 1892 and also filed a remonstrance  
15 on the 5<sup>th</sup> day of Sept A.D 1892 would  
16 respectfully request your Honor to permit  
17 me to withdraw said exceptions and  
18 remonstrance as there are now no  
19 objections existing to the absolute con-  
20 firmation of said road

21 Respectfully submitted

22   
23 Alfred Bell  
24 Atty for Exceptants  
25  
26  
27  
28  
29  
30  
31  
32

In the Quarantine  
Season of 1892  
Crown 5 Pds

Feb 15 1892

32  
31  
30  
29  
28  
27  
26  
25  
24  
23  
22  
21  
20  
19  
18  
17  
16  
15  
14  
13  
12  
11  
10  
9  
8  
7  
6  
5  
4  
3  
2  
1

On or Public road  
in Morris County

Withdrawal of except  
- ions & numerous horses

W.M. McGraw

Ross Scott

W.P. Jackson

Samuel Packey

P. H. Lyon

J. D. McRister

David L. Ray

Harriet J. Legall

Leslie Ball

J. V. M. ...

none C. M. L. ...

Augustine

F. C. ...

John McLean

George R. Turner

John Tengen

Thomas Laffy

Frank Peltor

Isabel Peltor

Thomas White

John Mc Clemont

Wellman Way

Frank Washburn

John Washburn

Daniel W. Felby

Edmund Johnson

David Gray

Michael Johnson

W. M. Mc Peltor

George Waring

W. H. Johnson

J. A. Mc Cullough

L. C. Blumgart

Angus Bryan

Nicholas Greene

W. H. Phillips

D. M. Barnes

Charles Mayes

Miles Peltor

E. J. Peltor

Nov 1st 1872

Road in Monistree

Revera Tracee

Head of deep cut  
Amherst  
alk

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

The petition of the undersigned citizens  
of Morris Township in said County respectfully  
shows: That a road has lately been laid  
out from Munson's Station to Ashcroft in  
said County (L. No. \\$81891) which  
is unnecessary and will be 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 Dilley	William Haining
John Shields	A. G. Shlegman
James Brown	Richard Shields
W. H. McDonald	Lewis Bogner
	D. Mathews
	C. Durrow
S. P. Douglass	Peter Stevenson
John Patterson	Samuel Shields
James Ardrey	C. B. Biss
J. H. Long	H. Washburn
J. B. Biss	V. J. Hummel
Jacob Slawer	T. Holt
Isaac L. Levy	D. H. Waino
Elmer <del>Wazier</del>	J. H. Richardson
Joseph Richardson Jr.	W. H. Town
Jas. Richards	Patrick Gilley
E. C. Johnson	D. T. Holloman

Petitioners vs/

No. 5 Feby 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

Commonwealth Subpoena.

CLEARFIELD COUNTY, ss:

The Commonwealth of Pennsylvania to John Holmes - Michael McGuire  
John Hart - Melton Whitaker - John McLean  
Wm T. Subert - Wm. McLean  
John Hayes - Henry Herbut - Wm. Ray McElwain  
Joseph S. James Savage - Wm. McElwain  
The Commonwealth You, That setting aside all manner of business and business a  
whatsoever you shall appear in your proper person before our Justices of  
Clearfield, at our County Court of Quarter Sessions, there to be held for Clear-  
field County, on the 15<sup>th</sup> Monday 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 Pennsyl-  
vania is Plaintiff and on the Miller of a Public Land  
in Morrisburg

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 15<sup>th</sup> day of January  
A. D. one thousand eight hundred and ninety.

J. McLean  
Clerk.

To the Hon<sup>r</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 Moshannon  
Hotel, which was the time and place named on  
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 Kylertown 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 McTewon, John Dixon,  
Thos. Dixon, Thos. McClement W<sup>m</sup> Low, James

Bud now 11<sup>th</sup> May AD 1892 Singletown Bell as  
attorney for D. Bailey, John H. Brown and other  
celebrus and tax payers of Morris Township, files  
the following exceptions viz:—

First. — That the road is not laid out with re-  
spect to the fresh 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 Mun-  
sen 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 batiment at Longs 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 has proposed, except by a disad-  
vantageous contract.

Fourth:— Because the interest of Morris Township  
requires a decree rather than an acreage of the  
new roads in said Township.

Singletown Bell  
atty for exceptions

Mulroy 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 Low, 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.

H. M. Kirby [Seal]  
W. J. Keffer [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 15<sup>th</sup> day of February, 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 labor under great inconvenience for want of a public road or highway to lead from a point on the public road leading from Kaysville to Hawick Run at or near the residence of John Jenny in Morris Township to a point on public road leading from Miners Station to autumn near the Moshannon 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 J. McEntee W. Hoffer & J. Salgarage 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.

J. M. Brown,  
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 ensealing 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. 1892.

Thomas Dickson *Seal*  
Thos X McElmunt *Seal*  
John Maday *Seal*

Peter Mooyor *Seal*  
John McElmunt *Seal*

William Hutchinson *Seal*  
William Surr *Seal*

John Dickson *Seal*  
Wm Maguire *Seal*

John Holmes *Seal* ASSESSMENT OF DAMAGES J. M. Curt *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 Ex parte James H. Singletown Recd

NO. 5 *Ex parte* 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 N. S.  
Road to be opened 30 feet wide,  
except where there is side hill  
cutting or embankment and  
bridging, there to be 16 feet  
wide. *By the Court*

1892 May 1892. After hearing  
had and atty representing exception and  
remonstrance having filed a paper asking  
leave to withdraw said exception &  
remonstrance. This report is therupon  
confirmed absolute *By the Court*

Filed 25 April, 1892  
Fees \$1, paid by *W. A. 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 dis-advantages of the road, they will report to that effect.

	AMOUNT.
<i>W. H. McKinley</i> Cert # 1099	Days 2 8.00
	Miles 18 1.80
	9.80
<i>W. J. Hoffer</i> Cert # 1095	Days 2 4.00
	Miles 18 1.80
	5.80
<i>Jas Savage</i> (Cert # 1094)	Days 2 4.00
	Miles 18 1.80
	5.80
	Days .....
	Miles .....
	Days .....
	Miles .....

1 To the Honorable W L Krebs President Judge  
2 of the Court of Quarter Sessions of Clearfield  
3 County

4 The petition of the undersigned inhabitants of  
5 the township of Morris respectfully showeth;  
6 That your petitioners labor under great inconveni-  
7 ence for want of a public road or highway to lead  
8 from a point on the public road, leading from  
9 Kylertown to Hawk Run, at or near the residence  
10 of John Jerney, in Morris Township, to a point  
11 on public road leading from Munson Station  
12 to Allport at or near the Mechanic Hotel  
13 in Morris Township. Your petitioners therefore  
14 pray the Court to appoint proper persons  
15 to view and lay out the same according  
16 to law. And they will ever pray etc

17 Matthew Whittaker

18 William Herbert

19 Henry Herbert

20 John Mc Keown

21 Thomas Mc Clelland

22 John Mc Clelland

23 Albert Wilkinson

24 William Wilkinson

25 Henry Herbert

26 Chas Beagleby

27 Joseph D. Smith

28 John Bullock

29 E. L. Remsnyder

30 Mr Magwill

31 Francois, Lucas

32 E. J. Roan

33 James Forey

34 James Shaw

35 Ed Gontier

36 Thomas Hart

37 Thomas Dixon

38 James Hartshorn

39 E. E. Mciotter

40 Mr. Murphy

41 E. L. Welsh

42 E. E. Belcher

43 W. E. Peterson

44 Mr. Keller

45 R. L. Jones on

46 Dr. W. Divinity

No 5 ~~May~~ June 1892  
July

"Delikion for Public road  
in Morris Township  
to lead from a point on  
Public road leading from Tyler  
-twin Falls Ranch River about  
near residence of Jim Jerney

to  
a point on Public road  
leading from Mission Station  
to Airport about three miles  
from Mission Station

and now July 5<sup>th</sup> 1892  
the within Delikion road  
and connecting and 11 M  
Miles. In shape and in  
Manner are  
approximately the same  
and ~~approximately~~ same

by  
W. C. Nichols

PL

orackee